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Capitalism Democracy and Food Stamps: A Case for the Right to Food in the Land of Freedom and Plenty

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Capitalism Democracy and Food Stamps: A Case for the Right to Food in the Land of Freedom and Plenty

Abstract

14.5% of Americans do not have enough food, and over 1 in 3 Americans is obese. Yet adequate nutrition remains one of the only basic human needs whose delivery to communities is not ensured by the government. The United States is one of five countries that has failed to ratify the U.N. covenant establishing a right to food. In the face of these pressing problems, most of the talk associated with movements seeking to make improvements in America's food system has little grounding in the kind of rigorous debate about rights, and their central role in protecting individual freedom, that would garner broader respect for the goal of ensuring that all Americans have access to healthy food. This thesis makes the case for the right to food as an important part of reforming American government policies that fail to guarantee low-income Americans adequate access to healthy food.

Making a connection between theory, public discourse and policy, this thesis establishes the value of a philosophical approach to policy-making as an important means of achieving compromise, and demonstrates this in the case of a right to food. It explores four key variants of liberal philosophy, classical liberalism, libertarianism, Rawls and capabilities, which have both opposed and supported state action addressing basic economic, social and health inequalities. Supporting a right to food as consistent with long-standing ideas of the government as the protector of individual liberty, this section takes issue with the assumed conflict between welfare rights and individual liberties that is pervasive in libertarian and classical liberal thought. Instead, it will favor a Rawlsian and capabilities approach that grounds principles supporting government welfare policies in commitments to the flourishing of individual liberty. These different philosophies inform and influence policy and explain, in part, the incongruity between American reluctance to affirm international norms and extensive domestic nutrition programs, pointing to the need to deeply engage with these ideas. A serious discussion of the need to establish a right to food offers a platform for broader debate and more focused solutions for the many health and social problems we see associated with our food system in the US today.

The current state of the food system, where the amount and the quality of the food to which one has access is highly contingent on numerous factors including race, socioeconomic background and geography, is a far cry from this universal standard, established by the U.N. covenant. Ensuring the right to food is not solely relevant in countries facing scarcity; it continues to be critically important in an age of abundance, particularly in the context of special interests distorting public opinion on this issue. This thesis argues that one reason these problems are not front and center in American discourse about the problems with our food system is that this discourse is so profoundly shaped by spokespersons who speak primarily to the concerns of upper class Americans.

In the absence of being able to create Rawls' original position from which Americans could determine just food policy without the biases of their class, this thesis argues that we need more serious philosophic voices raising the need to guarantee universal access to healthy food for all residents of the US. The US' existing commitments, to both protecting Americans from hunger and diet-related disease, such as obesity, and to protecting individual liberties, would both benefit if the United States would formally commit to the United Nations' definition of what the right to food requires.

Keywords

right to food, food justice, SNAP, food stamps, poverty, nutrition, hunger, obesity, Political Science, Mary Summers, Summers, Mary

Disciplines

American Politics | Health Policy | Political Theory | Social Policy | Social Welfare

Capitalism, Democracy and Food Stamps

A case for the right to food in the land of freedom and plenty

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Senior Honors Thesis in Political Science

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Abstract

14.5% of Americans do not have enough food, and over 1 in 3 Americans is obese. Yet adequate nutrition remains one of the only basic human needs whose delivery to communities is not ensured by the government. The United States is one of five countries that has failed to ratify the U.N. covenant establishing a right to food. In the face of these pressing problems, most of the talk associated with movements seeking to make improvements in America's food system has little grounding in the kind of rigorous debate about rights, and their central role in protecting individual freedom, that would garner broader respect for the goal of ensuring that all Americans have access to healthy food. This thesis makes the case for the right to food as an important part of reforming American government policies that fail to guarantee low-income Americans adequate access to healthy food.

Making a connection between theory, public discourse and policy, this thesis establishes the value of a philosophical approach to policy-making as an important means of achieving compromise, and demonstrates this in the case of a right to food. It explores four key variants of liberal philosophy, classical liberalism, libertarianism, Rawls and capabilities, which have both opposed and supported state action addressing basic economic, social and health inequalities. Supporting a right to food as consistent with long-standing ideas of the government as the protector of individual liberty, this section takes issue with the assumed conflict between welfare rights and individual liberties that is pervasive in libertarian and classical liberal thought. Instead, it will favor a Rawlsian and capabilities approach that grounds principles supporting government welfare policies in commitments to the flourishing of individual liberty. These different philosophies inform and influence policy and explain, in part, the incongruity between American reluctance to affirm international norms and extensive domestic nutrition programs, pointing to the need to deeply engage with these ideas. A serious discussion of the need to establish a right to food offers a platform for broader debate and more focused solutions for the many health and social problems we see associated with our food system in the US today.

The current state of the food system, where the amount and the quality of the food to which one has access is highly contingent on numerous factors including race, socioeconomic background and geography, is a far cry from this universal standard, established by the U.N. covenant. Ensuring the right to food is not solely relevant in countries facing scarcity; it continues to be critically important in an age of abundance, particularly in the context of special interests distorting public opinion on this issue. This thesis argues that one reason these problems are not front and center in American discourse about the problems with our food system is that this discourse is so profoundly shaped by spokespersons who speak primarily to the concerns of upper class Americans.

In the absence of being able to create Rawls' original position from which Americans could determine just food policy without the biases of their class, this thesis argues

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that we need more serious philosophic voices raising the need to guarantee universal access to healthy food for all residents of the US. The US' existing commitments, to both protecting Americans from hunger and diet-related disease, such as obesity, and to protecting individual liberties, would both benefit if the United States would formally commit to the United Nations' definition of what the right to food requires.

Preface

Food was very important to me growing up, from the long family lunches at my grandpa's, to making desserts with my brother on weekends. My mother's cooking was also incredibly important to my feeling secure. I noticed its absence in school lunches and summer camps. It wasn't just the lack of familiar taste, but the feeling of receiving something that was lovingly made to be nutritious and delicious.

My passion for issues of food justice began with my working for the Urban Nutrition Initiative (UNI) when I started at Penn. Co-supervising a high school cooking crew at Sayre High School, and guiding them through lesson plans on various aspects of nutrition and the preparation of healthy meals, which they then went on to teach themselves to the rest of the community, I became engaged with the ways that big socioeconomic and health inequalities play out in terms of what food people have access to, the pleasures they associate with food, the time and skills they have when it comes to cooking.

What is Food Justice, I hear you ask? It sounds familiar. Is it a trending hashtag on Twitter? Cue skepticism, maybe even derision. I am frustrated that food justice rhetoric, which should be about one of the most fundamental inequalities in our society today, all too often lacks substance that would convince anyone but left-wing social activists. More effective solutions would come from a more serious tone and a broader support base. This concern ties in with my intellectual interest in political theory, particularly the debates among modern liberal and more conservative philosophers regarding what types of government will best guarantee individual liberty and opportunity. I am drawn to philosophers who seek to justify the need for a welfare state that guarantees basic social and economic rights as key to guaranteeing political liberty, as opposed to those theorists who have long argued that any effort to guarantee social and economic rights would lead to a government, economy and society that overly restricts free markets and individual liberty. As a result of these joint interests, my goal in writing this thesis has been to explore key philosophic schools of thought that have both opposed and supported state action that addresses basic economic, social and health inequalities with a special focus on efforts to implement a right to food. I understand that it is not only philosophic differences and arguments that have made it difficult to win any explicit endorsement of the right to food in the US. Nonetheless, this thesis seeks to demonstrate that establishing a right to food as consistent with long standing ideas of the government, as the protector of individual liberty, is a worthwhile philosophic endeavor. The political debates necessary to establish a right to food can also

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provide a critical frame for a more serious conversation on how to address the grave inequalities that continue to exist in our food system. We need a more serious dialogue on food. As a student of political theory, I am concerned that most of the talk in the food movement is not better grounded in the kind of rigorous mainstream thought that is more likely to garner broader political support and respect.

Introduction

This thesis makes a case for why American government should adopt a right to food with the goal of pushing for changes in government policies that fail to guarantee low-income Americans adequate access to healthy food.

Section One uses a philosophical approach to make the case for a right to food and explores key variants of liberal philosophy, which have both opposed and supported state action that addresses basic economic, social and health inequalities. It establishes the value of a philosophical approach to policy-making and demonstrates it in the case of a right to food. Supporting a right to food as consistent with long-standing ideas of the government as the protector of individual liberty, this section takes issue with the assumed conflict between welfare rights and individual liberties that is pervasive in libertarian and classical liberal thought. Instead, it will favor a Rawlsian and Capabilities approach that grounds principles supporting government welfare policies in commitments to the flourishing of individual liberty. Section Two will look at the effect of philosophical differences on policy to explain the incongruity between American reluctance to affirm international norms and extensive domestic nutrition programs. Section Three will argue for why ensuring the right to food continues to be critically important in an age of abundance, particularly in the context of special interests distorting public opinion on this issue. A serious discussion of the need to establish a right to food offers a platform for broader discussion and more focused solutions for the many health and social problems we see associated with our food system in the United States today.

This thesis will ultimately argue that existing commitments, to both protecting Americans from hunger and to protecting individual liberties, would both benefit if the United States formally commits to the United Nations' definition of what the right to food requires and encourage deeper engagement of the ideology behind the public discourse. This thesis acknowledges that there remains a need for activism (or other political means) in support of the right to food to get the government to adopt and turn it into implemented policy.

The Right to Food

The Right to Food was indirectly awarded early prominence, as "freedom from want", as one of Franklin Delano Roosevelt's Four Freedoms for all humankind, in

1941.¹ The Right to Food was not formally included in international legislation until the codification of the Universal Declaration of Human Rights (UDHR) in 1948.² The Right to Food features in Article 25 of the UDHR along with Clothing, Housing and Medical Care, all considered Economic Social and Cultural Rights, which were then reinforced under the International Covenant on Economic Social and Cultural Rights (ICESCR) in 1966. The US is the only major western country to have signed, but not ratified this convention. The International Code of Conduct on the Human Right to Adequate Food was first proposed in the run-up to the World Food Summit in 1996. It has widespread support among non-governmental organizations that advocate on behalf of the hungry. In 1983, The UN Special Rapporteur on the Right to Food was established, drawing from the Committee on Economic Social and Cultural Rights (ESCR).

A right to food rests on the idea that governments should protect their citizens from hunger. The UN formulation of the right to food puts forward three clear criteria for a fundamental right to food that government should guarantee for all.

1. Availability: “food should be available from natural resources... and for sale in markets and shops”
2. Accessibility: “requires economic and physical access to food to be guaranteed”
3. Adequacy: “food must satisfy dietary needs, taking into account the individual’s age, living conditions, health, occupation, sex, etc.”³

These criteria address the key problem of the relation of food to individual liberty because they establish the importance of universality (for everyone, everywhere regardless of their race, ethnicity, geography or socioeconomic status) and the importance of both adequate quantity and nutritional quality. Low-income Americans are too often forced to make a choice between adequate calories, adequate nutrition, and meeting other basic needs, which this thesis will argue, is an infringement of individual liberties.

Section One: Why social welfare rights are critical to guaranteeing individual liberties

This section argues for the value of discussion and applying consistent philosophic principles to contentious moral debates. It focuses first on philosophies that have

¹ A. Oshaug, W. Barth Eide, A. Eide, “Human Rights: a normative basis for food and nutrition-relevant policies”, *Food Policy*, 19, 6 (1994), 491

² The International Declaration on Human Rights, http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

³ United Nations Special Rapporteur on the Right to Food, <http://www.srfood.org/en/right-to-food>

historically been a barrier to achieving government recognition of the right to food and then on those philosophic approaches that could help us to realize this right.⁴ This section looks at four leading variants of liberal philosophy with regard to their perspectives on whether a government commitment to welfare rights (and, therefore, a right to food) is acceptable. These variants are: classical liberalism, libertarianism, the philosophy of John Rawls, who argues that liberal social contract theory is consistent with the development of a welfare state, and Amartya Sen's arguments in support of government policies that support the development and realization of individual capabilities. I shall look first at those expressions of classical liberalism and libertarianism that oppose a notion of government responsibility for welfare rights.

Against welfare rights: Libertarianism and Classical Liberalism

Libertarians believe in economic, social and political freedom. They argue that government involvement should be kept to the absolute minimum necessary to keep society from the complete anarchy of Hobbes' "state of nature". Libertarians claim that everyone should be able to freely exercise their individual liberties, so long as they do not prevent others from doing the same. And in this situation only, may a government intervene. Robert Nozick, author of *Anarchy, the State and Utopia*, posits that the individual and the upholding of his rights is primordial. Nozick claims any interference with this individual-focused rights process, is an illegitimate interference with liberty. Guaranteeing the right to food would involve programs funded by taxes, which Nozick sees as "forced labor".⁵

The second argument against welfare examined here is classical liberalism. Classical liberals are mainly concerned with economic freedom, and, therefore, want to restrict government involvement in this domain. Herbert Spencer is a classical liberal in the domain of fiscal policy. But the behavioral arguments he makes against welfare policy are generalizations that fall into a third category of opposition against welfare, which is a hierarchical, often racist, school of thought that opposes welfare as something that is taken advantage of by lazy classes of people. Known for his particularly harsh differentiations between the deserving and the undeserving poor, Spencer claims that welfare is equivalent to charity and just encourages dependency.⁶ This third argument against welfare is seen today in conservative rhetoric about a "culture of entitlement" amongst welfare recipients.⁷ At the center of these arguments is the idea that welfare policies limit freedom, because they require taxation, and the fear that they create dependency.

⁴ R. Paarlberg, *Food Politics: What Everyone Needs to Know*, Oxford University Press, USA (2010), 40

⁵ R. Nozick, *Anarchy, the State and Utopia*, Basic Books, New York, NY (1974), 169

⁶ H. Spencer, *The Man versus the State*, Liberty Fund, Indianapolis, IN (1940), 34

⁷ J. Berg, *All You Can Eat: How Hungry is America*, Seven Stories Press, New York, NY (2008), 157

Welfare and Free Choice

However, even on their own terms, the arguments of classical liberals and libertarians can support the right to food. Milton Friedman, a classical liberal who is known as “the patron saint of small government conservatism”⁸ is often invoked in defense of cutbacks in the social safety net. Yet he was also the architect of “the most successful social welfare program of all time”, the negative tax credit, and he makes some important contributions to the argument that appropriately framed welfare policies need not compromise individual liberties. Indeed, he suggests the most effective ways to provide elements of welfare, while minimizing the inevitable inefficiencies that result from such an interference with the market, is to maximize free choice. Freedom, he argues, lives in choice. The most famous solution he proposes is the negative tax credit where the government pays the difference between an individual’s salary and a base standard of living, so that each person has a safety net. Friedman also proposes cash subsidies for housing or education because they allow for individual choice, while continuing to encourage competition in the market.⁹ Food Stamps (now the Supplemental Nutritional Assistance Program, SNAP, program) are effectively cash subsidies and evidence that it is possible to enact welfare policy that supports the right to food without compromising markets and individual choice, two key elements of the forms of liberty that American classical liberals and libertarians are committed to. Friedman provides an example of why deep philosophical engagement with arguments is so valuable. It shows respect for that argument, even while disagreeing with it. Claims that conservative arguments do not align welfare programs, lets conservatives off the hook. Further discussion and deeper philosophical engagement can reveal areas for compromise. In *Sweet Charity?: Emergency Food and the End of Entitlement*, Janet Poppendieck makes a similar argument that, by maximizing free choice, food stamps uphold dignity. By “permit(ing) their recipients to shop with the same convenience and almost the same degree of consumer choice as their non-poor neighbors,”¹⁰ these programs actually reinforce individual freedoms instead of diminishing them.

Such arguments in support of welfare programs that support freedom of choice do not address Spencer’s claim that people become increasingly dependent on welfare as government infringes upon their right to self-preservation.¹¹ However, Spencer's arguments about the impact of welfare policies on individuals represent hypotheses more than philosophical postulates. While it is beyond the scope of this thesis to investigate Spencer's arguments further here, I would argue that empirical investigation would reveal that the impact of welfare programs on individuals

⁸ The New York Times

http://www.nytimes.com/2006/11/23/business/23scene.html?_r=0

⁹ M. Friedman, *Capitalism and Freedom*, University of Chicago Press, Chicago, IL (1962)

¹⁰ Poppendieck, *Sweet Charity: Emergency Food and the End of Entitlement*, Penguin Books, New York, NY (1998), 12, 16

¹¹ Spencer, 150

depends in large part on how they are framed, funded and administered. If a program is framed so that someone loses all their benefits as soon as they are employed, which is often referred as the “welfare cliff”¹² by conservative pundits, that program may not help many people out of poverty, and may increase their dependency on welfare. While this is a real problem, the solution should not be to cut welfare but to change the configuration of welfare programs to support increasing independence. Friedman’s work suggests that appropriately framed welfare programs that maximize individual choice need not compromise individual liberties. Two modern liberal philosophers frame the need for welfare rights (including a right to food) in far more explicitly favorable terms. They argue that welfare rights and individual liberties can be mutually interdependent, rather than mutually exclusive.

Justice as Fairness: John Rawls in support of welfare rights

Michael Katz, an intellectual historian at the University of Pennsylvania, writes that Rawls’ Theory of Justice is “a fresh, cogent legitimation of the welfare state,”¹³ because it posits that people would choose welfare policies of their own free will, without compromising their individual freedoms, as feared by libertarians and classical liberals. Rawls comes to this conclusion via a thought experiment which tests people’s behavior in a hypothetical place he calls the “original position.” Here, people are behind a so-called “veil of ignorance,” meaning that they are unaware of their own place in society, their natural abilities, or any personal knowledge, which might bias their choice of laws. He then posits that people in the original position, who do not know where they fall in a class system, will want to choose policies that would be more favorable to the worst off, which he calls the “maximin” principle (the idea that government policies should result in maximum benefit for those with minimal status and assets). Rawls’ argument shows that welfare rights are just as important to achieving a just society as guaranteeing civil and political liberties; and, furthermore, that in a hypothetical society with these individual liberties, people in the original position would attach great importance to welfare rights. In a work that is primarily a philosophical thought-experiment, Rawls does not explicitly endorse a right to food, but it is implicit in his arguments that in the original position, people would endorse principles that represent a “social minimum.” In Amartya Sen’s work, which explores the need for government policies that promote and protect individual capabilities, we find a much more explicit support for subsistence rights.

Capabilities

In *Development as Freedom*, Amartya Sen defines basic rights, building on philosopher Henry Shue’s work. Shue famously refers to the right to food and the right to clothing, shelter and medical attention as “basic rights...because the

¹² Senate Republican Budget brief on the “welfare cliff”

http://www.budget.senate.gov/republican/public/index.cfm/files/serve/?File_id=b5c0680b-d78d-4e00-b4f7-00b5d2a8816a

¹³ Michael Katz, *The Undeserving Poor*, 145

enjoyment of them is essential to the enjoyment of all other rights”.¹⁴ Sen’s capabilities approach takes this premise further and shows us that by guaranteeing certain basic rights, such as the right to food, as a baseline circumstance for everyone, a government is not restricting freedom, but increasing an individual’s substantive freedom to be able to enjoy all other freedoms. Sen explores these ideas from the perspective of people’s day-to-day experienced lives. His capability theory concerns itself with substantive freedoms: the choices that they face or don’t, which helps in identifying the instances in which people’s rights are respected or not. His focus on people enjoying lives they “have reason to value”¹⁵ emphasizes the importance of individuals having the capacity to make real choices. Sen points to the fact that the same action can take on a very different meaning, depending on one’s degree of free choice because “choosing itself can be seen as valuable functioning”. “Fasting,” he argues, “is not the same thing as being forced to starve.” While both involve not eating, fasting is a choice, whereas being forced to starve is a result of a lack of other available options, causing one to act against one’s will. The latter would be an example of “various types of unfreedoms that leave people with little choice and little opportunity of exercising their reasoned agency”.¹⁶ Sen’s capabilities argument is very useful to an argument for the need to recognize a Right to Food in the United States, where freedom has been prioritized over social and economic rights without the realization that the latter are necessary to enjoy the former.

Although the idea of a social contract between the government and the governed is foundational to American democracy, there are clearly very different interpretations of exactly what the role of government should be in the United States today. In the current American political system, the libertarians and classical liberals tend to fall into the Republican camp and modern liberals align with the Democratic Party, showing how the classical liberal division between individual freedom and welfare rights has translated into modern party politics. The sides distinguish themselves as follows. Libertarians and classical liberals see the government’s role to protect as limited to personal rights to life, liberty and property. They call for more restricted sovereign responsibility and are, for these reasons, against the welfare state. Modern liberals see government as playing a more extensive role in protecting a wider range of citizens’ rights, from civil and political to economic, cultural and social rights, such as the right to health and food. They believe in the importance of the welfare state in guaranteeing these rights. This thesis predicates that these divisions need not be so black and white on the issue of welfare. This section has shown not only that the right to food can work within classical liberal and libertarian frameworks, but also that strong philosophic arguments in support of the right to food, and other basic subsistence rights, are grounded in commitments to promoting and securing individual liberties.

¹⁴ H. Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, Princeton University press, Princeton, NJ (1980), 19

¹⁵ *ibid.*, 18

¹⁶ Sen., xii

The potential support for a right to food in typically opposing sides of the ideological spectrum helps to explain the conservative and liberal coalitions that have advanced domestic anti-hunger programs in some periods. The tensions between these camps, however, explains why there has been cutbacks in these programs in periods of conservative ascendancy, as well as a strong backlash against efforts to win domestic support for an international right to food. At various times politicians on both sides of the political spectrum have both aligned with and broken away from the commitments that a right to food would entail. However, if the common interest in guaranteeing basic individual liberties, such as the right to food, is more fully and consistently framed and recognized, there is reason for optimism in achieving the right to food. This next section looks at the incongruity of political activity towards food both domestically and internationally and at how ideological opposition has been a significant barrier in America's embrace of the right to food.

Section Two: The historical influence of ideology on American food policy

Having established that there is justification for a right to food across opposing liberal philosophies, this section looks at how a failure to recognize this potential common ground has manifested itself historically in American food policy. This section first looks at how presumed philosophical opposition has translated into a refusal to accept international legislation on the right to food. Yet the implementation of some domestic nutritional programs¹⁷ suggests that there are coherent ways of appealing to core American political values that can win acceptance of the right to food. This discrepancy in policy points to the need for a broader understanding of state involvement, which more debate and discussion would bring about.

Conflicting rights: Resistance towards international treaties

George Kent, author of *Freedom from Want*, explains that the US has repeatedly resisted international agreement on the right to food because of its "deep ideological resistance to economic rights".¹⁸ The previous section looked at conflicting views of how to best realize individual rights. The influence of the classical liberal notion of a forced conflict between welfare rights and individual liberties has resulted in a divided view of human rights into first and second order rights. The former, civil and political rights, require minimal government intervention and even discourage interference whereas the latter, economic and social rights, is seen as requiring

¹⁷ While acknowledging that there was undoubtedly more than philosophical differences involved in American reluctance to affirm the right to food in international treaties, an exploration of what these additional factors may be is beyond the scope of this thesis.

¹⁸ G. Kent, *Freedom from Want: The Human Right to Adequate Food*, Georgetown University Press, Washington, DC (2005), 158

costly government action in order to guarantee them.¹⁹ There is evidence to support a claim that this aversion to social and economic rights may explain American dislike of welfare. A 2012 study by Pew, as part of its Global Attitudes Project, noted that “58% Americans believe it is more important for everyone to be free to pursue their life’s goals without interference from the state, while just 35% say it is more important for the state to play an active role in society so as to guarantee that nobody is in need.” Across Britain, France, Germany and Spain, these percentages are reversed.²⁰ However, I would argue that Americans are not necessarily against welfare rights unless presented to them as opposed to individual liberties, as in this question. This idea that these rights are inevitably opposed to each other is precisely the premise that Rawls and Sen take on. These modern liberal philosophers clearly support a UN definition of human rights as “fundamental entitlements of persons, constituting means to the end of minimal human dignity or social justice”,²¹ which are “universal, indivisible and interdependent and interrelated”.²²

The division between “old” eighteenth-century civil and political rights and the “new” nineteenth-century social, economic and cultural rights, as well as the United States’ discomfort with the latter, was evident in the drafting of the Universal Declaration of Human Rights. In formulating Article 25 on basic rights, there was much debate over the phrase “social security”. The USSR wanted “the most state involvement” and therefore favored the phrase “social insurance”, which was anathema to the US and other delegations because it implied that such insurance would be guaranteed and paid for by the state. Therefore, in order to avoid the more objectionable “social insurance” ...in the end even the most reluctant North Atlantic delegations...(including) the US came to accept the concept of social security”.²³ Representing the US was Eleanor Roosevelt, who had been appointed a United Nations delegate by President Truman the year before. Mrs. Roosevelt and her husband were very supportive of social and economic rights as an equally important kind of freedom. Roosevelt had “framed the postwar goal as “freedom from want” everywhere in the world”;²⁴ yet the controversial nature of these New Deal commitments in the United States is indicated by the fact that Eleanor Roosevelt had to “persuade... the State Department to accept the inclusion of economic rights”²⁵ in

¹⁹ *ibid.*, 44

²⁰ “The American-Western European Values Gap”, Pew Research Global Attitudes Project, Updated February 29, 2012, <http://www.pewglobal.org/2011/11/17/the-american-western-european-values-gap/>

²¹ Kent, 91

²² *ibid.*, 44

²³ Morsink, 200

²⁴ R. N. Gardner, “Eleanor Roosevelt’s Legacy: Human Rights”, *The New York Times*, Dec 10, 1988, accessed online at

<http://www.nytimes.com/1988/12/10/opinion/eleanor-roosevelt-s-legacy-human-rights.html>

²⁵ *ibid.*

the UDHR, and then the State Department failed to convince Congress to endorse these rights.

The narrow constructions of state involvement in welfare policies that view any commitment to welfare rights as detrimental to individual liberties are still very much alive and have certainly contributed to resistance to resolutions supporting the right to food in recent years. Indeed, the US remains one of five countries to have not accepted the right to food.²⁶ At the 2001 meeting of the Commission on Human Rights, the US representative was the only one to vote against a resolution on the right to food, claiming that “governments should not interfere with the effective opportunity or ability of their citizens to obtain safe and nutritious food” and subsequently, expressed refusal to accept that “individuals had the right to be provided food directly by their Governments”. Repeated resistance to recognize the right to food was explained by the American delegate as a belief in the right to food as a goal “to be realized progressively” and not an “international obligation” or “domestic legal entitlement.”²⁷ In an article on the US relationship to the right to food, Molly Anderson associates American resistance to the right to food with the state’s broader concerns for its sovereignty which risks infringement if America is bound to international norms. Anderson attributes American preoccupation with sovereignty to a “culture of self-reliance” and exceptionalism.²⁸

The latest manifestation of the ongoing debate as to the American opinion on the right to food is the Obama administration taking a step to recognizing the right to food in an international forum. In her extensive survey of the political debates with regard to establishing a right to food in the US, Molly Anderson notes that in 2011 the US came the closest it has ever come to recognizing the right to food in accordance with international norms. In an explanation of its position (EOP), the US “finally took steps toward joining the consensus of all other nations on the right to food”.²⁹ Although the right to food itself was not actually endorsed in the EOP, this shift points to ongoing possibilities for political dialogue that may yet succeed in establishing a right to food as an objective entitlement, as opposed to relying on patchwork programs, whose funding is all too often subject to countervailing political winds to guarantee this most basic of human needs.

Interdependent rights and compromise: Federal anti-hunger programs

Although relative to international opinion the US remains predominantly anti-welfare, the American government found the support to implemented extensive domestic policies to address problems related to food insecurity. The existing

²⁶ M. Anderson, “Beyond food security to realizing food rights in the US”, *Journal of Rural Studies*, 29 (2013) 113-122, 113

²⁷ Kent, 158

²⁸ Anderson, 117

²⁹ Anderson, 116. I was delighted to come across Anderson's thought-provoking, and extremely relevant article as I was finishing this thesis, and only wished I found it sooner in order to be able to more fully engage her work.

federal nutrition safety net represents hard-won victories in the midst of ongoing political debate regarding the government's role in protecting its people from hunger. While the New Deal made significant efforts to establish welfare rights in American politics, and many people were won over, there was still a very strong counter-reaction under Eisenhower. The Food Stamp Program, which was created under FDR in 1938, was brought to an end five years later, and Eisenhower continued to refuse to reestablish it, even in 1959 when Congress authorized it.³⁰

The history of these back-and-forth efforts to re-establish and expand New Deal policy also shows a willingness to think beyond a narrow conception of state involvement in welfare, at least when it comes to hunger, and a precedent for cooperation across political divides. Indeed, Senator George McGovern said "Hunger exerts a special claim on the American consciousness". In her book, *Free For All: Fixing School Food in America*, Janet Poppendieck, speaks to the ability of anti-hunger policies to garner support even from those who usually oppose state-led government programs: "Because food assistance is "in kind", it evokes less anxiety that it will be misspent and less concern that it will deter work effort than do programs of income assistance".³¹ These concerns she is addressing, of contemporary political conservatives, are the same as those of classical liberal and libertarian philosophers examined in the first section of this thesis.

The National School Lunch Program was born from an agreement between political conservatives and liberals. President Truman, and the conservative Southern Democratic-Senator Richard Russell created the Program in 1946.³² It was during Nixon's presidency that a liberal Democrat George McGovern and a Republican Robert Dole took the lead in framing and passing legislation that established the key foundations of the modern federal nutrition safety net: establishing key federal guidelines for the administration of the Food Stamp program (known as SNAP since the 2008 Farm Bill) and making food stamps free; making it possible for low income children to receive free or reduced price school meals; and somewhat later establishing) was passed by a Congress dominated by Democrats in removing the requirements for people to have to pay for in the late and eventually, the Special Supplemental Nutrition Program for Women Infants and Children (WIC). All these programs had significant impact in reducing hunger.³³ These examples show the potential for compromise on issues that appear ideologically contentious.

The fact that nutrition programs, such as SNAP, remain an entitlement program despite persistent efforts to defer deployment of these programs to the states³⁴ represents a significant commitment with regard to establishing a right to food by

³⁰ Berg, 65

³¹ J. Poppendieck, *Free For All: Fixing School Food in America*, University of California Press, Berkeley, CA (2010), 63

³² Berg, 64

³³ *ibid.*, 73

³⁴ Berg, 78

another name. It should be recognized that despite the US' international record in affirming the right to food, the existence of entitlement programs is one use of rights language, although Anderson argues that a commitment to "food security" programs is not the same as a commitment to "a right to food". Founding public nutrition policies on government recognition of a right to food would provide these policies with a stronger foundation in law. This would serve as a basis for securing more funding and ensuring a clearer focus on guaranteeing food security to all Americans. Programs such as SNAP and WIC make food more affordable for people and ensure some benefits dedicated solely to purchasing food. Yet currently SNAP benefits people are seldom enough to get people through a month.³⁵ Soup kitchens and food pantries report a huge surge in requests for help when people's benefits run out at the end of the month. The program is supposed to be a supplement to other income, but since it is based on a calculation that people can afford to spend a third of their income on food (when in fact rents, utilities and medical costs have sky-rocketed, since the days when that estimate bore some relation to reality. In many cases SNAP is all that people have to spend on food. Insufficient funding for the operation of SNAP was exacerbated by the November 2013 Farm Bill, which will cut \$40 billion over the next 10 years.³⁶

Despite the recurrent opposition to affirming economic and social rights, most scholars estimate that there has been significant progress in reducing hunger domestically since these federal benefit programs were established, even if rates of food insecurity have actually gotten worse again since the recession.³⁷ Scholars may debate to what extent the decline in acute hunger and the diseases associated with lack of adequate nutrition are the result of federal nutrition programs; and to what extent they are the result of the explosion of the availability of cheap, highly processed food since the 1980's, which has itself, as many scholars and researchers have noted, played a key role in creating a "toxic food environment," where the multiple disease states associated with obesity have become a more and more significant problem both for individuals and our health care system. Yet, the federal food security programs remain focused on providing access to food, as opposed to guaranteeing an adequate quality of nutrition. National political awareness of the obesity epidemic has increased; numerous policies around the country directed at the obesity epidemic in the past decade have shown varying degrees of success. Obesity rates amongst infants have started to level off and decline, although it increases with age, and the rate is stagnant or rising amongst adults.³⁸ There remains, however, a serious need for comprehensive federal efforts to ensure adequate nutrition both in terms of quantity and quality, which embracing the right

³⁵ *ibid.*, 94

³⁶ <http://www.nytimes.com/2013/09/20/us/politics/house-passes-bill-cutting-40-billion-from-food-stamps.html? r=0>

³⁷ "Food Insecurity Rates Rise Steeply with Recession"

http://www.childrenshealthwatch.org/upload/resource/Rise_FI_Brief.pdf

³⁸ "Is Childhood obesity really on it's way down?". Children's Health Watch, http://www.childrenshealthwatch.org/news/takepart_feb2014/

to food would promote. Clearly endorsing a right to healthy and nutritious food does not in and of itself address the rising rates of obesity among those who are wealthy enough that access to food is not a problem; nonetheless, if implemented in a serious and focused way, it would clearly make a great difference for those for whom access to generally more expensive healthy, nutrition food is a big issue. The final section makes a case for the importance of the right to food in shaping discussion and, by corollary, policy on food.

Section 3: Why the US should adopt the Right to Food

Any modern American supermarket is a striking display of variety, brands and abundance as evidenced by shelves heavily laden with endless varieties of food. While the number of overweight shoppers may vary in number depending on the state, they are nevertheless omnipresent, not always in person, but in spirit: the target of widespread marketing of both obesogenic (obesity producing) and diet foods. The widespread evidence of and concern with obesity and related health problems like type II diabetes might understandably lead one to think that, far from the old forms of malnutrition, most of the problems society faces in its post-industrial state have to do with over-abundance. Talking about a right to food in the current American context of concern with obesity related disease seems old-fashioned and out of touch: an issue only for those areas of the world where scarcity is more prevalent and more visible. Jean Ziegler, Special Rapporteur on the Right to Food to the United Nations from 2000 to 2008, highlights the aspect of the right to food that many people do not realize: “(the right to food) is concerned not only with the hunger of the poor but also with the ways in which middle and upper-class diets may lead to obesity, heart disease, cancer and other food-related ailments”.³⁹ This section will first look at why the right to food is relevant in America’s current food environment. Then, using the popularity of Michael Pollan’s work, it will make the case for the importance of the right to food in shaping discussion and policy in this context of food abundance.

The right to food in an age of abundance

The current state of food in America is one of unprecedented overabundance. But as we shall argue, abundance does not mean universal access to adequate nutrition. There are both people who do not have enough food in the US and people who have enough in quantity but it is not of an adequate nutritional quality. And in many cases both of these shortages occur in the same neighborhoods and even households. Joel Berg, author of *How Hungry is America* argues: “hunger in America has never been caused by a lack of food....then, as now, the main reason people went hungry is that they didn’t have the money or government support necessary to access the abundance all around them”.⁴⁰ This section will defend the idea that the way to

³⁹ Kent, Introduction

⁴⁰ Berg, 54

remedy the causes of hunger (and one of the causes of obesity for those who cannot afford healthy food), in an era of food abundance is to establish a right to food.

Before pursuing this argument, it is first worth noting that as I have discovered in writing this paper, obesity data is a tangled mess. Trends in obesity data differ by sex, race and ethnicity in ways that make it difficult to identify and prove clear causal factors as to the source of the obesity epidemic or ways of preventing this critical health problem. Most researchers seem to agree that this is a multi-causal problem; and that it will take many different types of initiatives to adequately address it, many of which are again beyond the scope of this thesis.⁴¹

Nonetheless, it is clear that the right to food guarantees a universal standard of nutrition for all, referring to both adequate nutritional quantity and quality. The current state of the food system, where the amount and the quality of the food to which one has access is highly contingent on numerous factors, including race, socioeconomic background and geography, is a far cry from this universal standard. Looking at the nature of some of these contingencies, a general “toxic food environment”⁴² is identified. This national phenomenon has developed significantly over the last several decades and is characterized by an explosion of food options, where many higher quality options are cost-prohibitive and unhealthy foods cheap and abundant, appealing, and heavily advertised. Everyone in America is exposed to this environment; but its heaviest impact falls on those who cannot afford healthy food and those who do not have the time, the kitchen, or the knowledge to cook their own food.

Lower socioeconomic status is associated with more obesogenic (obesity producing) environments.⁴³ Lower-income areas are often “food deserts”: poor neighborhoods lacking fresh produce.⁴⁴ Add to this, the work-life environment. If people are struggling to make ends meet, they may be juggling several jobs resulting in stressful, time-restricted, as well as cost-restricted lives. In this scenario, cost is clearly even more of a restricting factor, and quantity or physical access may be as well, as people live in food deserts. In *Weighing In*, Julie Guthman. She argues that it is unclear what kind of correlation there is between low income populations living in food deserts; it might well be that poor people choose to live in food deserts

⁴¹ SK. Kumanyika, “Environmental influences on childhood obesity: Ethnic and cultural influences in context”, *Physiology & Behavior* 94(1): 61-70, April 22 2008.

⁴²

“Toxic Food Environment”, Obesity prevention Source, Harvard School of Public Health, <http://www.hsph.harvard.edu/obesity-prevention-source/obesity-causes/food-environment-and-obesity/>

⁴³ J. Guthman, *Weighing In: Obesity, Food Justice and the Limits of Capitalism*, University of California Press, Berkeley, CA (2011), 68

⁴⁴ “Studies Question the Pairing of Food Deserts and Obesity”, *The New York Times*, April 17, 2012, <http://www.nytimes.com/2012/04/18/health/research/pairing-of-food-deserts-and-obesity-challenged-in-studies.html? r=1&>

because they are cheaper.⁴⁵ Whichever way the causal arrows run, however, these factors result in capability deprivation: a gap that calls for the guarantee of a right to food.

Restriction of choice in food by cost is predominantly a problem for low-income Americans and has effectively made quantity and nutritional quality of food mutually exclusive for many Americans. It is in populations faced with this choice that obesity and hunger can “coexist”.⁴⁶ If they pick quantity, chances are they are going to be eating foods of poorer nutritional quality because those are cheaper, and the most filling. A higher nutritional quality is often more expensive, and therefore not always a feasible choice for trying to feed a family. Most devastating is that families are frequently not able to purchase food at all but are forced to accept whatever food pantries or soup kitchens give them. Although there has been some improvement in what these programs give out in terms of fresh food, donations are often processed surplus commodities given to them by the food industry.⁴⁷ These are likely to be starchy and highly calorific and therefore cause weight gain without even providing proper nutrition. As per Sen’s theory, people in these situations are capability deprived; they are forced to forgo one of two necessary criteria for adequate nutrition, which ultimately compromises their health.⁴⁸ These outcomes point to the need for government to embrace the right to food and extend programs such as SNAP and other cost-subsidies until both an adequate quantity and nutritional variety of food is affordable to all.

In the context of the obesity epidemic, the right to food, as a positive right that maximizes choice, is especially important, as opposed to policies solely targeted at reducing the obesity rate. There are two important reasons why this is the case. First, it is difficult to draw any clear conclusions from politics and strategies targeted only at obesity rates because of the multi-factoral nature of this epidemic. Even when there is an improvement in obesity rates in a particular population or geographic area, it is often impossible to prove that this outcome is the result of particular policies or strategies; it makes sense, therefore, to focus on the development of policies that serve what we know are other important “goods,” (maximizing health nutritional choice and physical activity), rather than focusing only on weight loss as the desired outcome of a proposed strategy. Even more significantly, strategies designed by elites to lower the obesity rate among low income people all too often seek to limit individual choice, as opposed to enhancing individual capacities. The effort to ban SNAP purchases of soda is an example of such a policy.

⁴⁵ Guthman, 68

⁴⁶ Berg, 117

⁴⁷ *A Place at the Table*, 2012

⁴⁸ Center for Disease Control, Health Effects of Childhood Obesity
<http://www.cdc.gov/healthyyouth/obesity/facts.htm>

A new challenge: Obesity and the SNAP ban on soda

This highly controversial ban proposed by Mayor Bloomberg of New York City would have banned SNAP users from buying soda with their food stamps. This proposal received fervent disapproval from anti-hunger advocates who are concerned with this policy “demeaning” recipients and restricting their “freedom of choice”.⁴⁹ A supporter of the ban, Marion Nestle, a nutritionist and author of the widely read *Food Politics* blog, counters the claim that individual liberties are assaulted, reminding us “the proposed SNAP ban does not stop SNAP recipients from buying sodas. They just won’t be able to use SNAP benefits for them”. She outlines the following reasons for her support of the ban: “There is increasingly strong evidence that sugary drinks predispose to obesity”.

However, the focus on consumption of unhealthy food products is misguided. Banning soda doesn’t make vegetables any more affordable. Joel Berg is clear in his criticism of the ban. Rather than trying to minimize people’s freedoms in this way, “Congress and the President should also increase the purchasing power of SNAP, thereby giving low-income people what we all want: the ability to make their own smart choices and to improve their own lives.”⁵⁰ Increasing SNAP’s purchasing power would help ensure that even the poorest Americans have access to a nutritionally adequate diet. Therefore, this thesis very much supports Berg’s position, as it supports our argument for the embrace of the Right to Food in US policy and public opinion.

The nature of reactions surrounding Bloomberg’s proposed SNAP ban on soda evidences how ideological questions of individual choice and liberty remain central in determining support for policies; it also provides evidence for how inflected the discussion of food politics is with class. The next part of this section will explore why the right to food can play an important role in grounding discussions of food policy in universal principles and interests, as opposed to the “niche” concerns of more elite eaters and food writers.

Protecting food from class: dominant voices in public discourse

We have previously examined Rawls’ proposal that efforts to construct truly democratic public policy need to assume an “original position” of ignorance of one’s own status and, thus, deep attention to the needs and concerns of those who are least privileged in any society. Rawls’ arguments seem especially applicable in certain policy areas, such as nutrition, where there are standards for adequate nutrition that can and should be applied to all, taking into account variations in age

⁴⁹ “US Rejects Mayor’s Plan to Ban Use of Food Stamps to Buys Soda”, *The New York Times*, August 19, 2011, <http://www.nytimes.com/2011/08/20/nyregion/ban-on-using-food-stamps-to-buy-soda-rejected-by-usda.html>

⁵⁰ “Buying Soda With SNAP: To Ban or Not to Ban?”, *Takepart.com*, <http://www.takepart.com/article/2013/06/25/soda-snap-ban-or-not-ban>

and sex. In such policy areas, it is appropriate, this thesis argues, to have human rights be “constructive in the genesis of values and priorities”⁵¹, guide governance and hold governments accountable. Unfortunately, however, we have seen little effort to ground much of the contemporary discussions of the “hot topics” of food and nutrition in any serious attention to a right to food.

When representing a spectrum of opinions and interests, public discourse is an important feature of democratic society; it can have an impact on the fairness of solutions and on the broader society. The potential for certain voices to be heard over others is inherent, however, especially in a society with great inequalities in the distribution of power and resources, which can result in the creation of policy in favor of the dominant voices. The current discourse on food certainly reflects class divisions within American society. Issues with the declining artisanal quality and increasing industrialization of our food tend to be largely seen as upper class concerns, whereas issues of nutritional access and food insecurity are those of the lower classes. Even if these divisions are over-generalized, their framing as such continues to deepen the divide between these issues and prevents the development of solutions that would address both concerns for nutritional quality, and establish broader appeals to the pleasures of eating (and potentially cooking and even growing) healthy food among all classes of Americans.

Michael Pollan emerged as one of the most prominent voices on the state of America’s food system over the last two decades, particularly after the publication of his highly successful book, *The Omnivore’s Dilemma*, in 2006. Pollan’s overarching concern with America’s food system is the declining quality of food options, which seemed especially evident at the time when he started writing. He attributed the degraded quality of food to the industrialization of the production and processing of food. His elucidation of widespread use of processed ingredients such as high fructose corn syrup, and the environmental and animal welfare issues associated with industrial farming, literally shocked the nation and has changed the way many Americans think about food today.

However there is contradiction in Pollan’s work, between Pollan, the “eater”⁵², whose primary concern is with the artisanal quality of food he puts in his mouth; and Pollan, the activist, who is concerned with nutritional quality and the impact of an industrialized food system on the broader society.

Pollan the eater is rather elitist. His focus is on artisanal, over nutritional, quality. He expresses preference for traditional foodways with the presumption that “traditional” is synonymous with organic, local and European. He relies on sparsely defined notions of healthy and pleasure, that again seem to presume an upper class audience with the time and personal security to enjoy the folkways of small farmers,

⁵¹ Sen, 246

⁵² M. Pollan, “Vote for the Dinner Party”, <http://michaelpollan.com/articles-archive/vote-for-the-dinner-party/>

fishermen and hunters, as opposed to warm memories of Happy Meals at McDonald's and treats at Dunkin Donuts. In contrast, he scoffs at the "American diet"⁵³, as if there was one diet. With the assumption that this is fast food, processed etc... basically a diet that is unfortunately likely to be that of a lower income family. This is why it is particularly odd that he is expressing this disdain for a diet that is unlikely to be that of his main audience. His work particularly resonates with the upper middle classes. This is not solely a result of the channels of communication he favored (The *New York Times* and fifteen-dollar hardback books), but also because of the content of his writing. Pollan is preaching to the converted, which only reinforces rich/ poor food cultures and does not address issues of lower classes tending to eat more fast and processed food which can contribute to higher levels of diet-related diseases. Pollan's audience is already likely to be eating fewer processed foods because they can afford the alternatives, which are usually more expensive, because they are made at smaller scale. They eat in trendy restaurants; they have the time to cultivate cooking as a hobby and source of pleasure.

Many of his accounts suggest ignorance of the tremendous inequalities entrenched in food access, income and life style issues. He waxes poetic about people cooking their own meals and plant gardens. Both of these activities necessitate a lifestyle with plenty of time and space. The fact that these recommendations are "a little elitist" has not gone completely unnoticed in the press. Charles Matthews wrote the following critique of "In Defense of Food" in the *San Francisco Chronicle*.

"It's not that hard if, like Pollan, you live in Berkeley, where Alice Waters is guide and guru, to shop carefully at farmers' markets and specialty stores, to spend more to get better stuff, to cook your meals, and to eat them slowly and at a table with good company. But God help you if you're a single parent working long hours and living in a poorer neighborhood where there aren't even any supermarkets. A bag of Whoppers or a bucket of KFC is probably your inevitable choice."⁵⁴

Pollan himself has noted that "the most popular question by far" posed in a readers' poll in the *New York Times* was: "our family is on a budget and can't afford to eat all organic", to which he answered that it is important to buy organic "strategically"⁵⁵ and then describes how one could go about doing this.

⁵³ "Big Food: Michael Pollan thinks Wall Street has way too much influence over what we eat", Vox.com, Ezra Klein <http://www.vox.com/2014/4/23/5627992/big-food-michael-pollan-thinks-wall-street-has-way-too-much-influence>

⁵⁴ C. Matthews, "Just Eat What Your Great-Grandma Ate, *SFGate*, December 30, 2007, <http://www.sfgate.com/books/article/Just-eat-what-your-great-grandma-ate-3298891.php#page-2>

⁵⁵ M. Pollan, "Michael Pollan Answers Readers' Questions", *The New York Times Magazine*, <http://michaelpollan.com/articles-archive/michael-pollan-answers-readers-questions/>

This is the other side of Pollan. He expresses rage at the continued influence of corporate interests⁵⁶ in perpetuating government subsidies for commodity crops like corn and soy, that result in markets being flooded by “edible, food-like substances”, and is also driven by concern for an “unsustainable” food system with disastrous effects on public health.⁵⁷ He recognizes the need for “a Farm Bill that makes the most healthful calories in the supermarket competitive with the least healthful ones”⁵⁸ and has suggested the government should underwrite farmers’ transition to more environmentally sustainable forms of agriculture. In order to achieve these objectives, he argues for: supporting new practices in local meat production; subsidizing farmers to diversify and grow different crops than commodity crops; and enforcing federal antitrust laws to break up the big agri-corporations. Pollan acknowledges that his suggestions will never make high-quality food as cheap as industrial food, some of which will only get more expensive if we take the steps needed to align the food system with key social and environmental values, such as a commitment to animal welfare, soil and water conservation, and biodiversity.

He provides simple, concrete advice to Americans to improve their diet: “Eat food. Not too much. Mostly plants”.⁵⁹ This advice has been highly touted, including by Web MD who published Pollan’s recommendations for eating healthily.⁶⁰

This is good advice, and a welcome, down-to-earth approach compared to nutritionist trends of calorie counting and complex dieting strategies. However, the problem is not with the advice, but with the fact that it is not reaching those who need it most, and that those people can’t necessarily follow the advice, even if they wanted to. The reality for many low-income Americans is that eating plants is not the most cost-effective way to feed oneself.

Finally, Pollan’s healthy-eating mantra brings up an important underlying truth about eating. When he suggests that Americans eat “not too much”, people’s ability to follow this advice can go beyond questions of class or income, but is really a question of individual personality, self-control and physiology. Though there are studies that suggest that higher-stress lives, often the lot of low-income people, can bring people to turn to easy pleasures such as comfort foods, which may be less healthy.

Although Pollan’s suggestions for food policy reform show consideration for the problems lower-income Americans face, the personal preferences he shares for the organic locavore culture is clearly that of someone who is not personally affected by

⁵⁶ *ibid.*

⁵⁷ M. Pollan, “How Change is Going to Come to the Food System”, *The Nation*, September 11, 2001, accessed online at <http://michaelpollan.com/articles-archive/how-change-is-going-to-come-in-the-food-system/>

⁵⁸ *ibid.*

⁵⁹ M. Pollan, in *Defense of Food*

⁶⁰ Web MD

the immediate implications of the diet that he rants against. At times his writing shows evidence of this tension between his personal preferences and his broader political views. His frustration with people who want their food to be “as cheap as possible, no matter how poor the quality” for not recognizing “the real cost of artificially cheap food—to their health, to the land, to the animals, to the public purse”,⁶¹ is puzzling when he at other times acknowledges the difficult trade-off between quantity and quality faced by many.

This glorification of such a narrow way of eating, his personal taste, as the sole definition of healthy, is problematic for a of couple reasons. First, it is an example of the class nature of current food discussion and debate, which too often leaves people with less money and education feeling that such discussions are not relevant to their lives. Guthman argues that this process of simultaneous cultural and economic valuation process exacerbates inequalities.⁶² People will feel excluded by the type of lifestyle Pollan and many other “health eating” gurus promote. It is all too understandable when low income people, who have many reasons not to feel included in this type of “food talk,” make decisions to avoid it, or act in opposite ways, such as sticking to their burgers and fries, or deciding to live in a so-called food desert, thus creating a counter-culture.

Second, such a limited perspective can shape policy in ways that are most favorable to the best off, which is an issue Rawls points to as an important injustice. Public opinion shapes and is shaped by culture, but has also been shown to have an effect on policy, especially in a democracy, such as the United States.⁶³ Therefore the nature of public opinion, and the discussion that informs it, is important. Pollan’s writing, as we’ve seen, reflects and shapes the dominance in our political discourse of more privileged tastes and opinions, at the expense of the poor. We are almost seeing a real-life example of why Rawls’ claimed that just policy had to be made from the original positions behind the veil of ignorance. Being aware of his privileged status, Pollan’s opinions on food policies are clearly made from his vantage point, and would not help those who need help the most. In so far as his writing has had a significant impact on public opinion, which in turn plays its role in shaping policy, Pollan’s class (and personal) view of the American food system is not helpful to making policies that benefit the poor. Short of being able to create Rawls’ original position, from which Americans could determine just food policy without the biases of their class, this thesis argues that the right to food, provides an approach to food policy that is removed from class interests, and would ensure a universal standard of nutrition for all. This should be the foundation, which

⁶¹ M. Pollan, “You Are What You Grow”, *The New York Times Magazine*, April 22, 2007, accessed online at <http://michaelpollan.com/articles-archive/you-are-what-you-grow/>

⁶² Guthman, 89

⁶³ Page and Shapiro. 1983. “Effects of public opinion on policy”, *American Political Science Review*, 77: 175-190.

government would implement, for all further discussions regarding what America's food system should look like.

In a *New York Times* article titled "Food Movement Rising", Pollan exclaims "why shouldn't pleasure figure in the politics of the food movement? Good food is potentially one of the most democratic pleasures a society can offer, and is one of those subjects, like sports, that people can talk about across lines of class, ethnicity and race." As examined, Pollan's own work, however, both demonstrates and contradicts this claim. This statement demonstrates what food "talk" at its best can represent, but Pollan's own food writing is often deeply inflected with class in ways that detracts from his policy proposals, many of which *would* help improve the food system for all. I would advise him to keep his personal taste out of it. That's a separate matter and contains little that speaks to the needs and concerns of the millions of Americans who do not have the time, money, or experience to share the types of pleasures he holds up for those who do. Instead he should do more to make sure that his advice on eating healthily reaches those who need it the most.

Conclusion:

In her book, *The American Way of Eating: Undercover at Walmart, Applebee's, Farm Fields and the Dinner Table*, Tracie McMillan writes: "food is one of the only basic human needs where the American government lets the private market dictate its delivery to our communities...Food is a social good and a human right".⁶⁴ This thesis makes the case for the right to food with the hope that it will not only ensure the government's commitment to guaranteeing adequate nutrition for all, but also serve as a platform for broader discussion and more focused solutions. The argument made in the first section against libertarian and classical liberal claims that government welfare policies will inevitably compromise individual liberties or the free market does not suggest that government should be solely responsible for ensuring adequate nutrition for all Americans. Nor is this thesis of the simplistic view that the private sector is detrimental to society's interest. However, it argues that the right to food is an important and necessary start to establishing a clearer and more serious framework, which then facilitates and encourages participation across sectors, classes and parties to ensure that everyone's right is guaranteed. The right to food aims to clarify and inform discussion and by corollary, policy.

⁶⁴ T. McMillan, *The American Way of Eating: Undercover at Walmart, Applebee's, Farm Fields and the Dinner Table*, Scribner, USA (2012)

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