

**The Human Right to Food as a Socio-Discursive Practice**

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## **Abstract**

In the past, human rights have often been studied as philosophical or legal concepts. In this thesis, Norman Fairclough's Critical Discourse Analysis is adopted to examine them as social practices, specifically focusing on the human right to food. This is done through a discursive analysis of a corpus of documents drawn from FIAN International, a human rights organization advocating for the human right to food, and La Via Campesina, an international peasant organization which also aims to realize the right to food but is not itself a human rights organization. Findings highlight how each of the organizations define the right to food, and show that these differences are tied to the structure of the organizations themselves. This suggests that human rights organizations such as FIAN are more constrained by their need to balance legitimacy and programmatic visions than are other types of organizations in the struggle for meaningful social change.

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## **Introduction**

Human rights are a seemingly inherent part of modern society. From the post-WWII period onward, they have occupied an increasingly central role in social advocacy circles, constantly expanding their scope while also becoming more specific in their targets and goals. Although human rights are not universally defined, they have been institutionalized by many governmental and nongovernmental organizations, both in declarations and covenants that have been enacted to uphold human rights, and in actual cases in which rights have been legally awarded to groups and individuals. To many, instances like these are rightfully viewed as important milestones in social progress.

It is important, however, not to take social progress for granted in this “age of human rights” (Baxi, 2007: 1). Can it be argued that the paradigm of human rights as a global vision has advanced a solution to major social problems such as poverty, malnutrition, mass violence or the violation of civil freedoms by states? Despite the promise of human rights as a solution, in many areas of the world these problems are less settled than ever. Moreover, new sets of problems continue to arise as those of the past fade away. Many scholars have identified this paradox as owing to the limits of the human rights paradigm, commonly framing it as an issue of the hegemony of human rights as a Western tradition, or a lack of willingness on the part of those with political power. Anthony Woodiwiss, for example, illustrates that the legitimacy and potential of the human rights paradigm might be called into question when, for instance, Iraqi civilians are killed in the name of human rights (Woodiwiss, 2007: XIII). Another criticism is that the legal-individualistic culture of North America has formed a constantly expanding catalogue of rights to the detriment of obligations and responsibilities, resulting in the impoverishment of political discourse (Glendon, 1993). Based on these contradictions, it

is tempting to conclude that although the human rights vision is a noble one, the implementation and enforcement of human rights has, in practice, not been promising enough to celebrate the success of human rights as a universal model of social progress. The morally persuasive and inclusive nature of human rights, however, makes it difficult to dismiss them. This “paradox of human rights” (Hafner-Burton et al. 2005; Kurasawa 2007, Woodiwiss 2005) has raised a number of important questions about human rights as a practical model for change.

In general, there have been two dominant approaches used in attempts to understand human rights: philosophical approaches and legal approaches, or as Kurasawa calls them, 'philosophical normativism', and 'politico-legal institutionalism' (Kurasawa 2007: 4). These approaches promote human rights as ideals and as laws, respectively, and do not typically focus on the ways in which rights have been socially constructed. In other words, the approaches that have dominated our understanding of human rights over the course of history rely on the assumption that they are natural, god-given, or otherwise inherently possessed by all human beings. As a result, many scholarly approaches advocate for rights rather than deconstruct them. Sociology, a discipline whose stance on human rights is not as well-defined as for instance, law or philosophy, can therefore help to illustrate that human rights have actually been brought into existence by a process of creation; that is, rights have been collectively defined and granted by particular social actors. A sociological approach to human rights can shed light on this process of creation, and provide insight on rights by posing questions such as “What is a right?”; “Under what circumstances did rights gain legitimacy?”; “What criteria are used to define rights?”; “Who is included and excluded as rights-bearers?”; “What are the social knowledges that contribute to identifying when a right has been violated?”; and “Who are the actors invoked as being responsible for implementing these

rights?” These are questions that must be examined in order to work toward a coherent sociology of human rights. Given that human rights have increasingly been adapted to work on a range of diverse and complex problems, it is worthwhile to come to a clear understanding of exactly how rights work and the potential they hold, in order to evaluate how they interact with social problems. This thesis provides insight into this question by concentrating on the practices associated with the human right to food. I have done so by focusing on FIAN International (formerly known as FoodFirst Information and Action Network), an organization that advocates for the human right to food, and La Via Campesina, a peasant organization that advocates for food sovereignty, but uses the human right to food in their discourse. By comparing the two organizations, I aim to illustrate that the human right to food is not a fixed, unchanging concept, but that it takes a different form depending on how it is practiced by the organization promoting it.

The human right to food is an 'economic, social and cultural' (ESC) human right, as opposed to a 'civil-political' right. I have chosen to focus on an ESC right because civil-political rights, such as the right to free speech or freedom of assembly, are well established and generally more accepted as human rights. ESC rights, on the other hand, tend to be less agreed upon, have a more recent place in history than civil-political rights, and often pertain to problems that are less straightforward. Many scholars and proponents of the Universal Declaration of Human Rights have argued for the fundamental importance of civil-political rights over ESC rights, and have sometimes viewed ESC rights as antithetical to individual freedoms, a view that is sometimes attributed to a Western bias (Woodiwiss, 2005: 122). ESC rights have, more recently, however, come to occupy an important place in history, and have been used to deal with longstanding social and economic issues. That the so-called 'world food crisis' has come to be seen in terms of a human rights issue is evidence of this

paradigmatic shift.

This thesis consists of a discourse analysis of a corpus of documents taken from FIAN and La Via Campesina publications, two organizations which focus on the human right to food to varying degrees in their discourse. My objective is to bring to light how the concept is constructed and/or shaped by its practices. In doing so, I hope to shed light on the prospects of the human right to food being used as a tool to achieve global justice, the emancipation of marginalized groups, respect for individual liberties and alternative epistemologies, and the creation of a more politically and economically equitable society. Chapter 1, entitled *Locating Human Rights in the Sociological Imagination*, will discuss how rights have been framed throughout history and outline some of the more recent sociological literature on the subject. This will provide historical context and clarify my intent in studying rights as social practices. It will also outline the theoretical framework that will be used to frame the questions and interpret the findings, and a section describing the methodological steps taken for the remainder of the project. Chapters 2 and 3 consist of a discourse analysis of the corpus of documents compiled from FIAN and La Via Campesina, respectively. These chapters will look at the discursive techniques used by each organization to talk about the human right to food, and how these discursive practices can lead to a more comprehensive understanding of how these organizations work towards global justice. Ultimately, it will look at how the human right to food is used as a tool in this endeavour. Chapter 4 is a discussion of the findings of the two previous chapters, and will place these findings in the context of some of the questions and issues raised in Chapter 1. Finally, I will conclude by summarizing the contents of the previous chapters, discussing some of the limitations of the research, and suggesting areas of future research.

## **Chapter 1: Locating Human Rights in the Sociological Imagination**

As early as the French and American revolutions, rights were tied to citizenship and were not yet conceived of as ‘human rights’ despite their universalistic rhetoric. Marx, Weber and Durkheim, often understood as elaborating sociology’s enduring foundations, each addressed rights as such; however, they were not convinced by the assumption that rights were inherent to humans or that they would necessarily lead to a fairer and more just society. A century later, T.H. Marshall became one of the first well-known modern sociologists to describe the emergence of a new form of rights. He argued, in 1949, for increased responsibility on the part of the state to grant social rights to citizens, as opposed to the civil rights (equal official status) and political rights (the right to participate in political life) of the past (Marshall, 2009). According to Marshall, the time had come to focus on the “right to share in social heritage and live a life of a civilized being according to prevailing standards of the society” (Marshall, 2009: 148). In essence, he believed that without meaningful social rights, the formal legal equality granted to citizens through civil and political rights would not sufficiently offset the inherent inequality of the capitalist system. Despite the fact that he saw social rights as a potential solution to class inequality, he did not believe that they would transcend the inequality as such. He merely thought they had the potential to contain it. However, Marshall's conceptual distinction between civil, political and social rights brought attention to a similar division in the emerging human rights discourse in the West, in which civil and political human rights were favoured over ESC rights, which were often perceived as being in opposition to individual liberties. This division was illustrated in the 1948 United Nations Universal Declaration of Human Rights, motivated in part by a post-WWII commitment to international peace. In 1966, two separate United Nations Covenants were

drafted: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

As human rights gained popularity in the following decades, academics began to explore issues of universalism and cultural relativism. The study of these types of problems aimed to understand whether or to what degree cultural particularities should be granted the status of human right, and if they were granted such a status, whether they could then be considered universal (Donnelly, 1984). In 1993, Bryan Turner formulated a sociological justification for the acceptance of the idea that human rights are inherent and universal. Turner was critical of the increasing tendency of rights to dominate social life as claims or entitlements which were beginning to clash against one another, as well as the use of official international human rights rhetoric to support the ideology of globalization on the part of the United Nations (Turner, 1993: 490). Making the case for a more universal and all-encompassing conception of rights, he claimed that “given the legacy of a relativistic sociology of knowledge, sociology finds it difficult to accept the notion of human rights without also acknowledging a universalistic human ontology” (Turner, 1993: 496). Thus, he attempted to develop a sociologically plausible defence of universal human rights, and advanced the moral argument that human beings should have human rights. In his words, “[h]uman beings will want their rights to be recognized because they see in the plight of others their own (possible) misery” (Turner, 1993: 506). Overall, Turner’s perspective provides a justification for a universal conception of human rights, but does not outline how human rights are to be practiced.

Taking a more critical perspective than Turner, Anthony Woodiwiss’ approach problematized rights and the ways in which they have become inseparable from the existing social structure, providing little in the way of social transformation. Approaching rights from

a legal positivist perspective, he points out that many generally accepted human rights documents such as the Universal Declaration of Human Rights are based on what has been referred to as “bourgeois individualism” (Woodiwiss, 2005: XIV). This refers to the process by which prevailing capitalist economic and political relations predominantly favour individual liberties (civil-political rights) over collective issues and entitlements (ESC rights), autonomy over reciprocity, and is based on a capitalist legal system that favours property ownership. Related to this is Upendra Baxi's observation that, “[i]ncreasingly, also, contemporary economic globalization fosters the production of belief that the satisfaction of human basic needs is best achieved through aggressive protection of the rights of the multinational corporations and the policies of international financial institutions, regardless of the negative fallouts on the human rights of the actually existing human beings, especially the world's impoverished” (Baxi, 2007: XXI). In other words, human rights have become entangled in power relations to the extent that what we commonly conceive to be human rights were “initially produced by national sets of social relations as a means of reinforcing a new mode of social discipline in a particular area of social life” (Woodiwiss, 2005: 4). According to Woodiwiss, every society will produce a human rights discourse that suits its own set of power relations; therefore, those concerned with human rights must aim to “produce an understanding of (processes of power) detailed enough to make these processes amenable to conscious manipulation on behalf of the enhancement of human rights protections” (Woodiwiss, 2005: XVI).

Like Woodiwiss, Boaventura de Sousa Santos has argued that the dominant human rights paradigm stems from the promotion of those human rights that possess a distinctly Western bias, and as such, views the construction of a new human rights framework as a primarily epistemological task (Santos, 2008: 29), claiming that even the concern with

whether or not rights are universal is something that he considers to be a 'Western' question (Santos, 2008: 12). Santos argues that human rights must be reconceptualized as multicultural, and proposes an "intercultural reconstruction of human rights" in which counter-hegemonic social movements attempt to challenge the hegemony of neoliberal globalization (Santos, 2008: 11). This must start, he claims, with the realization that all cultures are incomplete, and by virtue of this realization, an attempt to construct an intercultural dialogue in which different cultures may learn from one another in a ceaseless attempt to make every culture more complete. In order to achieve this, cultures must first become self-aware of what he calls their 'topoi': the cultural presuppositions that are so subtle that they do not even arise directly in public debate; instead yielding the underlying assumptions that limit the scope of debate (Santos, 2008: 15). He concludes by endorsing a type of culturally relativistic approach to human rights that holds that it is essential to become aware that all cultures have their own particularisms and that each culture has shortcomings that can be offset by opening up to practices and insights of other cultures (Santos, 2008: 15).

Another relevant point of consideration that Santos raises is that of the role of civil society. He points out that in the seventies and eighties, civil society institutions such as non-governmental organizations were assumed to act as watch dogs of the state, for example, as a way to advocate for human rights when the state did not (Santos, 2008: 4). Today, he points out, civil society is often seen as an extension of the state. This is an issue that was further explored in Harri Englund's ethnographic account of the effects of human rights activists and organizations in Malawi. Englund argues that although there has been increased discussion of human rights in Malawi's public sphere since the postcolonial transition to a democracy, the potential of human rights discourse as an emancipatory tool has been limited by the way that human rights have been defined within the Malawian context (Englund, 2006: 6). Essentially,

human rights have served to promote a neoliberal agenda by, for example, defining rights in terms of individual freedoms, emphasizing civil and political rights over ESC rights, promoting English as the language of human rights, and otherwise acting as a sphere of governance (Englund, 2006: 35). Moreover, the Malawian education system has socialized young people to believe that if they adopt these views, they will become a part of the civilized elite (Englund, 2006: 41). Overall, his ethnographic account shows that human rights activism in Malawi, and likely in many other countries as well, has been stunted by many of the problems associated with human rights.

Upendra Baxi also encourages a reconstruction of the human rights paradigm, arguing that it has become a tool for Western governance and in addition, a distinctly Western narrative of rights. He points out that the myth of human rights has been historically constructed as a gift from the “West to the rest”, and emphasizes the importance of rewriting the history of human rights (Baxi, 2006: 33). Baxi argues that human rights have often typically consisted of a moral language, acting as “an abundance of a circuit of exchange of fairy tales and horror stories, whether concerning the exclusively European origins of human rights or the postcolonial vicissitudes of human rights attainment” (Baxi, 2006: xxxi). He distinguishes between two human rights eras: the modern era, which is commonly believed to have began after the American and French revolutions and is associated with the “white man's burden” or the “civilizing mission”, and the contemporary era, which he claims started after World War II and is most associated with attempting to include cultural particularities in human rights (Baxi, 2006: 59). The main difference between the two, he argues, is that the modern conception of rights assumes that some suffering is justifiable, whereas the contemporary form of rights is rooted in the belief that all “politics of cruelty” are unacceptable; he asks, however, whether the contemporary rights paradigm is merely the

unfolding of the modern one (Baxi, 2006: 43). Baxi attempts to articulate a subaltern approach to rights which he calls 'politics *for* human rights', which gives voice to human suffering" (Baxi, 2006: 6) and asks the questions "whose violation and suffering do we highlight, and whose do we ignore?" He emphasizes the role of the law, lawyers and judges in this process (Baxi, 2006: xxii).

The "World Culture Perspective" is a slightly different approach that has brought to light a different set of issues regarding contemporary human rights. Authors from this perspective have pointed out that the world is made up of societies which exist symbolically as distinct nation-states, but are made up of "highly rationalized, articulated and often surprisingly consensual" models that emphasize equality, socioeconomic progress and human development (Meyer et al., 1997: 145). The heavy influence of this global culture helps explain much of the structural similarities between nation-states. With regards to human rights as an element of world society, Hafner-Burton and Tsutsui argue that based on their empirical findings of various states and their commitment to human rights treaties that they have ratified, human rights represents a "paradox of empty promises" (Hafner-Burton and Tsutsui, 2005: 1401). They find that "state commitment to the international human rights legal regime does not automatically translate into governmental respect for human rights. States that ratify a greater number of human rights treaties are not more likely to protect human rights than states that ratify a small number of treaties" (Hafner-Burton and Tsutsui, 2005: 1395). This suggests that because pressure to ratify human rights treaties is strongly felt from the international community, and because the cost of doing so is low, governments will ratify treaties even when they lack the will or capacity to meet the criteria, simply because it provides their governments with the gloss of legitimacy (Hafner-Burton and Tsutsui, 2005: 1402). They find that democratic societies, however, do have a higher likelihood than non-

democratic societies of upholding human rights standards, which the authors claim is most likely due to the fact that a higher number of citizens in these countries are involved in international NGOs (Hafner-Burton and Tsutsui, 2005: 1398). Therefore, “civil society actors are essentially serving the function of much-needed enforcement mechanisms, although they are not a replacement for stronger institutions protecting human rights” (Hafner-Burton and Tsutsui, 2005: 1402). These findings illustrate that the state's implementation of covenants and treaties that promote human rights as a goal does not necessarily mean that the particular social principles which may be associated with rights are practised more consistently at the state level. Moreover, they are consistent with the aforementioned idea that rights must not be limited to abstract principles or laws, but instead must include the practices of social actors, as this is where the potential of rights as objects of social change is held.

Even when the commitment to implementing human rights goes beyond abstract laws, it has been shown that the sustained attention that is given to certain problems and violations in particular areas of the world are not often given this attention because they are the most pressing issues. Ron, Ramos and Rodgers point out that many human rights organizations, assisted by the media, continuously focus on violations occurring in certain countries over others (Ron et al., 2009). While the authors are sceptical of the idea that powerful Western states simply ignore their allies and scrutinize their enemies, findings suggest that the amount of human rights coverage given to certain countries is positively related to both the level of communications (and therefore, international influence) in that country, as well as the country's number of formally registered NGOs (Ron et al., 2009: 350). This highlights an additional set of problems associated with the concrete enforcement of human rights; namely, that the countries who need the most assistance from the international community are more likely to be ignored or forgotten.

The authors reviewed above highlight many of the concerns surrounding human rights, identifying the difficulty associated with developing a coherent understanding of what human rights are or should be, as well as how human rights fit into the dominant neoliberal political-economy. These approaches, however, have presented somewhat of a roadblock to a sociological understanding of rights that is able to successfully move beyond these issues. In addition, although the above authors highlight important issues, they ultimately frame human rights as a desirable end goal, rather than tools with which to reach certain goals. To overcome the longstanding academic debates over universal versus particular conceptions of rights, normative philosophical approaches and empirical positivist approaches, and the debates over the prioritization of civil-political rights over ESC rights, Somers and Roberts argue that a sociology of rights “must deliver a self-conscious commitment to challenge, negotiate, and transcend the obstacles, dichotomies, ambiguities, and intractabilities that have so long impeded a sociology of rights project” (Somers and Roberts, 2008: 406). One of the ways that they suggest to achieve this is through “practice-based approaches as a way of balancing the normative and empirical” (Somers and Roberts, 2008: 409). Drawing on Derschowitz’ claim that experience-based rights violations must inform normative conceptions of rights, they argue that sociologists should focus on the practices through which certain rights are granted, rather than the abstract validity of the rights claim (Somers and Roberts, 2008: 409).

Kurasawa provides a useful theoretical framework for this practice-based approach to rights. He terms his approach “global civil society empiricism”, which he contrasts with “top-down” approaches to human rights such as the philosophical normativism and politico-legal institutionalism that emphasize an additive approach to rights rather than change at a structural level (Kurasawa, 2007: 195). Although he is also critical of “bottom-up”

approaches to rights which focus solely on the actions of individuals, he advocates an approach which focuses primarily on practices. He defines modes of practice as the “processes of permanent invention of social relations, searching to generate new structural arrangements and ethical principles as well as different kinds of political action connected to global justice, including the perpetual interrogation of existing human rights laws, organizations, actors and strategies to assess their constraining or stagnating effects on emancipatory labour” (Kurasawa, 2007: 199). From this perspective, the work of global justice cannot be thought of as a teleological end-point, but instead, an ongoing process that is “Sisyphean in nature: always already incomplete and in process of being made and remade anew” (Kurasawa, 2007: 200). Kurasawa refers to this ongoing process as the “project of global justice”, which must look critically at human rights institutions and laws in order to evaluate the emancipatory potential surrounding struggles and social movements. He emphasizes that in order to achieve this type of action, actors must not shy away from looking for solutions that lie beyond the current social structure. In reference to the practice of human rights aid in other countries, he points out that “... to be effective, the labour of aid can pursue initiatives that operate beyond or outside the confines of the established capitalist order in asserting the universal right to health and material well-being, so as to alter radically the neoliberal logic of profitability that produces and sustains systemic spatial and socio-economic segregation” (Kurasawa, 2007: 155). From the perspective of the work of global justice, therefore, human rights hold the greatest potential when viewed not as ends in themselves, but when used as tools for the advancement of a more just society.

Historian Samuel Moyn offers a perspective that successfully traces not only how human rights emerged, but the context in which they gained such widespread support as a promise of a better world. Moyn’s historical account of the emergence of human rights is

significant because it provides an alternative to the prevailing linear narrative that sees human rights being discovered or uncovered, and as best implemented as laws. As was outlined above, many scholars, including sociologists, have adopted this approach to rights and as a result, primarily study human rights as norms or ideals rather than as practice-based tools to be used to achieve global justice. Moyn, on the other hand, argues that while the first international talks of human rights as a concept is often said to have begun around 1948 with the Universal Declaration of Human Rights, the real birth of modern day human rights actually developed as a response to the “crisis of superpower order” in the sixties and seventies. In particular, Moyn identifies Amnesty International, a self-proclaimed “non-religious, non-ideological, and non-political” organization, as the first major organization to adopt the modern human rights approach. He argues that the contemporary human rights paradigm actually emerged as a replacement for other failed universalistic utopian visions such as decolonization, socialism, and liberal capitalism (Moyn, 2010: 3), taking a more minimalist approach and focusing instead on “leaving behind political utopias and turning to smaller and more manageable moral acts” (Moyn, 2010: 147). According to Moyn, human rights must be thought of as an agenda or program that serves as a last utopia to replace these other failed visions. They have instead, however, often been wrongly perceived by historians and other human rights scholars as part of an inevitable process of discovery rather than creation. If a world that relies on a human rights paradigm as a solution to injustice and inequality is all that remains after the promise of grand political ideologies has been left behind, then the question that remains is what these rights are as sets of social relationships? How they can and should be used, and what type of transformative potential they hold?

## **Theoretical Framework**

In the past, much of the sociological literature that has dealt with the subject of rights has followed the philosophical normativist and politico-legal institutionalist doctrines by taking a prescriptive or legislative approach to global justice, whereby, “the protection and attainment of socio-economic and civil-political rights becomes a matter of finding the most compelling universal ethical principles or the best-designed institutional plan” (Kurasawa, 2007: 6). Although the above literature review highlights many of the challenges involved in coming to a sociological understanding of human rights, authors such as Moyn and Kurasawa take a different approach to the question, “What are human rights?”; their approaches lend themselves to the practice-based approach proposed by Somers and Roberts. These approaches illustrate that rather than attempting to define as many issues as possible as rights issues, or attempting to grant rights to as many groups and individuals as possible, it is essential to first identify the concrete practices associated with human rights.

Thus, the primary objective of this thesis is to identify the discursive practices of two different advocacy organizations and attempt to contribute to an approach to rights that is more sociological as a result of its concern with social practices. This will be accomplished by carrying out a discourse analysis of FIAN, a human rights organization, and La Via Campesina, an international peasant organization. Although La Via Campesina is not a human rights organization, it does utilize the concept of the human right to food in its discourse; thus, both organizations employ a human rights discourse that fits their individual aims. There are both similarities and differences in the ways in which each organization constructs the right to food, however, the objective of this project goes beyond merely comparing the two discourses. Rather, I aim to illustrate the concrete outcomes that result from the different discursive practices used by FIAN and La Via Campesina in their quest to realize the right to

food and advocate food sovereignty respectively, and to assess the sociological implications of these different approaches. In doing so, I hope to be able to contribute to the development of the sociology of human rights, and provide a new perspective with which to frame the issues outlined above.

In order to study rights sociologically, as opposed to advocating for them, it is essential to examine them as social objects that have been constructed within particular social, political and cultural contexts. Moyn argues that human rights are a relatively recent replacement for the grand political visions of the 1960s that were once associated with social and political utopia; namely, decolonization and postcolonial movements, state socialism, and liberal capitalism, which ultimately failed to lead to the “free way of life” that they had promised (Moyn, 2010: 8). Thus, although human rights were not a new concept when Amnesty International emerged as the first human rights advocacy group in the 70s, this period nevertheless represented a new era for human rights; one in which human rights evolved from rhetoric to an institutionalized political practice with the potential to act as a model for social change. This is an important distinction, as dominant human rights discourse has constructed a narrative in which human rights have always existed and were discovered over the course of history; one of the great victories of western society (Moyn, 2010: 6). Following Moyn’s reasoning, however, rights were constructed in a particular social, economic, and political context that gave rise to a more minimalist, and decidedly antipolitical, way of working towards utopia, “one individual at a time” (Moyn, 2010: 132). By examining the discourse of FIAN and La Via Campesina, therefore, I will explore human rights not as norms or ideals, but as a semi-institutionalized political projects with associated discourses and practices. I will examine how exactly the antipolitics and minimalism of human rights is achieved, and what it means for the problems it identifies and the solutions it

proposes.

Kurasawa's perspective provides a fruitful theoretical approach for this type of undertaking. He advocates a move away from the formalism of legal and philosophical approaches that aim to construct an understanding of human rights in order to implement them more effectively, towards one that examines the concrete practices of human rights, and the ways in which these practices use human rights in the broad context of the work of global justice. He asserts that this critical substantivist perspective "aims to negotiate the productive tension between the interpretation of the actual state of human rights struggles today and the evaluation of what these struggles should accomplish and how the existing world order can be organized in an emancipatory fashion" (Kurasawa, 2007: 8). He stresses that this type of labour must focus on global justice "less as an abstract norm or institutional outcome than a multidimensional, socially and historically constructed project produced by various forms of social action and ethico-political labour" (Kurasawa, 2007: 14). Further, he argues that this approach should be "reflexive about the value commitments that inform it" (Kurasawa, 2007: 10), as it is crucial to recognize that although this type of approach works from the bottom-up, it is not devoid of its own underlying values, assumptions, and previously constructed ideas. Overall, his focus does not conceptualize human rights as universal laws or moral ideals, but instead, as the social action, both symbolic and material that individuals engage in within a particular social, economic, political and cultural context.

Kurasawa identifies five broad "politico-ethical" practices that commonly comprise the work of those engaging in the labour of global justice in contemporary society. When attempting to identify and describe FIAN and La Via Campesina's practices surrounding the human right to food, these five categories will act as a guide. Kurasawa first practice *bearing witness* refers to an "intrinsically dialogical process of recognition between eyewitnesses and

audiences”, that consists of the collective identification of major rights violations in order to place pressure on those responsible, possibly acting as a deterrent (Kurasawa, 2007: 29).

According to Kurasawa, there are a number of ways in which social actors can bear witness, including: voices against silence, interpretation against incomprehension, empathy against indifference, remembrance against forgetting, and prevention against repetition (Kurasawa, 2007: 25). The second practice he identifies is *forgiveness*, stating that “... we should differentiate between two equally valid versions of reconciliation: a negative and thin one marked by former enemies agreeing to refrain from violence, and thus peacefully yet minimally coexisting with one another; and an affirmative and thick version whereby parties collaboratively participate in establishing a new moral and socio-political order, one that reintegrates all citizens as civic and political equals and is designed to dismantle socio-economic structures that have contributed to the marginalization of formerly victimized or subordinate groups” (Kurasawa, 2007: 60). Third, he identifies *foresight* as the “a sort of farsighted labour constituted through social processes whereby numerous associative groups in national and global civil societies are simultaneously creating and putting into practice a sense of responsibility for the future by attempting to anticipate and avoid severe and structurally based injustices and crises” (Kurasawa, 2007: 97). This approach emphasizes responsibility to future generations and recognition of the future as a social construct that is determined by decisions made in the present (Kurasawa, 2007: 122). Fourth, he describes *aid*, claiming, “the issue confronting us is not whether we should assist distant others, but rather the possibility of shifting the discourse and practice of aid from charity and development toward global justice and solidarity... When viewed in this way, the practice of aid is simply the concretization of a human entitlement to having one's basic needs met and to have opportunities to develop one's capacities” (Kurasawa, 2007: 130-131). Finally, he describes

the last practice, solidarity, as “mutual responsibility extending beyond territorially- or identity-bound communities” (Kurasawa, 2007: 159), which relies on the celebration of difference rather than the reliance on cultural homogeneity. He summarizes these five practices, stating, “[i]t is in the performance of tasks and the confrontation of perils defining these modes of practice that the socio-political and ethical thickness of global justice lies, and ultimately, the prospects of an alternative globalization” (Kurasawa, 2007: 14). Together, these five categories provide a way to conceptually distinguish different forms of social practices that advocacy groups, both transnational and domestic, employ in their labour of global justice. Although Kurasawa envisions “human rights” as important tools to be utilized to achieve global justice, he does not see them as ends in themselves; instead, he views the practices associated with human rights as emancipatory tools that can be used to achieve concrete goals. In other words, he does not employ the top-down approach to human rights that views them as universally necessary. He notes that these practices, however, are often confronted by obstacles, as they are always taking place in the context of other, simultaneously occurring practices that work against the struggle for justice. He points out, for example, that incomprehension, indifference, collective amnesia, and the difficult labour of interpretation are conditions that threaten to disable the act of bearing witness (Kurasawa, 2007: 35-50). By looking at these practices in this way, Kurasawa's primary aim is to better understand how progressive civil society actors aim to put global justice into practice by confronting such difficulties and obstacles as they arise. He claims, “[i]t is in the performance of tasks and the confrontation of perils defining these modes of practice that the socio-political and ethical thickness of global justice lies, and ultimately, the prospects of an alternative globalization” (Kurasawa, 2007: 14). It is clear that by focusing on this idea of “practice”, he is not merely reducing human rights to practice, but developing a way to

understand human rights by looking at the labour that helps to create them.

This understanding of rights guides this research in which I look at human rights discourse, ultimately attempting to assess how it constructs human rights in particular ways. As Van Leeuwen points out, discourse is ultimately based on practice and can therefore tell us a great deal about the things that people do. However, discourses also engage in additional practices themselves which ‘recontextualize’ social practice; for instance by removing certain actions or justifying others (Van Leeuwen, 2009: 145). When studying the human right to food, therefore, I ask the following four guiding questions: What issues, problems, circumstances and events are considered human rights violations; which groups are categorized as human rights victims; how are the solutions of human rights framed; and who is responsible for enforcing these rights? In doing so, I hope to gain a sense of how the human right to food has been brought into existence by the social actors, and actions, that attempt to protect and implement it.

Foucault’s theory of discourse illustrates how an undertaking of this type of discursive analysis can provide a greater understanding of FIAN and La Via Campesina’s approaches to the right to food. He distinguishes between four different elements that go into the creation of a discourse: objects, modes of enunciation, concepts and strategies. *Objects* are the things that are talked about, in this case, the human right to food (Foucault, 1972: 40). When attempting to identify the object of the discourse it is useful to look at the institutions that define the object, as well as which authorities make decisions about what is and is not an object of interest (Foucault, 1972: 41). For this reason, I have chosen to examine FIAN as one of my sites of analysis, as this is a non-governmental organization which has been influential in developing the concept of the human right to food, circulating relevant information to the wider public, documenting and intervening in the violation of this right, and encouraging

activists and citizens to become involved in similar practices. Similarly, La Via Campesina is another authority on the human right to food, but their practices are different enough to provide an interesting point of comparison for FIAN. *Modes of Enunciation* refer to the ways in which these objects are talked about (Foucault, 1972: 50). This category includes the credentials of those who speak with authority about the object of interest, the institutional position that they are speaking from, and the modes of interrogation that they use in order to speak about it (for example, listening, speaking, looking, or asking questions). *Concepts* are characterized as the intellectual constructs used to speak about the objects, and are developed within a discourse in order to form particular meaning surrounding objects (Foucault, 1972: 56); for instance, how the concepts have emerged and developed, general methodologies that are used to determine their legitimacy, and how the concept is worked upon within that conceptual field (whether it is rewritten, transcribed or translated, for example). Finally, *Strategies* are the ways in which these constructs are combined or thematized with other types of knowledge or discourses (Foucault, 1972: 64). Hence, it may be possible to identify other discourses that are utilized within FIAN's and La Via Campesina's; for example, it is possible that legal, philosophical, governmental, or other human rights discourses may be identified. Thus, Foucault's theory of knowledge illustrates how discursive practices play a role in constructing how we come to know a particular object.

Fairclough's Critical Discourse Analysis approach provides a series of useful tools in undertaking this endeavour. He defines social practices as "ways of controlling the selection of certain structural possibilities and the exclusion and retention of these selections over time, in particular areas of social life" (Fairclough, 2010: 23-24), and argues that practices mediate social structures, which can be thought of as a "potential, a set of possibilities" for social action (Fairclough, 2010: 23). Thus, he argues that studying discourse provides a way of

empirically studying an important structural element of society. Although he points out that many social practices are non-discursive, he focuses specifically on the study of discursive practices, which include textual materials such as pamphlets or documents as well as verbal materials such as interviews or political speeches. Critical Discourse Analysis, compared with regular discourse analysis undertaken by linguists, is concerned with studying continuity and change (Fairclough, 2010: 4). He argues that analyzing a text involves looking at various linguistic characteristics of the text to understand the meaning it expresses, and in addition, connecting the social event that the discourse represents to the more abstract social practices occurring (Fairclough, 2010: 28).

### **Methodology**

This analysis focuses on FIAN because it is one of the most influential right to food organizations, and has played a significant role in the construction and widespread acceptance of food as a human right in recent decades. FIAN was founded by some members of Amnesty International who had become discouraged with the lack of willingness on the part of those in charge to place greater emphasis on ESC rights. They founded FIAN (which, at the time, was solely an urgent action network) with various other NGOs from Austria, France, Germany and Switzerland in the early 1980s (Hamm, 2001: 169). Over time, FIAN developed an organizational structure like that of Amnesty International, with a similarly structured International Secretariat and local chapters all over the world. Like Amnesty, they engaged in case-work, research, intervention, campaigns and letter-writing; however, the newly formed organization was concerned solely with the human right to food. FIAN was arguably one of the first international NGOs to focus on the right to food, and has remained to this day one of the leading organizations on the matter.

I also look at the discourse of the international peasant organization, La Via Campesina, a decision that came about after exploring some of FIAN's literature and taking note of the connection between the two groups. Both FIAN and La Via Campesina are concerned with the problem of hunger, especially as it pertains to peasant farmers and rural populations in developing countries. The two organizations work together often, most notably joining forces to promote the Global Campaign for Agrarian Reform. Unlike FIAN's human rights framework, however, La Via Campesina's approach prioritizes food sovereignty. FIAN describes the relationship between that the two organizations as "complementary" and states that it requires "careful coordination and continuous adjustment" (FIAN Annual Report, 2002: 10). As such, I decided that it would be useful for the purposes of this research to find out how, if at all, the right to food fit into La Via Campesina's discourse on food sovereignty, and how the two organizations, who share the same broad values and overall objectives, differ or resemble one another in their practices. Comparing the practices of the two organizations has ultimately proven to be a useful way to illustrate how the right to food is constructed by the practices of organizations that have adapted the concept for advocacy purposes.

My analysis of the discourse of these two organizations , as mentioned above, has drawn on Fairclough's Critical Discourse Analysis as a guide for identifying discursive techniques in the documents analyzed. First, I have looked at whether the texts were part of a distinct discursive genre (Fairclough 2003: 67), and how this could be interpreted from a historical perspective. Next, I have attempted to establish the underlying assumptions of the texts, whether existential assumptions concerned with what exists, propositional assumptions concerning what can or will be the case, or value assumptions that make explicit value judgements (Fairclough, 2003: 55-58). This has allowed for a deeper understanding of specific ways in which the right to food and its related concepts are constructed based on

assumed information and ideas. I have also looked at whether the various texts in question are oriented towards knowledge-exchange, where the objective is to arrive at an understanding, or activity-exchange, where action is the end goal (Fairclough, 2003: 106-107), an insight that has helped to identify preferred solutions and courses of action. I have identified alternate discourses that are inserted into the main discourse, a technique that Fairclough refers to as “interdiscursivity” (Fairclough, 2003: 35, 39), which has brought to light the outside experts and perspectives used in the establishment of the textual assumptions present in the texts I have analyzed. I have examined parts of the documents that were aimed at convincing the readers of something, and determined the main arguments being made and the Grounds, Warrants and Claims for these arguments (Fairclough, 2003: 81-82). I have identified whether there are recurring narratives found throughout the discourse and what the purpose of such narratives might be (Fairclough, 2003: 83). Finally, I have examined the semantic relations, grammatical relations, and vocabulary to gain insight into the intended meaning within the text. This includes, for example, looking at the relationship between sentences and clauses, and determining whether they were Causal, Conditional, Temporal, Additive, Elaborative, or Contrastive (Fairclough, 2003: 36-37). Overall, identifying these discursive techniques used by FIAN and La Via Campesina has revealed some of the ways in which their discursive practices construct their respective notions of the human right to food.

The documents used for this analysis were FIAN’s Urgent Actions, part of their Annual Reports, and a number of La Via Campesina’s publications taken from their main website. FIAN’s Annual Reports outline the case work and other projects that FIAN has undertaken over the course of a given year, any changes that have occurred with the organization, and calls for “Urgent Action” that need to be addressed. The reports can be thought of as a way in which FIAN argues for the existence of the right to food, bears witness

to violations of this right, and informs the public of the practices they are undertaking as an organization (for example, case-work, missions, conventions, or campaigns) to remedy these violations. In doing so, they simultaneously engage in certain discursive practices that tell us a great deal about how the right to food is constructed. For instance, their identification of certain types of problems as violations, certain groups of people as victims and violators, and certain solutions as desirable are all practices that function to construct a particular idea of the human right to food.

I examined 194 Urgent Actions in total, all of which were extracted from FIAN's Annual Reports. The Urgent Actions from 1989-1993, 1997, and 2000, were found in pdf versions of Annual Reports provided by FIAN's International Secretariat; those from 2004-2011 were available on FIAN's website. With the exception of the year 2000, which only contained 2 Urgent Actions, each of the Annual Reports contained from 7-31 Urgent Actions. Although the 1994, 1995, 1996, 1998, 1999, 2001 and 2003 Annual Reports could not be obtained, and the 2002 Report was available but contained no Urgent Actions, I examined each of the Urgent Actions in the reports that were available, and these documents adequately provided the information I sought. Had these missing years been available, the accuracy of my findings may have been improved due to a larger number of textual examples to draw from, however, I suspect it would not have drastically changed the conclusions that were drawn. My research goal was not primarily dependent on tracing the minor discursive changes in FIAN's reporting from year to year, but to analyze the structure of the Urgent Actions more broadly. Given that a significant portion of the documents were still available for analysis from both the 1989-2000 period, as well as from 2001-2011 when the Annual Reports changed layout and appearance, I am confident that I was able to obtain an accurate picture of FIAN's practices with regard to the human right to food.

La Via Campesina, on the other hand, is not an Urgent Action network and thus its documents are slightly different and more varied. Additionally, it does not have an Annual Report, and all of their documents were obtained through their official website. These documents span the years 2000 until 2013, excluding the year 2005, and I selected two articles per year, resulting in 26 in total. The articles found on the organization's main web page are divided into eight different "Main Issues": Migration and Rural Workers, Biodiversity and Genetic Resources, Agrarian Reform and Water, Food Sovereignty and Trade, Human Rights, Women, Youth, and Sustainable Peasants' Agriculture. To gather a representative number of these texts, I chose the articles based on how they were categorized. For example, a significantly smaller number of articles were tagged under the category "Women", therefore I selected a smaller number of articles from this category and a larger number from more heavily weighted categories such as Agrarian Reform and Water. Besides using these categories as a guide, I also attempted to choose articles with interesting and abundant substance. Therefore, if I selected an article that happened to be brief, or did not provide adequate information, or was too similar to an article already analyzed, I selected another from the same year instead. Given the small pool of articles to choose from, selecting articles at random would not have yielded as relevant a collection of articles. Accordingly, the articles that were chosen are representative of the overall scope of La Via Campesina's focus over the last thirteen years, and further, each sub-category was accurately represented.

The following chapter will look at the historical emergence of FIAN, and will examine their Urgent Actions in order to identify the discursive practices that construct their notion of the human right to food. These findings will be framed in the context of the ways in which FIAN more broadly works toward global justice.

## Chapter 2

### **FIAN: Recontextualizing the Urgent Action as a Human Rights Genre**

The object of this chapter is to first identify FIAN's discursive practices surrounding the human right to food, and then to tie them to their broader organizational practices. As outlined above, Kurasawa identifies five broad categories that encompass a "constellation of practices" undertaken by social actors engaged in the work of global justice (Kurasawa, 2007: 16). Together, these categories create a useful framework for interpreting and explaining FIAN's social practices regarding the right to food. They consist of bearing witness, forgiveness, foresight, aid, and solidarity. Bearing witness refers to "testimonial acts in the face of extreme human rights violations" (Kurasawa, 2007: 13). Social actors can bear witness by using their voices against silence, engaging in interpretation against incomprehension, fostering empathy despite widespread indifference, remembering certain events that have been forgotten, and working to prevent atrocities from being repeated (Kurasawa, 2007: 25). The second practice is forgiveness, a "collective processes by which perpetrators of grave injustices ask to be forgiven and are granted such requests" (Kurasawa, 2007: 13). Foresight is the third practice he describes, which entails "farsighted forms of prevention of, or protection against, atrocities and disasters" (Kurasawa, 2003: 14). Fourth, he identifies aid, which consists of assisting persons living through humanitarian crises (Kurasawa, 2007: 14). The final practice he describes is fostering solidarity, "the creation of a sense of global responsibility and a planetary consciousness" (Kurasawa, 2007: 14). While examining Amnesty International and FIAN's discourse, Kurasawa's categories can be used to understand the practices associated with the human right to food. In particular, the following analysis will show how FIAN built on Amnesty International's primary practice of bearing

witness not only to undertake the same type of witnessing, but also to engage in some of the practices associated with cosmopolitan solidarity.

First, however, I will provide a brief history of FIAN. In order to fully understand the context in which the organization arose, it is essential to also outline the rise of Amnesty International, as it was from Amnesty that FIAN emerged. After establishing the historical significance of both of these organizations, I will provide a brief analysis of the discursive techniques used in Amnesty International's Urgent Actions. Next, I will move on to a similar analysis of the discursive techniques found in FIAN's Urgent Actions, and attempt to highlight both the similarities and differences between the two organizations, drawing on their historical and political context to interpret them. Finally, I will summarize the findings of the discursive analysis and place them in the context of Kurasawa's practices of global justice.

### **History of FIAN and Amnesty International**

Since FIAN is an offshoot of Amnesty International (Hamm, 2001), it is impossible to fully understand their practices outside of the context in which the organization was formed, and therefore, without first understanding the history of Amnesty International. Amnesty International has often been credited as one of the first influential international human rights organizations to appear in the 1970s, the decade in which human rights organizations became increasingly numerous (Moyn, 2010: 129; Keck & Sikkink, 1998:80; Sikkink, 1996: 64). However, Stephen Hopgood argues that it did not originate by using human rights as its central concept. At its core, he claims, Amnesty is based around universal moral principles with which most could agree, regardless of religious or political affiliation (Hopgood, 2006: 8). He describes the organization as a "secular Free Church" or "religionless Christianity", and points to the Christian origin of many elements of Amnesty, including symbols such as

the candle, principles such as nonviolence, and practices such as witnessing (Hopgood, 2006: 8). According to Hopgood, Amnesty was viewed by its founder, Peter Benenson as “a form of collective action that might succeed where religion and socialism were failing” and combined “skepticism about higher authorities, worship and restrictive doctrine, conscience, and more, allied to a belief in moral equality and a concern with the alleviation of suffering”, an ideology which fit well with the idea of natural rights (Hopgood, 2006: 7-8). Hopgood claims that the organization's primary practice was to “bear witness to the private suffering of non-violent innocents, to demand their release on the sole ground that such suffering was unjust, and, it was hoped, to generate a collective sense of purpose among those on the same wavelength” (Hopgood, 2006: 62). In this sense, it is clear why Amnesty has often been associated with civil-political rights and a liberal, individualistic tradition. Hopgood maintains that, especially in the beginning, Amnesty drew on the Universal Declaration of Human Rights only to state that “‘history is with us’ not ‘the UDHR is why Amnesty exists’” (Hopgood, 2006: 9), and that overall, the ethos or spirit of the organization is universal (Hopgood, 2006: 8). Amnesty's gradual integration of the idea of “human rights” can be attributed to a conscious decision by Benenson and his colleague Eric Baker to “provide a new outlet for idealists disappointed by Cold War stalemate, and especially after socialism had been revealed as a failed experiment” (Moyn, 2010: 130). Moyn claims that Amnesty's affiliation with human rights was “neither central at first nor even necessary”, but that, as history shows, it came to play a significant role in making the organization one of the central actors in the history of human rights advocacy (Moyn, 2010: 131). This idea is critical to his general claim that human rights are a program of social change that emerged under particular historical circumstances rather than natural or inherent characteristics of all humans. Moyn maintains that while human rights was a well-known concept before the 1970s, perhaps most

notably from the creation of the Universal Declaration of Human Rights that emerged after World War II, as well as in the context of the atrocities taking place in the Soviet Union regime (Moyn, 2010: 44-45), it was not until the 1970s that it became more clearly defined. At this time, there was a collective realization that socialism and other “utopian” political visions had not worked, and subsequently, human rights was adopted by this growing social movement as a slogan which expressed hope for a better world (Moyn, 2010: 121).

The Paris Conference of NGOs in 1968 was the turning point at which those involved in advocacy began to emphasize the limits of UN-centered approaches and instead started to encourage NGOs, rather than governments to promote human rights. According to Moyn, “[i]t was Amnesty International, above all, which made this claim most decisively” (Moyn, 2010: 129). He argues that “[u]nlike the earliest NGOs that invoked human rights occasionally or often, AI opened itself to mass participation through its framework of local chapters, each acting in support of specific, personalized victims of persecution. And unlike the earliest human rights groups, it did not take the UN to be the primary locale of advocacy. Skirting the reform of international governance, it sought a direct and public connection with suffering, through lighting candles in a show of solidarity and writing letters to governments pleading for mercy and release” (Moyn, 2010: 130). Despite its use of Christian symbolism and values, it gained support as a “non-political”, “non-religious”, and “non-ideological” organization that focused primarily around those victims that they termed “prisoners of conscience”; individuals being tortured, unlawfully detained, denied the right to a fair trial, or anything else that fell under the umbrella of civil-political human rights violations. Amnesty's self-identification as a “human rights organization” therefore, emerged after the establishment of their core values. Moyn points out that this did not occur in a vacuum, but in a political climate where any number of potential ideologies could have flourished (Moyn, 2010: 132).

Under the Carter administration, human rights progressed from a concept used by grassroots organizations to a central element of global political rhetoric (Moyn, 2010: 154-155) and targeted the Soviet regime as well as Latin American dictatorships by “organizing investigations and publicizing torture in single Latin American countries” (Moyn, 2010: 142). Although Amnesty emphasized “leaving behind political utopias and turning to smaller and more manageable moral acts” (Moyn, 2010: 147), human rights nevertheless came to be viewed as a “substitute utopia”, albeit in a more minimalist fashion that focused on “saving the world one individual at a time” (Moyn, 2010: 132). Its methods included gathering information and conducting research, initiating campaigns such as the Campaign Against Torture, publishing global analyses, and holding petition drives to save prisoners of conscience all over the world. In the context of dying alternatives, Moyn argues that despite the uncertainty of whether or not these methods actually served to make a difference or to construct new international norms, it is certain that they gave meaning to the lives of those involved (Moyn, 2010: 148). As Hopgood claims, “Amnesty has no building blocks, no entry requirements in terms of values, beliefs, identity or experiences. It is not organized around a shared interest (like a labour union) or a shared identity (like a women's rights group), or a common god (as in a formal religion), or a shared ideology (like a political party)... There is no single characteristic to which we can point and say, 'This shared thing draws these people together'” (Hopgood, 2006: 7). Therefore, at a time when the political utopian ideologies of the past had proven to be ineffective at providing large-scale social change, Amnesty arose as an organization of activists with varied political, religious and ideological beliefs who, using “human rights” as their organizing concept, began to expose blatant human rights violations on a case-by-case basis.

Before long, however, the Austrian, Belgian and German chapters of Amnesty became

increasingly critical of the organization's primary focus on individual acts such as torture and their lack of focus on social, economic and cultural rights; in particular, the human right to food. Accordingly, members of Amnesty branched off in the early 1980s to form an Urgent Action network in Heidelberg that came to be known as the FoodFirst Information and Action Network (Hamm, 2001: 169). Like Amnesty, FIAN centered itself around an International Secretariat and adopted many of the same values and practices, including the organization of national and international campaigns, lobbying and advocacy, the publication of urgent actions and letters of protest, and aiming to pressure those deemed responsible for the violation to implement the necessary corrective measures (Hamm, 2001: 171). Based on an analysis of FIAN's Annual Reports, it is also clear that they emphasize on-the-ground research ('fact-finding missions') into violations of the human right to food, and aim to expose such violations to the public, relying on public support through letter-writing to put pressure on governments to respond to violations. FIAN equally focuses on broader campaigns to raise awareness, connect with other (sometimes non-human rights based) advocacy organizations that promote similar goals and values, and in later years, attempts to lobby the United Nations to provide legal change. Like Amnesty, FIAN is centered around an International Secretariat and aims to expand into all corners of the world, achieving this through the creation of local chapters that are meant to monitor local state governments before and after violations occur (Hamm, 2001: 169). Additionally, FIAN focuses on education and prevention of future violations of the right to food, by attempting to implement new legal and non-legal mechanisms at the international level and holding seminars around the world that promote the human right to food as a concrete reality that must be accounted for at the national and international level. For example, the Voluntary Guidelines on the Right to Adequate Food is an instrument developed by the Food System of the United Nations, "aimed at mainstreaming

a rights based approach to food and nutrition issues within the UN-specialised agencies working in that field” (FIAN Annual Report, 2003). FIAN has also developed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, a complaints mechanism similar to the Optional Protocol to the International Covenant on Civil and Political Rights (FIAN Annual Report, 2007). Both of these mechanisms, whether voluntary or legally binding, illustrate the ways in which FIAN is attempting to implement the human right to food at a more concrete, institutional level.

One of the most significant areas of overlap between Amnesty International and FIAN is that both organizations use Urgent Actions, which were developed and popularized by Amnesty as a primary tool to publicize and fight human rights violations. The Urgent Action, originated by Amnesty, consists of a brief description of a rights violation occurring in a particular area of the world, often engaging with pre-existing human rights and legal discourses to make its case. It also encourages followers of the organization to write letters to those responsible for the violation, usually government authorities, on behalf of the prisoners of conscience. Hopgood states that “[l]etter writing was a practical form of moral action that presented no doctrinal problems for Catholics, Jews, Muslims, the many varieties of Protestantism, Atheists and others” (Hopgood, 2006: 8). Amnesty's letter-writing campaigns acted as a concrete form of activism that opposed the violation of basic individual liberties generally considered to be universal. Keck and Sikkink state, “[b]y focusing on specific individuals whose rights were violated, rather than on abstract ideas, Amnesty emphasized that victims of human rights abuses were individuals with names, histories and families. This lead to a strong identification between the victim and the public” (Keck and Sikkink, 1998: 88). The Urgent Action, therefore, was developed to inform readers about pressing violations of human rights on a case-by-case basis, and to request that they advocate on behalf of those

whose rights had been violated. In a broad sense, they provided a way for Amnesty to engage in concrete casework and hold states accountable for the implementation of the right to food. Keck and Sikkink refer to this as “accountability politics”, or the practice of making certain information available to the public in order to put pressure on those responsible to find and implement a solution (Keck & Sikkink, 1998: 24).

A distinguishing characteristic of the work of Amnesty International is the exposure of violations against “pure” or absolute victims, and the Urgent Action is one of the most effective tools for accomplishing this goal. One way that this is done is by choosing to focus on particular victims over others; namely, nonviolent prisoners of conscience (Hopgood, 2006: 60). Since it is part of Amnesty International's stated values to remain neutral and objective on political or social issues, an attempt has been made to focus on exposing the most blatantly obvious violations that anyone, no matter what their values, would identify as a human rights violation. Hopgood sheds further light on this sentiment by quoting a senior researcher at Amnesty dealing specifically with the topic of abortion:

It's not for us to draw the limits of the right to life and sell that. But I see us being much more pragmatic and saying, look, whatever you think about abortions, this woman in Nepal, she's been locked up for twenty years... and this is the background of her case. And something instinctive I hope would kick in to the average reasonable human rights defending person to say, well that's not on. You know. She shouldn't be locked up. (Hopgood, 2006: 74)

By focusing on individuals whose victimhood is almost impossible to question, and by simply exposing violations as self-evident (as opposed to having to convince the public of them), the

Urgent Action helped Amnesty to maintain this sense of neutrality and universality. It kept human rights from seeming too political, and maintained the idea that they were simply aimed at restoring human dignity.

When FIAN formed a decade later, it adopted the Urgent Action for its own human rights advocacy. This solidified the Urgent Action as a particular genre within the field of human rights. Fairclough defines a genre as “the specifically discursal aspect of ways of acting and interacting in the course of social events” (Fairclough, 2003: 65), and argues that they contain “various aspects of text organization and various features of texts at different levels which are primarily shaped by and dependent upon genre”, including the structure of the text, semantic relations found within the text, formal relations between sentences and clauses, exchanges, speech functions and moods contained within sentences, and various modes of intertextuality (Fairclough, 2003: 67). As the forthcoming analysis of the Urgent Actions will show, FIAN does indeed borrow many discursive tools and techniques from Amnesty. However, FIAN’s Urgent Actions were used to frame, for the first time ever, violations of the right to food, which were connected to complex social problems associated with widespread hunger and malnutrition in peasant and indigenous populations in developing countries. Thus, while it is clear that FIAN attempted to stay within the genre of the Urgent Action, they used slightly different discursive practices to frame these issues. In other words, the Urgent Action underwent a process of recontextualization, which Fairclough defines as “the appropriation of elements of one social practice within another, placing the former within the context of the latter, and transforming it in particular ways in the process” (Fairclough, 2003: 32). The ways in which the Urgent Action was recontextualized was closely related to the nature of the problems at hand.

The following examination of the discursive practices found in both Amnesty’s and

FIAN's Urgent Actions will illustrate the specific ways that FIAN recontextualized the Urgent Action. Moreover, it will bring to light the role of the broader social and economic context in this process, and will shed light on how discursive practices construct the object of the discourse; in this case, the human right to food.

### **Amnesty International Urgent Actions**

In total, seven of Amnesty's Urgent Actions were analyzed: two from 1993, two from 1994, one from 1997, one from 2005, and another from 2011. Although seven is a small number compared with the high number of FIAN's Urgent Actions included, the objective was not to complete an in-depth analysis of Amnesty's discursive practices, but to establish a basic understanding of them in order to have a point of comparison with FIAN. Fairclough states that "the more ritualized an activity is, the more relevant such an analysis is" (Fairclough, 2003: 72), and as the following analysis will show, Amnesty International's highly ritualized Urgent Actions are instrumental in constructing their rights discourse. The goal of the first half of the Urgent Action is to provide information; in Fairclough's terms, it is a "knowledge-exchange" aimed at providing the who/what/where/when information of a specific case. This section is entitled "Background Information", which appears mostly fact-based, containing mostly 'realis statements' about "what is, was, or has been the case" (Fairclough, 2003: 109). Like the rest of Amnesty's Urgent Actions, it is mostly free from evaluative types of statements and value-laden language. Instead, it is brief, direct, and the general mood is declarative, with a series of 'subject-verb' statements (Fairclough, 2003: 115) that tell the readers which types of rights are being violated, who is being victimized, and who is responsible for the violations. The seven human rights violations are described as follows:

1993a: A court in Tirana has decided to ban press reporting of a case against 10

former communist party officials. Amnesty believes that the right to a fair trial is being undermined.

1994a: 48 people have been extra-judicially executed by members of the Forces Armees Togolaises, following an attempt to overthrow the government. Amnesty fears for the safety of others taken into detention at the same time.

1994b: Hundreds of Burmese refugees are being forcibly returned to their home state by Thai authorities. Amnesty fears that they are at risk of being ill-treated or tortured by Burmese government groups.

1997: A woman in her final stages of pregnancy is being detained in incommunicado detention in Bhutan without medical care, and is being denied access to her 4-year-old daughter. Amnesty believes this amounts to cruel, inhuman and degrading treatment.

2005: A writer and a former member of parliament are being detained in Muscat. Amnesty believes both to be prisoners of conscience that are at risk for torture and ill treatment.

2011: A 60 year old man is being detained for longer than his sentence for “conducting propaganda” against the state of Dong Nai, Vietnam. Amnesty believes he is a prisoner of conscience at risk of torture and ill treatment.

Although these statements appear on the surface to be a direct and accurate reflection of an objective reality, there are subtle discursive techniques used to construct these situations as absolute rights violations. First of all, Amnesty’s discourse operates on the existential assumption that human rights exist (Fairclough, 2007: 89). In order to accept these cases as concrete instances of rights violations, one must take on this assumption to some extent. In addition, a recurring narrative about an absolute victim takes place, involving the arrangement

of events in a sequence which can be different from their actual chronological order, providing the social agents of actual events with “distinct traits” which transform them into “characters”, and “focalizing” the story in terms of a different “point of view” (Fairclough, 2003: 83). As outlined on page 32, Hopgood points out that Amnesty focused on nonviolent victims as a way to construct this narrative. It is indeed often the case that Amnesty focuses on an innocent, non-violent individual that is being persecuted or repressed by the state, in most cases for their beliefs. In the 1997 Urgent Action, the Urgent Action identifies a woman in the final stages of her pregnancy that is being held in detention and denied medical care, which Amnesty identifies as cruel, inhuman and degrading treatment. The text points out that her husband is suspected by the authorities in Nepal for his involvement in political organizations aiming to establish a democratic system of government in Nepal, and states that, “Amnesty International believes that Kinzang Chozom could have been arrested in reprisal for her husband's suspected involvement with the DNC and the UFD’ (AI, 1997).

There are other ways that Amnesty constructs the absolute victim as well. For instance, a 1993 Urgent Action provides basic details about the victim and the human rights violation that has occurred. The introduction states,

The 58-year old Dutchman [Johannes Van Damme] was arrested on 27 September 1991 at Changi Airport and was sentenced to death on 26 April 1993, convicted of trafficking 4 kilograms of heroin. His co-accused was acquitted. Van Damme is the first Westerner to be sentenced to death under Singapore’s anti-drug laws (AI, 1993b)

Under “Background Information”, it continues, “Amnesty International opposes the death penalty in all cases as violations of the right to life and the right not to be subjected to cruel,

inhuman or degrading treatment, as proclaimed in the Universal Declaration of Human Rights” (AI, 1993b). This series of statements establishes that despite the actions of an individual, the death penalty is an absolute violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment. This case does not provide much further information, as the given information has left no room for doubt that this is a human rights violation; it is self-evident and indisputable.

This example also engages in intertextuality by drawing on the established authority of the Universal Declaration of Human Rights to frame the death penalty as a rights violation, thus providing the justification for their intervention. Fairclough defines intertextuality as “the presence of actual elements of other texts within the text” (Fairclough, 2003: 39), which can occur directly, through quotations, or indirectly, through paraphrasing. For instance, the case outlined above states its opposition to the death penalty “in all cases”, which supports the idea of human rights as universal. This is a common occurrence; the 1993a case draws on the International Covenant on Civil and Political Rights, and the 1994b case draws on “the internationally-recognized principle of non-refoulement” to solidify the absolute occurrence of a human rights violation. Amnesty's role therefore, is one in which it is responsible for exposing an unquestionable violation, as opposed to, for example, explicitly convincing its readers of why it should be considered a violation.

At times, the violation is constructed by suggesting or implying certain motives on the part of the violator. For example, one case states that

Although firing was heard from the RIT barracks, it appears that the government may have used the occasion of further unrest within the army as an excuse to execute government opponents. There was previously reported unrest within the army in

October 1993 during which many, including the President's son, Captain Ernest Gnassingbé, were injured and others killed. (AI, 1994a)

Another stated that “The lawyer and family of Nguyen Hoang Hai have made 13 requests to visit him since October. They have also attempted to deliver extra provisions for him, including food, medicines and a small amount of money. The police have rejected all the requests” (AI, 2011). Many of the cases rely on a more subtle form of intertextuality for information about the motives of the violators; the citation of unknown reports. The 2011 case reads,

According to reports, the section of the police headquarters responsible for internal security contacted Abdullah Al Riyami on 11 July, summoning him to the headquarters back to his home, where he left his mobile phone. He has not been seen since. It is not known why he was summoned to the police station, but it is believed that it may be connected to his criticism of the government. In 2004, he was reportedly banned from publishing any poems or articles. This followed his criticism of the government during an appearance on Iranian television station, Al-Alam. (AI, 2011)

In 2005, Amnesty states, “[i]t is not known why he was summoned to the police station, but it is believed that it may be connected to his criticism of the government” (AI: 2005). By stating “it is believed”, it is technically drawing on outside sources, although it is unclear what the sources are and how the information was gathered. In Amnesty's case, these outside sources are used to present readers with third party information supporting the narrative of the absolute victim. While the claims made in the Urgent Actions are not necessarily incorrect,

and the Urgent Actions are not deceptive and do not necessarily state false information, they nevertheless construct an immediate causal relationship between an event and an outcome that, as Wilson argues, deprives the violation of its actual context. It is evident, therefore, that it is stating a series of events in a certain order so that they appear to be related, thereby constructing a particular narrative of repression.

The latter half of the Urgent Action consists of an Action-Exchange; a request to the reader that is expressed in simple and direct language. A request is made to “Please send telegrams/telexes/faxes/express and airmail letters” (AI, 1994a), or “Please write immediately” (AI, 2005) in English or the official language of the country in question. A list of contacts to whom the letter should be sent is provided, and a number of bulleted points are given to remind readers of the most important details to include in their letter, often directly taken from the knowledge-exchange portion of the document. In all seven of the cases analyzed, the state, or officials connected to the state such as those in the military or judicial system, were deemed at fault for the violation. In all seven cases, the sample letters were addressed to Presidents, Ministers of Justice, and Ministers and Foreign Affairs, who were therefore identified as responsible for reversing or putting a stop to the violation. As Wilson points out, however, it is important to keep in mind that “the discourse on human rights constructs its subjects as much as it reacts to events, since these criteria promote a selective process which screens out certain cases and homes in on others”, resulting in a construction of certain categories such as ‘the victim’ (Wilson, 1996: 142). Therefore, thinking of Amnesty International as an organization that simply provides an objective representation of events is problematic. Because it chooses to focus on cases in which the state is directly involved, and because it engages in discursive techniques to frame these cases as self-evident violations against absolute victims, the Urgent Action does not have to use techniques to convince the

reader that the state is responsible; rather, state responsibility is a natural and logical conclusion.

The choice of focusing on cases that appear self-evident allows Amnesty to maintain the minimalist and politically neutral characteristics that Moyn describes. As an organization, therefore, Amnesty members engage primarily in the practice of bearing witness by attempting to “publicly establish and record basic facts about the existence of human rights abuses, or correct established narratives about them” (Kurasawa, 2007: 34) and by cultivating a moral imagination that establishes concern for those outside of one’s ‘imagined community’, despite widespread collective indifference (Kurasawa, 2007: 40-45). The ways that Amnesty bears witness to human rights violations embodies the three features of the work of global justice. First, it is intersubjective, or dialogical in nature, in that the act of bearing witness contains both eyewitnesses who attempt to transmit their firsthand experiences, as well an audience that responds to it (Kurasawa, 2007: 29). The style of the Urgent Action and the letters of protest that accompany them provide clear evidence for this. Second, Kurasawa argues that bearing witness is public, “a collective process occurring in and through public spaces” (Kurasawa, 2007: 30), a description that fits the Urgent Actions. Third, Amnesty is an international organization that focuses on cases in various areas of the world; therefore, it is transnational, as it “increasingly draws upon institutional and social relations that exist beyond the territorial borders where human rights abuses or struggles are taking place” (Kurasawa, 2007: 30). As the above analysis illustrates, these broad practices do not occur without certain discursive practices that allow them to take place.

### **FIAN Urgent Actions**

One of the major differences between the practices of FIAN and Amnesty concerns

their subject matter: FIAN focuses on hunger and malnutrition under the guise of human right to food, an ESC right whose status as a human right is less agreed upon than for instance, the right to freedom of thought, the right to a fair trial, and other civil-political human rights.

Many authors have argued that there has been a historical trend of human rights organizations focusing more on civil-political rights than on ESC rights (Somers and Roberts, 2008: 400; Santos, 2008: 14; Marshall, 2009: 148), a tendency that is often explained by a Western bias that prioritizes laws concerning the individual as opposed to the collective. An overview of FIAN's Urgent Actions, however, illustrates that another reason for the greater emphasis on civil and political rights is the relative difficulty of presenting them as natural or incontestable. In the sixties and seventies, issues of hunger and malnutrition were commonly referenced in connection to the "global food crisis" or the "world food situation", which involved high crop prices and a rapidly growing population. One of the most well-known results of this line of reasoning was the 1974 World Food Conference hosted by the United Nations in Rome, as well as the subsequent Universal Declaration on the Eradication of Hunger and Malnutrition drafted by the governments in attendance. FIAN's approach put forth a decade later, however, reflected a growing realization that problems of hunger and malnutrition were also a result of developmentalist policies and projects occurring in many countries around the world. This included projects implemented or otherwise implicitly supported by governments, corporations and global financial institutions like the World Bank or the International Monetary Fund. While many of these projects sought to encourage a neoliberal economic model that "posits 'free market forces' as the most desirable mechanism for (re)allocating land resources, envisioning a process that is necessarily privatized and decentralized" (Borras, 2008: 262). The first page of FIAN's 1990 Annual Report states,

Hunger today is normally not a problem of scarcity of food, but largely a consequence of oppression. The majority of malnourished people live in rural areas – small-holders, tenant farmers, landless workers and their families. These people are marginalised by economic and political developments, and frequently exploited. Their importance for the ecological, social and cultural development of their countries is increasingly recognized in the last few years. And yet, in many regions, they face mounting harassment. (FIAN Annual Report, 1990: 5)

Thus, FIAN aimed to show that economic and political projects in developing countries were the cause, not the solution, to problems of hunger, and further, that these projects and any attempt at oppressing those who resisted them, constituted definite human rights violations. At the time of FIAN's formation, this was a new and different approach to these issues. In order to fully understand FIAN's approach to human rights in the context of its recontextualization from Amnesty International's, it is essential to look closely at how their discursive practices construct their concepts.

Like Amnesty International, FIAN chooses to focus on certain situations over others. Broadly speaking, these situations tend to entail the shifting control of agriculture from peasants, small farmers and indigenous groups to corporations, governments and international financial institutions. By adopting Amnesty's Urgent Action genre to expose these problems, they attempt to place issues such as food distribution, land grabbing, and economic inequality into a genre that was developed for civil-political rights. According to Fairclough, "there are various aspects of text organization and various features of texts at different levels which are primarily shaped by and dependent upon genre" (Fairclough, 2003:67). Indeed, FIAN recontextualizes many of the same discursive techniques as Amnesty, and on the surface, their

Urgent Actions appear to be consistent with Amnesty's. Most notably, they use the same categories to frame these issues: victims, violators, violations, responsible parties, and solutions. Upon further examination however, it becomes clear that FIAN engages in different kinds of discursive practices to make violations of the human right to food appear as obvious and self-evident as the violations in Amnesty's Urgent Actions.

Unlike Amnesty International, which focuses on certain individuals being denied their human rights on a case-by-case basis, FIAN more often focuses on groups of people; specifically, peasant, smallholder and indigenous populations. The following tables illustrate who FIAN defines as victims of right to food violations. Table 1 shows the distribution of the regions of focus in the 194 Urgent Actions analyzed, and Table 2 shows the groups categorized as victims.

**Table 1: Regions**

Year	South America/Central America/ Mexico	South Asia	Africa	Middle East	Caribbean	Unspecified/General	United States	East Asia
1989 (8)	6	2						
1990 (12)	7	4	1					
1991 (9)	4	5						
1992 (10)	5	4	1					
1993 (9)	2	6	1					
1997 (8)	3	2	1	1			1	
2000 (2)	1	1						
2004 (31)	12	16	2	1				
2005 (25)	15	7	1					
2006 (20)	16	6						1
2007 (21)	14	5	1					
2008 (14)	6	6	1		1			
2009 (15)	4	7	3		1			
2010 (7)	3	1	1			2		
2011(3)	2	1						
<b>Total = 194</b>	100 (52%)	73 (37%)	14 (7%)	2 (1%)	2 (1%)	2 (1%)	1 (0.5%)	1 (0.5%)

**Table 2: Victims**

<b>Year</b>	<b>Peasants farmers</b>	<b>Indigenous communities</b>	<b>Other*</b>
1989 (8)	7	2	
1990 (12)	8	5	
1991 (9)	7	4	
1992 (10)	5	5	
1993 (9)	8	1	
1997 (8)	2	3	3
2000 (2)	2	1	
2004 (31)	22	10	
2005 (25)	18	6	1
2006 (20)	18	2	1
2007 (21)	17	3	2
2008 (14)	12	2	
2009 (15)	13	1	1
2010 (7)	4	2	1
2011(3)	2	1	
	<b>145 (72%)</b>	<b>48 (24%)</b>	<b>9 (4%)</b>

\*All cases in the 'Other' category were specific groups in a certain area (for example, the Jahalins in Israel, or children in India)

These tables illustrate that in general, the majority of FIAN's work takes place in South America, Central America, or Mexico among peasant farmers and indigenous people. The human right to food as defined by FIAN is therefore very specific, and excludes, for instance, urban populations or anyone who is living in poverty without access to adequate food in Western countries.

Aside from focusing on certain populations, FIAN also focuses on particular violations; specifically, injustices that mainly occur as a result of privatized or government funded development projects and all surrounding issues such as forced eviction, hunger related suicides, or violence and repression as a result of protesting these conditions. Just as Amnesty chooses certain situations as human rights violations, thereby contributing to the narrative of the pure, nonviolent victim in situations which are inarguably unjust, FIAN's areas of focus achieve a similar effect. The human right to food becomes self-evident, as the types of situations listed above provide a clear explanation for widespread malnutrition and poverty. Table 3 identifies the instances of

violations in the 194 Urgent Actions. Many cases list more than one violation, as each situation identified is unique and many are complex, with more than one problem occurring. For the sake of organization, a number of possible situations have been included in each category, therefore the details of each category are explained below the table.

**Table 3: Violations**

Year	A	B	C	D	E	F	G	H	I	J	K
1989 (8)	2	5	6								
1990 (12)	4	4	3								
1991 (9)	6	4	2		1						
1992 (10)	4	2	6		2						
1993 (9)	9										
1997 (8)	5	2							1		
2000 (2)	1	1	1								
2004 (31)	19	8	9	1	2					1	
2005 (25)	8	7	2	1							
2006 (20)	11	4	4	2			1				
2007 (21)	11	3	3	3		1	1				
2008 (14)	4	4	4	2		1					
2009 (15)	7	2	2	2		1	1	1			1
2010 (7)	1		3			1		1			
2011(3)	2	2									
	<b>94 (44%)</b>	<b>48 (22%)</b>	<b>45 (21%)</b>	<b>11(5%)</b>	<b>5 (2%)</b>	<b>4 (2%)</b>	<b>3 (1.5%)</b>	<b>2 (1%)</b>	<b>1 (0.5%)</b>	<b>1 (0.5%)</b>	<b>1 (0.5%)</b>

A. Forced eviction/destroyed livelihood either by business interests or police/military action on behalf of business interests

B. Repression against protesters/peasant groups: murder, harassment, raiding/destroying homes, threats, smear campaigns, illegal dismissal, assassination of a leader.

C. Land Dispute/lack of proper agrarian reform

D. Pollution of water of land

E. State is not providing food, medical services, resettlement (etc) upon destruction of land/water

F. Widespread malnutrition/hunger related suicides

- G. Unjust labour conditions: people forced into bonded labour, illegal dismissal, unsafe/unsanitary conditions
- H. Village does not have an Integrated Child Development Services
- I. State refusal to sign ISESCR
- J. Striker demands not being met
- K. Anti-pesticide legislation ruled unconstitutional

Like Amnesty's Urgent Actions, FIAN's are structured as a knowledge-exchange followed by an Activity-Exchange. All but a very small number of FIAN's 194 cases examined begin with a section entitled "Background", which provides the reader with a selection of informative statements describing the violation and why it is occurring. FIAN's Background section is significantly longer than Amnesty's, often spanning multiple detailed paragraphs as opposed to only a few brief sentences. This section is often followed by another heading that provides additional detail, with titles such as "Occasion of Urgent Action", "Reasons for the FIAN Call to Action", or "FIAN Mandate". These sections provide reasons for why these situations are considered violations.

Many of the Urgent Actions highlight situations that are ongoing, or that have longstanding history that is required to fully comprehend the current state of events. For example, a 2006 Urgent Actions describes a situation in which a Chenchu tribal woman in India died working as a bonded labourer as a result of hunger related illnesses. Unlike with Amnesty International, this information does not sufficiently present the situation as a rights violation. Further discursive work is needed in order to make it unquestionable. It goes on to explain that the Chenchu tribe lives in the mountains of Andhra Pradesh and its members gathers gum, honey, berries and roots from the forest for their livelihood, but that "[t]his

changed in recent years due to the reduction in forest cover and the subsequent depletion of forest produce”. By stating this, the urgent action identifies the “reduction” and “depletion” of the forest as the starting point for these problems. It goes on to claim that the Chenchus from this area now struggle to feed themselves, that jobs are scarce due to drought, and that they live in abject poverty with no health care or educational facilities. It outlines how some of the more desperate Chenchus migrated to Meghalaya, India in September 2005 to work as labourers for contractors, and were given loans by contractors to cover the cost of migration and living. The labourers that could not pay back their loans were not paid at all. Those who did get wages were barely able to afford food, and tribal women were exploited even further due to wage discrimination and threats to their physical security. The Urgent Action outlines how as a result, many women currently feed their families before themselves, and are therefore more likely to suffer from hunger and malnutrition. One of these women, Katraju Lakshmi, was in this group of migrants and was forced into bonded labour. The Urgent Action states,

Hard physical labour at the construction site in Meghalaya, denial and discrimination in wages combined with the lack of food, cause Lakshmi’s ill health and death on the 7<sup>th</sup> of February 2006. 600 other Chenchus in Meghalaya, and especially the women working as labourers, are threatened by a similar fate. (FIAN Urgent Action, 2006b)

These details provide the context that is needed in order for this situation to become a violation; a specific problem with a victim (or victims), and a violator. Additionally, it provides the broader context that is required in order for the violation to become self-evident.

This “starvation-related death” is framed not only as a violation of the right to food,

but as a violation of both “the right to adequate food”, which refers to the right to nutritious and culturally appropriate food, as well as “the right to feed oneself”, which refers to the right of individuals to produce food for themselves, their families, and their communities. These concepts are taken from the International Covenant on Economic, Social and Cultural Rights. In the case described above, “violations of the right to food and to feed themselves forced them into migration and bonded labour”, and Katrina Lakshmi died from lack of adequate food. Both are used frequently throughout FIAN’s Urgent Actions, depending on which concept best fits the situation at hand, and both concepts allow FIAN to be more specific when advocating for the right to food. This intertextuality with pre-existing human rights literature to make the case for the right to food is common in FIAN’s Urgent Actions. As is the case in Amnesty’s discourse, the human rights that are cited are existential assumptions, which Fairclough defines as assumptions about what exists (Fairclough, 2003: 89). In FIAN’s case, for instance, the assumption is that the human right to adequate food, or the human right to feed oneself are duties or obligations that actually exist. This assumption provides the entire basis for human rights organizations like FIAN and Amnesty International, and pre-existing human rights literature, especially that which is taken from United Nation documents like the UDHR or the Universal Declaration on the Eradication of Hunger and Malnutrition, help to promote this assumption.

There are a variety of discursive techniques at work, which contribute to the violation narrative that states that there are violators who are responsible for certain injustices against innocent victims. For instance, looking at the relationships between clauses and sentences illustrates that FIAN often freely attributes consequences or causality to particular actors or situations (Fairclough, 2003: 89), and puts forth propositional assumptions “about what is or can be or will be the case” and value assumptions “about what is good or desirable”

(Fairclough, 2003: 55). For example, a 2006 Urgent Action about Brazil claims that the “Aracruz Cellulose corporation, founded in the state in the 1960s, invaded the lands of the indigenous communities of Córrego D’Ouro e Olho D’Água in order to establish huge eucalyptus plantations in monoculture for the large scale production of cellulose. The expansion of eucalyptus destroyed the livelihoods of many communities” (FIAN Urgent Action, 2006b). In this case, the Urgent Action makes an explicit propositional assumption that the expansion of eucalyptus was responsible for the destruction of livelihoods. The causal relationship between the two clauses leaves little room for interpretation about where the problem began. An example of a value assumption about how corporate actions have rendered a lake unlivable for its inhabitants can be found in a 1993 case, which states,

After long quarrels with the parastatal power corporation Electronorte many were finally resettled in 1984-86 on the banks of the lake. A horrible pest of mosquitoes, which breed in the bio-mass floating in the lake, has turned these banks practically uninhabitable. Agriculture has become almost impossible. (FIAN Annual Report, 1993: 17)

Due to the Brazilian government’s lack of willingness to resettle the “Tucuruf victims”, they are hungry and malnourished; hence, their right to feed themselves is being violated.

Another way that FIAN frames these injustices as violations is by attributing responsibility to a social actor. The following table illustrates the breakdown of who is considered to be the violator in these cases.

**Table 4: Violators**

Year	Government	Corporate Interests	Military/Police/Local Politicians	Unspecified	Unknown (ex: hitmen)	World Bank
1989 (8)	3	2	4			1
1990 (12)	6	8	4	1		2
1991 (9)	4	8	2	2		1
1992 (10)	5	5				1
1993 (9)	5	7	1	1		1
1997 (8)	4	2	3			
2000 (2)	1		1			
2004 (31)	22	9	7	1		
2005 (25)	20	2	2	2	3	
2006 (19)	5	11	8	1	1	
2007 (20)	11	3	4	3	4	
2008 (14)	10	3	2	1		
2009 (15)	8	6	1	1	1	
2010 (7)	7	3				1
2011(3)		2	1		1	
	<b>111(44%)</b>	<b>71 (28%)</b>	<b>40 (16%)</b>	<b>13 (5.2%)</b>	<b>10 (4%)</b>	<b>7 (2.8%)</b>

It is clear that in just under half the cases (44%), the government is considered the violator. Corporations, landlords and foreign banks are the next most common violator, and local military, police and political interests are the third most common. The World Bank was given its own category, since in many cases, especially in the earlier Urgent Actions, it was often named as the sole violator. This is significant despite the fact that it named as a violator only 2.8% of the time. In many of the cases, however, FIAN identifies the violator as a combination of at least two of the above categories. It is less often that they identify a sole violator, which underscores the complexity of the cases. In Amnesty's Urgent Actions by contrast, the violator is slightly more clear-cut because violations often occur on an individual basis and are more likely to entail direct harm from one individual to another.

FIAN does, however, highlight many instances of aggression in their Urgent Actions. This occurs most often from farm or plantation owners and the police or military working on their behalf, toward peasants, indigenous people, women, and smallholders, particularly if any of the above attempt to form unions or protest against the current social and economic conditions. These forms of aggression include eviction or destruction of their dwellings, as

well as violence, killing, or death threats. An Urgent Action from 1990 claims that “Eight indians have been killed and about 30 have been wounded during recent years as a consequence of the violent occupation of most of their reservation by large landowners (fazendeiros)” (FIAN Annual Report, 1990: 17). Another claims, “The 400 families tried to put up a camp on the idle Fazenda Itapoty, but were evicted by gunmen and military police” (FIAN, 1993: 15). The semantic relations in these examples create causality between events, constructing a narrative which shows that the families have tried to stand their ground, but were unable to retain their rights because of violence on the part of their landowners, gunmen, or military police; hence, these social actors are directly responsible for violating the right to food of these individuals.

The social actors involved in the violation are portrayed as agents who are actively choosing to engage in a violation, in much the same way as the actors do in Amnesty's Urgent Actions. This active intent is more obvious in some cases than others. A 1991 Urgent Action outlines a relatively extreme example, stating that

The T'Bolis' problems started in 1962, when Antonio Nocom, a business man from Manila, who owns the ANSA Cattle and Crop Farm got his hands on the land of the T'Boli. The methods he reportedly used make this deal an apparent swindle: He took the elders of the tribe to Manila and made them drink until they were tipsy. Then he made them 'sign' with their finger prints some documents which they couldn't read because they were illiterate. The documents included the elders' consent to give their lands to Nocom. (FIAN, 1991:19)

To demonstrate this, FIAN uses a great deal of evaluative, emotional language. Terms

such as 'got his hands on', 'reportedly', 'apparent', and 'tipsy' are terms that serve to attribute certain characteristics to the violator; in this case, an active intention by Antonio Nocom to manipulate the T'Boli for his own ends. FIAN's relatively frequent use of this type of language as compared with Amnesty International reflects the necessity of providing these types of additional details, so that readers understand that there is a violator to whom responsibility can be attributed. However, while these statements are based on FIAN's own research, and therefore likely adequately represent reality, Keck and Sikkink point out that "[t]he notion of 'reporting facts' does not fully express the way networks strategically use information to frame issues. Networks call attention to issues, or even create issues by using language that dramatizes and draws attention to their concerns" (Keck and Sikkink, 1998: 19). Their insight into the construction of facts does not mean that FIAN provides false information, but rather highlights the process by which FIAN's discourse contributes to the construction of intention and causality, and further, highlights the strategy involved in this practice.

In another case, the intent is not as clear, but a violator is identified nonetheless. A 1992 Urgent Action condemns the government of Mato Grosso do Sul, Brazil for failing to negotiate a resettlement with 600 peasant families after the negotiations "ended up in an impasse". The Urgent Action states, "in 1991 not a single large estate was expropriated and not a single landless family was resettled according to the landless peasants' movement... With the federal agrarian reform blocked, it is only the states' governments who once in a while provide land for resettlement" (FIAN Annual Report, 1992: 26). The sample letter to the Governor goes on to argue that, "[i]n view of the capacities available to the state of Mato Grosso

do Sul in the agrarian sector, the blocking of the agrarian reform is a breach of the landless peasants’ human right to feed themselves” (FIAN, Annual Report, 1992: 27). By claiming that the agrarian reform was blocked, FIAN relies on the propositional assumption that the reform is actively being stopped from happening. Further, there is another propositional assumption in this case, and throughout the broader discourse, that for the state not to ensure that these families are properly resettled and able to feed themselves is a violation of the human right to food.

In many of FIAN’s Urgent Actions, there is a difference between those who are considered violators of the human right to food, and those that are ultimately held responsible for the reversal of the violation and the long-term implementation of the right. Table 5 illustrates that the social actors that FIAN identifies as being at fault are not always the recipients of their letters of protest.

**Table 5: Responsible**

Year	Federal Government	State government	Legal system	World Bank	Head of a company/project	State leader of letter-writer
1989 (8)	5	2		1		1
1990 (12)	7	3		2	2	
1991 (9)	5	4		1		
1992 (10)	5	4		1	1	
1993 (9)	4	5				
1997 (8)	1					
2000 (2)	2					
2004 (31)	24	11	3			
2005 (25)	14	3				
2006 (20)	13	5	3			
2007 (21)	12	4	1			
2008 (14)	9	2	2			
2009 (15)	9	5	1			
2010 (7)	5	1		1		
2011(3)	2		1			
	<b>117 (62%)</b>	<b>49 (26%)</b>	<b>11 (7%)</b>	<b>6 (3%)</b>	<b>3 (1.5%)</b>	<b>1 (0.5%)</b>

This table illustrates that 88% of the time, the letters are addressed to either the state or federal governments. This implies that even if the government in question did not directly violate the right to food, they are still responsible for letting it happen, which is not the case in

Amnesty's human rights violations, where the state is always directly at fault for the violation, as well as for reversing it. This is likely due to the nature of the violations. In Amnesty's cases, the violation occurs on a more individual basis, often because a state is repressing an individual who has spoken out against the way that the state operates. By contrast, many of FIAN's cases identify land grabbing, peasant or indigenous displacement, lack of agrarian reform, or any other social conditions that result in hunger and malnutrition as the violation. In cases like these, responsibility is slightly more ambiguous, as can be seen from the relative difficulty of naming just one violator per case. Another reason for this difficulty of fitting the human right to food into a predefined Urgent Action genre is that while Amnesty focuses on occurrences that are much more likely to be accepted as human rights violations, FIAN's focus is on problems that not only are not as accepted as violations of a human right, but that are generally understood as being outcomes of a social and economic order that is not unique to the specific regions of focus. Although it is essential to address concrete acts of responsibility surrounding hunger and malnutrition, violations of the human right to food must also be understood as broad outcomes of a global neoliberal economic system. Like Amnesty, however, the state is often still held responsible for these outcomes. State responsibility, therefore, seems to be one of the defining features of the Urgent Action genre, and may also represent a trend in broader human rights discourse.

Once the violation is identified and the letter is addressed to the proper authorities, FIAN also encourages the responsible party, most often the state, to implement certain solutions and take specific actions. Table 6 summarizes this information.

**Table 6: Solutions**

	A	B	C	D	E	F	G	H	I	J	K	L
1989 (8)	4	2		2	4							
1990 (12)	1	4	3	2	4							
1991 (9)	5	1	3	1								1
1992 (10)	4	1	4	1	3							
1993 (9)	3	3	5	2	1							
1997 (8)	1	1										
2000 (2)	1				1							
2004 (31)	14	11	9	15		1		1	4	1		
2005 (25)	5	7	4	4		1		3				
2006 (20)	11	12	7	6	1			1	1	1		
2007 (21)	15	9	5	2		2	1			2		
2008 (14)	8	6	4	1		3	2				1	
2009 (15)	4	2	2	5		2	4	1		1		
2010 (7)	7	2	1	1			2					
2011(3)	2	2		1		1						
	<b>85 (30%)</b>	<b>63 (22%)</b>	<b>47 (16%)</b>	<b>43 (15%)</b>	<b>14 (5%)</b>	<b>9 (3%)</b>	<b>9 (3%)</b>	<b>6 (2.2%)</b>	<b>5 (2%)</b>	<b>5 (2%)</b>	<b>1 (0.35%)</b>	<b>1 (0.35%)</b>

- A. Solve the agrarian conflict, which includes: implementing Agrarian Reform/policy reform/social program, legally recognize land rights, returning land to peasants, or preventing eviction
- B. Taking necessary measures against repressors, including: limiting power, stopping harassment, bringing those responsible to trial, protecting all peasants from future occurrences
- C. Compensate for damages/rehabilitation/resettlement/clean-up program
- D. Stall business/development project/policy implementation (until government regulations, or the needs of the local population, are met) – this also includes the request to make companies sign a treaty saying they will uphold, for example, clean water standards
- E. General request (i.e., “intervene to protect rights”/”take necessary measures”)
- F. Establish standards for a company: minimum wage, regular labour inspections, laws against pollution
- G. Institutional reform geared towards public health
- H. Open up a platform for dialogue
- I. Free any arbitrarily detained persons

J. Honour/cancel a Previously Signed Agreement

K. Provide peasant families with agro-ecological technology

L. Unspecified

The most commonly proposed solution is broad structural change in the form of Agrarian Reform policies. This is likely due to the fact that implementing agrarian reform or other types of legal protections for small farmers and peasants will go the furthest in decreasing hunger and malnutrition. FIAN promotes agrarian reform, particularly the Global Campaign for Agrarian Reform, by asserting “its position in firmly opposing agribusiness, market-assisted agrarian reform models, and in emphasizing sustainability” (FIAN Annual Report, 2000: 3). Aside from advocating for this type of agrarian reform, the organization does not concern itself with specific policies. It is evident in all of the solutions listed above, however, that for FIAN, the “the obligation to respect, the obligation to protect, and the obligation to fulfill” (Künemann, 1995: 327) the human right to food is not a simple task entailing a small number of basic changes. Unlike Amnesty, it is not necessarily a matter of putting a stop to the violation of an individual’s civil and political human rights, although sometimes it is. Rather, the actions involved in the human right to food are seemingly unlimited, as respecting this particular human right requires prioritizing it in all policy decisions.

In order to convince the relevant authorities that the right to food is being violated and must instead be fulfilled, FIAN engages in intertextuality with human rights literature, international agreements, and legal principles. For instance, a 1993 case reminds the Prime Minister of India that,

India is a State Party to the International Covenant on Economic Social and

Cultural Rights. India is therefore duty bound to take steps necessary to respect and protect the Chilika fisherpeople's right to feed themselves. As the proposed project ignores the rights of fisherfolk to feed themselves, I would like to ask you to prevent this undertaking as incompatible with international law and the Directive Principles in the Constitution of India. (FIAN Annual Report, 1993: 21)

By referring to both the ICESCR and the Constitution of India, FIAN is practicing what Fairclough calls legitimization through authorization (Fairclough, 2003: 98). As this practice is also undertaken by Amnesty International, it can be seen as instrumental in the attempt to bring to light certain violations and publicly shame the responsible authorities into taking action, and thus is an essential aspect of the Urgent Action genre.

The above analysis illustrates that although FIAN has adopted the Urgent Action from Amnesty International and maintained many similar elements, both structurally and discursively, they have also recontextualized it in certain ways. In essence, both FIAN and Amnesty structure the Urgent Action as a knowledge-exchange where details of the case are given, followed by an Activity-exchange that encourages writing letters of protest. Both organizations construct 'victim' and 'violation' categories, turning the situation at hand into a concrete and unquestionable violation. Both organizations choose particular cases on which to focus, and use discursive techniques such as intertextuality with pre-existing human rights literature, or the use of semantic relations to suggest causality, in order to construct the narrative of the absolute victim. This helps to portray human rights advocacy as a pure cause. The Urgent Action genre provides a relatively structured discursive space that is conducive to these practices, and allows FIAN's message to reach a wide audience. Therefore, like Amnesty, FIAN primarily engages in

the practice of bearing witness. Their adoption of the Urgent Action also allows FIAN to work in ways that are intersubjective, public, and transnational. In addition, both organizations make appeals that are “directed to institutions, towards structural transformation of social-political and economic systems that contribute to these abuses” (Kurasawa, 2007: 51), although the solutions offered by the two organizations differ in their scope, as FIAN’s involve a much more intricate restructuring of the global social and economic system.

## **Conclusion**

Kurasawa describes four perils or “threats” that must be confronted in the labour of bearing witness: they must engage in the act of speaking out against the threat of silence, interpretation against the threat of incomprehension, empathy against the threat of indifference, and remembering against the threat of forgetting. Both FIAN and Amnesty International confront silence by bringing human rights violations into public consciousness via the Urgent Action (Kurasawa, 2007: 33). They also confront indifference by cultivating empathy (Kurasawa, 2007: 40) by establishing facts and narratives of particular cases and the individual victims, thereby personifying the atrocities and casting them in a more “human” light. However, FIAN also engages in one additional aspect of bearing witness that Amnesty does not: that is, they confront general incomprehension of the human right to food and violations of it, by interpreting events when their meaning is not readily apparent (Kurasawa, 2007: 35). FIAN’s Urgent Action discourse show that there is more interpretive work involved in framing food as a human right and showing that it is being violated, compared with Amnesty International which focuses on rights that have come to be understood as more self-evident. It is clear

therefore that some aspects of the Urgent Action have been recontextualized due to the nature of the problems at hand, and while FIAN and Amnesty both bear witness, the ways in which they do so are slightly different.

In addition to differing in how they bear witness to atrocities, FIAN also fosters a sense of cosmopolitan solidarity. Kurasawa describes the practice of fostering solidarity as “devising ways of living together that reconcile ideas of equality and difference, by challenging the deeply entrenched assumptions that a sense of togetherness and an egalitarian socio-economic order requires cultural homogeneity, or conversely, that the acknowledgement of cultural alterity necessarily erodes the social fabric and leads to uneven treatment (Kurasawa, 2007: 158). The discursive work involved in Amnesty’s Urgent Actions provides their discourse with a more minimalist style in which the facts “speak for themselves”. They seemingly work on a case-by-case basis, writing letters of protest in response to certain situations as they arise. Overall, however, their proposed solution to ending human rights abuses does not involve a particular political project. FIAN, on the other hand, does propose an alternative political project and in doing so, fosters solidarity by engaging in more discursive work to portray the world in a certain way and promote a specific alternative vision. They most commonly advocate for widespread agrarian reform and the blocking of so-called development projects as solutions that would address the root of hunger and malnutrition, thereby engaging in solidarity by “claiming that the current rash of policies pursued and promoted by international economic organizations, captains of industry and certain governments (privatization, structural adjustment programmes, the deregulation of trade and financial flows, etc) are neither self-evident nor beneficial to most of the world’s peoples” (Kurasawa, 2007: 190). Their recontextualization of a human rights genre has helped them to advocate for the recognition of human dignity before profit. In doing so they aim to

work toward increased equality amongst people, regardless of their ethnicity, gender, or nationality.

The next chapter presents a similar discourse analysis of La Via Campesina documents from the corpus. These texts will showcase how the human right to food is constructed through this organisation's discursive practices, and will highlight how the its practices differ from those of FIAN. This comparison will allow for a deeper understanding of the human right to food primarily as a practice-based concept rather than an ideal.

### Chapter 3

#### **La Via Campesina: Using Human Rights as Political Tools**

The previous chapter clarified how FIAN's discursive practices contribute to constructing the human right to food by placing it in the context of the organization's relationship with Amnesty International. It is also useful to contrast FIAN with a non-human rights organization, the international peasant coalition La Via Campesina, which emerged in 1993. While La Via Campesina is not a human rights network and does not employ Urgent Actions as part of its discourse, it does focus on hunger and malnutrition problems, specifically in peasant and indigenous groups in developing and developed areas of the world. Moreover, given the similarity of its focus, FIAN and La Via Campesina often work together and cross paths in their advocacy work. Both organizations emphasize how the broader socio-economic structure contributes to lack of access to food, and attempt to dismantle what Borass refers to as the "Market-Led Agrarian Reform" (MLAR): the privatized and decentralized land policy best represented by the neoliberal economic model (Borass, 2008: 262). Both FIAN and La Via Campesina advocate for the prioritization of the needs and rights of people over business interests. FIAN does this by centering its discourse and practices around the notion of the human right to food, while La Via Campesina organizes itself around the concept of food sovereignty.

The following section will begin with a history of La Via Campesina followed by a discourse analysis of twenty-six of their texts. The analysis attempts to shed light on questions such as: How is La Via Campesina's discourse similar to FIAN's? How is it different? How do they frame the problems and solutions compared with FIAN? Under what circumstances do they invoke the notion of human right to food? Finally, these findings will be discussed in the context of Kurasawa's practices of the labour of global justice, in order to clarify what La

Via Campesina's discursive practices can tell us about how they practice global justice more broadly.

### **History of La Via Campesina**

La Via Campesina is an international peasant organization, which, from the time of its creation, has aimed “to defeat the forces of neoliberalism and to develop an alternative revolving around the concept of ‘food sovereignty’” (Borras, 2008: 260). Founded in Belgium in 1993, the organization is composed of “peasants, small and medium-size farmers, landless people, women farmers, indigenous people, migrants and agricultural workers from around the world” (“What Is La Via Campesina”, [www.viacampesina.org](http://www.viacampesina.org)), and focuses on “small-scale sustainable agriculture” (Borras, 2008: 260). Since it is an organization that unites peasants globally, its membership is heterogeneous and contains significant diversity along ethnic, gender, class, and ideological lines. Unlike FIAN, which has an International Secretariat, La Via Campesina has a decentralized structure and is known as a grassroots group where participation depends on farmers' organization at local and national levels. It is the commonalities between small and medium farmers from the global North and South, rather than a universal conception of human rights that primarily unites La Via Campesina.

Together, FIAN and La Via Campesina have undertaken a number of initiatives, including:

- international advocacy, which supports agrarian reform movements at the national and local level (FIAN Annual Report, 2000: 8)
- exchange of information about agrarian reform; international networking (FIAN Annual Report, 2000: 8)
- international lobby work on agrarian reform (FIAN Annual Report, 2000: 8)

- launching emergency networks (FIAN Annual Report, 2000: 9)
- international fact finding missions (FIAN Annual Report, 2000: 9)
- mobilizing and informing the general public (FIAN Annual Report, 2000: 9)
- holding conferences and workshops (FIAN Annual Report, 2000: 10; Annual Report 2003: 17; Annual Report, 2007: 9), and
- international interventions for acute emergency cases (FIAN Annual Report, 2002: 10)

In 1999, FIAN and La Via Campesina joined together to promote the Global Campaign for Agrarian reform, which Borras argues offers a concrete alternative to the market-led model (Borras, 2008: 265). FIAN's 2002 Annual Report describes the objective of the campaign as attempting "to empower people struggling for a secure access to land as a long term means to feed themselves. The campaign facilitates communication between peasant movements on all continents" (FIAN Annual Report, 2002: 10). According to Borras, the alliance between the two organizations is a mutually beneficial relationship that has allowed FIAN the "organized force and global spread" of La Via Campesina, and at the same time, provided La Via Campesina with a "master frame" which has linked their message to the increasingly influential notion of human rights (Borras: 265). Combining FIAN members' knowledge of human rights law and methodology with La Via Campesina members' expertise in agrarian issues, the alliance led to a call for "agrarian reform-based food sovereignty" as an alternative model for change (Borras, 2008: 265).

Like FIAN, La Via Campesina claims to be separate from all political, economic or other ideological persuasions, however, they are united by the belief in food sovereignty, a concept that was launched at the 1996 World Food Summit. They define it as,

the right of peoples to healthy and culturally appropriate food produced through sustainable methods and their right to define their own food and agriculture systems. It develops a model of small scale sustainable production benefiting communities and their environment. It puts the aspirations, needs and livelihoods of those who produce, distribute and consume food at the heart of food systems and policies rather than the demands of markets and corporations (“What is La Via Campesina?”, <http://viacampesina.org/en/index.php/organisation-mainmenu-44/what-is-la-via-campesina-mainmenu-45>)

As the above quote illustrates, La Via Campesina often speaks of food sovereignty as a right even though they are not a rights-based organization. Miller describes a rights-based organization as one that focuses specifically on disadvantaged or marginalized groups of people, emphasizes participation and empowerment, seeks to strengthen democratic institutions, and above all, encourages human rights as a frame of reference for development policy (Miller, 2010: 916-917). By contrast, a rights-framed organization will “utilize the power of the idea of universal rights to motivate others, but only when it is considered to be strategically advantageous to specific campaign contexts” (Miller, 2010: 923). This distinction is a useful way to begin to understand the ways that FIAN and La Via Campesina differ in their discourse: specifically, how they use the concept of the right to food in different ways.

The notion of “culturally appropriate” food that is “produced through sustainable methods” referenced in the above quote appears often throughout La Via Campesina’s discourse. These concepts are somewhat similar to FIAN’s “right to adequate food” and “right to feed oneself”. Both organizations make it clear that individuals, particularly individuals

such as peasants, small farmers, and indigenous groups, should have these things. La Via Campesina also makes mention of food as a human right, although it is not as prevalent in their discourse as food sovereignty. Desmarais points out that previously recognized human rights such as the right to food and self-determination are important to La Via Campesina, however, they are more focused on the outcomes that result from states that are bound by an international trade framework, which ensures their compliance with World Trade Organization regulations (Desmarais, 2007: 110). Thus, while La Via Campesina agrees that many of the problems they identify are violations of the human right to food, they view them through a slightly different framework. Fostered by the assertion that “neo liberal policies are sustained by human rights abuses” (Desmarais, 2007: 104), they employ the concept of food sovereignty to resist the prioritization of trade over the rights of people. They accomplish this by resisting the policies of the WTO and the “expanded power of the WTO in global governance over food, genetic resources, natural resources, and agricultural markets” (Desmarais, 2007: 107). Instead, they advocate for the right of people to define their own food and agricultural system (Desmarais, 2007: 107), and aim to take issues of agriculture and food out of the realm of WTO decision-making altogether, as the WTO’s “lack of transparency and accountability, accompanied by blatant undemocratic practices and links to agro-industry, makes it completely unsuitable as an international structure responsible for overseeing food trade” (Desmarais, 2007: 108). As such, their practices are focused primarily on resisting the policies put in place as a result of the WTO framework, and any rights violations that occur as a result of these policies are seen as an outcome of the destructive nature of this framework.

As such, La Via Campesina engages in its own set of practices in order to publicize what it views as major agriculture related issues, and come up with certain solutions. In doing so, they engage in the labour of global justice more broadly. One of the ways that they do this

is by posting news updates on their official web site. Under the 'Main Issues' heading on their web page, they bring to light atrocities and problems, as well as instances of progress, both within their organization and the broader successes related to seven distinct issues: Agrarian Reform and Water, Biodiversity and Genetic Resources, Food Sovereignty and Trade, Women, Human Rights, Migrations and Rural Workers, and Sustainable Peasant's Agriculture. These news updates will be the focus of the discourse analysis.

### **La Via Campesina Discourse Analysis**

One of the first notable characteristics of La Via Campesina's documents is that they are not Urgent Actions, and therefore do not employ the same structure as the discourses of FIAN or Amnesty International. While it appears that FIAN deliberately attempted to recontextualize Amnesty's Urgent Action in a way that fit with its unique objectives, thereby solidifying it as a genre particular to the field of human rights, La Via Campesina does not self-identify as a human rights organization; as such, it does not attempt to fit the problems and solutions that it identifies into a pre-existing human rights framework.

Like the Urgent Action, however, many of La Via Campesina's documents are knowledge-exchanges about acute cases, providing the readers with facts and information regarding what it has defined as problems. In these documents, La Via Campesina uses realist statements to provide basic details about the past and present, or "what is, was, has been the case" (Fairclough, 2003: 109). Like FIAN, La Via Campesina concerns itself with peasants, smallholders, and indigenous groups who engage in traditional, knowledge-based, agro-industry technology farming practices. The issues that FIAN brings to light – destruction and appropriation of land resulting in the loss of livelihood for the peasants who have controlled it for decades, as well as violence, intimidation, and silencing of peasants who attempt to fight

back against these injustices – are often found throughout La Via Campesina’s texts. Not surprisingly, like FIAN, these cases tend to focus on the same areas of the world; countries with large peasant populations such as Nicaragua, Brazil, and Indonesia, where these practices most often occur. Many of La Via Campesina’s articles appear to be similar to FIAN’s Urgent Actions when discussing these issues. For instance, one article states, “[f]ifteen peasant farmers are currently on trial facing charges of criminal damage. Yet members of the security forces who shot into their peaceful demonstration on 25 August 2000, killing Febriadi Nasution, 19, and injuring six others have yet to be held accountable” (LVC, 2000a). Another article about a situation in Managua, Nicaragua, provides the following details:

A group of 45 agrarian labourers (37 men and 17 women) in view of working wages not paid, presented charges to William Benavides Chavarría in 2002. The local judge decided in their favour and ordered, that the farm “San Antonio” (of 259 manzanas) be handed over to the workers, in lieu of payment. But in February 2003 the property was invaded by 43 peasants who said to have a letter of attribution which they received from the government in office under the so called “La Tuna Agreements”. Since then there have been different acts of human rights violations, like evictions, during which people were beaten, injured and various persons detained (LVC, 2007a).

Although the above examples are similar to those found in FIAN’s discourse, it is evident that there are subtle differences as well. Whereas FIAN outlines situations in which peasant farmers are unlawfully detained, are denied their right to hold demonstrations, are evicted from their homes or are victims of violence from landowners, their discourse frames these

issues as a violation of their human right to food because it keeps them in poverty. La Via Campesina, on the other hand, focuses on these issues primarily because as a peasant coalition, it is their job to bring to light cases that directly affect peasants. In the 2000a case, they identify “the illegal appropriations of 2000 ha of traditionally-owned land”, stating that La Via Campesina “demands that the rights of peasant farmers to have access to land are respected”. There is no further mention of rights in this case, however. The right to land in both of the cases above is mentioned briefly and does not play a further role in the discourse. This reflects how La Via Campesina uses human rights as a concept throughout their overall discourse. Rather than using it as a master frame that organizes the rest of their discourse, human rights as a category is simply identified as one of La Via Campesina’s seven areas of focus, on par with other issues such as agrarian reform and food sovereignty. As mentioned above, a useful way to conceptualize this distinction is to classify La Via Campesina as a “rights-framed” organization rather than a “rights-based” one. Miller argues that,

At their broadest level, RFAs (“rights-framed approaches”) are identified as a *tool*, used to serve an NGO’s policy. That is, they do not start from, and are not defined by, a normative understanding of human rights (by comparison to RBAs), but instead are driven by the ideological underpinnings of individual NGOs...Through this, NGOs are able to utilise the power of the idea of universal rights to motivate others, but only when it is considered to be strategically advantageous to specific campaign contexts. As a reflection, rights talk is identified to be somewhat varied, with campaigners taking advantage of the ‘ideological promiscuity of rights talk’ (Miller, 2010: 923).

According to Miller’s concepts, La Via Campesina is closer to a rights-framed organization

than a rights-based organization, and this quality helps to explain the difference in how they use human rights in their discourse as compared with FIAN.

Given that human rights are only one of several topics that La Via Campesina covers in their discourse and broader work of global justice, it is not surprising that they focus on many issues that FIAN does not. An issue that appears often in La Via Campesina's discourse, for instance, is genetically modified materials and the privatization of seeds and crops. One article discusses negotiations by a Contact Group in Italy that attempted to put Intellectual Property Rights (IPRs) on materials derived from germ plasm (LVC, 2001a), a practice that La Via Campesina stands strongly against. This general problem of IPRs and GMOs is mentioned in seven out of the twenty-six articles. Other issues include economic practices such as high production costs, price dumping, subsidies and trade monopolies; environmental issues such as the use of chemical fertilizers and pesticides; workers rights issues such as inappropriate wages; social issues such as barriers that make it difficult for rural women to participate in the democratic process; general neoliberal policies, and power imbalances between transnational corporations and small farmers. These issues are not in FIAN's range of focus, but they all directly affect peasants and their livelihood.

In addition, some of the articles problematize the actions of organizations such as the Food and Agriculture Organization. While there are many social actors that both organizations identify as being at fault, La Via Campesina is much more critical than FIAN of certain organizations; particularly, international institutions that influence agricultural and economic issues. In addition to the WTO, this also includes the International Monetary Fund and the World Bank. They state in one example that it is "absolutely clear to all of society that the FAO serves the interests of Monsanto, a corporate criminal and the interests of the bad government, rather than the interests of our peoples" (LVC, 2010a). This is a strong claim

with a high level of modality, as is shown by the statement that it is “absolutely clear to all of society”. Additionally, a 2001 article attributes the postponement of a FAO Summit to a “lack of engagement regarding world food problems on the part of FAO and powerful governments” (LVC, 2001b), and a 2004 case claims that the FAO “betrayed” the importance of food sovereignty in a recent report, paving the way for GMO technology and increased corporate control (LVC, 2004b). While FIAN uses more neutral language in their discourse, the language used by La Via Campesina is heavy with significance. They go on to make a series of declarative statements, including that Monsanto is a corporate criminal, and that it serves the interests of “bad government” rather than those of the people, and that the FAO serves Monsanto’s interests. Thus, their focus on the neoliberal system as the underlying cause of rights-violations and other injustices leads them to frame the actions of corporations and the FAO as outside the realm of possible solutions. FIAN, by contrast, attempts to more effectively channel the power held by the institutions in charge of agricultural policies insofar as they demand that governments respect and enforce “the right to food” and ensure that it is given priority before the drive for profit.

Examples such as these are much more abstract than those that focus on concrete problems, and constitutes another difference between La Via Campesina and FIAN. Furthermore, unlike FIAN’s Urgent Actions, three out of La Via Campesina’s twenty-six articles analyzed do not identify any problem at all. Instead, these cases focus on examples of what they would consider to be problems that have been resolved or overcome. One example is an article which discusses the implementation of a community-based farming system by farmers in Torpora, Zimbabwe, which emphasizes local production and skills, lack of fertilizer, traditional knowledge, and what La Via Campesina terms “collective agroecology” (LVC, 2011a). The human rights violation is not inherent in La Via Campesina’s discourse,

and as such it does not always consist of framing concrete cases as “violations’ requiring ‘urgent action’.

Just as La Via Campesina’s discourse has more flexibility in the topics they choose, the structuring of their discourse also appears to be less rigid. There is no one genre used for documentation, a discursive technique that Fairclough refers to as “genre mixing” (Fairclough, 2003: 34). There are communiqués or appeals aimed at particular organizations (LVC, 2003a; LVC, 2004a; LVC, 2003b), there are open letters (LVC, 2001a; LVC, 2008a), declarations on a various topic (LVC, 2002a; LVC, 2009a; LVC, 2006b), and others simply aim to clarify or define a certain concept (LVC, 2006a; LVC, 2012a; LVC, 2000b). Some are written as brief reports of particular acute or ongoing cases (LVC, 2000a; LVC, 2007a; LVC, 2010a; LVC, 2013a; LVC, 2002b; LVC, 2008b; LVC, 2009b; LVC, 2010b), and others as press releases that discuss the aims of past or upcoming conferences (LVC, 2007b; LVC, 2011b). Furthermore, there does not appear to be identifiable patterns found in the structure of their articles. For example, one article focuses on an International Conference in Nepal on food sovereignty, agrarian reform and peasant rights (LVC, 2007b). In the second half of the article, an outline of significant problems in Nepal is introduced in order to communicate to the reader the main themes of the conference. By the end, it briefly describes post-conference “exposure visits” to three different Nepalese peasants’ cooperatives. It therefore moves from an abstract, general focus to one that is more specific and concrete. For reasons such as this, it is clear that unlike FIAN or Amnesty, La Via Campesina is less interested in creating and sticking to a particular genre in their written documents aimed at the public, engaging instead in genre-mixing. This could be the case because the organization wants to structure their various discourses in whichever way will most effectively promote their message; however, it is also possible that the structure of their discourse reflects the structure of their organization.

FIAN is a top-down organization with an International Council and an International Executive Committee to oversee the Urgent Actions, whereas La Via Campesina's membership is much more diverse, as it is made up of peasants with a wide variety of interests. Additionally, part of FIAN's discursive work is to convince readers that certain situations are violations of the human right to food. This is a very specific task that lends itself to a relatively structured, repetitive discourse structured by a genre. On the other hand, the objective of La Via Campesina, as a self-proclaimed coalition of peasant voices, is to let their members speak for themselves using whichever structure fits the topic at hand.

Although La Via Campesina does not use human rights as an orienting concept by which to frame all problems and solutions, they do mention a number of different rights in their articles. In the twenty-six articles analyzed, almost all made at least a brief mention of rights, and twelve of the twenty-six articles address rights violations. The following is a list of rights mentioned in each article exactly as they were stated, as well as any further elaboration in regards to these rights.

#### Rights Mentioned in Via Campesina Articles

**2000a:** Human rights; peasant rights (to have access to land)

**2000b:** Women's rights (to be free from domestic violence); the right to land; human rights (violations include brutalization of peasants, sexual abuse of women and girls)

**2001a:** Negotiations must take into account "well being and rights of communities, peoples, and peasants all over the world"; farmer's rights

**2001b:** Right to peoples' food sovereignty, to eat healthy food and to have access to productive resources like land, water and seeds

**2002a:** Right to Development, Human Rights, Right to full sovereignty over all their natural

wealth and resources", rights to self-determination, Economic, Social and Cultural rights

**2002b:** They don't actually say that the issue (throwing José Bové in jail) is a rights violation, but this article was filed under the Human Rights category. They also claim that he should be released, as he was simply defending legitimate rights (the right to a dignified life and the right to use sources in a sustainable way).

**2003a:** Peasants rights (to produce their own food)

**2003b:** They claim that although the World Bank's report emphasizes relations between deprivation of land rights and social conflict, they did not properly consider the perspective of human rights for the treatment of land conflicts and land politics in general

**2004a:** Peasants' human rights

**2004b:** Rights not mentioned

**2006a:** Right to food sovereignty (i.e., the right of countries to define their own food and agriculture policy), the right of farmers and peasants to produce food; the right of consumers to be able to decide what they consume, and how and by whom it is produced; the right of countries, unions and states to protect themselves from too low priced agricultural and food imports. Women farmer's rights

**2006b:** Briefly mentions that the violence against peasants is a rights violation

**2007a:** Human rights to food and to land

**2007b:** Rights not mentioned

**2008a:** Rights of farmers, livestock keepers, fisherfolk, indigenous people and civil society NGOs to participate in decision making on the future of agricultural biodiversity. Peasant farmers' collective rights to conserve, use, exchange and sell their farm-saved seeds and their breeding animals. Peasant farmers right to access land for food

**2008b:** Rights not mentioned

**2009a:** Rights of women farmers to a life of dignity and without violence; respect of sexual and reproductive rights

**2009b:** Briefly mentions "rights violations" in certain countries, followed by a plan to introduce peasant rights into the region; specifically, the adoption of an international convention on peasant rights

**2010a:** Not actually addressed as a rights issue, but labeled as an "act of aggression, a profound lack of respect, and as an affront" (to the Mexican people)

**2010a:** Rights not mentioned

**2010b:** Rights not mentioned

**2011a:** Rights not mentioned

**2011b:** Rights are the focus of the article; specifically, the planning of an International Convention on the Rights of Peasants. Mainly concerned with the right to land

**2012a:** The right to food and other basic (unspecified) rights

**2012b:** Rights not mentioned

**2013a:** Briefly mentions "farmers rights", by quoting a scholar who is a "long time advocate for farmers rights"

**2013b:** The right to peace, a "fundamental right"

First of all, it is clear that while FIAN focuses on the human right to adequate food and the human right to feed oneself, La Via Campesina includes a significantly higher number of rights in their discourse. In the same way that they use a variety of different genres to highlight a number of problems, they also invoke a number of different human rights depending on the situation at hand. In this sense, human rights appear to act as an essential rhetorical device to strengthen their overall message: that all human rights violations are a

result of the current social and economic system. Rights are seemingly used as a persuasive tool for this task. As such, they do not spend much time at all developing their philosophical or legal background, advocating for their implementation and consideration amongst governments, or arguing for their general importance as FIAN does.

When rights are mentioned, therefore, it is not always framed as a violation that has occurred. For instance, three of the documents are predictive or cautionary in their focus, often dealing with actions or policies of organizations like the World Bank or the FAO, which have the potential to negatively impact human rights, however, a violation has not yet occurred (LVC, 2001a; LVC, 2013a; LVC, 2001b). The article about the Contact Negotiations in Italy for example mentions farmers rights, but rather than describing a rights violation that has already occurred, it focuses on increasing concerns about how the ownership of genetic resources may negatively affect farmers, and outlines the potential harm that may stem from the idea that “genes, as the essence of life” can be owned.

Often, the mention of rights is very brief in comparison with FIAN. A 2000 document outlines how “[t]he radical changes that are occurring in the countryside are undermining the economies, cultures and the very lives of rural women all over the world” (LVC, 2000b). The article contains two paragraphs that detail the ways in which the “predominant current economic goal of increasing production of saleable items assigns more value to industrial production than reproduction, manufacturing than nurturing, profits than people”, and describes why rural and peasant women are “doubly discounted and disadvantaged by the policies and social changes based on these neo-liberal policies”. Rights, however, are not mentioned until further along under a section entitled “Principles and Commitments”. Below this, the first sub-heading, “Equality and Human Rights” contained four further elaborations that expand on the need for rights for women. The first two points describe how women are

entitled to social and political decision making, democratic participation, and a key role in organizational structures and policies. The third and fourth describes the need to put an end to “human rights violations in the countryside”, including domestic violence, physical and sexual abuse of girls and women and the general militarization of the countryside.

The human right to food is mentioned in only four of the articles. In all of the cases, it is mentioned in passing, as though the organisation is technically endorsing it as a principle, however, it does not have any real bearing on how they frame these particular situations as problems. In 2008, the right to produce one’s own food is discussed in an open letter to the CBD in Rome. The letter primarily emphasizes the rights of farmers, livestock keepers, fisherfolk and indigenous people and civil society NGOs to participate in the decision-making surrounding agricultural biodiversity. There is one mention of the right to food that states, “The collective rights of peasant farmers to access land for food must be defended against its appropriation for profit” (LVC, 2008a); however, this is the only time it is mentioned in this case. In 2007, six different ongoing situations in Nicaragua regarding injustices towards working peasants are outlined. These cases are among the most similar in focus and wording to FIAN’s Urgent Actions, and tellingly, the cases in the article are part of a research mission carried out in part with FIAN. In these cases, the human right to food is mentioned at the very beginning, and again towards the end, after each of the six cases. The article states:

The general objective of the Mission has been to support the national endeavours regarding the Right to Food and the Agrarian Reform in Nicaragua by verifying concrete cases in the Departments of Matagalpa, Chinandega, Managua and the Atlantic Coast, in which the economic, social and cultural rights, particularly the Right to Food and the Right to Land of the peasant and indigenous communities, have

been threatened or violated (LVC, 2007a).

They go on to argue that,

We also consider of utmost importance to count with a specific judicial framework in order to fight the causes for hunger and malnutrition, seen with a focus on the human Right to Food. Therefore we also laud the Governmental project proposal for a Law of Alimentary Sovereignty (LVC, 2007a).

In this case, therefore, La Via Campesina acknowledges the importance of the “national endeavours” regarding the right to food. A 2012 article mentions the right to food when it outlines a meeting between FAO and civil society groups to elaborate on the Voluntary Guidelines on the Responsible Governance of Tenure of Land:

The Voluntary Guidelines are an instrument of the system of the United Nations that fixes necessary, but not obligatory elements for the actions of governments. Two thirds of the text have already been agreed upon during the last session in October 2011. Social movements have strongly pushed for the elaboration of these guidelines, given that in respect to land, even the most basic rights are being violated, especially the right to food (LVC, 2012a).

The human right to food in these example is mentioned and acknowledged as important, but is given a relative lack of attention compared with FIAN, and does not provide the entire basis for the structure of their discourse.

In a 2003 example, there is an appeal to the United Nations, outlining situations regarding the millions of peasants that have been evicted from their farming land. They note that this has occurred through the use of armed forces or the construction of dams and has been supported through national policy and the World Bank. The appeal provides a list of demands, directed to the Human Rights Commission and governments all over the world, all of which are more similar to demands that might be made by Amnesty International rather than FIAN. The document calls for the release of peasants who have been fighting for their rights, putting an end to the criminalization of the peasant struggle for access to land, demanding that the WTO, World Bank and IMF put an end to rights violations resulting from their current projects, prosecuting TNCs responsible for rights violations, insisting on the ratification of the ICESCR by countries that have not yet done so, encouraging the Human Rights Commission to develop an International Convention on the Rights of Peasants, and giving peasant organizations the right to participate in processes at the United Nations Human Rights Commission. The only place in the entire article that the right to food is mentioned is in the title, which declares, “The right of peasants to produce food is in danger” (LVC, 2003a). It is notable that while it is claimed that the right to food is in danger, the solutions put forth by La Via Campesina are less oriented to the right to food, and more oriented to the right to land, as well as civil and political rights. This is consistent with their focus on food sovereignty, which sees the collective right to full, democratic political participation as an essential precedent to food security (Patel, 2009: 665).

La Via Campesina’s use of the concept of rights, like FIAN, contains propositional assumptions that a lack of rights contributes to the problems identified, and that the granting and recognition of these rights will contribute to the solution. In doing so, it constructs a causal relationship between neoliberalism, a lack of rights, and injustices towards peasant

populations. This underlying assumption is woven throughout its discourse, and is not entirely different from the assumption found in FIAN's discourse. FIAN, however, enlarges the concept of human rights in this causal relationship, spending more time discursively constructing the importance of human rights in this overall process, while La Via Campesina tends to focus in on the concept of neoliberalism and the broad social and economic system. Like FIAN, La Via Campesina often identifies security (military and police) forces, landlords, governments, the World Bank, and TNCs as playing an active role in the inequality and injustice that exists in the world food system. Both organizations present the view that the current global economic system is inherently unfair and that there are some who benefit from it at the expense of other, often already marginalized, people. La Via Campesina seems to focus on this idea more intensely, commonly identifying larger systemic forces such as 'capitalism', 'neoliberalism' or 'patriarchy' as responsible. An article from 2009, for instance, states: "on the 8th of March, the International Women's Day, we reaffirm our willingness to take actions to change the capitalist and patriarchal world that gives priority to the market's interests instead of the rights of people" (LVC, 2009a), thereby identifying the "capitalist and patriarchal world" as an object that is responsible for certain outcomes. Another example states,

Neo-liberal policies prioritize international trade, and not food for the people. They haven't contributed at all to hunger eradication in the world. On the contrary, they have increased the peoples' dependence on agricultural imports, and have strengthened the industrialization of agriculture, thus jeopardizing the genetic, cultural and environmental heritage of our planet, as well as our health. They have forced hundreds of millions of farmers to give up their traditional agricultural practices, to rural exodus or to emigration... WTO is a completely inadequate

institution to deal with food and agriculture-related issues. Therefore Via Campesina wants WTO out of agriculture (LVC, 2006a).

The first sentence in the above paragraph is a high-modality statement about neoliberal policies. La Via Campesina goes on to make a series of realis statements, specifically that neoliberal policies prioritize international trade to the detriment of food for people, and goes on to list a number of associated negative outcomes. It ends with a clear evaluation that the World Trade Organization is an “inadequate” institution to deal with food and agricultural issues, followed by a demand that the organization be taken “out of agriculture”. Inherent to both of the above examples is the propositional assumption that capitalism and patriarchy prioritize financial gain over the rights of people, highlighting the contrast between profit, on one hand, and rights, fairness, and equality on the other.

Once again, Kurasawa’s practices of the labour of global justice can provide context for understanding what La Via Campesina’s discourse can tell us about how they construct the right to food. Like FIAN, Amnesty International, and many other NGOs involved in global justice, La Via Campesina bears witness to atrocities. Violations of the right to food are part of this, however, they also bear witness to much more. Since they are an international peasant organization, rather than a human rights organization, the objects of their focus tend to be on a variety of issues that negatively impact small and medium sized farmers from around the world. Like FIAN, La Via Campesina’s acts of bearing witness embody intersubjectivity, publicity and transnationalism, as they are a process of communication between activists and audiences, they are promoted publicly, and they focus on all areas of the world. This allows them to make appeals, often aimed at various institutions that advocate for structural change.

Unlike FIAN, however, La Via Campesina also engages in foresight, a practice whereby “numerous associative groups in national and global civil societies are simultaneously creating and putting into practice a sense of responsibility for the future by attempting to anticipate and avoid severe and structurally based injustices and crises” (Kurasawa, 2007, 97). Kurasawa argues that building foresight involves public opinion and will formation, disseminating information, warning citizens of looming catastrophes, lobbying states and multilateral organizations from the “inside” and pressuring them from the “outside”, and fostering debate about how to stop or prevent these future crises (Kurasawa, 2007: 97). This describes much of La Via Campesina’s work, as the news articles and updates put forth by the organization do not solely consist of reacting to past injustices, or rights violations, as is the case with FIAN. Instead, a great deal of their work is devoted to convincing the general public, as well as a number of institutions that are relevant to the field of agriculture, of the likely outcomes of current policies, and proposing alternative solutions. Human rights fit into this as a way to strengthen the discourse by adding an instantly recognizable ethical component that is universally applicable.

Finally, La Via Campesina works on building cosmopolitan solidarity as they have a “commitment to global socio-economic redistribution” while at the same time opposing cultural homogenization (Kurasawa, 2007: 163). The organization fits Kurasawa’s definition of cosmopolitan solidarity, as it uses its discourse to propose alternative ways of living together that foster equality while at the same time, allowing for human difference. This can be seen in their focus on food sovereignty, which encourages nations to decide their own agricultural policies, rather than attempting to implement a predefined system to replace the current one. According to Kurasawa, cosmopolitan solidarity is best thought of as “a vast web of actors who labour to create modes of commonality and points of intersection out of

shifting, cross-cutting lines of affinity that remain grounded in local and national settings. This web takes the form of a patchwork pragmatically assembled and reassembled from the disparate and overlapping pieces, rather than a pre-established, neatly laid out and carefully followed plan” (Kurasawa, 2007: 177). He points to the Alternative Globalization Movement (AMG) to best describe what it means to engage in this type of labour, describing it as

a mosaic of horizontal and transversal struggles simultaneously waged at different scales and in numerous settings around the world (ranging from neighbourhood councils and communal land ownership initiatives to globalized movements for women’s rights and environmental protection). What commentators have described as the AGM’s swarm-like quality, then, stems from attempts to produce decentralized and pragmatic assemblages of diverse and unstable coalitions among actors who remain differently situated yet can occasionally unite or dissolve. (Kurasawa, 2007: 177)

This description seems to be fitting for La Via Campesina, which is a coalition of similarly positioned yet different individuals whose struggles for livelihood are closely linked to policies resulting from the current social and economic order, and who attempt to bear witness to injustices and provide foresight into future atrocities as a way to remedy this. In doing so, La Via Campesina often joins together with other social movements engaging in the same type of labour and “encourages collaboration, compromise and independence”, while minimizing “the risk of splintering off despite the fact that groups may not see eye to eye on everything” (Kurasawa, 2007: 182).

## Conclusion

Overall, therefore, there are both similarities and differences between La Via Campesina and FIAN. Both organizations focus on food and agriculture related issues, both focus on peasant, small farmer, and indigenous populations, and both would agree that the human right to food exists and is threatened. However, while FIAN uses the human right to food to frame their entire discourse, La Via Campesina does not, and has instead produced a discourse that is consequently less rigidly structured. There are advantages and disadvantages to both methods, and to a certain extent, it is useful to look at these two social actors as occupying different places in the field of global justice. La Via Campesina advances information on a number of different topics, using a number of different genres of discourse. FIAN focuses more narrowly on certain types of cases and the accompanying discourse has a more repetitive structure, however, in doing so it is able to focus on a higher number of cases. Further, it takes concrete action against these injustices, in the form of letter writing, which consistently advocates that governments recognize and respect the human right to food in their policy making. FIAN and La Via Campesina, therefore, are performing important tasks and like Borras argues, they are “complementary” to each other (Borras, 2008: 265). When looking at the practices of each organization through the lens of Kurasawa’s five practices of the labour of global justice, however, it is evident that La Via Campesina better fits Kurasawa’s vision of ethico-political labour. While both organizations bear witness, La Via Campesina’s discursive practices allow them to produce ‘thicker’ conceptions of solidarity, and to practice foresight, which FIAN does not. These insights into FIAN and La Via Campesina would not have been gained without first understanding the role of their discursive practices.

Chapter 4 will discuss the sociological implications of the above analyses of both

FIAN and La Via Campesina. The questions and concerns that were outlined in Chapter 1 will be revisited, and the importance of studying human rights as discursive practices will be highlighted. The broad approaches to the human right to food of both FIAN and La Via Campesina will be compared and framed in the context of their potential for meaningful social change.

## **Chapter 4: Discussion**

This chapter will be split into three parts: first, it will look again at the questions posed at the beginning of this paper; second, it will recapitulate Moyn's main ideas regarding the development of human rights organizations and their struggle between the moral and the political; third, it will summarize the differences between FIAN and La Via Campesina's discursive practices surrounding the human right to food, using Moyn's line of reasoning; and finally, it will argue that compared with FIAN, La Via Campesina's discursive use of human rights presents a less limiting political project for achieving meaningful social change.

### **The Significance of Human Rights Practices**

Having examined both FIAN and La Via Campesina's approach to the human right to food, it is important to revisit the research questions proposed at the beginning of this thesis. These questions are tied to the role of the sociology of human rights: What is the difference between approaching human rights from a sociological perspective versus a legal or philosophical one? How can rights be understood from a sociological perspective? In particular, how can we understand the human right to food? How does studying the discourse of the right to food contribute to this understanding?

As stated at the outset, a sociological perspective can contribute to the understanding of rights by ceasing to view rights as a moral question of what "should be"; instead, viewing them as a result of the practices that surround them, or as Kurasawa calls it, the "work of global justice". These practices include the actions of certain organizations that focus on the right to food and whose practices allow them to claim legitimate authority on the subject. For

FIAN, this consists in conducting research, undertaking fact-finding missions, launching campaigns, working with other NGOs, the UN and other relevant governing bodies, and using Urgent Actions to organize letter-writing campaigns and making recommendations to governments about how to reverse rights violations. Many of these practices are highly discursive, and play an equally important role in the organization's construction of the right to food. These discursive practices were examined in order to shed light on the process through which human rights are used as practices with a certain degree of potential for social change. The analyses of both FIAN and La Via Campesina have highlighted how both organizations define the right to food and violations of it, who they define as having their rights violated, who they define as responsible for these violations, who they see as responsible for reversing the violations, and how they suggest going about reversing it or preventing future violations. By looking at these elements, the differences between the two organizations have become clear. FIAN conceptualizes the human right to food in a very specific way, largely related to their structure as a human rights-based organization that uses previously defined human rights genres in their discourse. Examining FIAN's practices, however, provides only one example of how the right to food is constructed. For La Via Campesina, the right to food plays a much different role in their discourse, as it is used more rhetorically as opposed to as a central concept. Either way, examining the role of the right to food in these discourses has brought to light FIAN and La Via Campesina's broader social practices, and has illustrated the close relationship between discourse and real world practices and potential.

### **Human Rights as an Alternative Social Program**

Although certain understandings of rights have existed for many centuries, Moyn argues that the modern human rights program, which is now one of the dominant discourses for social

change, is closely linked to the social and political context of the 1970s, when it became clear that there were few alternatives for meaningful and broad scale social change. Utopian visions of the past, such as socialism, liberal capitalism, and decolonization movements, all of which had their own unique formulation of rights, eventually proved unable to solve issues of mass poverty, corruption and inequality as they had once promised (Moyn: 2010: 3-8). The rising popularity of human rights in the postwar period, therefore, represented a new possibility for solving these issues. However, it was not until the 1970s with the rise of organizations such as Amnesty International that human rights changed from a moral discourse to a concrete political program expected to solve social problems (Moyn, 2010: 121). As such, Moyn challenges the dominant narrative that human rights today still exist as a pure set of morals that have brought to light a inherent truth about humanity. Instead, he describes how they came to take the place of other, failed visions and provided a framework for human rights as social movements (Moyn, 2010: 133). Organizations like Amnesty International did this in ways that were more minimalist than visions of the past, focusing on “smaller, more manageable moral acts” (Moyn, 2010: 147), and presented a framework for a political project that could be agreed-upon by most, despite any ideological differences. With regards to food and agricultural issues, the late 70s and early 80s saw the unravelling of the postwar food regime, leading to increased disillusionment with other broader developmentalist political approaches (Friedman and McMichaels, 1989). This disillusionment created a new opportunity for a human right to food approach to take over issues of poverty and hunger.

One of Moyn’s most important points, for the purposes of understanding the differences between FIAN and La Via Campesina, is that human rights began as a moral vision that existed outside politics, but have subsequently been forced into politics. He argues that this development was the result of two factors: first, the loss of faith in the nation-state as

“the incubator for rights claims” which occurred in the postcolonial world, and second, the “desertion of the stage by alternative promises to transcend the nation state” (Moyn, 2010: 212-213). According to Moyn, the “moment that favoured pure moral visions passed” and human rights were “forced to confront the need for political agenda and programmatic vision” (Moyn, 2010: 213). Although the promise to rise above politics allowed human rights organizations to flourish in the first place, they soon faced the burden of addressing an increasing number of global problems (Moyn, 2010: 214). “Because they were born at a moment when they survived as a moral utopia when political utopias died”, Moyn argues, “human rights were compelled to define the good life and offer a plan for bringing it about precisely when they were ill-equipped by the fact of their supra political birth to do so” (Moyn, 2010: 214). This trend was propelled forward by a narrative which assimilated human rights with natural rights and represented them as a longstanding tradition (Moyn, 2010: 214), and by the Carter administration in the United States, which gave human rights power over state policy (Moyn, 2010: 216).

Over the next decade, human rights took on a new form and were used in a developmentalist program of “democracy promotion”, and the language of rights “provided a potent anti-totalitarian weapon for the first time” (Moyn, 2010: 217). Moreover, many different kinds of human rights organizations came to life at this time and began to focus on new issues and undertake different types of action (Moyn, 2010: 218), eventually taking on economic and social rights to address global issues in a space left open by other failed utopias (Moyn, 2010: 223). As such, there was a fundamental transformation of human rights from moral vision to political program, and they were “compelled to carry the same burden that had brought other ideologies low” (Moyn, 2010: 223). Those involved in the promotion of human rights, however, continued to claim that their legitimacy was a result of their transcending

politics (Moyn, 2010: 223).

One of the remaining questions that is relevant to this thesis, therefore, addresses the consequences of human rights taking on a political role to address issues of global poverty such as hunger. As Wendy Brown argues, “rights are not just defenses against social and political power but are, as an aspect of governmentality, a crucial aspect of power’s aperture. As such they are not simply rules and defenses against power, but can themselves be tactics and vehicles of governance and domination” (Brown, 2004: 459). According to Moyn, the answer of what “should” be is unclear, but given that the transformation from moral to political vision is already underway in many human rights organizations, it should at the very least occur “consciously rather than inadvertently” (Moyn, 2010: 225-226). More importantly, how do organizations such as FIAN negotiate this tension and what does this mean for their effectiveness as a remedy for hunger and poverty?

### **The Human Right to Food in FIAN’s Discourse**

As outlined on pages 29-37, FIAN emerged as an offshoot of Amnesty International and recontextualized the Urgent Action as a way to present rights violations in a clear-cut, indisputable manner. They adopted many of the same discursive techniques in the process. The discourse analysis on FIAN demonstrated this attempt to fit complex agrarian issues into a pre-existing framework that had proven successful in the realm of civil-political rights violations. Although this is consistent with Kurasawa’s insight that rights can and should be used as emancipatory tools to work towards global justice, rather than an abstract ideal, the extent to which this potential is realized depends on the practices of the organization, and more importantly, the extent to which these practices are equipped to properly diagnose and propose solutions to the existing social and political conditions. Many of the solutions

proposed by FIAN point towards agrarian reform and the recognition of land rights for peasant and indigenous groups. While these suggestions are fairly specific, they also leave a great deal of room for very substantial policy variation. Following Moyn's arguments outlined above, while FIAN maintains a stance of neutrality, and emphasizes their separation from political and ideological affiliations, they cannot avoid taking a political position in their recommendations to governments. Given that their legitimacy on the subject of human rights is derived from existing outside of politics, they engage in discursive practices that frame their policy suggestions as apolitical.

They have accomplished this by recontextualizing Amnesty International's Urgent Actions in order to clearly demonstrate the self-evident nature of their violations and solutions. In doing so, they use a different set of discursive practices to properly accommodate issues of food, water, inequality, and distribution. First of all, instead of using it as a way to bear witness to individual victims of human rights violations, they bear witness to widespread hunger and malnutrition affecting populations such as peasant farmers, smallholders, and indigenous groups. These violations are most often the result of development projects that lead to a loss of land or livelihood, repression against those who protest these conditions, failure to implement agrarian reform or land redistribution agreements, and generally poor conditions of labour that prevent peasants and small farmers from feeding themselves or their families according to standards of nutrition and cultural appropriateness. Like Amnesty International, however, FIAN most often calls upon state or federal governments to implement solutions such as Agrarian Reform programs, which recognize land rights of peasants (including the stalling of detrimental development projects), providing compensation where it is needed, and recognizing civil and political rights by limiting the power of repressive state forces and allowing for full democratic participation.

For these solutions to appear as a natural outcome of the violations at hand, FIAN clearly constructs groups of victims and violators to show that those who are responsible for causing the violation should also be held accountable for the solution. This leads to a great deal of consistency amongst FIAN's Urgent Actions. They shed light on a certain situation, provide facts and information, show how the victims in the case are unable to feed themselves, demonstrate responsibility on the part of governments, and show how the situation could be remedied with proper implementation of the right to food.

These human rights practices were revolutionary because they allowed widespread hunger and malnutrition to be framed outside of the prevailing explanations that were commonplace in the 1970s, i.e., insufficient agricultural modernization, food scarcity and the population crisis. By identifying 'violations' of the human right to food, FIAN began to frame hunger in terms of resource distribution, power and marginalization, and displacement in the name of development projects. Moreover, they contributed to the popularization of a discourse about how development could be redefined in a more equitable and just manner. In doing so, they encouraged the public to think beyond the limits of the explanations and solutions that prevailed at the time, such as the claim that hunger could be solved through technology that would yield higher quantities of food, as was argued by proponents of the Green Revolution. Additionally, by framing food as a human right, they added a moral component to the issue: that those who were responsible for realizing the human right to food had an absolute obligation to do so. Taken together, the human right to food movement seemed to eliminate possible reasons for apathy and inactivity on the part of their Western audience. The Urgent Action genre provided a new way to expose hunger related atrocities and frame them in a manner that clearly identified the violation, those responsible for it, and how it should be reversed and prevented in the future.

However, there are inherent limitations to FIAN's objectives. As Moyn points out, the legitimacy of human rights organizations is derived from their claim to be above politics, and much of their discourse is aimed at defending this assertion. Compared with La Via Campesina, FIAN's overall vision is not overtly political and they do not make nearly as many evaluative claims regarding neoliberalism and the social actors that profit from it. Instead, they start from the assumption that human dignity and the right to food are inherent human characteristics, as is outlined by previous UN documents that also claim to transcend politics. These UN documents, such as the ICESCR or the UN Declaration on the Eradication of Hunger and Malnutrition, are examples of the birth of human rights as a moral vision. While these documents do not prescribe state policy, they act as a set of ideals meant to inspire citizens and other social actors to work towards a more just world. However, as FIAN developed and began to engage in concrete practices associated with the right to food, they began to insert themselves in the realm of politics. Although their push towards agrarian reform and increased land rights for peasants leaves room for policy details, their discourse on changes that should be made, still engage with politics to a considerable extent. Although their discourse aims to frame their solutions and recommendations as apolitical, it is not always possible to maintain the appearance of neutrality, as the types of problems they are dealing with are political in nature. Further, it is likely that rights organizations like FIAN will face increased expectations to put forth such evaluations, because as Moyn demonstrates, human rights have taken on a role globally as the last utopian vision.

### **The Human Right to Food in La Via Campesina's Discourse**

La Via Campesina, on the other hand, is not a human rights organization, but an advocacy group that is more overtly political in its aims. It does not claim to be politically

neutral and therefore does not have the same constraints as FIAN. This is reflected in their discourse, which is much more evaluative, covers a wider range of topics, and is more critical of existing institutions. Therefore, they use the human right to food in a much different manner than FIAN. Rather than organizing their discourse around the concept, they use it as an ideal to strengthen their political arguments.

One of La Via Campesina's primary aims is to shed light on what they deem to be the negative outcomes of a neoliberal world system that places profit and business interests above people. They focus on formulating arguments that highlight inequality and injustice, specifically as it affects peasant farmers and indigenous populations, and advocate for social change that goes beyond established capitalist boundaries. This is not a sentiment that FIAN would likely disagree with, since the two organizations focus on such similar issues. They also claim that the right to food exists as a basic human right. They state:

Long-term food security depends on those who produce food and care for the natural environment. As the stewards of food producing resources we hold the following principles as the necessary foundation for achieving food security... **Food is a basic human right.** This right can only be realized in a system where food sovereignty is guaranteed. Food sovereignty is the right of each nation to maintain and develop its own capacity to produce its basic foods respecting cultural and productive diversity. We have the right to produce our own food in our own territory. Food sovereignty is a precondition to genuine food security. (La Via Campesina 1996, quoted from Patel, 2009: 665)

While they clearly support the human right to food, La Via Campesina does not use Urgent Actions, nor do they exclusively identify problems as rights violations or deem certain parties the violator. While some issues are occasionally identified as rights violations, this is not always the case, and the right to food is not given priority over other rights. While human rights are the entire basis of FIAN's discourse, La Via Campesina identifies them as only one area of focus out of many, rather than an orienting perspective.

Instead of the right to food, the concept of food sovereignty organizes La Via Campesina's discourse and practices. Patel argues that food sovereignty is a necessary precondition to food security (Patel, 2009: 665). La Via Campesina describes it as "the right of peoples to healthy and culturally appropriate food produced through sustainable methods and their right to define their own food and agriculture systems" ("What is La Via Campesina?", <http://viacampesina.org/en/index.php/organisation-mainmenu-44/what-is-la-via-campesina-mainmenu-45>). Rosset explains that,

Under food sovereignty, and in contrast to the 'one size fits all' proposals of the World Trade Organization (WTO), every country and people is deemed to have the right to establish its own policies concerning its food and agriculture system, as long as those policies do not hurt third countries as has been the case when major agroexport powers dump foodstuffs in the markets of other countries at prices below the cost of production, thus driving local farmers out of business. Food sovereignty would allow countries to protect their domestic markets against such practices. (Rosset, 2008: 1)

There are certain parallels between food sovereignty and the human right to food; for instance, both emphasize healthy and culturally appropriate food and the use of sustainable

agricultural methods. However, food sovereignty's emphasis on the right to define one's own food and agricultural system is an important difference, and reflects many of the characteristics found in La Via Campesina's discourse. While FIAN attempts to promote previously decided upon solutions that respect the right to food, La Via Campesina leaves their solutions slightly more open-ended. The problems and solutions they propose are not primarily concerned with identifying hunger and malnutrition as human rights violations, but instead problematize a wide variety of issues that affect peasants. Much of their discourse involves giving peasants a voice to speak about these issues and play an active role in creating solutions, rather than having an organization speak out against injustices and advocate solutions on their behalf.

Compared with FIAN, therefore, La Via Campesina is less limited as a political project, because their ability to work towards global justice is not dependent on their separation from political and ideological affiliations. Instead, their legitimacy comes from the unity of different people and perspectives joining together to fight for their common interests. Although the statements they make are much more evaluative than FIAN's, their solutions are relatively fluid and open-ended. They are not pre-defined solutions that are decided upon by an International Secretariat, but leave room for ordinary citizens to have a voice in the processes of social change. It is for these reasons that food sovereignty is such a significant concept in La Via Campesina's discourse; they believe that policy should not be dictated by outside forces. Although they do not claim to transcend politics and they do operate with a political program in mind, the structure of their organization and discourse is more compatible with the realization of human rights, as it acts as a mechanism to help its members work towards their interests. It is also more compatible with meaningful social change.

## **New Rights Advocacy and the Labour of Global Justice**

Looking at these two organizations has illustrated that there are a variety of ways to frame problems of hunger, malnutrition, poverty, food security, human rights, and inequality. Whether as a human rights organization or a different type of advocacy group, there are many practices associated with working towards global justice. To illustrate how the broad practices of an organization are closely tied to their discursive practices, I have drawn on Kurasawa's five practices of global justice. These five categories, which are outlined in detail in Chapter 1, are a useful way of characterizing the similarities and differences between FIAN and La Via Campesina.

The two organizations could also be seen as being a part of what Nelson and Dorsey refer to as New Rights Advocacy. New Rights Advocacy is characterized as a "global public domain" where decisions are made using a full spectrum of rights which, unlike the civil and political rights advocacy of the past, includes social and economic rights as well (Nelson and Dorsey, 2007: 188). Like Kurasawa's concept of the labour of global justice, New Rights Advocacy does not merely strive towards increased recognition of social and economic rights as ideals, but uses rights as tools to achieve certain objectives. In recent decades, there has been "a dramatic increase in the application of human rights standards and strategies to economic, social and development policy issues" (Nelson and Dorsey, 2007: 188). FIAN and La Via Campesina are both a part of this New Rights Advocacy, as both push for the recognition of ESC rights in their discourse, and strive for these types of rights to become a universally accepted standard in activism and policy. New Rights Advocacy, as well as Kurasawa's labour of global justice provide two similar conceptualizations of the work of non-government organizations and advocacy groups, and both can be used to analyze the

practices of FIAN and La Via Campesina. These concepts will be used to illustrate that in both cases, La Via Campesina presents a political project that allows for what Kurasawa calls a ‘thicker’ conception of global justice (Kurasawa, 2007:14). There are four interrelated ways that this is accomplished: by fostering cosmopolitan solidarity to a greater degree than FIAN, by engaging in foresight while FIAN does not, by posing a greater challenge to the dominant ‘market-development’ framework, by going further in establishing a different standard of accountability for failure to meet internationally recognized economic and social rights, and by engaging with a broader range of issues and forging more diverse partnerships with the rest of civil society.

### **1. Cosmopolitan Solidarity**

Kurasawa defines the act of fostering solidarity as “developing a kind of togetherness that celebrates difference, and does not just rely on cultural homogeneity” (Kurasawa, 2007: 158), and La Via Campesina’s discourse illustrates that their perspective encourages more diversity and difference in ways that FIAN does not. While FIAN consistently suggests the same types of solutions, La Via Campesina focuses on exposing the nature of the problems so that ordinary citizens can decide for themselves what action must be taken. Therefore, La Via Campesina leaves the space for social action more open-ended, and allows for greater diversity of opinion. Following Moyn, this difference can be explained by the increasing expectation of human rights organizations like FIAN to translate their utopian vision into concrete policy. This presents limitations for rights-based organizations whose discourse uses human rights as an organizing concept. David Kennedy points out that when human rights organizations attempt to fit complex problems into pre-set solutions, it often results in the narrowing or limiting the range of problems and solutions. He also argues that human rights

discourse attempts to fit individuals into narrow categories such as ‘victim’, and ‘violation’, which rids situations of their diversity by approaching it with a ‘one-size-fits-all’ mentality (Kennedy, 2004: 13). As the discourse analysis illustrated, this allowed FIAN to point towards certain policy changes in most of their Urgent Actions. In addition, Kennedy states that,

As an emancipatory vocabulary, [human rights] offers answers rather than questions, answers which are not only outside political, ideological, and cultural differences, but also beyond the human experience of specificity, against the human capacity to hope for more, and in denial of the tawdry and uncertain quality of what we know and dream about justice and injustice. (Kennedy, 2004: 14)

As a result, human rights discourse encourages us to think of good and evil in abstract terms, which Kennedy argues is limiting for victims and violators (Kennedy, 2004: 14). By contrast, La Via Campesina attempts to empower marginalized members of society to unite despite their differences and work towards solutions by first acknowledging certain truths about the current social and economic system. This is more representative of Kurasawa’s notion of cosmopolitan solidarity, which opposes the notion that equality necessarily leads to cultural homogeneity. La Via Campesina’s discourse on rights states that human rights apply to all, regardless of cultural differences. Nonetheless, it fosters cosmopolitan solidarity to a greater degree.

## **2. Foresight**

As a political project that uses human rights as moral rhetoric, La Via Campesina also

engages in foresight, which Kurasawa defines as a practice whereby “numerous associative groups in national and global civil societies are simultaneously creating and putting into practice a sense of responsibility for the future by attempting to anticipate and avoid severe and structurally based injustices and crises” (Kurasawa, 2007: 97). There are five interrelated tasks involved in building foresight: public opinion and will formation, the dissemination of information, warning citizens of looming catastrophes, lobbying states and multilateral organizations from the ‘inside’ and pressuring them from the ‘outside’, and fostering debate about how to stop or prevent these future crises (Kurasawa, 2007: 97). While parts of FIAN’s discourse does attempt to form public opinion and put forth information, much of their work is related to convincing the public of the existence and importance of the human right to food. This is done by framing problems of hunger and poverty as self-evident rights violations with victims and violators, followed naturally by certain suggested solutions on the part of the state. Therefore, while they engage in politics by making certain recommendations, when it comes to foresight, FIAN can only advance its moral vision of human rights, and consequently cannot engage in criticism of the current social and economic order. By contrast, La Via Campesina does engage in such criticism, and in doing so it advances a social vision that has predictive value, thereby engaging in foresight. Much of their work is devoted to convincing the general public as well as a number of institutions that are relevant to the field of agriculture, of the likely outcomes of current policies, and proposing alternative solutions. For instance, one of their cases outlines the problem of ownership of genetic resources in response to negotiations by a Contact Group in Italy in 2001. In the article, they outline the many reasons why “crop genetic resources should be freely shared amongst farmers and countries” (LVC, 2001a). This type of discourse illustrates that La Via Campesina is not interested in waiting until problems related to ownership of genetic resources occur to take action; instead,

it predicts problems before they occur and attempts to bring attention to possible solutions. Rights are used not as a way to frame events that have already occurred as violations, but as a way to strengthen the discourse by adding an instantly recognizable, universally applicable, ethical component.

### **3. A Challenge to the Market Development Framework**

Nelson and Dorsey argue that organizations involved in New Rights Advocacy pose a challenge to the dominant market-development framework. La Via Campesina is arguably more successful at achieving this, while FIAN, on the other hand, promotes agrarian reform as a solution while leaving the details of its implementation in the hands of the state. In many human rights organizations, whether the violation is the result of actions of the state or another type of institution, such as a bank, the state is most often responsible for the solution (Kennedy, 2004: 10-11). This is readily apparent in FIAN's right to food discourse. Kennedy observes that human rights strengthen the state despite being sceptical of it, promoting the idea that "to be free is... to have an appropriately organized state" (Kennedy, 2004: 16), and as Brown argues, this provides human rights with "a particular form of political power carrying a particular image of justice" (Brown, 2004: 453). While these issues that Kennedy identified are relevant to all human rights, they seem to be exacerbated in regards to social and economic rights. The human right to food, for instance, is significantly different from the civil and political rights that were primarily advocated by Amnesty International when FIAN started off as an organization. Pressuring a government to cease the act of torture or provide a fair trial for an incarcerated individual involves pressuring a state to adhere to a legal structure that, while not always enforced, often already exists at the institutional level in liberal societies, and thus is more or less agreed upon by the international community. However, to

pressure a state to enforce the human right to food is potentially to demand the creation of a whole new social regime. As Moyn suggests, it is difficult to say whether human rights organizations like FIAN should be the ones to dictate what this new social regime should look like, when their legitimacy is derived from their being outside of politics. La Via Campesina, however, is clearly a political project, and its grassroots structure means that it is better equipped to take on this sort of task.

Further, as a result of there being less of a requirement to carefully negotiate this tension between being a moral vision as well as a political project, La Via Campesina, as an explicit political movement, is able to look beyond the market-framework by restricting the influence of powerful governments and institutions that benefit from this framework. Nelson and Dorsey observe that rather than drawing on such institutions for help, organizations engaged in New Rights Advocacy are often highly critical of them. Although both FIAN and La Via Campesina attempt to assign accountability for failure to meet these international standards, La Via Campesina attempts to curb involvement from international organizations such as the World Trade Organization, rather than using them as part of the solution. Part of La Via Campesina's discourse, for instance, involves directly critiquing the World Organization, World Bank, IMF, United Nations, and state governments. They often claim that these organizations are directly profiting from current agricultural policies, that they are directly responsible for human rights violations, and that they should therefore be taken "out of agriculture" (LVC, 2003a). Therefore, they include such organizations in their overall critique of the "market-led" agricultural system and encourage bottom-up solutions that come from farmers and regular citizens, rather than top-down solutions that come from organizations who are seen as profiting from current agricultural policy.

Nelson and Dorsey also point out that New Rights Advocacy involves a "broad range

of issues and diverse political arenas (national and international), “targets” (inter-governmental, governmental, and corporate), and partnerships (among environmental, developmental, human rights, women, indigenous and children’s advocacy organizations)” (Nelson and Dorsey, 2007: 197). A great deal of La Via Campesina’s practices are related to intellectual property rights, genetically modified materials, environmental issues, workers rights issues, food sovereignty, and broad neoliberal policies. Their solutions are more diverse and are not aimed solely at agrarian reform that is left in the hands of the state. In addition, they are more flexible than FIAN on the style of genre used to convey their messages, giving the impression that their goal is less about sticking closely to a previously defined rights-based framework, and are more focused on communicating through whichever means necessary.

#### **4. Meaningful Change**

Owing to its discursive attempts to represent the complexity of reality, La Via Campesina presents a more useful political project geared towards meaningful social change. The above points have outlined the ways in which FIAN’s discursive structure leads to the narrowing of solutions, while La Via Campesina’s discourse lends itself to the imagining of a wider array of solutions. Claire Moon brings to light another way that human rights can prevent meaningful change; specifically, in their deliberate attempt to represent the world in an objective, unbiased way. She points out that by relying on a legal paradigm, statistics, and testimonials to frame human rights violations, social context is removed and devalued. This occurs in three ways. First, it draws attention away from social and political issues, portraying violence as incomprehensible and devoid of meaning. Second, it obscures the fact that violations are the symptoms, rather than the cause, of profound and enduring social inequality

and injustice. Third, human rights organizations often result in action without understanding, by encouraging audiences to act before it is too late (Moon, 2012: 885). She claims that this generic style of representation leads to helplessness, as it promotes the view that such atrocities have always occurred and are unlikely to change (Moon, 2012: 886).

In addition, human rights advocacy does not take into account certain complexities or alternative perspectives and discourses, which makes “other valuable, often more valuable, emancipatory strategies less available”, and “crowds out other ways of understanding harm and recompense” (Kennedy, 2004: 9). Brown makes a similar argument, claiming that human rights will become a tactic of power, rather than against it, if it “displaces, competes with, refuses, or rejects other political projects” (Brown, 2004: 453). Kennedy argues that there are more effective ways to solve these problems than with human rights alone, stating, “if we compare modes of governance in other fields we find a variety of more successful models – a standards-based environmental regime, an economic law regime embedded in private law, and so forth” (Kennedy, 2004: 30). In addition, he claims that “even within international law, the modes of possible governance are far broader than those most familiar to human rights professionals” (Kennedy, 2004: 30), as international law and human rights have a tendency to treat “only the tips of icebergs” (Kennedy, 2004: 32). He argues that legal amendments are not always likely to provide meaningful social change, citing the example that simply holding elections, or granting people the ‘right to vote’ does not necessarily ensure popular political engagement (Kennedy, 2004: 12). At its core, many of the issues that FIAN and other similar organizations deal with are political and economic issues that are closely linked with development, and Kennedy raises the question of whether a single human rights discourse can provide adequate solutions to such complexities (Kennedy, 2004: 10). Based on his points regarding the limitations of human rights discourse, especially in the context of how it deals

with issues of hunger and starvation, the response appears to be that it cannot adequately deal with the large-scale complexities of global development. This is not to say that “New Rights Advocacy” as a broad movement, is not equipped to handle such complexities. However, it is important to differentiate between particular types of organizations that can claim to be part of this movement, and more importantly, the unique practices they employ, which have real outcomes, both positive and negative.

Looking at the discourse of FIAN and La Via Campesina, therefore, illustrates the limitations of human rights as a political project aimed at addressing wide scale global poverty and associated issues like hunger and malnutrition. Further, its self-presentation as an antipolitics that aims to respect basic human rights is misleading because the solutions they give are political in nature. Their legitimacy, however, is derived from their so-called neutrality or being outside the realm of politics. Moreover, as human rights are increasingly inserted into social policy, they cast aside alternative discourses that may be more fruitful. They can, however, play a role for individuals, helping them to become aware of their interests and act on these interests as part of the overall decision-making process of their society. They are able to provide a language of emancipation, autonomy and dignity that has the potential to help individuals recognize that their nationality, ethnicity, class, sexuality, or gender does not require them to accept injustice as a way of life. They provide a way of looking at issues such as food that provides a moral argument for inclusivity and universality, which is much needed in the context of global inequality. As Moyn argues, they can take on a minimalist role in the prevention of catastrophes by relying on ethical norms, rather than overextending itself with a maximalist political vision (Moyn, 2010: 226). Nevertheless, it is essential to recognize the limitations of looking at issues surrounding food, inequality and poverty through a strictly human rights based framework that has been adapted from the civil

and political rights models of the past. The right to food in particular has illustrated the potential for meaningful social change that can be found in modern advocacy and human rights discourse. It is important, however, to evaluate the lasting effects of the practices of organizations such as FIAN and La Via Campesina, as doing so demonstrates that although both organizations utilize “the human right to food” in their discourse, they effect change in very different ways.

The next chapter provides some concluding statements on the implications of these findings, identifies possible limitations of the research provided, and suggests areas for future research on the subject.

## Conclusion

One of the conclusions to be drawn from the research is that a human rights based organization like FIAN is significantly more constrained in its approach to global justice when compared with an organization such as La Via Campesina that uses human rights as a rhetorical device to support its political vision. Although both organizations deploy human rights as a tool to achieve their own particular visions of global justice, La Via Campesina is more closely aligned with what Kurasawa calls the work of global justice, and resembles Nelson and Dorsey's description of New Rights Advocacy.

The differences between FIAN and La Via Campesina are reflected in their discursive practices. FIAN is centered around the human right to feed oneself, a concept that has been developed over decades of human rights literature in the UN. A significant part of FIAN's discourse recontextualizes issues of hunger, poverty, and landlessness into Amnesty International's Urgent Action genre, which identifies a violation and provides a solution leading to remedy or restitution. In order to achieve this, complex issues are simplified and solutions essentially consist of the same thing: the need for state governments to implement agrarian reform policies, return land to peasants and generally ensure that the human right to food is respected. The problem, however, arises when an organization that gains its legitimacy from being apolitical becomes involved in attempting to direct state policy, as is the case with FIAN. More broadly, the tension between neutrality and efficacy that leads FIAN towards policy advocacy is arguably prevalent in human rights organizations, and perhaps points to the inherent limitation of human rights based organizations that organize their entire discourse around the idea of human rights.

La Via Campesina does not have the same limitations. Its discourse is not centered on human rights, and it is instead relatively free to structure its discourse in different ways. The organization does not claim to transcend politics, so it is able to be explicitly political and highly evaluative in its assessment of the current social and economic order. When it comes to solutions, it encourages citizens to be involved in decision-making processes. La Via Campesina does not attempt to neutralize its belief system, and its solutions appear to work towards an overcoming of the neoliberal social structure. While human rights are part of their discourse, they are used mainly for rhetorical purposes to strengthen their ethical arguments. Therefore, examining La Via Campesina's discourse suggests that human rights organizations like FIAN are not the most promising method for achieving global justice. As Wendy Brown states,

If the global problem today is defined as terrible human suffering consequent to limited individual rights against abusive state powers, then human rights may be the best tactic against this problem. But if it is diagnosed as the relatively unchecked globalization of capital, postcolonial political deformations, and superpower imperialism combining to disenfranchise peoples in many parts of the first, second and third worlds from the prospects of self-governance to a degree historically unparalleled in modernity, other kinds of political projects, including other international justice projects, may offer a more appropriate and far-reaching remedy for injustice defined as suffering *and* as systematic disenfranchisement from collaborative self-governance. (Brown, 2004: 461-62)

Although there are many limitations inherent to human rights-based organizations,

human rights as concepts and the practices through which these concepts are sustained (for instance, documenting abuses, mobilizing international opinion) are still essential components in the global justice landscape. They serve to strengthen the organization's persuasive power by providing concrete, morally compelling ideals that are generally recognized and accepted, and which apply to all human beings. Further, human rights, when used by organizations like La Via Campesina still carry certain connotations and expectations about how they are to be implemented; they are not just rhetoric. Organizations like La Via Campesina, which use human rights as a way of struggling for the implementation of specific social relations to which all humans are equally entitled, provide a broader approach to global justice. This broad approach is not limited by the confines of strict human rights discourse, and offers a paradigm that frames problems in a way that highlights their complexity and is more open-ended.

### **Methodological Considerations**

While a discursive analysis has been instrumental in the overall aim of this thesis to better understand the social nature of human rights, there are several methodological considerations that should be outlined. The first of these limitations is related to the difficulty of accessing some of the documents used for the discourse analysis. La Via Campesina's documents, found on their web site, were only available from the year 2000 onwards, and were unavailable for 2005. As such, the information gained from their documents more closely reflected these years. Having access to the entire range documents would have shown the development of the organization and whether there had been changes in their discourse, particularly as they started collaborating with FIAN in the late 90s. Similarly, FIAN's Urgent Actions from the years 1989 to 2002 were found in Annual Reports provided by the

International Secretariat, however, some of the years were missing, and others contained only a small number of brief Urgent Actions. Therefore, while all of the available documentation was used in the discourse analyses, there were missing documents that could have contributed to a slightly more accurate representation of the discourses of FIAN and La Via Campesina. The discursive patterns found in both FIAN and La Via Campesina's documents, however, suggest that the same trends would have been present had all of the documents been available.

As a result of looking at the Urgent Action as the only measure of FIAN's practices, their other practices were not included in the analysis. FIAN engages in a variety of other actions, including seminars and education, working with the FAO, and conducting their own research, none of which were analyzed as separate sets of practices. Overall, the corpus of documents was small, and this should be considered as a possible limitation of the research. However, time and study size were also limited, and the Urgent Actions proved to be a fruitful object of analysis. They contained the information that was pertinent to my research questions about how meaning was constructed regarding rights violations and solutions to these violations. The Annual Reports, which highlighted most of their significant practices over the course of a year, were used as a starting point for this research, and they enabled me to select the Urgent Action as the best source for gathering the information I sought.

Finally, it is important to note that this thesis did not look at the United Nations Food and Agriculture Organisation (FAO), the developments in the Committee on Economic, Social and Cultural Rights of the UN, nor the work of the Special Rapporteurs on the Human Right to Food, all of which are crucial sites for the development of the human right to food; doing so likely would have yielded important insights. Again, given the limits of time and the size of this project, focusing on two contrasting non-governmental organizations proved to be appropriate for the task at hand. Given that my main research objective was to explore how

two organizations broadly working in the same area could use the human right to food differently in their discourse, looking at the UN was not an essential part of this undertaking.

Overall, the results of this research can provide insight into non-governmental advocacy organizations, and the importance of their social practices. More specifically, it is a stepping stone to understanding human rights organizations as well as those that fall under the broad category of the Alternative Globalization Movement, and highlights the constraints of approaching global justice from a strictly human rights perspective.

### **Areas of Future Research**

The research and conclusions outlined above highlight many new questions that may be addressed in future sociological research, and demonstrates what can be gained by studying social practices, including, in this case, discursive practices. As Fairclough points out, studying social practices provides a way of looking empirically at social structure (Fairclough, 2010: 23). As society continues to change in the coming decades, and as it becomes increasingly crucial to define and work towards global justice, it will be essential to understand the practices of a diverse range of social actors. Future research should therefore continue to study the practices of NGOs and other social actors in order to more clearly understand and evaluate prospects for change. It would also be beneficial to look in more detail at FIAN and other human rights-based organizations, to further pursue the question of how they manage the tension between morality and politics. Not every human rights organization practices global justice in the same way as FIAN does, especially when focusing on different types of human rights, and it would be interesting to examine how different organizations insert themselves into the realm of politics; what their policy recommendations

are, who they are directed to, and to what degree do the solutions they promote call into question the current social and economic system. Although Hopgood (2006) has already begun this task in the case of Amnesty International, it would be important to document the extent to which the discursive practices of mainstream human rights organizations have been changed as a result of including Economic, Cultural and Social human rights in their mandate. How will human rights organizations develop in coming decades? Will they continue to present themselves as ideologically neutral, or will they attach themselves to political ideals as so many non-human rights organizations do? How will human rights as concepts be used to support their discourse and practices? These are pressing questions that are important to address in order to better understand what sort of possibilities exist in using human rights in order to achieve long lasting social change. We can perhaps get a better sense of this studying human rights sociologically, as structured practices, rather than as philosophical ideals or legal concepts.

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