

## **Approaching Food Security In A Multidimensional Legal Paradigm: A Critical Study**

-Shatakshi Johri<sup>1</sup>

### **ABSTRACT**

*Gradually, the problem of famine started plaguing certain countries on a regular basis. They started looking for assistance from developed nations such as Canada, United States etc where there was sufficiency of food grains. A commitment to the right to food was articulated in the International Code of Conduct on the Human Right to Adequate Food, initially proposed before the World Food Summit. The international community has identified the reduction of poverty and hunger as one of the overarching goals for development policy in the new millennium. Biotechnology must also sustain established productive capacities in the face of environmental and bioterrorist challenges, overcome nutritional shortcomings of existing foods and improve National Gross Domestic Products (GDPs). The “Human security” concept focuses upon a canvas consisting of various normative frames for global policy making which prove to be the litmus test of minimum requirements. The pace of implementation of policies might be varied but these defined minimum requirements demand their incremental progression and ultimate realization. Food security cannot be ensured only by increasing the per head availability of food grains. The definition aspect of the right to food is all differently defined by various organizations. It is to be understood, that a definition all-inclusive has to be referred which consists of factors like accessibility, sustainability etc.*

**Keywords:** - Malthusian theory, Amartya Sen’s theory, Food, World Food Summit, Hunger  
Introduction

The concept of right to food is not new. It has been formally recognized since the adoption of the United Nations Universal Declaration of Human Rights in 1948. Nevertheless, in a time of plenty, an estimated 800 million people, primarily in developing countries, are undernourished

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<sup>1</sup> Assistant Professor of Law, University of Petroleum and Energy Studies, Dehradun

and food insecure. More disturbingly, the FAO reports that the number of undernourished people is no longer falling, it is rather climbing.

The international community has identified the reduction of poverty and hunger as one of the overarching goals for development policy in the new millennium. These millennium development goals outline a framework for development actions, as well as benchmarks for measuring developing progress. At the 1996 World Food Summit, reducing hunger and food insecurity was declared as the essential part of the international development agenda.

A commitment to the right to food was articulated in the International Code of Conduct on the Human Right to Adequate Food, initially proposed before the World Food Summit. It was pioneered by Non-Governmental Organizations. In essence it proposed a rights-based approach to food security.

In the realm of food ethics and global distributive justice, this concept has triggered a positive response in many states. The concept has gained a multi-faceted dimension with these international developments. The countries have started framing voluntary guidelines for the progressive realization of the right to adequate food, including consideration for state organizations.

### **FOOD SECURITY: A MULTIVARIATE COMPLEX CONCEPT**

The concept of food security and food justice has invited a lot comments from various stakeholders. It has undergone a sea change since its inception. The 1960s and 1970s witnessed a great era of famine in various parts of the country. Gradually, the problem of famine started plaguing certain countries on a regular basis. They started looking for assistance from developed nations such as Canada, United States etc where there was sufficiency of food grains.

The latest statistics reveal that a total of 842 million people in 2011–13, or around one in eight people in the world, were estimated to be suffering from chronic hunger, regularly not getting enough food to conduct an active life.<sup>2</sup> Also, the western nations continue to dominate followed by European nations such as Sweden and France while the sub- Sahara African regions continue to be at the bottom of the pyramid. A look at the Food Risk Security Index 2013 would

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<sup>2</sup> FAO, The Multiple dimensions of food security , Report by FAO, (2013), *available at* [www.fao.org](http://www.fao.org) , (Last visited on December 20, 2013).

reveal that lot of African countries fall under the extreme risk threat, while Asian countries such as India falls under the high-risk zone. A lot of American countries face the least risk probability. This perhaps gives an insight as to what areas are plagued by the problem of food shortage<sup>3</sup>.

It is very important to understand the basic definition of food security and how is different from food insecurity. The food security has been defined by various organizations.

*“Food security. means that food is available at all times; that all persons have means of access to it; that it is nutritionally adequate in terms of quantity, quality and variety; and that it is acceptable within the given culture. Only when all these conditions are in place can a population be considered food secure.”<sup>4</sup>*

*“All people at all times have physical and economic access to sufficient, safe and nutritious foods to meet their dietary needs and food preferences for an active healthy life.”<sup>5</sup>*

It is interesting to see that the definitions have also been subject to a lot of criticism. The definitions have often been criticized on the parameters of a) Universality: It should be available to everybody b) Stability: There should be a sustained access c) Dignity: This can be ensured by normal food channels not by way of any emergency program me. D) Quantity: Minimalistic approach should be given as it the only practical solution for the same e) Quality: It resorts to hygiene. <sup>6</sup> From the above discussion it can be easily seen that food security is a complex and multivariate concept which is very difficult to achieve.

Also, the various components which factor in such as the *Quantitative aspect* (not enough food), *Psychological* (anxiety about food supply or stress associated with trying to meet daily food needs), and *Social* (having to acquire food through socially unacceptable means such as charitable assistance, buying food on credit, and in some cases, stealing) are not there when we talk about food security. The ingredients should not factor when we talk about food security.

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<sup>3</sup> Maplecroft 2012, The Towers, St Stephen's Road, Bath BA1 5JZ, United Kingdom, *available at* [www.maplecroft.com](http://www.maplecroft.com) (Last visited on December 20, 2013).

<sup>4</sup> FAO ( Food and Agricultural Organized) of United Nations. It is an inclusive definition.

<sup>5</sup> Rome Declaration on World Food Security (World Food Summit, 1996) adopted by: United Nations, Government of Canada, World Health Organization

<sup>6</sup> FAO prescribes more parameters in terms such as vulnerability and shocks as well. Vulnerability would mean the cereal import ration, percentage of arable land equipped for irrigation etc. Shocks would mean food price volatility etc.

After having talked about food security, it is relevant to know that food security should be at all three levels. i.e., individual level. Then it should also be at household level and thereafter at the community level. Unless, food security is ensured at all three levels, food justice cannot be ensured. The food security is gauged by way of a standardized tool called the Global Food Security Index.<sup>7</sup>

### **INTERNATIONAL LAWS ON RIGHT TO FOOD**

The international legal framework has encapsulated the right to food by way of following provisions. It reflects the fact that the world order has been conscious of the fact that right to food has to be regarded as one of the fundamental goals. These have also been mentioned in the Millennium Development Goals as will be discussed in this project.

Article 25, paragraph 1 of the UN (United Nations) Declaration on Human Rights refers to the “Right to Food” as one aspect of the “Right to a standard of living” adequate to ensure the health and wellbeing of each person. The right to food is thus inextricably linked to individuals’ health and wellbeing.

Article 11, paragraph 1 of the ICESCR( International Council for Economic, Social, Civil and Political Rights) stipulates the right to adequate food whereas paragraph 2 of the ICESCR stipulates the right to be free from hunger thus emphasizing upon the right to an adequate standard of living going beyond the issues of availability and accesses. Article 11 further obligates State Parties to the Covenant to take specific measures individually and through international co-operation to ensure the right to adequate food and to eliminate hunger.

The right to adequate food involves a “relative term of adequacy.” It is subjected to incremental as well as progressive realization. The states which are party to the Covenant are mandated to ensure measures, policies, and programs that lead to meeting the adequacy norms of food over time. But the right to freedom from discrimination in accessing adequate food is an "absolute standard," meaning it is immediately actionable and universally applied equally (see Article 2, para 2 of the ICESCR). The implementation of absolute standards shall ensure the freedom from hunger.

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<sup>7</sup> The food production index is the sum of price-weighted volume of net food production (i.e., production minus the amount used for feed and seed) excluding coffee and tea, relative to the same value in a base year, multiplied by 100.

States which are party to the covenants are supposed to implement non-discriminatory food policies, even if the general level of fulfillment of access to adequate food is less in some countries than others (given the relative nature of progressive realization). Similarly, the right to be free from hunger is also an “absolute standard” and must be implemented with immediacy and urgency as a minimum level of basic subsistence (i.e., the right to be free from hunger resulting in death) is necessary to lead a healthy life and enjoy the right to life. The right to life, in turn, is the only right identified as fundamental in both the ICESCR and the International Covenant for Civil and Political Rights, ICCPR (Narula 2006).

Article 11 of the ICESCR spell out the modalities and following policy measures to fulfill these rights of adequacy of food and Right to freedom from hunger as enshrined in paragraph 2a and 2b

- i) increasing food availability nationally and internationally by increasing production, specifically by harnessing and disseminating technical and scientific knowledge to improve “methods of production, conservation and distribution of food
- ii) enhancing access to food at the country level by “ensuring an equitable distribution of world food supplies in relation to need”
- iii) targeting food utilization by identifying good nutrition as a crucial link between food access and health outcomes at the individual level.

It helps the countries to share, and disseminate the related production and nutrition related knowledge with individuals, improve production, reduce wastage, ensure equitable distribution and improvement in access reflected through health outcomes. Besides these measures, the right to adequate food as well as the obligations of States Parties acting individually and collectively remains relatively opaque.

### **APPROACH TO FOOD SECURITY**

In the present-day context of higher consumption regimes and global scarcity and poor access to resources, the rights-based approach to development starts from the ‘signal’ for all global actors of the need to secure the human right to water and sanitation, and the human right to food<sup>8</sup>.

There can be nature focused or society focuses approaches to the problem of right to food. The nature focused approach would mean enhancing the resources of the nature so as to generate

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<sup>8</sup> United Nations (UN) (2010a). UN Resolution A/RES/64/292. UN General Assembly, NY, USA.



the capacity to improvise food production. On the other hand, the society focus approach leads to the external factors such as taking care of hunger, calamity, price volatility etc.

The “Human security” concept focuses upon a canvas consisting of various normative frames for global policy making which prove to be the litmus test of minimum requirements. The pace of implementation of policies might be varied but these defined minimum requirements demand their incremental progression and ultimate realization. These objectives are reflected in global, regional or local policies for their achievement such as the Millennium Development Goals, National Missions, programmes for universal access. The defined minimum requirements emphasize upon the need to secure the human rights to safe environment, water, sanitation and food for all the stakeholders. The large chunk of stakeholders consists of poor individuals who need to be secured and protected through the respect of human rights. The literature review on human rights clearly spells out three temporal phases. The first phase emphasized upon political and civic rights of individuals, which demand immediate fulfilment. In the second phase the focus was on addressing the socio-economic rights framed by the right to development and their progressive realization. In the last phase, the environmental rights were doing the rounds as a right to a healthy environment that can only build a welfare society with individuals characterized by healthy lives and well-being. This evolution is witness to the development of the legislations, policies and programmes reflected through Human Rights Charter, right to information, Right to Employment, right to healthy Environment, Right to Education, Right to Forest dwellers and ultimately the recognition of the human Right to food and nutrition.

### **Utilitarian and Kantian Theories:**

The jurisprudential view takes into account the manifestation of ethical problems categorized as type I and type II problems.<sup>9</sup>

1. Type I ethical problems involve the difficult dilemmas that appear to be beyond the solution boundaries. There is no consensus on what is ethical. Here the arguments are formulated based on utilitarian perspectives. But these perspectives invariably clash with deontological arguments. This situation makes the dilemma appear intractable.

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<sup>9</sup> L. Nash, GOOD INTENTIONS ASIDE: A MANAGER’S GUIDE TO RESOLVING ETHICAL PROBLEMS, (1990).



The best example of Type I dilemma is the use of animals in biomedical research<sup>10</sup>. These kind of Type I ethical dilemmas are resolved after due persuasion with public at large. These persuasions are based upon sound and valid arguments or verifiable evidences so that public at large is convinced about the outcomes.

2. Type II are ethical problems involve the dilemmas which persist despite ethical consensus. There is consensus on what is ethical. There are distortions in the incentives for individuals or groups in behaving in an ethical manner. The distortions may be due to limited or misaligned or perceived incentives forcing the individuals or groups to behave in a particular manner. Thus the individuals or groups don't tend to behave in an ethical manner despite their consensus on ethical norms. These situations manifested through Type II problems are resolved by challenging and changing the institutional environment. Thus, the ultimate objective remains to address the incentive regimes that affects and influences the behaviour at large. These desired institutional changes often turn out to be an ethical issue of political will.

The rights-based approaches to development can increasingly be perceived as Type-II ethical problem. Here, every one ethically agrees to the rights regime but due to paucity of adequate incentive mechanisms and related distortions in incentives due to market driven forces on part of individuals/ groups, the behavioural change persists. In the context of food insecurity in the country, the right to food as right based approach to development can be perceived as Type II ethical problems, i.e., where there is common agreement on the objective but few incentives to achieve them. The behavioural aberrations are reflected in markets through traders, distribution chain in Public Distribution System, accessibility to the poor, storage problems, problems of plenty so far as food grain is concerned.

Now the moot question is whether the principle of egalitarianism should derive the benefits to the poor through such right i.e. Right to food or a minimalist approach should form the basis for ensuring intended benefits to the poor through such a right. In case we take an example of a country where there is no food sufficiency and another country having no problem of food shortage to the extent that it is using animals for bio medical research. How should the trade - off be drawn in egalitarian approaches or minimalist approaches to development of Rights regime in the country? Utilitarianism can be taken a synonym of welfare economics. The

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<sup>10</sup> James, H., On finding solutions to ethical problems in agriculture, 16(5), JOURNAL OF AGRICULTURAL AND ENVIRONMENTAL ETHICS 439-4571, (2003).





former is the dominant consequentiality theory in moral philosophy, and the latter is the dominant approach in prescriptive economics. Utilitarianism like Jeremy Bentham and John Stuart Mill advocated acting so as to promote the greatest aggregate happiness. Welfare economics is derived from utilitarianism and is based on evaluating choices in terms of their consequences for “social welfare,” which, in turn, typically depends on a composite evaluation of individual welfare or “utility.” The most widely embraced concept in economics is the Pareto Principle, which endorses any change that makes someone better off without making anyone else worse off.<sup>11</sup>

### **Amartya Sen’s Entitlement Theory and its Relevance in Present Day Context**

The words of Amartya Sen “there is no such thing as an apolitical food problem”<sup>12</sup> ever reverberates. It implies that the food related problems are not completely free from political influence. Before talking about Amartya Sen, it will be interesting to know about the Malthus theory on food security. His theory revolves around the idea that food security has to be gauged only by the parameter of per head availability of food grains. This theory excluded other factors such as calamity, price volatility, political forces etc. This theory fails in practical sense. For example, India’s success in eliminating famines since Independence is not primarily the result of raising food output per head, as it is often thought to be. Indeed the increase in availability of food per head in India has been fairly moderate (as it had also been in China up to the economic reform PI and the ratio of food to population has remained lower in the post-Independence period than it was in the late 19th century, when India had several famines, The main difference has been brought about by an administrative system which compensates the loss of entitlements as a result of such calamities as droughts and floods by providing employment- often at cash wages-giving the affected population renewed ability to command food in the market.<sup>13</sup>

The theory laid emphasis on population explosion which is the primary cause of per head availability of food grains. Thereafter, a better theory emerged by Amartya Sen which is known as entitlement theory.

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<sup>11</sup> It is a principle of economics which says that one can be made better off without making the other worse off. In terms of food security the economic principles play a pivotal role in determining the concept of food security.

<sup>12</sup> Amartya Sen, The Food Problem: Theory and Policy. 4(3), THIRD WORLD QUARTERLY 447–459 (1982).

<sup>13</sup> Amartya Sen, Food and freedom, Sir John Crawford Memorial Lecture Washington, D.C., (October 29, 1987).



The entitlement theory propounded by him also endorses the rights-based approach. “Entitlements” have been defined by Sen as “the set of alternative commodity bundles that a person can command in a society using the totality of rights and opportunities that he or she faces”. This definition is descriptive and not normative in approach as opportunities pose a vast vacuum in the empowerment and accesses to the poor and vulnerable. Entitlements derive strength from legal rights bestowed on individuals or groups rather than morality or human rights. Sen concludes *Poverty and Famines* with this famous observation: “The law stands between food availability and food entitlement.”

“First, there can be ambiguities in the specification of entitlements”, “Second, while entitlement relations concentrate on rights within the given legal structure in that society, some transfers involve violations of these rights, such as looting or brigandage”. “Third, people’s actual food consumption may fall below their entitlements for a variety of other reasons, such as ignorance, changed food habits, or apathy”. “Finally, the entitlement approach focuses on starvation, which has to be distinguished from famine mortality, since many of the famine deaths—in some case *most* of them—are caused by epidemics”. Thus the rights based approach to development through entitlement may also be subjected to distortions. Thus, the right to food based on entitlements may not deliver the intended benefits if the distortions in implementation are allowed to creep in.

## **GLOBAL GOVERNANCE FOR FOOD SECURITY**

### **UN Millenium Development Goals on Food Security**

The ability of agriculture to support growing populations has been a concern for generations and continues to be high on the global policy agenda. The eradication of poverty and hunger was included as one of the United Nations Millennium Development Goals adopted in 2000. One of the targets of the Goals is to halve the proportion of people who suffer from hunger between 1990 and 2015.<sup>14</sup> Meeting this food security goal will be a major challenge. Predictions of food security outcomes have been a part of the policy landscape since Malthus'

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<sup>14</sup>The World Bank Group, Millennium Development Goals: About the Goals, *available at* [www.developmentgoals.org/About\\_the\\_goals.htm](http://www.developmentgoals.org/About_the_goals.htm) (Last visited on December 20, 2013).

An Essay on the Principle of Population of 1798.<sup>15</sup> Over the past several decades, some experts have expressed concern about the ability of agricultural production to keep up with global food demands,<sup>16</sup> whereas others have forecast that technological advances or expansions of cultivated area would boost production sufficiently to meet rising demands.<sup>17</sup> So far, dire predictions of a global food security catastrophe have been unfounded.

Nevertheless, crop yield growth has slowed in much of the world because of declining investments in agricultural re-search, irrigation, and rural infrastructure and increasing water scarcity. New challenges to food security are posed by climate change and the morbidity and mortality of human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS). Many studies predict that world food supply will not be adversely affected by moderate climate change, by assuming farmers will take adequate steps to adjust to climate change and that additional CO<sub>2</sub> will increase yields.<sup>18</sup> However, many developing countries are likely to fare badly. In warmer or tropical environments, climate change may result in more intense rainfall events between pro-longed dry periods, as well as reduced or more variable water resources for irrigation. Such conditions may promote pests and disease on crops and livestock, as well as soil erosion and desertification.<sup>19</sup> In addition to its direct health, economic, and social impacts, the disease also affects food security and nutrition. Adult labor is often removed from affected house-holds, and these households will have less capacity to produce or buy food, as assets are often depleted for medical or funeral costs<sup>20</sup>. The agricultural knowledge base will deteriorate as individuals with farming and science experience succumb to the disease<sup>21</sup>. Can food security goals be met in the face of these old and new challenges?

Several organizations have developed quantitative models that project global food supply and demand into the future.<sup>22</sup> According to the most recent baseline projections of the International Food Policy Research Institute's (IFPRI's) International Model for Policy Analysis of

<sup>15</sup> T. R. Malthus, *An Essay on the Principle of Population* (2003).

<sup>16</sup> P. R. Ehrlich, A. H. Ehrlich, *THE POPULATION EXPLOSION* (1990).

<sup>17</sup> J. L. Simon, *THE ULTIMATE RESOURCE*, 2 (1998).

<sup>18</sup> *Id.*

<sup>19</sup> International Panel on Climate Change, *Climate Change 2001: Impacts, Adaptation, and Vulnerability* (2001).

<sup>20</sup> Food and Agricultural Organization of the United Nations (FAO), *The impact of HIV/AIDS on food security*, Committee on World Food Security, (2001), 27th Session, (Rome, 28 May to 1 June, 2001).

<sup>21</sup> *Id.*

<sup>22</sup> J. Bruinsma, Ed., *World Agriculture: Towards 2015/ 2030: An FAO Study* (Earthscan, London, 2003).



Agricultural Commodities and Trade (IMPACT)<sup>23</sup>, Developing countries will account for 93% of cereal with demand growth and 85% of meat-demand growth to 2050. Income growth and rapid urbanization are major forces driving increased demand for higher valued commodities such as meats, fruits, and vegetables. International agricultural trade will increase substantially, with developing countries' cereal imports are doubling by 2025 and tripling by 2050.

Nevertheless, this represents a nearly 35-year delay in meeting the Millennium Development Goals. In some places, circumstances will deteriorate, and in sub-Saharan Africa, the number of malnourished preschool children will increase between 1997 and 2015, after which they will only decrease slightly until 2050. South Asia is another region of concern although progress is expected in this region, more than 30% of preschool children will remain malnourished by 2030, and 24% by 2050.<sup>24</sup>

Achieving food security needs policy and investment reforms on multiple fronts, including human resources, agricultural research, rural infrastructure, water resources, and farm- and community-based agricultural and natural resources management. Progressive policy action must not only increase agricultural production, but also boost incomes and reduce poverty in rural areas where most of the poor live.<sup>25</sup>

### **Importance of an Effective Food Security Regime**

Food is the most basic of all human needs and collective food security governance has been with us since the dawn of human society. Failure to perform it effectively has inevitably engendered social unrest. The riots in capital cities around the world in late 2007 are reminiscent of the hungry crowds that threatened the life of Roman Emperor Claudius in AD 51 and the bread riots that helped to spark off the French Revolution in 1789. History and common sense tell us that a functioning food system is an indispensable pillar of a stable economy and a society capable of reproducing itself.

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<sup>23</sup> M. W. Rosegrant, S. Meijer, S. A. Cline, International Model for Policy Analysis of Agricultural Commodities and Trade (IMPACT): Model description (IFPRI, Washington, DC, 2002), available at [www.ifpri.org/themes/impact/impactmodel.pdf](http://www.ifpri.org/themes/impact/impactmodel.pdf).

<sup>24</sup> *Id.*

<sup>25</sup> Mark W. Rosegrant and Sarah A. Cline, Global Food Security: Challenges and Policies, 302 (5652) SCIENCE, NEW SERIES, (2003).

Food governance is an increasingly difficult task in a globalised world. On the one hand, it involves multiple layers of decision making. The capacity of single households to ensure an adequate supply of food for its members is affected by developments from local to global. Increasingly, even nation states are losing control over the factors that determine the food security of their populations. The range of imponderables has widened from acts of God, like the droughts or locusts that appear in the earliest narratives of the human race, or coups by political or military powers, to the impalpable workings of globalised economic forces.<sup>26</sup>

### **Social Organization and Food Security**

Social organization refers to the connectedness and functioning of institutional resources in a nation state. Food and nutritional security is primarily linked to the ability of people to acquire the necessary material or economic resources.<sup>27</sup> Although land reform is often cited as a means to food security in Latin America, the problem is more deeply rooted in patterns of inequality in power and access to human and material resources.<sup>28</sup> Thus, policies that broaden access to opportunity and long-term resilience of livelihoods are central to food security and hunger reduction.<sup>29</sup>

Social organization and hunger are related by reciprocal causation. Defects in social organization undermine food security; in turn, widespread hunger has corrosive effects on social organization. When disorder or corruption disrupts institutional functioning, food security is put at risk.<sup>30</sup> When social organization is lacking, food insecurity increases because basic functions of education, technical support for industries, transportation, and other institutions do not meet human needs. Africa is the only continent that has failed to increase its per capita food production in recent decades. It has had food production retarded by several factors: low level of input use, poor mechanization, weak research base, lack of incentives to producers, poor infrastructure, and poor access to markets.<sup>31</sup> Women are neglected targets of

<sup>26</sup> IFAD, Nora McKeon, Global Governance for World Food Security: A Scorecard Four Years After the Eruption of the "Food Crisis", (2010).

<sup>27</sup> Joseph J. Molnar, Sound Policies for Food Security: The Role of Culture and Social Organization, REVIEW OF AGRICULTURAL ECONOMICS, Vol. 21, No. 2(1999).

<sup>28</sup> Babu, S.C., and V.J. Quinn. Food Security and Nutrition Monitoring in Africa, 9, FOOD POLICY, 211-17 (1994).

<sup>29</sup> S. Devereux, Food Security Policy in Africa: Between Disaster Relief and Structural Adjustment: Reflections on the Conception and Effectiveness of Policies: The Case of Tanzania, 21, FOOD POLICY, 571-72 (1996).

<sup>30</sup> United Nations Food and Agriculture Organization. *The Rome Declaration on World Food Security and the World Food Summit Plan of Action*. (1999), available at <http://www.fao.org/WFS/policy/policy.htm> (Last visited on December 20, 2013).

<sup>31</sup> W.W. Murdoch, THE POVERTY OF NATIONS: THE POLITICAL ECONOMY OF HUNGER AND POPULATION, (1980).



assistance to food producers (Rasmussen). Matters of culture and social organization are central aspects of each problem.<sup>32</sup>

### **GLOBALIZATION AND FOOD SECURITY**

Today, very much more is happening across national borders than merely interactions and relations among governments. For one thing, there are many additional important actors on the international scene:

International agencies, such as the United Nations, the European Union, the World Trade Organization, the World Bank, and the International Monetary Fund, as well as multinational corporations and international non-governmental organizations (NGOs). Interactions and relations among states and these new actors are structured through highly complex systems of rules and practices, some with associated adjudication and enforcement mechanisms.<sup>33</sup>

Those actors and these rules powerfully influence the domestic life of national societies: through their impact on pollution and climate change, invasive diseases, conflict and violence, culture and information, technology, and (most profoundly) through market forces that condition access to capital and raw materials, export opportunities, domestic tax bases and tax rates, prices, wages, labor standards, and much else.

This double transformation of the traditional realm of international relations – the proliferation of international, supranational, and multinational actors, and the profound influence of transnational rules and of the systematic activities of these actors deep into the domestic life of national societies – is part of what is often meant by the vague term *globalization*. It helps explain why “global” is displacing “international” in both explanatory and moral theorizing. This terminological shift reflects that much more is happening across national borders than before. It also reflects that the very distinction between the national and international realms is dissolving. With national borders losing their causal and explanatory significance, it appears increasingly incongruous and dogmatic to insist on their traditional role as moral watersheds. Growth in global food supplies are cast as a necessary but not sufficient condition for eliminating food insecurity and malnutrition. Food security issues are said to include availability, stability, accessibility, sufficiency, autonomy, reliability, equitability and

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<sup>32</sup> Joseph J. Molnar, Sound Policies for Food Security: The Role of Culture and Social Organization, Review of Agricultural Economics, Vol. 21, No. 2 (Autumn - Winter, 1999).

<sup>33</sup> Thomas Pogge, POLITICS AS USUAL: WHAT LIES BEHIND THE PRO-POOR RHETORIC, (2010).

sustainability. They assert that globalization has had fundamental impacts on food security through:<sup>34</sup>

(1) agricultural trade regulations; (2) measuring food security based on supply availability and nutritional security, as determined by household and individual needs; and (3) the explosive growth in biotechnology. The latter could improve yield potential and raise productivity, even on marginal lands in countries that today are not able to produce enough food to feed their people.<sup>35</sup>

They fall short of noting that the relationship between food security and globalization is bi-functional in that they impact each other. Biotechnology must also sustain established productive capacities in the face of environmental and bioterrorist challenges, overcome nutritional shortcomings of existing foods and improve National Gross Domestic Products (GDPs). The benefits of increased food security and biotechnology research investments will flow back to the key players – those who pay the bills and control the information. It is not likely that developing countries will be major players.<sup>36</sup>

### **World Food Summit**

Heads of governments and their representatives met at a World Food Summit (WFS) in Rome in November 1996. The Rome Declaration from Summit participants pledged eventual food security for all, with an immediate target of reducing the number of undernourished people by half by no later than year 2015 (FAO 1996c, p. 1). The Summit Declaration called for policies generally consistent with the standard model. The principal challenge to economic growth called for by the standard model and WFS as a means to food security comes from environmentalists. Resource limits implied by estimated population carrying capacity of global resources vary widely.<sup>37</sup> Global carrying capacity estimated by Cohen based on water availability ranges from 1.1 billion to 137 billion people. Estimates by other analysts cited by Cohen range from 1 billion to 1,000 billion people. Daly proposes imposing specific limits on growth, contending that the world can provide neither natural resources nor emission

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<sup>34</sup>Handy Williamson, Jr., *Globalization and Poverty: Lessons from the Theory and Practice of Food Security*, presented at ASSA winter meetings (New Orleans, LA, January 2001).

<sup>35</sup> Pinstup-Andersen, P. *Designing Long-Term Scenarios: Prospects for Global Agriculture*, presented at Globalization and Linkages to 2020: Challenges and Opportunities for OECD Countries, (Organization for Economic Cooperation and Development, Paris, June 1996).

<sup>36</sup> *Id.*

<sup>37</sup> Food and Agriculture Organization of the United Nations, *The Rome Declaration on World Food Security and the World Food Summit Plan of Action*: Rome, (1996).





absorptive capacity for global living standards at levels currently found in industrial countries.<sup>38</sup> Such thinking fails to account for the ability of markets to ration scarce resources as growth proceeds, the move to service economies requiring fewer natural resources per unit of output at higher living standards, the ability of science to find substitutes for resources in short supply, and the trend to zero population growth.<sup>39</sup>

### **FOOD JUSTICE AND FOOD ETHICS**

What can food justice practically mean? First, to prevent situations where grains rot while people die- a very basic principle of distributive justice. But it has to mean a lot more: people must have the right to produce food with dignity, have control over the parameters of production, get just value for their labour and their produce. Mainstream notions of food security ignore this dimension.<sup>40</sup>

Food justice must entail both production and distribution. Its fundamental premise must be that governments have a non-negotiable obligation to address food insecurity. They must also address the structural factors that engender that insecurity. Most governments, however, appear neither willing nor able to deliver food justice. It needs therefore the devolution of power and resources to the local level, where millions of protagonists, with their knowledge of local needs and situations, can create a just food economy.

Like the larger economic system of which they are a part, global food regimes alternate between periods of liberalization characterized by unregulated markets, corporate privatization and massive concentrations of wealth, followed by devastating financial busts. When these busts provoke widespread social unrest—threatening profits and governability—governments usher in reformist periods in which markets, supply, and consumption are re-regulated to reign in the crisis and restore stability to the regime.

Infinitely unregulated markets would eventually destroy both society and the natural resources that the regime depends on for profits. Therefore, while the ‘mission’ of reform is to mitigate the social and environmental externalities of the corporate food regime, its ‘job’ is identical to

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<sup>38</sup> Food and Agriculture Organization of the United Nations, *World Food Summit: Synthesis of the Technical Background Documents*, (1996).

<sup>39</sup> Cohen, J., *HOW MANY PEOPLE CAN THE EARTH SUPPORT?*, (1995).

<sup>40</sup> Ananya Mukherjee, *Business Regulation and Non-state actors: Whose Standards? Whose Development?* ROUTLEDGE STUDIES IN DEVELOPMENT ECONOMICS, (2012).



that of the liberal trend: the reproduction of the corporate food regime. Though liberalization and reform may appear politically distinct, they are actually two sides of the same system.<sup>41</sup>

Reformists dominated the global food regime from the Great Depression of the 1930s until Ronald Reagan and Margaret Thatcher ushered in our current era of neoliberal “globalization,” in the 1980s, characterized by deregulation, privatization, and the growth and consolidation of corporate monopoly power in food systems around the globe.

With the global food and financial crises of 2007-2010, desperate calls for reform have sprung up worldwide. However, few substantive reforms have been forthcoming, and most government and multilateral solutions simply call for more of the same policies that brought about the crisis to begin with: extending liberal (“free”) markets, privatizing common resources (like forests and the atmosphere), and protecting monopoly concentration while mediating the regime’s collateral damage to community food systems and the environment. Unless there is strong pressure from society, reformists will not likely affect (much less reverse) the present neoliberal direction of the corporate food regime.<sup>42</sup>

Combating the steady increase in global hunger and environmental degradation has prompted government, industry and civil society to pursue a wide array of initiatives, including food enterprise, food security, food justice and food sovereignty. Some seek to ameliorate hunger and poverty through charity. Others see it as a business opportunity and call for public-private partnerships. Human rights activists insist that government and industry should be held accountable when they undermine the right to food. Those who can afford good food promote individual consumer choices (vote with your forks). Food justice activists from underserved communities struggle against structural racism in the food system. Some efforts are highly institutionalized, others are community-based, while still others build broad-based movements aimed at transforming our global food system.<sup>43</sup>

Understanding which strategies work to stabilize the corporate food regime and which seek to actually change it is essential if we are to move toward more equitable and sustainable food systems. Some actors within the growing global food movement have a radical critique of the corporate food regime, calling for food sovereignty and structural, redistributive reforms including land, water and markets. Others advance a progressive, food justice agenda calling

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<sup>41</sup> Food First, Background, INSTITUTE FOR FOOD AND DEVELOPMENT POLICY, 16(4), (2010).

<sup>42</sup> Food First, Background, INSTITUTE FOR FOOD AND DEVELOPMENT POLICY, 16(4), (2010).

<sup>43</sup> *Id.*

for access to healthy food by marginalized groups defined by race, gender and economic status.<sup>44</sup>

Family farm, sustainable agriculture advocates, and those seeking quality and authenticity in the food system also fall in this progressive camp. While progressives focus more on localizing production and improving access to good, healthy food, radicals direct their energy at changing regime structures and creating politically enabling conditions for more equitable and sustainable food systems. Both overlap significantly in their approaches. Together, folks in this global food movement seek to open up food systems to serve people of color, smallholders, and low income communities while striving for sustainable and healthy environments. Radicals and progressives are the arms and legs of the same food movement.

The Food Regime—Food Movement Matrix helps describe the dominant trend in the food system according to the politics, production models, tendencies, issues and approaches to the food crisis.<sup>45</sup>

## CONCLUSION

It can be seen that the basis for right to food has to be minimalistic in approach wherein certain basics requirements are met for everybody. The egalitarian approach is not practically feasible in such a scenario. Equal food grains to everybody cannot be ensured as many states suffer from a variety of problems. These problems include fatal weather conditions, accessibility issues etc. In short we can say that food security cannot be ensured only by increasing the per head availability of food grains. Malthusian theory on famine and poverty is very restricted. It has a very myopic view which only talks about the per head food availability.

Amartya Sen's food theory which consists of few bundle of basic rights called as entitlement rights are a better version of Malthusian theory. To say the least, it views food security, as a set of entitlements and is a step further than the Malthusian theory. However, in the present day context, even Amartya Sen's theory doesn't provide with all the answers. His theory is also subjected to a lot of criticism. The two important theories on food security given by Malthus and thereafter by Amartya Sen fail to take answer all the questions about food security.

Secondly, coming to the utilitarian and Kantian debate, it can be seen that that no common consensus can be reached. The developed nations are driven by the Kantian approach whereas the developing nations are trying to ask for food assistance etc by using the utilitarian approach.

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<sup>44</sup> *Id.*

<sup>45</sup> Food First: Backgrounder, INSTITUTE FOR FOOD AND DEVELOPMENT POLICY, 16(4), (2010).

The definition aspect of the right to food is all differently defined by various organizations. It is to be understood, that a definition all inclusive has to be referred which consists of factors like accessibility, sustainability etc.

The current scenario requires a macro-economic outlook towards food security measures like the following: Integrity and competence in public administration,<sup>46</sup>Corruption in government undermines economic progress. Corruption and incompetence, like sin, cannot be eradicated but can be reduced. The rule of law and order needs a judicial system to administer justice and interpret laws. Government needs to strive for an institutional environment, including business codes, that enable business plans (contracts) to be made and carried out with minimal transaction costs.<sup>47</sup>

Because an ounce of competition often is more effective than a pound of regulation, open foreign trade to countervail concentrated economic power of domestic firms is an effective option. Although the private sector acting alone will not properly supply public goods, often the appropriate role of government is not to produce such goods, but to take bids for private firms to supply them.<sup>48</sup>

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<sup>46</sup> Performance of civil servants and political officeholders is enhanced by merit hiring, proper training, competitive salaries, a free press to expose corruption, checks and balances between branches of government, and minimizing government interventions that create economic rents, bribes, and kickbacks, security, stability, order.

<sup>47</sup> T.W. Schultz, *THE ECONOMICS OF BEING POOR* (1993). Property rights- To encourage investment and improvements in property, investors must be able to "reap what is sown."

<sup>48</sup> Handy Williamson, Jr., *Globalization and Poverty: Lessons from the Theory and Practice of Food Security*, presented at ASSA winter meetings (New Orleans, LA, January 2001).