The Human Right to Food as Political Imaginary

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Abstract The overwhelmingly normative nature of the study of Economic, Social, and Cultural (ESC) human rights enables ESC rights to function in their default settings as taken for granted norms and principles, originating in international agreements. This paper, instead, probes the social and historical "thingness" of ESC human rights themselves. It analyses the emergence of the Human Right to Food (HRF), and proposes a sociological model, political imaginary, as an explanatory tool to identify the historical socio-discursive conditions of the emergence of the HRF. It uses this model to understand FoodFirst Internal Action Network (FIAN)'s contributions to the development of the HRF.

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Introduction

The manner and the context in which Economic Social and Cultural (ESC) human rights have developed have not, to date, been an object of sustained social science inquiry. This is in part due to the highly normative and juridified nature of the practice and study of human rights (Madsen, 2011).[1] The latter has been geared towards the clarification of the concepts, principles, and methods by which these are, or might be, embedded in global institutions, inter-state agreements, and in national state law. Consequently, attempts to explain ESC human rights have been predominantly oriented towards affirming their indivisibility from civil and political human rights on normative, moral, or legal grounds (Eide, Krause & Rosas, 2001; Donnelly 2007; Kent, 2005; Pogge, 2009), and how they might be monitored or measured, implemented and made justiciable (Eide et al., 2001; Kent, 2005; Landman and Carvalho, 2010; Künnemann, 1995; Roth, 2004; Rubenstein, 2004). There are, of course, some exceptions such as the work of Nelson and Dorsey (2008) that locates the emergence of the "new [human] rights advocacy" at the intersection of changes in the organizational fields of human rights and international development with ESC rights advocacy in the global south. A similar though by no means as targeted a focus on the development of ESC human rights has come

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from scholars that have addressed the impact of social movement activism in the expansion of the scope of human rights (Baxi, 2006; De Sousa Santos, 2008; Keck & Sikkink, 1998; Stammers, 2009).

These accounts make valuable contributions to our understanding of the emergence of ESC human rights. One limitation remains: ESC human rights are never themselves the focus of analysis. They tend to operate below the analytical radar in their default setting as taken for granted norms or principles originating in international agreements. This is no doubt largely due to the fact that the dynamics that have made human rights the new political and moral common sense of our times, have done so by naturalizing them: in effect making them the unquestioned and unquestionable moral ground of large areas of contemporary political activity (Kennedy, 2004, p. 236).[2]

This paper seeks to contribute to the understanding of ESC human rights by analytically foregrounding them. It proposes a sociological framework that is oriented towards exploring the socio-discursive conditions of the emergence of the Human Right to Food (HRF). The next section lays down the groundwork by interrogating the prevailing, and for the most part unquestioned, historical narrative that accounts for the origin, elaboration, and legitimacy of human rights and the HRF. Not a mere exercise in iconoclasm, this task is necessary if analytical space for sociological analysis is to be secured. Human rights do not come to the social sciences as ready-made objects of sociological analysis. Consequently, their sociological "thingness" needs to be elucidated through conceptual, theoretical and historical work. A sociological explanatory model of human rights as political imaginary is proposed, and then used to analyse some aspects of the emergence of the HRF. Concretely the focus is on the practices through which, and the broader context in which, FoodFirst International Action Network (FIAN), the first international NGO to advocate for an ESC human right in the form of the HRF, enacted and instantiated this human right. Naturally, an analysis of FIAN's role does not provide a complete account of the emergence of the HRF; it does, however, yield a useful starting point.

Human Rights' Common-sense

Contemporary scholars cede too much when they engage with human rights by drawing on existing definitions of human rights, and on a linear narrative of their autogenesis that mimics the self-understanding of the broader human rights community (Mazower, 2009; Moyn, 2010). This understanding of human rights can be summarised around four key ideas. First, they are

understood as concepts, norms, principles or ideals whose persuasive power resides in their unimpeachable normative assertion of certain freedoms and protections applicable to all human beings. Second, given tangible form in the United Nations' 1948 Universal Declaration of Human Rights (UDHR), they are taken to have been born in the context of an international consensus, or at the very least a balance of forces, providing a response to the atrocities of the Second World War, most markedly the Holocaust. Third, albeit that the immediate cold war geopolitical realignment did not provide fertile ground for the seeds of human rights to germinate, careful tending enabled them to sprout in the 70s on the international scene, blossoming into a global ethic and consciousness in the post-cold war era of the 90s. Finally, instantiated in and by a variety of national and transnational institutional arrangements and processes, human rights are understood to be fundamentally legal or highly jurified in nature. That said in the absence of effective global mechanisms for the production of binding decisions and instruments of enforcement, they are seen as relying heavily on their normative persuasive power, and their ability to "name and shame".

Viewed thus, it is the force of the norms and principles themselves that appear to have led to their refinement and acceptance in a continuous lineage of covenants and documents. Moreover, the seeming historical agency of norms and principles, devoid of context and contingency contributes both to the naturalisation of human rights, and to their considerable persuasive power without shedding light on the conditions of their socio-historical emergence.

The historian Samuel Moyn (2010) has provocatively and cogently argued that the historical record provides weak support for the consensus just summarized. If we conceive of human rights as a series of international legal claims, born of a post-World War II moral agreement with the aim of holding states accountable for violations committed within their territorial borders, then the immediate post War period seems divested of any human rights potential. The most salient reasons for his appraisal include the following. The 1948 UDHR, despite how it might be read today, did not put in question the notion of state sovereignty that had been enshrined in the UN through the Atlantic Charter (Moyn, 2010, p. 45; Mazower, 2009). Moreover, whereas the wave of decolonization and the subsequent movement of non-aligned nations did invoke human rights, tellingly this occurred in reference to self-determination with the purpose of curtailing neo-colonial intrusions, rather than ceding sovereignty to a new global moral sensibility or legal architecture (2010, p. 84). Rather ironically, the human rights that seem particularly challenging to envision today,

i.e. ESC human rights, were in the post-War period part of a broadly shared consensus around citizenship rights rather than human rights. The former were not understood to be grounded in international instruments, but in the then evolving welfare states to which the decolonised nations aspired (Moyn, 2010, p. 73), and around which a development industry was to flourish.

If we turn to the Human Right to Food (HRF), its advocates typically account for its emergence by pointing to a number of key articles, in the UDHR, the International Covenant on Economic, Cultural and Social Rights (ICECSR), and the Universal Declaration on the Eradication of World Hunger and Malnutrition introduced in the 1974 World Food Conference (Alston and Tomaševski, 1984; Kent, 2005). The historical evidence for this long and deep pedigree is extremely thin on the ground.[3] The UN body created to deal with issues of food, agriculture and hunger, in the post-war period, The Food and Agricultural Organisation (FAO), in its founding constitution made no reference to the HRF. Instead, it called on all signatories "to better standards of living and nutrition in areas under their jurisdiction, improve systems of production and distribution of food, elevate rural standards of living and contribute to an expanding world economy"(Staples, 2006, p. 78). In other words, for the FAO, the question of food and hunger was to be understood exclusively within the paradigm of modernization, technological development, trade, and nutritional adequacy. In 1965, as an effect of the 1960 Freedom from Hunger campaign, the preamble to the FAO's constitution was modified to include "ensuring humanity's freedom from hunger" as a goal.[4] However, this did not lead the FAO to a human rights framework: an analysis of the promotional material and the technical studies commissioned in the context of the campaign makes this clear.

So off the radar was the notion of the HRF, that the FAO declined the initial invitations to contribute to the sections dealing with food from the UN committee tasked with drafting the ICESCR (Alston, 1984a, p. 30). Eventually, the FAO did introduce language in the covenant, specifically article 11, but it did so only to echo its Freedom from Hunger campaign.[5] It was not until 1996 at the World Food Summit that the FAO finally considered developing language around the HRF (Windfuhr, 1998, p. 6). A committee to draft voluntary guidelines was put in place in 2002 and the guidelines were adopted by states in 2004.[6]

For many who champion the HRF, the 1974 World Food Conference's Universal Declaration on the Eradication of Hunger and Malnutrition provides an important milestone, and so it would seem when read retrospectively.[7] It does not, however, correspond with the reality on the ground as revealed through an analysis of

documents from Canadian Department of Foreign Affairs record groups (38-8-WFC and RG25 12015, 1206), housed at the National Archives of Canada, concerned with the preparatory work for and follow up of the 1974 World Food Conference. The record groups include telexes from and to embassies around the world – though telexes from the permanent delegations in New York and Rome as well as from delegates to the preparatory meetings are dominant as well as different annotated drafts of the preparatory and final documents.

Not a single mention of the HRF is made. It is important to note that these records do not merely convey the cabinet's position through their instructions to Canadian diplomats and delegates; Canadian diplomats are also transmitting information regarding the discussions, interests, and tensions as they unfold in the preparatory meetings and at other diplomatic sites. It is thus not conceivable that the HRF could have been a factor at the conference without this being reflected in this record group, no matter the Canadian government's position. The issues structuring the World Food Conference included ramping up production in developing countries, improving distribution and the nutritional quality of food, the creation of world wide reserves and the diminution of US responsibilities vis-à-vis grain stockholding, and access to fertilizers: in other words, the developmentalism that had defined the question of food in the post-war period. There is also evidence of considerable tactical manoeuvring and cooperation with other developed countries to contain and defuse the potential demands of the Group of 77. Moreover, given the significant contemporary weight put on the declaration, it is sobering to realise just how marginal it was to the business of the conference, gauged by the fact that it is rarely mentioned in the preparatory work and in diplomatic exchanges. Tellingly, when broached it remains an irritant rather than a core concern.

The idea for the declaration originated in a Peruvian proposal. The declaration refers to neither the UDHR nor the ICESCR. It is best understood as a moderate critique of neo-colonialism in which the problem of hunger is brought into focus through the lens of development rather than human rights. In a telex from Rome, the Canadian ambassador describes it as "anodyne" (Telex Rome 898, June 26, 1974). A subsequent telex notes that the declaration represents an attempt by the Group of 77 to introduce the language and concepts of the New International Economic Order (NIEO) into the conference (Telex Rome 1360, Sept 30), while an earlier memo prepared by the Canadian Delegation on the Preparatory Meeting in July of 1974, indicates that amongst the Group of 77 there are strong divisions concerning the value and utility of pursuing the

"Peruvian Declaration." A telex from the Canadian permanent delegation in New York reports on a conversation with the US ambassador to the UN shortly before the conference: "He [the UN ambassador] was pleased that the Peruvian Declaration had been buried and made a general comment that developing countries appear to be seeking practical answers to problems rather than spouting political dogma" (Telex PRMNY, Oct 29, 1974).

That subsequent attempts to link the declaration forward and backwards, via legal and normative analysis, as an instance of an unbroken lineage between the UDHR and present usage, has served to bolster the contemporary legitimacy of the HRF is indubitable. Historically, however, it is hard to uphold the notion that the Universal Declaration on the Eradication of Hunger and Malnutrition or even the pertinent paragraphs in the ICESCR were, at the time, milestones towards the achievement of what today we understand as the HRF. A more defensible socio-historically reading would interpret the alleged reference to the HRF in article 25(I) – "everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food"– within the framework of citizenship rights in the context of the development of the post-war welfare or socialist states rather than that of an evolving human rights architecture. Equally the relevant language in the ICESCR would be more convincingly understood as articulating the problematic of hunger, or "freedom from hunger", through the lens of developmentalism and humanitarianism and not that of violations that, as shown below, so fundamentally characterises contemporary human rights approaches. Finally the Universal Declaration on the Eradication of Hunger and Malnutrition would be better grasped as an ultimately unsuccessful attempt to stage the world food problem via the New International Economic Order (NIEO) script.[8]

If in the context of the most significant food crisis in the post-war the HRF is absent, it is hardly convincing to account for the HRF in terms of its gradual historical evolution originating in the UDHRs. The search for precursors as an explanatory strategy often leads to "the constructions of precursors after the fact. The worst consequence of the myth of deep roots they provide is that they distract from the real conditions for the historical developments they claim to explain" (Moyn, 2010, p. 12).

Human Rights as Political Imaginary

Moyn maintains little is to be gained from reiterating the taken-for-granted accounts summarised above. He locates the origin of human rights in the contingent emergence of new moral visions in

the late 60s and early 70s. These were characterized by a shared form of anti-politics in which the grand political visions of the 20th century –liberal capitalism, state socialism, and the nationalism and internationalisms of the post-colonial states– were deemed not only failures but inadmissibly costly in terms of human suffering.

Amongst the dissident groups in the Soviet block, in the work of the then fledgling organisation known as Amnesty International (AI), and amongst diverse groups struggling against repression in Latin America, for differing reasons, a principled rejection of grand political projects morphed into highly moral yet extremely pragmatic sets of social, cultural and political practices oriented towards transcending politics. For Moyn, the coalescing of these practices around the notion of human rights, and its subsequent rise to global prominence is best understood as the product of a historical contingency rather than the slow actualization of broad moral or legal principles gradually amassing adherents over the 20th century. Thus it was neither its "right-based doctrine alone" nor its gathering together the long-flowing tributaries that had coursed in the name of humanity that accounts for human rights significance:

> Rather, it was the crisis of other utopias that allowed the very neutrality that had made "human rights" wholly peripheral to the aftermath of the World War II – when taking sides in a contest of programmatic visions seemed so pressing – to become the condition of their success [. . .] human rights could breakthrough in that era [the 1970s] because the ideological climate was ripe for claims to make a difference not through political vision but by transcending politics. Morality, global in its potential scope, could become the aspiration of humankind. (Moyn, 2010, p. 213)

While Moyn's work will no doubt be the object of historical debate,[9] its significance for historical sociology rests in the manner in which it opens up a more reflexive analytical space where the rise of human rights can be explained through historically inscribed political practices and opportunities. The importance of doing so is conveyed by the reflexive stance that Pierre Bourdieu argues is essential for the practice of social science inquiry, claiming that a social phenomenon only becomes a potential object of knowledge when it becomes the site of reflexive conceptual and theoretical work. Avoidance of the avowed construction of an object of analysis "leaves the crucial operations of scientific construction – the choice of the problem, the elaboration of concepts and analytical categories – to the social world *as it is*, to the established order, and thus it fulfills, if only by default, a quintessentially conservative function of ratification of the *doxa*" (Bourdieu, 1992, p. 246). The approach sketched out in the remaining paragraphs of this section seeks to contribute to a more reflexive sociological understanding of ESC

human rights by conceptualizing them as a political imaginary rather than as a moral ideal, a global ethic, or an emerging international legal standard.

Bob Jessop defines imaginaries as

[s]emiotic systems that frame individual subjects' lived experience of an inordinately complex world and/or inform collective calculation about the world. They comprise a specific configuration of genres, discourses and styles and thereby constitute the semiotic moment of a network of social practices in a given social field institutional order or wider social formation. (2009, p. 344)

Insofar as individuals never encounter the world in an unmediated form, an imaginary *qua* semiotic system represents the world through discourses and inscribes it with meaning (Jessop, 2009, p. 338). Second, to the extent that an imaginary orientates actors towards the world, it underwrites certain forms of individual and collective subjectivity and agency. Third, if imaginaries are to endorse determinate ways of seeing and being in the world, then they must not only be "meaning-making" but also capable of coordinating "actions within and across specific personal interactions, organizations and networks, and institutional orders", they are accordingly also aligned with particular social technologies capable of patterning, and if need be disciplining, social interaction across time and space (Jessop, 2009, p. 339). Fourth, like all forms of social practice, certain aspects of imaginaries can be crystallised in or may require particular organisational or institutional forms.

Thus an imaginary can be defined as a heterogeneous assemblage linking together representations of the world, modes of individual and collective subjectivity and agency, social technologies and organizational forms or structures. Moreover, insofar as it is a political imaginary, then it has to be understood as being oriented towards describing and/or achieving determinate forms of collective life. This conception of imaginary draws from the efforts of Jessop and his colleagues to develop a cultural political economy geared towards, amongst other things, exploring "the interdependence and co-evolution of the semiotic and extra-semiotic" (Jessop, 2009, p. 337). Consequently to describe human rights as a political imaginary is not to reduce them to semiosis, but rather to introduce a set of analytical distinctions that enable the researcher to explore the different elements that contribute to human rights' ability to make the world meaningful for political action, and thus to underwrite certain patterns of social interaction. This however is always conceptualised in the context of a dialectical relationship with the extra-semiotic. Although conceptually the political imaginary model draws attention to the semiotic moment by bringing discursive

practices into focus, these practices are best understood as being socio-discursive. In other words, "social relations *are* partly dis-coursal in nature, discourse *is* partly social relations" (Fairclough, 2003, p. 25). Consequently, while the political imaginary model analytically highlights the semiotic moment, it is not possible to ignore the extra-semiotic context in which and through which human rights are able to circulate as a socio-discourse. In the next section the model is used to analyse FIAN's contribution towards the establishment of the HRF as a political imaginary.

The HRF as Political Imaginary

The impetus for the formation of Food International Action Network (FIAN) came from an Amnesty International (AI) district-level working group on the human right to food formed in Heidelberg, Germany, in 1982. An AI internal study, examining the links between land rights and human rights work, held the promise of putting wind into the working group's sail. Eventually discouraged by AI's decision that ESC rights were external to its mandate, the group set up an urgent action network linking representatives from Austrian, French, German and Swiss NGOs in 1983 (Hamm, 2001, p. 169).[10] In 1986, the expanding network was converted into an international human rights organisation, the first to advocate for ESC human rights. In subsequent years, FIAN's membership and organisational capacity has grown considerably. Its research and intervention work via urgent actions and casework has allowed it to tap into a variety of local grassroots groups in the global south and collaborate with significant transnational movements such as La Via Campesina. Its consultative status at the UN, granted in 1989, along with regular attendance at international conferences, summits, and meetings has made FIAN a key interlocutor in UN bodies such as the FAO and the Committee on Economic Social and Cultural Rights, as well as in INGO networks.[11] This status has not only made FIAN an effective lobbying and campaigning organiza-tion, it has also enabled it to make significant contributions to the framing and development of the HRF.

   This section draws on a corpus of documents made up of what FIAN called *Documentation* for the years between 1989 and 1993. The publication was in effect a yearly newsletter summarising the organisation's activities. For the period between 1993–2003, it was replaced by a magazine, *Hungry for What is Right*, whose circulation extended beyond the membership.[12] Like the *Documentation*, the magazine provides a privileged view into the discursive processes by which the political imaginary of the HRF was being articulated and the broader context in which this occurred. The aim of the

analysis is neither to construct an institutional biography of the organisation nor a complete historical account of the emergence of the HRF. Instead, guided by the categories introduced above, the analysis probes how representations, modes of subjectivity and agency, social technologies and institutional structures are realised though discursive practices. Guided by the conceptual distinctions of the political imaginary model, the corpus was coded manually to identify excerpts suitable for further analysis. Drawing on the textual based critical discourse analysis approach developed by Norman Fairclough (2003), these excerpts were then sampled and analysed in more detail in order to identify representational strategies, intertextual relations, recontextualizations, genres, and grammatical and semantic relations. A summary of the analysis is presented below in stylised form. Rather than provide a comprehensive account of the HRF as political imaginary, the aim is to illustrate the model's explanatory potential. Detailed textual analyses are reported elsewhere.

Given the ease with which the HRF is invoked today, it is worth underlining the extent to which the HRF was in a significant sense a signifier without a signified in the 1980s and early 1990s. By the late 1970s the post-war vision (utopia?) of a world without hunger achieved through agricultural modernisation and/or humanitarian aid had fallen in disrepute. Although this gave rise to a number of broadly disseminated critiques, these rarely drew on the HRF. France Moore Lappé and Joseph Collins' *Food First: Beyond the Scarcity Myth* and *World Hunger: Twelve Myths* never went beyond making reference to the violation of civil and political human rights when referring to authoritarian regimes. Equally interesting is a 1984 book, *The Political Economy of Hunger*, by an author who will subsequently become one of the HRF's most eloquent and committed champions, George Kent (2005, 2010). The analysis is organised around the structural violence paradigm with no mention of the HRF. Similarly, an important philosophical contribution, *World Hunger and Moral Obligation*, in the form of an edited volume (Aiken and La Follette, 1977) does not come close to mentioning the HRF. The emerging status of the HRF is indicated strongly by the fact an author, Henry Shue, who was to make important conceptual contributions to the development of the HRF through the publication of his 1980 book *Basic Rights* had three years earlier edited a volume titled *Food Policy*, with Peter G. Brown. It brought together a number of policy and ethical analyses of the problem of hunger; strikingly the human rights framing was absent![13]

Very telling is the 1984 publication of *Food as a Human Right*, edited by Asbjørn Eide et al. for the United Nations University, gathering contributions from an interdisciplinary panel of scholars

brought together specifically to address how human rights might contribute to remedying the calamitous consequences of failures to address world hunger. Remarkably, a number of authors actually ignore the term, while the vast majority of the analyses are framed by a marxisant sensibility with a strong convergence towards a structural problematic of hunger.[14] Two exceptions are the contributions of Asbjørn Eide and Philip Alston. Although both legal scholars were and would become highly invested in the task of legally developing the normative implications and the content of the HRF and other ESC human rights, in the volume they are cautious in their assessment of the type of work that the HRF might do given its undeveloped nature. More focused and coherent is a pioneering 1984 book edited by Alston and Tomaševski, *The Right to Food*, the published proceedings of the international conference, *The Right to Food: From Soft to Hard Law* organized by the Netherlands Institute of Human Rights and the International Law Association. Amartya Sen's 1982 essay, *The right not to be hungry*, is also reprinted in this volume: a right-based critique of hunger to be sure, but one that eschews mention of human rights as such. Moreover, the novel nature of the HRF is indicated by the focus on the work to be done to make the HRF operable, underpinning most of the contribution in the volume.

In summary, despite the high profile nature of the question of hunger in the 1970s and 1980s, there is little evidence that the HRF formed part of the socio-discourses through which it was apprehended. In the UN human rights system, in the mid-80s, it is possible to detect the faint rustle of the HRF as evidenced by the publication of *Food as a Human Right* and *The Right to Food*. The fact that it is cautiously summoned as a possible remedy for the failure of developmentalist and humanitarian solutions for world hunger, suggests that the HRF was not an ingredient of the post-war recipes for hunger eradication. It is in this context that the political imaginary of the HRF developed, a process in which FIAN played an important role.

Representations

In virtually every FIAN document in the corpus, one finds the ritual recitation of articles from a number of international human rights instruments (i.e. UDHR, ICESCR). The practice of citing the relevant norms and principles gleaned from an array of interlocking texts has crystallized into a durable discursive form in the different genres associated with human rights talks such as declarations, urgent action alerts, campaigns, educational material, and country reports. Due to the pre-eminence of legal rationality in the human rights field (Madsen, 2011; Woodiwiss, 2005), this citation practice

is clearly indebted to the manner in which "facts" in legal reasoning are determined internally by reference to binding and authoritative legal texts. As socio-legal scholars have argued, these self-referential dynamics provide the law with both the operational and normative closure that underwrites law's autonomy and to a certain extent its social efficacy as a social technology for dispute resolution (Luhmann, 1992).

In the context of human rights, where in many instances the adjudicative and authoritative mechanisms available to socially efficacious legal systems are often lacking, a simulacrum of a functioning legal system can be discursively achieved by summoning the web of interconnected international documents. This provides the rhetorical, moral, or authoritative leverage connoted by legal obligation. It also serves to discursively "construct the out-there-ness' " (Potter, 2000, p. 150) of human rights and the HRF. The habitual repetition of inter-related international agreements constructs human rights norms and principles as "independent of the agent doing the production" (2000, p. 151), providing "empirical evidence" of their autonomous existence and prospective power as does the oft-repeated international consensus that FIAN claims recognizes them.[15] Moreover, this discursive practice also invokes a sense of historical agency that seemingly accounts for human rights' emergence, continuity, and subsequent development. This enables FIAN, for instance, to claim that the indivisibility of human rights constitute a "historical fact" (FIAN, 1991, p. 3).

A second representational practice arises from the recontextualization of the violation of civil and political human rights as instances of HRF or ESC human rights violations. In this way, the well-established reality of civil and political human rights violations can be used to project the existence of these less legible ESC human rights. As we will see below, for FIAN the Urgent Action constitutes a key social technology that draws attention to a human right violation and its remedy. The majority of the violations targeted by FIAN via its urgent actions are intelligible as civil and political human right violations, e.g. torture, violence and unlawful detention. However because the violations are provoked by the actions of peasants, indigenous groups or landless rural workers claiming access to land or resisting the dispossession or ecological damage coincident with large scale development projects, FIAN represents the violation of the HRF as their "root cause". It thus deploys the broadly accepted and increasingly taken for granted categories of civil and political human rights abuses as a way of materializing ESC human rights. In this way, it becomes possible to signify and naturalise an ontological and normative priority of the HRF vis-à-vis civil and political human rights.[16]

For all that, the decisive representational feature of FIAN's work on the political imaginary of the HRF is the manner in which it discursively builds on the aforementioned practices to reframe the problem of hunger as a violation of a human right. Hunger is not represented as a perennial scourge – a phrase frequently collocated with hunger in the post-war era– resulting from insufficient, inadequate, or pathological development. Neither does it conjure the figure of the wretched helpless soul in need of spiritual or secular based charity. FIAN boldly asserts what some within the UN human rights system had only timidly insinuated: hunger can be understood as result of the failure of identifiable agents to fulfill their duties and obligations in concrete instances. Hunger is distilled to the triumvirate of victim, violation and violator. This is only possible due to the towering significance of both humanitarian charity and developmentalism in the post-war period, followed by the generalized perception that the grand development-based projects, and the food aid that had been an indispensable component of the post-war food regime (Friedmann & McMichael, 1998), had decisively and unequivocally failed to resolve the question of hunger. This discursive refrain, diagnosed by FIAN in terms of failure, lack of political will, inappropriate solutions, oppression, and violence, is frequent in the corpus. Consequently, it is not an exaggeration to say that it is the many facets of the failure of postwar developmentalism that discursively constitutes both the horizon and the limit that defines the HRF.[17] Yet, FIAN's ability to discursively maintain this opposition, as will become evident in the next section, is also subject to its capacity to mobilise existing social technologies in the field of civil and political human rights.

Social Technologies

Human rights' spectacular ascendancy has been fuelled by the "moral capital" (Hopgood, 2006) that has enabled human rights organisations to position themselves as being unquestionably disinterested, scrupulously above politics and intractably veridical. In other words, it has hinged on their power to stand for what Moyn (2010) refers to as "the purity of the struggle". Underwriting this moral capital are a series of social technologies with the capacity to modulate perception and register events such that "facts" can be extracted from the social and emotional maelstrom of violence, made resistant to local pressures, and remain galvanised from political interests. These social technologies include the existence and the draconian enforcement of mandates that clearly delineate the organisation's goals, activities, and methods as a radical act of neutrality (Hopgood, 2006; Moon, 2012; Wilson, 1997). The social

technologies also comprise processes to filter and categorize reality through research to arrive at (legal) facts, and the use of a genre of factual reporting that draws on the discursive codes of law, statistics and testimonials in order to produce the effects of "accuracy", "objectivity", "transparency", "credibility", and "efficacy" (Moon, 2012, p. 878).

Reference to the mandate is frequent in the corpus. At times it takes the form of the mere reproduction of the FIAN's statutes, but it is also instantiated through the repeated differentiation of "FIAN Work" from other possible activities such as political, solidarity, faith based, or humanitarian work. Whereas the mandate declares the impartiality, neutrality, and commitment to veracity of the organisation, it is the urgent action that discursively performs it. AI pioneered the genre of the urgent action as a mode of rapid reaction to concrete instances of violation. FIAN's urgent actions, as is the case with AI's, are austere in their use of language (Wilson, 1997); they narrate an event – the violation – introduce the dramatis personae– the victim(s) and the violator, and identify the only possible denouement – a remedy. The presence of legal categories –duties, obligations, responsibilities, claims and rights – organizes and abstracts the event from the concrete setting retaining only those elements that are legally significant.[18]

Equally, testimonial fragments are incorporated to document violations.[19] All the same, the values, political commitments, indeed the identities of the victims are immaterial; it is only their victimisation that is of import. What is more, insofar as the violations are contextualised more broadly, through statistical modes of presentation, this is solely done to register a pattern of abuse that evinces intentionality or motive on the part of the violator, or to bolster the truth of the claim by showing that the violation cannot be explained away as a random or chance occurrence. In addition to social technologies for ordering and stabilising depictions of violations, it is clear from the analysis of the corpus that FIAN, like all human rights organizations, privileges education as a mechanism for aligning the perception of victims, perpetrators and bystanders with the principles of vision and categorisation of its political imaginary, making the chaotic experience of violence and oppression, legible, comprehensible and also crucially, as noted below, a possible object of patterned intervention.

Subjectivity and Agency

Claire Moon has convincingly shown that the significance of the genre of factual reporting, the social technologies described above, is not restricted to its truth effect. Reports "carry both a descriptive

and a prescriptive mandate – they document the world in order to change it – that conditions the 'objective structures' of the text and the 'interpretive categories or codes' [. . .] through which they represent violence and social suffering as something to be acted upon" (Moon, 2012, p. 877). Central to the mobilizing potential of the depiction of human rights violations is the figure of the absolute victim whose voice has been brutally silenced, and for whom human rights organisations speak and bystanders, witnesses and indeed even perpetrators must act – "The forgotten prisoner" (Hopgood 2006, p. 10) symbolized by the AI logo, the candle in the barbed wire. FIAN recontextualises the trope of the blameless sufferer through the figure of the world's most vulnerable, "the poorest of the poor": peasants, rural workers, the landless and indigenous people whose modes of life and ability to feed themselves are remorselessly crushed by national and global projects of development to the stunning indifference of the world. In fact, FIAN claims that the HRF and ESC human rights are "the human rights of the poor".

The manner in which victims, bystanders and violators are interpellated to act is not restricted to the suffering of the victims; they are also incorporated as subjects (Douzinas, 2007, Chapt. 2) and as actors through their discursive positioning via legal modes of representation and reasoning. At its core, the law is a social dispositif for conflict resolution. Its autonomy and its legitimacy rest on its ability to translate social phenomena into its own terms (Luhmann, 1992, p. 1429). Thus the resolution of any incident is always already to be found inside the language of the law. For FIAN, for every violation, there is a victim, a violator, and more importantly a remedy.

In the language of humanitarianism, hunger is a perennial and unpredictable scourge. In the language of developmentalism, hunger is to be conquered at some point in the future. But in the political imaginary of the HRF, hunger is represented as knowable and solvable now! The HRF as invoked by FIAN in the corpus recontextualises hunger through an epistemological and ontological break that links perception to action. The schema violation-victim-violator produces knowledge about the nature and the causes of hunger: namely the violation of HRF. The latter can be linked to the duties, responsibilities and obligations of determinate state actors.[20] It identifies hunger as an object of intervention in the present rather than at some distant time in the future. It offers solutions almost always framed in the context of agrarian reform or the recognition of land claims that are actionable immediately. Victims are responsible for claim making, bystanders for pressuring violators towards remedy and/or restitution, and violators for

accepting their obligations. As Moyn notes, eschewing the grand utopian projects of the postwar, the minimalism, or antipolitics, at the heart of the human rights movement in its take off period, is captured by the catchphrase "saving the world one individual at a time" (Moyn, 2010, p. 132). Similarly, FIAN forgoes grand development projects as vehicles for eradicating hunger at some point in the future. Echoing a core refrain of the time, FIAN claimed that food supplies were sufficient. The seeming enormity of the task of dealing with world hunger, which had resisted postwar efforts, becomes recontextualised as that of remedying the violations that cause hunger one case at a time. It becomes a remedy for hunger conceivable and achievable by the agency of individuals as victims, bystanders, and violators.

Organizational/Institutional Forms

If in the pursuit of the HRF what is requested of victims, bystanders, and violators is relatively little, when viewed against the background of the grand visions of social transformation that preceded it, [21] the viability of such minimalism depends on the existence of organisational and institutional forms that host and disseminate the representations and social technologies that encourage agents to act as calculable and calculating human rights subjects. FIAN's ability to participate in the governing of the conduct of its members, state parties and human rights activists rests not only on the social technologies described above, but also on the imbrication of said technologies in the structure, artifacts, and the on going routines that reproduce specific organizational forms.

   Due to the centrality of the urgent action, it is not surprising that the research that documents violations is channeled from the different national sections to the International Secretariat, which is responsible for issuing urgent actions. As a result, the secretariat can ensure that activities and methods fall within the organization's mandate, on which FIAN's moral capital and persuasive power depends. Equally, the organisation crystallizes links to grassroots movements via the international secretariat, its national sections, and its members. In this way it is able to document and publicize violations of the HRF, and identify appropriate responses. Its moral capital, membership base, presence in the UN human rights systems, and participation in advocacy networks provides the means through which FIAN's epistemological routines, which document and register HRF violations, are transformed into practical and pragmatic acts of advocacy through letter writing, practices of naming and shaming, parallel reporting at the UN Committee for ESC rights, education activities, and broader

campaigns. Its participation in global summits and conferences and its ability to communicate in the juridified lingua franca of human rights provides FIAN with opportunities to anchor the HRF more securely within the political imaginary of human rights by multiplying references to the HRF, specifying language and adding content. Thus although FIAN's organisation and institutional forms cannot be a guarantee of the signification of its representations, the social patterning capacity of its social technologies or the efficacy of the social action FIAN encourages, it is related to all of them, as they are related to each other as mutual conditions of possibility.

Conclusion

The seeming tardiness and the relative weakness of ESC human rights vis-à-vis civil and political human rights is frequently explained as the effect of the hegemonic power of western liberalism conjoined with a profound lack of political will. To be sure there is some truth in this assertion. However, to take this as the starting point of social science analysis ineluctably displaces the analytical focus away from the social nature of ESC human rights, and human rights more generally. In this manner, human rights are enlisted in explanatory efforts as taken for granted and more significantly as incontrovertible norms, principles, legal standards and/or obligations. The sociological model proposed in this paper, does not discount the fact that human rights and that the HRF are certainly embodied in these normative and legal artefacts, but attempts to account for them by identifying the socio-discursive conditions of their historical emergence and their ongoing circulation. It would be an error to disregard the considerable moral persuasive power and/or the possible legal impact of locating the origin of the HRF in the UDHR, and the manner in which legal modes of reasoning have plotted its subsequent itinerary through the archipelago of international agreements and covenants. Nonetheless, the analysis developed here suggests that the manner in which the HRF emerged needs to be accounted for otherwise.

The possibility of representing hunger as a human rights violation materialized against the background of the loss of credibility of the humanitarian and developmentalist logics, and their associated political imaginaries, that had dominated the postwar. Equally, by the late eighties the legitimacy of representing certain types of political violence as violations of civil and political human rights and the existence of social technologies to "factually" document them provided FIAN with resources to give shape to the notion of hunger as a human rights violation. In turn, the ability to represent hunger thus opened it up to new modes of pragmatic political

activism when civil and political human rights advocacy practices
could be suitably recontextualised. Equally, though not explored
here due to lack of space, it is unlikely that practices for represent-
ing and modulating social interaction through the political imagi-
nary of the HRF would have had any traction in the 1980s were it
not for the significant mobilisations of peasants, rural workers,
indigenous peoples and the landless against macro-development
projects, neo-liberal intrusions in agriculture, and new modes of
dispossession. To take the case of Latin America, though many of
these movements have been recoded as ESC human rights move-
ments, the vast majority arose from modes of activism borne from
liberation theology (Löwy, 1996), an altogether distinct political
imaginary.

   While the analysis presented here has focused on one particular
organisation and the early development of the HRF, the model lends
itself to a continued exploration of the HRF's subsequent develop-
ment amongst INGOs, civil society and the in UN system. When
framed by the model of political imaginary, the HRF is not under-
stood as an unassailable axiom crystallised in international agree-
ments, but as the contingent sometimes-stable concatenation of
representations and organisational forms, and social technologies,
subjectivities and modulated political action. Construed thus, it
becomes possible to examine the types of social practices and
arrangements, as well as the broader social and historical dynamics
in which the type of axiomatic claims associated with the HRF can be
made to circulate as a socio-discourse. Finally, it also enables social
scientists to gauge the potential efficacy of such claims not through
normative judgement but through sociological analysis.

Notes

   [1] On the marginality of the social sciences, with the exception of
political science, to the field of human rights study see Turner and Morgan
(2009) and Freeman (2011).
   [2] Nonetheless, to say that human rights provide the moral common
sense of our times should not be taken to mean that they are not contested
by academics, policy makers or activists. I am grateful to the reviewer for
drawing my attention to this point.
   [3] I am not arguing that global hunger had not been a policy concern or
an object of moral debate and persuasion in the 20th century; clearly it had.
Rather I am suggesting that we will fail to grasp the specificity of the HRF
if we fold it into previous efforts to address the problem of hunger.
   [4] I am grateful to an anonymous reviewer for drawing my attention to
this.
   [5] Moreover, as Alston notes, "article 11 was drafted in response to a
specific proposal of the FAO. Debate on the article in the Third Committee
of the General Assembly was relatively brief, and it could be said that the

wording of the proposed article was subjected to less demanding analysis and scrutiny than that of almost any other article in the Covenant" (1984b, p. 166).

[6] http://www.fao.org/righttofood/righttofood/rtf_voluntary _guidelines/about_en.htm, accessed January 2015.

[7] For instance the Office of the High Commissioner for Human Rights lists the declaration in its lists of International Standards for the HRF (http://www.ohchr.org/EN/Issues/Food/Pages/Standards.aspx, accessed January 2015).

[8] It is worth noting that in 1973, the word food crisis and the worsening global economic situation were clearly on the horizon at the fourth Conference of the Non-Aligned Countries in Algiers. Indeed participants exhorted the UN to call a joint emergency meeting of the FAO and UNCTAD, at the ministerial level, to develop strategies to stabilize prices and overcome food shortages via international cooperation (Shaw, 2007, p. 121). Documents in the record groups cited above point to the fact that Kissinger's proposal for a World Food Conference was primarily meant to scuttle the Non-Aligned Countries' demand. Moreover, Kissinger was keen to get developed and OPEC countries to share the burden of the distribution of food aid in the context of a weak US economy (Shaw, 2007, p. 122). Through out the preparatory meetings, there was a constant tug-of-war between the Group of 77 and the B Group countries, the former trying to push the conference on to the terrain of UNCTAD, believing that more strategic ground could be won by so doing, while the latter hunkered down against this prospect.

[9] See Eckel and Moyn (2014) for debates on the significance of the 1970s in the emergence of human rights.

[10] In 2003, AI would reverse this decision and include ESC human rights in its core mandate; the extent to which this challenged some of the organisation's core beliefs and practices is addressed in Hopgood (2006).

[11] This was facilitated by the fact that FIAN members were connected to an emerging network of scholars at the Netherlands Institute of Human Rights (SIM) and the International Law Association (ILA) that collaboratively started to explore the prospect of developing the HRF. Rolf Künnemann, a key FIAN member, attended the 1984 conference on the HRF organized by SIM and the ILA (Alston and Tomaševski, 1984, p. 221). In attendance were Asbjørn Eide and Philip Alston. The UN Sub-Commission for the Prevention of Discrimination and Protection of Minorities had mandated Eide to prepare a study on the right to adequate food as a human right. A preliminary report was presented in 1984, and the final report was published in 1989. Alston would become the first chair of the Committee for Economic, Social and Cultural Human Rights created in 1986 (Thoolen, 1984, pp. 5–6).

[12] The corpus is missing two issues out of a total of twenty-seven due to their unavailability.

[13] Shue's own concern with subsistence rights was by the standards of the time unorthodox, as he notes in the afterword to the 2nd edition. It was triggered by the desire to refute unsound philosophical criticisms of Secretary of State Cyrus Vance's fairly tame attempt to develop an economic and social dimension to the Carter's administration focus on human rights as a foreign policy instrument (Shue, 1996, pp. 153–4). Many of the philosophical positions that Shue critiques in fact appear in Aiken and Follet (1977).

[14] The "Hunger Problématique" emerged in the context of the Food Study Group's work on Goals, Processes, and Indicators of Development Project (GDIP) at the United Nations University, originally convened by Johan Galtung in 1979. The rapporteur for the group, Susan George, in clear reference to the Althuserian method of the symptomatic reading of theoretical structures, defined the problématique as arising from an epistemological critique of existing approaches and defined hunger as "being a misappropriation of human and physical resources" (1980, p. 4).

[15] This in not to say that at some level these documents are not the product of agreement, but the manner in which the consensus is arrived at, the meaning ascribed to the consensus by parties involved, and the obligations thought to arise from said consensus are never as straightforward as portrayed in human rights talk, as my discussion of the Universal Declaration on the Eradication of Hunger and Malnutrition above illustrates.

[16] This strategy is not restricted to FIAN, as Nelson and Dorsey (2008) show, work on the violation of civil and political rights in the context of environmentally based resistance to mega development projects in the 1990s provided a crucial plank in the subsequent articulation of ESC human rights by bringing together environmentalist with human rights campaigners.

[17] This is clearly conveyed by FIAN's reaction to the rising popularity of the right to development and human rights based development in the late 1990s. Whereas a number of issues of *Hungry for What is Right* had addressed the right to development with skepticism, by the late 1990s when there was evidence of an undeniable momentum behind the human right to development framework, FIAN devoted practically an entire issue of *Hungry for What is Right* (FIAN, 1998) to comprehensively discredit it.

[18] The role of legal rationality as a social technology in the political imaginary of the HRF is not restricted to providing a grammar for the social schematics of violations. By creating a simulacrum of a functioning legal system, modes of legal reasoning equip the human right political imaginary with structured methods of commentary, analysis and extrapolation that enable the equalization of potentially very different phenomena, hence rendering them calculable. On modes of legal reasoning, see (López and Lunau, 2012). It is also the lingua franca of the human rights with the UN human rights system (Woodiwiss, 2005).

[19] However as Ari Gandsman persuasively shows, the manner in which victims reveal the truth of their experience via testimonials is equally molded by the generic conventions that lead to the reproduction of conventional knowledge (2013).

[20] An innovation in the legal interpretation of state responsibilities, the Limburg Principles, serves, as FIAN sees it, to close a loophole that allows states to limit their obligations as described in international agreements. Article two of the ICESCR has, as do a number of other conventions, a provision that state parties are obliged "to take steps [. . .] to the maximum of available resources, with a view to achieving progressively the full realization of the rights recognized". This in effect enables states to defer until some undetermined time in the future their obligations. In 1986, a group of jurists, one of whom was Asbjørn Eide, drafted some interpretive principles to assist in the interpretation of the article. Principle 21 notes that state parties have the obligation "to begin immediately to take steps to fulfill their obligation" while Principle 23 adds that "the obligation of

progressive achievement exists independently of the increase in resources, it requires effective use of resources available". As Sigrun Skogly notes, the principles "are interpretive guidelines [. . .] and do not as such represent legally binding norms" (2012, p. 394, n. 3). Despite this, FIAN presents the Limburg Principles as clear a statement of the obligations imposed on signatory states by the ICESCR. Whatever legal weight the principles might have, discursively the Principles allow FIAN to argue that remedies are determinate and available now, rather than undefined at a future point, decisively breaking with the developmentalist imaginary.

[21] This is not the case for human rights activists and grassroots organisations insofar as their activism makes them the possible object of violence.

Acknowledgements

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