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### Deprived From Right to Food

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## **Deprived From Right to Food**

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1<sup>st</sup> place winner of KCL Human Rights Society Competition, “One Country One Abuse”

*Bolivia is a country under the abuse of a basic human right. Poorer Bolivians have a diminished access to their food staple – quinoa, the nutritious crop largely appreciated by health conscious people in other countries around the world. The demand for quinoa abroad has increased, which has increased its price. This has left the poorer Bolivians without access to the food product. The issue is presented through economic and legal points of view. In discussion, these views are brought to direct contact due to a clash, which is of interest for both discussion and evaluation. The case is remarkable because the solution is ambiguous: should people other than Bolivians stop consuming quinoa in order to restore the situation to such that all Bolivians can afford quinoa again? In general, the article puts forth that the human right to food should prevail over the economic gain. However, in practice, this proves to be a challenge against which appropriate measures should be taken.*

### **Introduction**

Often, people from more developed countries take food for granted. We simply go shopping at our local supermarket, food market, food store... the variety of options is endless. The locations for shopping food are conveniently in our reach, so therefore we need but make the effort of travelling from A (any location) to B (the location of available food). The supermarkets offer an abundance of food – fresh fruit and vegetables, processed foods, dairy, meat... and again the list is endless with an infinite variety of non-durable goods to meet our infinite wants of food. But what if suddenly our easy and convenient access to affordable food diminished or even perished?

Much attention is paid to the quality of food and indeed, many of us have undertaken the mission of eating a healthy and varied diet, often to complement our efforts at the gym with one goal – to look and to feel good. Money is not an issue since the price tag is but a number amongst the other expenditures in our lives. A food product that has gained popularity among health-conscious people

in much of the Western world is a grain native to the Andes – quinoa. For a long time, it has held the position of a food staple in the region, feeding and nourishing the people. The grain is a true super food that many health enthusiasts value.

Bolivia is country to which quinoa is staple.<sup>1</sup> Due to quinoa's nutritional value, the demand for it by countries other than Bolivia has grown. The increase in demand has resulted in a greater production of quinoa and export abroad. Producers are able to make a greater revenue by selling quinoa abroad where consumers are willing and able to buy the product even at the inflated price. While the increased demand for quinoa allows Bolivian producers to realize unused potential, it ironically undermines a basic human right, which is that of food.<sup>2</sup> While demand increases, so do prices, and the price of quinoa has increased to such an extent that some Bolivians can no longer afford their food staple.<sup>3</sup>

This article aims to analyse and discuss this issue – the conflict between economics and human rights. In order to do so, the article will introduce the economic and legal facts to form the basis for discussion and evaluation. The goal is not to find a solution, since the matter is difficult and vast, but to rather offer a new perspective to what many of us consider such a basic and mundane right – food. In fact, food might actually begin to seem more like a privilege as the issue is explored further. This article attempts to raise awareness of this growing issue.

The Bolivian quinoa situation results in a breach of a human right. A question that comes already in mind is, on what basis can people be deprived from the right to food? Moreover, who has the right to do so?

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<sup>1</sup> Sherwin, Adam. "The food fad that's starving Bolivia." *The Independent* 23 September 2015: A4. *The Independent* Web. 10 October 2015.

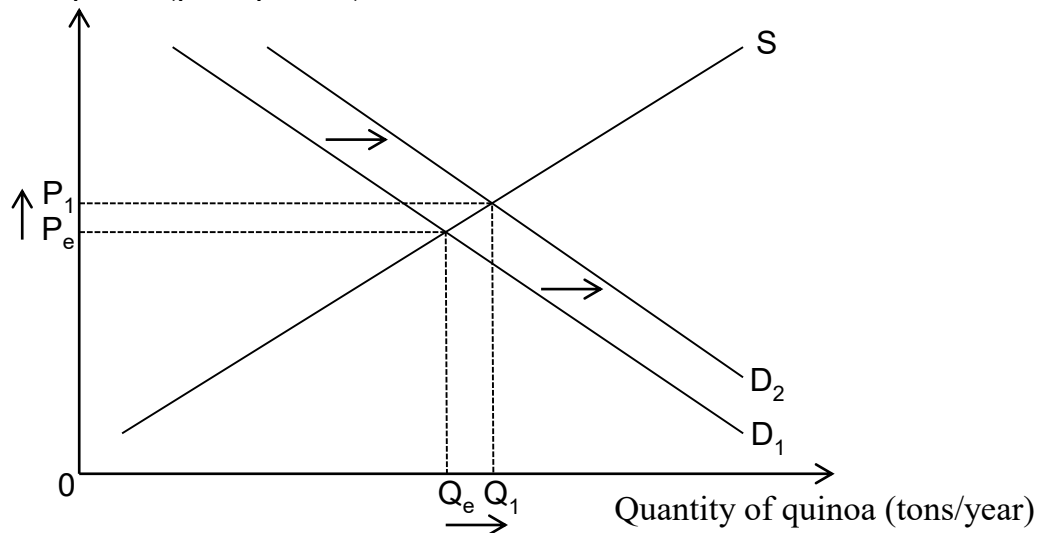
<sup>2</sup> UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III), available at: <http://www.refworld.org/docid/3ae6b3712c.html> [accessed 10 October 2015]

<sup>3</sup> Blythman, Joanna. "Can vegans stomach the unpalatable truth about quinoa?" *The Guardian* 16 January 2013: A4. *The Guardian* Web. 10 October 2015.

## Economic Facts

### **Diagram 1. An increase in demand for quinoa resulting in an increase in the price of quinoa as well as quantity produced of it.**

Price of quinoa (price per ton)



The premise for analysis and discussion is a diagrammatical illustration of the economics behind the situation. For this, a demand and supply diagram is employed. Diagram 1.<sup>4</sup> shows how the increase in demand for quinoa results in an increase in price of quinoa as well as the quantity produced of quinoa.

Firstly, more quinoa is demanded as a result of consumers' tastes and preferences. More people become interested in quinoa for its health effects, which correlates to an increase in the demand for it. Any knowledgeable and profit-oriented producer would realise this opportunity to make money. It seems that the consumers are willing and able to purchase quinoa, no matter its price. One could argue that in this case, consumers value quinoa more than their concerns of price. Therefore, more quinoa should be produced in order to meet the consumers' demand and to benefit monetarily on the demand.

The demand for and supply of quinoa is at equilibrium at  $P_e Q_e$  (price and quantity equilibrium) where the demand and supply are equal (diagrammatically,  $D_1$  and  $S$  intersect). This is the point where consumption and production meet: the  $Q_e$  number of tons per year of quinoa produced is

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<sup>4</sup> diagram made by myself on Microsoft PowerPoint. Idea for creating diagram obtained from: Blink, J. and Dorton, I. 2011. "IB Diploma Programme: Economics Course Companion, 2<sup>nd</sup> edition". Oxford University Press, p. 36.

bought by the consumers at the price of  $P_e$  per ton. This is the price to consumers are willing to pay for the given quantity. At this point, both the consumers and producers are satisfied.

The new equilibrium of  $P_1Q_1$  arises as a result of an increase in demand for quinoa. To be able to supply to the increased demand (and to avoid the situation of excess demand where the demand of quinoa would exceed the supply of it), the producers increase the scale of production by producing more quinoa. Subsequently, they also increase the price for amongst others a few reasons: they realize the potential to make more money due to consumers' strong interest on the product and also in order to produce more, the producers face higher costs of production, such as having to employ more quinoa harvesters. So, more quinoa is produced and the price is higher than before. The producers make an extra revenue of  $Q_eQ_1 \times P_eP_1$ , which makes them better off in this situation. The producers and affluent consumers in other countries are satisfied. But what happens to the less affluent Bolivian consumers to whom quinoa is a food staple?

### **Legal Facts**

As a short and simplified answer to the question concluding the previous paragraph, the increased demand for quinoa and consequently its increased price result in an abuse of a human right. This might sound surprising and indeed somewhat counterintuitive from the point of view of someone to whom food is always available. The right to food is outlined in Article 25 of The Universal Declaration of Human Rights (1948).<sup>5</sup> It states, "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control." Moreover, Article 11 of the 1966 International Covenant on Economic, Social and Cultural Rights<sup>6</sup> states the same rights for the individual, also expanding on the notion.

... The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation

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<sup>5</sup> UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III), available at: <http://www.refworld.org/docid/3ae6b3712c.html> [accessed 10 October 2015]

<sup>6</sup> UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3, available at: <http://www.refworld.org/docid/3ae6b36c0.html> [accessed 30 October 2015]

based on free consent. 2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed: (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources; (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.<sup>7</sup>

Bolivia is a signatory in both the Declaration and the Covenant.

For the purpose of further analysis and discussion, the most relevant ideas will be extrapolated. In this way, it can be summarized that every individual has the right to a standard of living that meets their basic needs of food. The States Parties have a duty to uphold this right and in doing so, can also work in international cooperation to meet the requirement if they are unable to manage by themselves. The right to be free of hunger is a fundamental right and hence, the states cannot trade off equitable distribution of food among their peoples for an economic benefit.

The summary of important ideas from the articles shows how in the real life case, Bolivia seems to risk equitable distribution of quinoa because they are able to make revenue on the food product. However, the trade-off is clearly in breach of the human right. Joanna Blythman comments, “The appetite of countries such as ours for this grain has pushed up prices to such an extent that poorer people in [Peru and] Bolivia, for whom it was once a nourishing food staple, can no longer afford to eat it. Imported junk food is cheaper.” This indicates that the poorer Bolivians’ right to food and adequate standard of living is breached by depriving them from a food ingredient, which is a rudimental part of their customs and traditions. Instead, they are left with an alternative of relying on cheaper, but unhealthy food. What is the extent to which Bolivia or the other trading countries are accountable for this breach, and is the breach truly significant to the lives of Bolivians?

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<sup>7</sup> ICCPR 1996, Art. 11.

## **Discussion**

At this stage, the perspectives of economic gain and breach of a human right are brought to direct contact due to an obvious clash. The economic gain seems to contradict the accessibility to reasonably priced food among some Bolivians. On one hand, the economic gain is justified since the increased price only excludes a certain number of Bolivians from access to quinoa, not necessarily all Bolivians. On the other hand, Article 25 expresses the idea that “everyone has the right...”, which includes the entire Bolivian population. On this basis, I make the argument that the human rights of the poorer Bolivians are indeed breached. To balance the argument, I consider some opposing views. Even though the outcome of the discussion is likely to depend on whether one prefers to take an economic perspective or more of a humanity view, it is stimulating to observe how two disciplines can clash starkly. After all, economics and law are tightly connected to one another in many areas. For the discussion, my aim is to take the viewpoint of human rights. Despite my passion and background in economics, I find it interesting to assess the issue through a discipline, which is rather new and still vastly unknown to me.

The new equilibrium point, as illustrated in the diagram, symbolizes the breach of the human rights. The increased price of quinoa makes it difficult for the poorer Bolivian population to access their food staple. Is this just and right? In my opinion, this is unjust, but I will admit that I can also appreciate the producers' perspective concerning the realization of unused potential in the economy. It is economically prudent to harness the production of a food product that greatly stimulates agricultural production and the export sector of the economy.

How can one justify the deprivation of a right with the prospect of making more money? From a human rights perspective, it is questionable to undermine the right to affordable food in exchange for an increase in export revenue, even though the increase in export revenue can correlate with a potentially better standard of living, at least for some. Smita Narula makes an interesting point, which sheds some light to the issue “Financial downturns and rising food prices are putting food beyond the economic reach of the poor (FAO et al., 2014). Corporate and financial actors continue to exert immense influence over the production, pricing, and distribution of food (ETC Group, 2013; Clapp and Mooney, this issue), while small-scale farmers and agricultural labourers remain among the most food insecure – a fact that brings to light the deep imbalance of power in a

fundamentally flawed food system.”<sup>8</sup> This correlates strongly to the situation that the poorer Bolivian population faces. What remains unclear is why an economic gain should outweigh the right to accessible food. Is it not in the government’s best interest to secure accessibility to affordable food among its people and to thus ensure the human right of food?

When discussing the issue with a friend of mine, we ran into the question whether it actually matters that some Bolivians cannot access quinoa. Can they not substitute quinoa for rice or pasta or something else that has nutritional value? Then the following occurred to us: what if Italian pasta became the new health boom and suddenly most Italian pasta were exported outside of Italy? Whatever pasta would be left in Italy, would only be affordable and accessible to rich Italians. Although the thought sounds funny, it bears some merit. Just like Italians are accustomed to pasta and so their diet and lifestyle revolves around it, Bolivians must treat quinoa in quite a similar way. Hence, another perspective to the dilemma is traditions and customs. In UK Constitutional Law, one source of the constitution are conventions.<sup>9</sup> This fact comes out of context, but it bears some relevance to the point I am making. In fact, I believe Bolivians have the right to accessible quinoa because it is a fundamental food in their cultural heritage, much like conventions are a fundamental source of the UK constitution. This source of Constitution is often contested and debated, but still it remains as a legitimate source of the Constitution. On this basis, why should quinoa not remain a fundamental food right to Bolivians even though it can be argued that the food product should be traded to other countries to make more revenue?

Finally, a considerable question is also whether we should stop buying exported quinoa? The effect would be two-sided: on one hand, it might help restore the repercussions of the human right breach, but on the other hand, it might adversely affect the economy, which could leave many more Bolivians worse off. There appears to be no straightforward and plain solution. Our consumer tastes and preferences contribute to the deprivation of the right to food, but then again, if we were to consume more morally, we might end up causing even further damage. Another question that arises is whether a decrease in demand for exported quinoa would actually facilitate the reparation of the poorer Bolivians’ food status or whether their right to food would still remain under breach. In my opinion, we should not stop buying exported quinoa; however, we must be aware of the implications of our purchases. Perhaps we could consider buying less, which potentially could lower the price of quinoa in accordance with the law of demand. In addition, other countries might

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<sup>8</sup> Narula, Smita. "The right to food: Progress and pitfalls." *Canadian Food Studies/La Revue canadienne des études sur l'alimentation* 2.2 (2015): 41-51.

<sup>9</sup> Bradley A W, Ewing K D, Knight C J S. 2015. "Constitutional & Administrative Law, 16<sup>th</sup> edition". (Pearson Education Limited), p. 18-19.



consider the prospect of aiding Bolivia with assuring every Bolivian's access to affordable quinoa as part of international cooperation. However, this must be easier said than done and other countries' involvement can carry both affirmative as well as adverse effects.

### **Evaluation**

We know the facts and we have seen how economics and law apply to them. Furthermore, the clash between the disciplines has been discussed and questions have been posed. At this stage, it is interesting to advance into evaluation.

Different sources seem to offer refuting opinions about the issue of the increased demand for quinoa. In Joanna Blythman's view, the increased demand results in a breach of Bolivians' right to food, which essentially is unjust. In contrast, a columnist<sup>10</sup> Ari LeVaux argues that the increased demand for quinoa is beneficial for the Bolivian economy, and therefore consumption of exported quinoa is justified. He also maintains that decreasing demand for exported quinoa would have an adverse effect on the Bolivian producers "At worst, discouraging demand for quinoa could end up hurting producers rather than helping them." This directly opposes Blythman's opinion according to which consumption of the exported food product is harmful to its producers and moreover the people who rely on it as their food staple.

The views illustrate a conspicuous clash. The reasons for the opposition between the two views could be the perspective, which each writer adopts. It seems as though Blythman takes on a humanitarian approach while LeVaux adopts an economic one. In all fairness, both writers have a point and neither is right nor wrong per se. Both offer valid points, which they support with statistical evidence. This leads to an idea of ambiguity that surrounds quinoa. Clearly, the issue is very complex as it involves several stakeholders and it has implications on several levels.

Since the matter is non-binary and complicated, how can a solution ever be found and how could all stakeholders involved ever reach a consensus? In my opinion, they never will and one single solution would be a highly demanding task if not a mere impossibility. However, the issue is significant and should raise awareness among consumers who are at a better disposition than the poorer Bolivians. The quinoa situation is just one example of a deprivation from a population and

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<sup>10</sup> LeVaux, Ari. "It's ok to eat quinoa." *Slate Magazine* 25 January 2013: A4. *Slate Magazine* Web. 10 October 2015.

one example of a deprivation of the right to food. The issue should provoke to think more about food and implications of consumer tastes and preferences. With the human right declarations in mind, governments should be more efficient at enforcing the rights and protecting them. Of course, this argument has its counter claims and one could argue that the Bolivian government is acting in the interest of its population since they are realizing economic potential. Nevertheless, I am fond of the thought that money should never gain more value than the right to adequate sustenance and well-being.

### **Conclusion**

In conclusion, the real life case spawns a multitude of thoughts and questions. It provokes emotions and offers the possibility to explore the issue through many views and perspectives. The stakeholders are several: the poor Bolivians who no longer can properly afford quinoa, the Bolivian producers of quinoa, the Bolivian export industry, the Bolivian government, the countries to which quinoa is traded, and the consumers in the trading countries. Each party has their own interests and rights and it is difficult to reach a solution that would satisfy each and every stakeholder. In addition to economics and law, the issue has a scope in other areas as well, such as politics. It is fascinating how an increase in demand for something catalyses such a chain of events and a myriad of implications. This reveals how even interconnected disciplines can clash and how different people have opposing views on the matter. In cases concerning any native food staple that has increased in demand worldwide, should the economic aspect of making more revenue have a stronger bearing than the human rights aspect of securing accessibility and affordability of the food the native people?