



From Food Sovereignty to Peasants' Rights: an Overview of Via Campesina's Struggle for New Human Rights

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The transnational agrarian movement La Via Campesina is known for having successfully mobilized a human rights discourse in its struggle against capitalism and neoliberalism in agriculture. Rights have provided a common language to peasants and small-scale farmers organizations that are politically, culturally and ideologically radically different (Patel 2007; Houtzager 2005; Rosset and Martinez 2010; Borras 2008). As La Via Campesina celebrates its 20th anniversary, this article describes the various ways in which it has used human rights to frame its demands. It analyzes the advantages and limitations of the human rights framework, and explores how the movement has tried to overcome some of the constraints attached to human rights. It suggests that the movement has not limited itself to claiming existing and codified rights, but has created new human rights, such as the *right of peoples to food sovereignty* and the *rights of peasants*. The article ends with an assessment of current and past efforts to achieve the international recognition of new human rights for peasants at the international level.

La Via Campesina, Food Sovereignty, and Human Rights

La Via Campesina developed in the early 1990s as peasant and small-scale farmers from Central America, North and South America, Europe and elsewhere, sought to articulate a common response to the free-market onslaught that had devastated their lives (Desmarais 2008; Borras 2004). Since then, the movement has opposed “global depeasantization” (Araghi 1995) and the emerging “corporate food regime”

(McMichael 2009). It has developed a “food sovereignty” model to counterpose the dominant “market economy” paradigm (Rosset and Martinez 2010, 154) and has managed to build a common agenda across the North-South divide. To do this, La Via Campesina has efficiently deployed a powerful “rights master frame” (R. D. Benford and Snow 2000, 619). Rights occupy a central place in most Via Campesina statements, whether in local struggles over seeds, land, territories and resources, or in international struggles over trade and investment in food and agriculture. *Food sovereignty* itself is often defined as a rights-based concept and, I would argue, has been claimed by the movement as a new human right (Claeys 2012, 852).

Human Rights Framing

Framing is one of the central activities of social movements: framing serves the purposes of diagnosing certain situations as problematic, of offering solutions, and of calling to action (R. Benford and Snow 1988, 199). The advantages of using human rights to frame claims are numerous. Human rights can be used by activists to redefine the boundaries between what is just and unjust (Agrikoliansky 2010). Rights allow social movements to frame claims in a way that does not emphasize particular or sectorial interests. Rights facilitate the integration of multiple ideologies (Valocchi 1996, 118) and help export claims to movements with divergent ideological, political or cultural references and who belong to different geographical contexts (Fillieule et al. 2010, 232). These advantages explain why human rights have been mobilized in a great number of social struggles, and in particular by the civil rights movement, by gay and lesbian rights groups (Hull 2001; Plummer 2006), and by activists defending workers’ rights, welfare rights (Reese and Newcombe 2003), women’s rights or migrants’ rights (Elias 2010).

Yet, to frame claims as rights presents social movements with three sets of constraints that are tied to the liberal origins of human rights. First, contemporary human rights regimes are dominated by a Western, liberal and individualist conception of rights. Second, these regimes are built around the obligations of states and fail to adequately address the human rights responsibilities of private and transnational actors. Third, human rights emphasise economic liberty – understood as individual appropriation of, access to and control over economic resources – at the expense of equality of outcome/welfare (Charvet and Kaczynska-Nay 2008, 11–12). These factors can seriously hinder the subversive potential of human rights and represent a considerable challenge for movements that want to use rights in their struggle against capitalism and neoliberalism. In my opinion, they are particularly useful to understand why Via Campesina has not used existing universally recognized human rights, such as the universally recognized *human right to food*, to frame its demands but has instead created *new* human rights.

In this paper, I argue that Via Campesina is contributing to developing an alternative conception of rights. This conception emphasizes the collective dimension of claims

over the individual one; targets the various levels where food and agricultural governance issues ought to be deliberated, from the local, national, regional to the international; and provides the tools to fight neoliberalism and capitalism in agriculture, through the defense of autonomy and equality-reinforcing food systems. Although it is still in the making, this alternative conception is embodied in the *right of peoples to food sovereignty*, which has been claimed by the movement almost since its inception and, more recently, in the *Declaration on the rights of peasants*.

The Right of Peoples to Food Sovereignty

Food sovereignty apparently emerged as early as the mid-1980s in Central America, essentially in response to a combination of drastic structural adjustment programs, the evaporation of state support for agriculture and the arrival of food imports from the United States. Food sovereignty was understood at the time as meaning “national food security” and was usually coupled with the “right to continue being producers” (Edelman 1999, 102–103). At the second International Conference of La Via Campesina, which was held in Tlaxcala, Mexico, in April 1996, the decision was made to bring La Via Campesina’s objectives to the international arena (Via Campesina 1996). Food sovereignty made its first appearance on the international scene later that year;ⁱ it was defined by Via Campesina as the “the right of each nation to maintain and develop its own capacity to produce its basic foods respecting cultural and productive diversity” (Via Campesina 1996). On the occasion of the World Food Summit which was held in Rome in 1996, the NGO Forum to the World Food Summit insisted that: “Each nation must have the right to food sovereignty to achieve the level of food sufficiency and nutritional quality it considers appropriate without suffering retaliation of any kind” (NGO Forum to the World Food Summit 1996).

In the late 1990s and early 2000s, the right to food sovereignty, as defended at the international level, dealt mainly with trade and the WTO.ⁱⁱ At the time, the WTO was one of the main targets of Via Campesina activities and opposition to the WTO helped federate the movement. Since the mid-2000s, food sovereignty has evolved considerably, in the face of new international events, new strategies, new member organizations, and attacks by adversaries. Food sovereignty has integrated the movement’s wide variety of struggles at the local and national levels – such as securing control over natural productive resources, protecting local knowledge and cultural identity, creating local markets, guaranteeing remunerative prices, and defending the right to land and territory. It has developed into a fully-fledged rights-based paradigm, resting on six pillars, and has spread to new geographic regions, including Asia and Africa.

The right to food sovereignty has not been claimed as an individual right, but rather as the right of communities, states, peoples or regions. In many ways, the right to food sovereignty evokes collective rights already recognized by the UN, such as the right to self-determination, the right to development and the right to permanent sovereignty

over natural resources. It has an *internal* dimension – the right of a people to choose its own political, economic and social system -- and an *external* dimension – the right of states to develop their agriculture (Claeys 2012, 849).

La Via Campesina has sought to institutionalize the *right of peoples to food sovereignty* in two ways: it has tried to obtain its universal recognition as a new human right, and to translate it into alternative international trade rules for food and agriculture. Around the year 2000, in the run up to the WTO Ministerial in Doha (2001), Via Campesina, in partnership with a large network of social movements and NGOs, demanded that the right to food sovereignty be enshrined in an international convention.ⁱⁱⁱ In 2004, French farmer activist José Bové brought Via Campesina's call for a Convention on Food Sovereignty to the then UN Secretary General Kofi Annan, whom he asked "to support Via Campesina organisations in their efforts to have food sovereignty recognized as a new basic human right" (Via Campesina 2004). Since then, attempts to institutionalize the right to food sovereignty at the international level have somewhat disappeared from the movement's agenda. Although the idea of an International Convention on Food Sovereignty was discussed at the 2007 Nyeleni Food Sovereignty Forum (Nyeleni Food Sovereignty Forum 2007a; Nyeleni Food Sovereignty Forum 2007b), calls for such a Convention have not been reactivated by the 2007-08 global food prices crisis (International Planning Committee for Food Sovereignty (IPC) 2009).

Instead, current efforts are put in two distinct areas: elaborating public policies for food sovereignty and, to a limited extent, putting food sovereignty at the agenda of the UN Committee on World Food Security. Via Campesina's efforts to institutionalize the right to food sovereignty have been particularly successful at the national and local/municipal levels. Constitutional recognition of the right to food sovereignty has been achieved in Ecuador, Bolivia, Nepal, and Venezuela, while Mali and Senegal have adopted food sovereignty policies (Beuchelt and Virchow 2012), usually in alliance with or under the pressure of peasant movements (Beauregard 2009). These policies tend to generate a lot of enthusiasm within Via Campesina, although they usually fail to cover crucial dimensions such as trade, access to land, seeds, marketing or state support. They also generate frustration within the movement because of the lack of implementation. Indeed, the biggest challenge facing these policies is that efforts at the national or sub-national level remain severely constrained by the global neoliberal framework in which national economies are inserted.

Following its reform in 2009, the Committee on World Food Security (CFS) has slowly emerged as the central UN political platform dealing with food security, agriculture and nutrition. The CFS has been celebrated for proposing an alternative governance model for decision-making on global issues, because CFS membership extends beyond states to include international institutions, foundations, the private sector and civil society organisations (CSOs). Via Campesina's interactions with the CFS have been ambivalent. On one hand, Via Campesina actively participates in a number of civil

society working groups, where issues such as land, agricultural investment, gender and nutrition are debated. On the other hand, Via Campesina regards the CFS as yet another international arena that is unlikely to bring social change. Trade issues have not featured on the agenda of the CFS and food sovereignty has proven difficult to mobilize at the CFS (where the already codified human right to food tends to be used by civil society instead), despite the insistence of some Latin American states that food sovereignty be discussed at the CFS.^{iv}

The Rights of Peasants, Women and Men

While (the right to) food sovereignty has been Via Campesina's reference frame, a number of other new rights (such as the right to land and the right to seeds) have also found their way into the movement's vocabulary. In March 2009, Via Campesina adopted the *Declaration of the Rights of Peasants*. The very first draft of the Declaration was elaborated during village-level consultations with peasant communities in Indonesia, in 1999-2000 (Fakih, Rahardjo, and Pimbert 2003, 28). What started as an essentially Indonesian process (led by the member organization SPI) was brought to the attention of member organizations from other countries in the region on the occasion of the 2002 Southeast Asia and East Asia regional conference and was subsequently brought to the international level. It was put on the agenda of the work of La Via Campesina's Working Committee on Human Rights, and submitted for consideration by other members of the movement during the 2008 International Conference on Peasant Rights that was organized in Jakarta (Via Campesina 2008a). The text was finally adopted by the International Conference of La Via Campesina in Maputo in 2008 (Via Campesina 2008b).

The Declaration on the Rights of Peasants has been generally well received within the movement. But it has also raised criticism for not dealing with (and taking attention away from) what some activists perceive as more relevant or pressing issues. A particular source of concern, for some, is whether the work on food sovereignty as an alternative international trade framework will be abandoned. In addition, the appropriation of the peasants' rights idea by other regions (in particular Latin America where references to food sovereignty dominate) remains a considerable obstacle, despite the organization of internal consultations on various drafts of the Declaration. At the same time, the struggle for the recognition of new human rights for peasants may reinforce Via Campesina's collective identity, now that identification with the WTO as a shared enemy no longer plays a determining role.

La Via Campesina has worked actively over recent years to bring the Declaration on the Rights of Peasants to the UN Human Rights Council. These efforts have recently brought results. On 24 September 2012, the UN Human Rights Council adopted a resolution on the "Promotion of the human rights of peasants and other people working in rural areas" (A/HRC/21/L.23) which was sponsored by Bolivia, Cuba, and South Africa and was passed with 23 votes in favour, 15 abstentions and 9 votes

against. The resolution has led to the creation of an open-ended intergovernmental working group with the mandate of negotiating a draft United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (Human Rights Council 2012). Negotiations are expected to start in the summer of 2013 and to extend over the next few years.

From Food Sovereignty to the Recognition of New Rights for Peasants: the Dangers of Institutionalization

From a strategic perspective, the use of human rights presents three interrelated challenges for social movements. First, the human rights framework is heavily associated with strong and responsible (national) institutional and legal frameworks (Kolben 2008, 477). It relies on top-down social change. This insistence on change from the top may be at odds with grassroots mobilization and “repertoires of collective action” (Tilly 1986), such as protests, that are usually deployed by social movements. Second, the level of expertise required to deploy human rights arguments is such that human rights have more often than not been defended by human rights lawyers (Riles 2006) and not by average citizens. As a result, conflicts framed in human rights terms tend to be solved in specialized arenas and run the risk of undermining social movements’ efforts to organize and mobilize. Third, human rights claims tend to be constructed in ways that demand their codification in law (Stammers 2009, 106), but the institutionalization of human rights claims may hinder the subversive potential of human rights.

How has Via Campesina dealt with these challenges? Can Via Campesina pursue the recognition of new rights for peasants at the UN Human Rights Council without undercutting the subversive potential of the Declaration on **The founding of La Via Campesina** the Rights of Peasants? Will food sovereignty and peasants’ rights reinforce or undermine each other in the future? Can they durably coexist?

Peasantness, Exclusion and Alliances

In contrast with the *right of peoples to food sovereignty*, which insists on distributional claims, the rights of peasants emphasize questions of recognition. Via Campesina’s Declaration on the Rights of Peasants attributes social and cultural characteristics to the peasantry. It highlights the importance of maintaining “traditional food cultures” (art. 3.5) and emphasizes the existence of values and of a way of life that are based on household and community (art. 10.4; art. 10.5). It celebrates harmony with nature and defines peasants as those who have “a direct and special relationship with the land and nature” (art. 1). This emphasis on what all the “people of the land” have in common has certainly helped activists from distinct socio-political and economic environments find common ground. However, there is a risk that “peasant essentialism” (Bernstein and Byres 2001, 6) might lead to exclusions once identities become fixed in law. Historically, the codification of new human rights has often led to the “institutionalization of particularity”, as demonstrated by the exclusion of all those

not regarded as “citizens” – for example slaves, Native Americans, women, Jews, homosexuals, and indigenous peoples – from supposedly universal natural rights (Stammers 2009, 102, 111).

Experience with human rights standard setting shows that, to be successful in the longer-term, those **The founding of La Via Campesina** involved in standard setting need to build a broad and inclusive base, and reach out to governments, civil society organizations, experts, victims and beneficiaries, and UN agencies (International Council on Human Rights Policy 2006, 66). The movement is well aware of the importance of building alliances across sectors and constituencies and has made it a priority to reach out to indigenous groups, consumers, agricultural and industrial workers as well as, to some extent, to the agroecology movement (Altieri, Funes-Monzote, and Petersen 2011; Holt-Giménez (ed.) 2010; Rosset 2011). But will Via Campesina manage to build alliances and gain the support of other rural and urban constituencies if it maintains an emphasis on the “peasantness” of its membership?

If *food sovereignty* proved to be a relatively good vehicle for alliance building, the struggle for peasants’ rights may make things a little more complicated. Indeed, the *peasants’ rights* initiative may induce a shift in how Via Campesina’s struggle is framed in the future: not so much as an anti-capitalist struggle but as an anti-discrimination one. Making the struggle for peasants’ rights too much about identity and recognition may damage Via Campesina’s long-term goals, if questions of redistribution are set aside. Whether Via Campesina puts the emphasis on its transformative political project – and alternative societal project, food sovereignty – or on the distinctiveness of the peasantry, will largely determine its future chances of success as a social movement.

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ⁱ As early as 1993, in the Mons Declaration, Vía Campesina demanded "the right of every country to define its own agricultural policy according to the nation's interest and in concertación [sic] with the peasant and Indigenous organizations, guaranteeing their real participation", although not explicitly linking this claim to food sovereignty.

ⁱⁱ Although WTO and trade were the main focus of transnational mobilizations between Rome (1996) and Seattle (1999), anti-GMOs mobilizations were very important also, in particular in the 1998-2003 period, and were often led under the food sovereignty banner.

ⁱⁱⁱ Such a convention "would implement, within the international policy framework, Food Sovereignty and the basic human rights of all peoples to safe and healthy food, decent and full rural employment, labour rights and protection, and a healthy, rich and diverse natural environment. It would also incorporate trade rules on food and agricultural commodities". See *Our World is Not for Sale: Priority to Peoples' Food Sovereignty, WTO out of Food and Agriculture* (Nov. 6, 2001), available at www.citizen.org/documents/wtooutoffood.pdf.

^{iv} The human right to food has been accepted as a reference frame in a number of CFS documents, such as the Voluntary Guidelines on the Governance of Land, Fisheries and Forests, and the Global Strategic Framework, while references to food sovereignty are still highly contested.