

# **THE RIGHT TO FOOD AND GLOBAL FOOD CRISIS<sup>1</sup>**

## **Introduction:-**

Right to food is a basic human right. In spite, of this thing much of Asia and Africa are today beset with hunger. With more than 200 million children, women and men go to bed now partially hungry. According to the report of UN Food & Agricultural organization almost, a billion people go hungry each day, after food prices pushed 40 million more vulnerable people around the world into the ranks of the under nourished.<sup>2</sup> Around 963 million people, which constitute 14% of the world's population, were reported to be starving in 2008, with a rise of 40 million people from last year. In the global hunger index of the recent report by the Food & Agricultural organization, India ranks 66<sup>th</sup> among 88 countries.<sup>3</sup> India is declared by the Food & Agricultural organization (FAO) of the UN as a low-income food deficit country. 350 people in India face hunger, the largest number of hungry people worldwide.<sup>4</sup> Many thinkers believed that the right to food is a political problem which will be solved by itself and that the law may not be enough to secure this right. Fundamental rights cannot be effectively enforced and become illusionary unless there is adequate budget to back them up. Courts have responded on this issue by saying that budgets are not justiciable and courts cannot get into this area. This is a seriously a questionable proposition, for if fundamental rights are to be a reality and the courts undoubtedly have jurisdiction to enforce these basic human rights without which a man can not survive and if basic rights such as food, education, health and housing are flouted because the state chooses not to make enough money available, then are courts to remain silent?

Rights are meaningless without money. If the enforcement of fundamental rights is first charged on the state's exchequer, as they indeed they ought to be, then there is no reason

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<sup>2</sup> Hunger report-state of food insecurity in the world, Chronicle, feb. 2009, vol xix no.8

<sup>3</sup> Ibid..

<sup>4</sup> Ibid..

why a court exercising writ jurisdiction cannot x-ray a budget to determine whether the budget is source of deprivation of fundamental right.<sup>5</sup>One of the fundamental guideline of human existence is building a society based on human right, knowledge and information. Right to food is bedrock of human sustainability. Current global food crisis is becoming main hurdle in way in right to food. Today increase in prices of food commodity and shortage of the food has started rocking the world and this has led to plunging extra 100 million people into poverty,

Prices of wheat have risen by 77% in 2007 and the price of rice has jumped by 141%<sup>6</sup>. Global economic recession has also affected right to food as more than fifty people died on account of starvation in Zimbabwe.

## **What is Right to food?**

Right to food is a basic human right and is a binding obligation as well - established under international law, recognized in Universal Declaration on Human Rights and International Covenant on Economic Social and Cultural rights, as well as plethora of other instruments. The right to food is well defined in general comment no.12 of the committee on economic social and cultural rights this defined the right to food as:

“ the right to every man and woman and child alone and in community with others to have physical and economic access at all times to adequate food or means for its procurement in ways consistent with human dignity.”<sup>7</sup>

The right to food is not a matter of charity, but about ensuring that everyone has the capacity to feed themselves with dignity. Government must provide maximum available resources for eradicating hunger.

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<sup>5</sup>No Budgets For Fundamental Rights, Combat law, May –June 2008

<sup>6</sup> Global Food Crisis, The Competition Master, June 2008, Vol. 49

<sup>7</sup> <http://www.fao.org.right to food> (accessed on 27 july)

“Under article 2(1) of international covenant on ESCR (Economic Social And Cultural Rights) States agreed to take steps to the maximum to their available resources to achieve progressively the full realization of food. Under article 2(2) of the covenant, States have agreed to guarantee that the right to food will be exercised without any discrimination. Under article 3 of the covenant, States have agreed to ensure the equal right of men and women to enjoyment of right to food.

The human right to adequate food, as enshrined in article 11 of international covenant on ESCR, entails duty of the state parties to enact legislation in order to progressively realise these substantive rights.”<sup>8</sup>

FIAN INDIA strengthens the on going struggle for implementation of right to food in India.

Targeted public distribution system (TPDS) stipulate that families below poverty line get certain subsidized food items. Other schemes are supposed to provide support for the aged (NATIONAL OLD AGE PENSION SCHEME), the poorest of poor (ANTYODAYA ANNAYOJANA) or for school children (MID DAY MEAL SCHEME).<sup>9</sup>

The Indian Constitution does not explicitly provide the right to food as a fundamental right. It is implicitly enshrined in Art 21 of the constitution as the fundamental right to life. In connection with state of hunger in several Indian states, a public interest litigation was filed in the Supreme Court of India by PUCL (Peoples Union for Civil Liberties). Court ordered the right to food as part of life, which is fundamental in Indian Constitution. Article 47 of the constitution in DPSP( DIRECTIVE PRINCIPAL OF STATE POLICY) states that the state shall regard the raising of the level of nutrition and the standard of living of its people and improvement of public health as among its primary duties. According to general comment, the right to food also implies three type

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<sup>8</sup> Ibid

<sup>9</sup> <http://www.fian.in/fian-india-mandate.html>

of duty or obligation—obligation to protect, respect and fulfill. The obligation to protect requires measures by the state to ensure that enterprises or individual do not deprive individual of their access to adequate food for life. The obligation to respect existing access to adequate food requires states parties not to take any such measure that results in preventing access to adequate food for human existence. The obligation to fulfillment, to strengthen people's access to and utilization of resources means to ensure their livelihood, including food security and right to livelihood is included under right to life in Indian Constitution.

### **Global Food Crisis And Concern;**

Rising global food crisis pose a very serious threat to individual well being and political stability in many developing countries .Recent unrest in HATI and Egypt indicate an increasing wide spread trend- in fact world bank has identified more than thirty countries at risk of public disorder. Times of London argues that investing money in agriculture infrastructure ,product and allowing producers free access to world market – by both developed as well as developing countries- is real solution. The Times of London on line reporting shows that protestors compared their hunger pangs to the burn of battery acid. The riots in Hati regarding food price are not first uprising over food prices, which have risen 65% in last six years. The price of the wheat is at a 28 year high and rice is at its highest in last 19 years. It is hard not to notice that gas prices are increasing day by the day. Now it becomes very much difficult to common man to pay price for fuel.

Most drivers may cringe a little more every time they fill up, but they are not rioting in the streets. This is not the story in some developing countries, where the increasing oil prices-on top of soaring food prices –have increased the potential for wide spread hunger<sup>10</sup>.

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<sup>10</sup> South Asia Politics , July 2008

To cope up with this, the UN world food Programme has launched an emergency appeal for \$500 Million<sup>11</sup>. Food-price are increasing due to bad harvest and growing demands. Countries which are exporting rice to Asia are shipping less abroad to have enough of dietary staple at home.

Agriculture is not Cameroon's strong suit, but leaders of the West African country think the current food crisis could provide impetus to boost domestic food production.<sup>12</sup>

The UN is preparing plans to provide its food aid to people in need if new dimension in form of donations don't provide more money soon, according to an article in the Financial Times "Rising global food prices are putting serious pressure on the world food program (WFP)' s budget, to tune of several million dollars each week." Price hike in agriculture commodity like corn, wheat, soya bean – is having wider impact then thought, hitting countries that have previously largely escaped hunger. It is not just United Nation. that will ration its food aid countries like; Pakistan and Egypt are strengthening and reinstating rationing system for first in decades. Unfortunately the crises will getting worse in coming days.

## **Politics of Food**

Food politics is closely related to food security as welfare gain for producers and consumers of commodity. Food security goals by 2015 are seriously endangered by emergency of the current food inflation globally. One view is that global food crisis has been created by politician obsessed with external security and new weapons of offence and defense in India, there is broad opinion that agriculture crisis is product of shifting goalpost of economic reform initiated in 1991 away from structural problems and the investment needs of agriculture. Neglect of farmers rights and globally current food inflation has been further exacerbated by a misplaced zeal in delinking the liberalization of food trade in hurry from investment needs to expand food security to corporate in it right to food. In recent elections at state level food price inflation has been in focus in the increased price of essential commodities food management in India is joint Union –State

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<sup>11</sup> Ibid

<sup>12</sup> Ibid

undertaking but the union has the dominant role in insuring for security directly and indirectly.

“Food scaring was much more real then now. The role of central food stock was crucial in holding price- line in the whole marketing chain. States were more vocal in making their demands on the Union Government to minimize attention to their own role. When there was huge demand from west Bengal for additional food that Babu Jag Ivan Ram agreed to make available when official pointed out the stocks position he smiled and stated that state would never be able to arrange distribution of that much of grain and handling. This brought in the issue of public face of food politics. Dr. A.H. Boemra, the DG, in the private conversation why he had brought this term to seek global support. His candid response was that agriculture production and productivity are technical matter but food prices and distribution had as systemic political dimension. The government is not able to dispel the deepening impression that it is not fast a failure of administrative management but of public policy. It is failure of political command and not of the administrative instruments food and agriculture minister told parliament on April 16, that firstly there is no shortcoming of food grain in the country, secondly, the grain price were stabilizing, not declining, thirdly, demand had gone up owing to the NREG works and old. Age pension schemes that increases the purchasing power of poor. Finally global food scenario was responsible for unprecedented price like in which India had lowest increase but still at on ‘unacceptable level’ He made such kind of statement for political loaves and fishes. Food crisis in India has been primarily caused by pro market and market based policies of the government. Facing public outrage on rising price of food. The UPA government took the refuge under the cover of such statement that inflations is global phenomenon even though it is global phenomenon and food riots have been witnessed in more than 30 countries”.<sup>13</sup>

## **Shining India at the cost of suffering India –**

Indian along with Chinese have been accused of eating more due to rising as economic power in resulting in global food shortages but per capital food consumption and calorie

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<sup>13</sup> Kamala Prasad, Politics Of Food, Mainstream July 2008, New Delhi, Vol.XLV

inflationary trend, the majority of our people in India facing state of hunger and starvation since the many liberalization policies were introduced in India.

The government is witness to the rising schism between ‘shining India’ and suffering India, but its mantra has always been that only the pro capitalist, corporation- driven economy can bring sustained economy growth which will trickle down the advantage to disadvantaged sections of population in India.

Interestingly, during the recent crisis the Indian Government severely criticized the World Bank for their advice to countries to shift from food crops for domestic population to cash crop exports. Though India is seen as a rising economic power and its hoped that a trickle down effect will benefit the poor, subaltern, marginalized in reality gap between shining India and ‘suffering India’ is widening 77% of Indian population who survive on half a US dollar or 20 Rs. Days do not figure in booming Indian economy<sup>14</sup>.

## **Commodity future: Trading on Hunger**

Besides agribusiness, the traders and investors engaged in future trading in commodities were beneficiaries of the declining food procurement and shrinking of buffer stocks. In fact the opposition parties in India claimed that shrinking of buffer stocks and lowering of procurement was not meant to facilitate the speculative trading of food grain. Sitaram Yechury, representing the communist party of India-Marxist departing the issue of price rise in parliament said that \$ 3 billion a day is speculation that is taking place in the commodity exchange market of future and forward trading” but the speculation and hiding in food stock does not benefit small and marginal farmers.<sup>15</sup> Though the government has put a ban on future trading of some crops and seeds left parties and citizen group may open it up anytime therefore the government must absolutely ban the futures trading of food commodities as tenanted.

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<sup>14</sup> Afsar Jafari, Food Crisis Exposes Failing Of India’s Agricultural Reform, Mainstream, August 2008, New Delhi Vol.XLVI

<sup>15</sup> Ibid

## **Main Reason for Global food Crisis**

There are many reason for rise in food prices globally or global food crisis –

### **1. Diversion of Land:**

Agricultural lands are converted into industries, molls and homes. In India booming economy of past year has resulted in huge construction of roads, Industries, molls and flat, market.

### **2. Biofuels:**

Diversion of soybeans and corn from the food stream into biofuels production has already begun to put upward pressure on food prices. In India too the government has targeted that petrol should mixed with 10% ethanol.<sup>16</sup> So land is diverted for biofuels production as a result the supply of food decreases.

### **3. Higher Population Level :**

While the population in Western countries has got stabilized. Population in many developing nation as India is still exploding. Great scholar Malthus had predicted that population will rise more then food productions and ultimately lead to hunger and death.

### **4. Economic Crisis:**

People are left with smaller incomes as a result of the global economic recession. As the central Banks tighten money supply, as a result growths slow down. The Impact on food has been greatly felt as result a global economic Crisis.

### **5. Oil Prices :**

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<sup>16</sup> Global Food Crisis , Competition Master, June 2008, Vol. 49



Modern Agricultural is highly dependent on petroleum product as diesel, oil farmer rely on-tractor and other diesel -powered farm machinery. Food is transported over long distance. All these thing dependant on energy. An oil price have risen it was natural that food prices would also go up.

## **6. Global Warming :**

Drought, unseasonal rain and storms destroy standing crops all having impact on yields crop yields have declined in many parts of world due to global warming.

## **7. Water Shortage :**

The water level in many parts of world has reached unsustainable growth level combined with industrial and human waste that pollutes rivers and lakes the world faces grave danger of water shortage. Water level is falling in many countries including India , China and the US which together account for nearly half of global grain harvest.

## **8. Consumption of meat:**

“Better living standard all over the world has meant more people switching to meat diets. It has been estimated that 7 kg. of grain is required to produce of 1 kg. of meat. This means less availability of food grains. The American magazine Biofuels Digest, tells that use of grain for production of meat in China increased from 190 Million ton in 1995 to 390 million tones in 2007<sup>17</sup>.”

**9. Bad Agriculture and policies**      Bad agriculture practices are followed by over the years.Over reliance on fertilizer, pesticides and intensive farming have brought the farmers to their knees. Instead of reforming agriculture and liberalizing it, the governments have sought to control giving subsidies and making faculty policies.

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<sup>17</sup> Ibid

## **The Silver Lining:**

According to council on foreign relations, higher food prices are not all bad. Rather, continued increases in the price of foods especially basic staples like wheat, rice and corn could provide the pressure needed to break the international deadlock on agricultural policy. In order to prevent the food crisis, many countries have already begun to reduce agricultural tariffs as a means of increasing production for consumption. If major exporter countries start exporting less this in turn could make farm industries in developed countries like the US feels less threaten by imports. The council on foreign relation takes a look at a possibility of a global recession and this recession (or mild economic turn down) could have implications for a number of US policies, ranging from immigration to possibly increasing protectionist economic policies to feel the squeeze and subsequently pressure politician .There is silver living in the develop world emerging market in east Asia. Eastern Europe and even Africa have been rapid recent growth and analyst hope growing consumption in these regions might offset declines in the United States.

A new BBC poll reveals a notable divide in world public onion: while many in riches, countries express concern about pace of globalization, those in developing countries want to accelerate globalizations and appears to believe that this will help break down some of a inequities in their country<sup>18</sup>

## **The way out:**

Although right to food which is very well recognized, which is fundament of the modernization and progress of any society, has remained law priority in India. Despite efforts started in the late 1960, which promoted a new spectrum and vision within existing agro institutional structure as well as establishment of a few 5-year national

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<sup>18</sup> South Asia Politics July 2008.

frameworks, right to has lugged behind in playing its role as instrument of social ordering.

The governments needs to strengthen democratic process in the country and make the government accountable in case there is violation of right to food though the explicit indication of a citizens right to food, the S.C. has been able to rule that it had the status of a fundamental right through interpretation (PUCL V .Union of India ). Such a ruling had come about in the context of certain perceived inefficiency in the right to food programmes that had been initiated by the government of India as Antoyadaya Anna Yojna ,Public Distribution System ,Mid Day Meal Scheme by this future scheme can also best secured for citizens of India. There are several measures by which this problem can be solved as given below:

1. Meeting the shortfall of primary articles through imports and making them available at subsidized rates
2. Lowering interest rates on debts and loans to stimulate the manufacturing sector.
3. Implementing agricultural reforms focusing on qualitatively and quantitatively productivity.
4. Promotion of conservation farming in the heartland of green revolution, Western U.P. Haryana and Punjab.
5. Take advantage of the vast entrapped reservoirs in rain-fed areas Available data show that productivity of Kharif sorghum can be increased 3-4 times rabi sorghum 1.4 to 2.3 times one bazra 1.8 to 2.3 time from their current level<sup>19</sup>
6. National Rural employment guarantee programme is powerful social safety net. It can also become a guardian on ecological and food security so it should be implement in real sense.

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<sup>19</sup> Global Food Crisis, The Competiton Master, June 2008 Vol. 49

7. Public distribution system should be improved.

So all of these solutions are known and have been suggested earlier so the problem is not lack of knowledge but lack of action.