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From Food Sovereignty to Peasants' Rights: an Overview of La Via Campesina's Rights-Based Claims over the Last 20 Years

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Abstract¹

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. As La Via Campesina celebrates its 20th anniversary, this paper describes the various ways in which the movement has used human rights to frame its demands. It explores the advantages and limitations of the human rights framework, and discusses how the movement has tried to overcome the constraints attached to human rights. It suggests that La Via Campesina 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*. This contribution assesses 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 neoliberal 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 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. Rights have provided a common language to peasants and small-scale farmers organizations that are politically, culturally and ideologically radically different. The concept of food sovereignty itself is often defined as “rights-based” (Patel 2007; Houtzager 2005; Rosset and Martinez 2010; Borras 2008). In this paper, I argue that *food sovereignty* has been claimed by La Via Campesina as a collective right (Claeys 2012, 852), and that it could in the future, become a new human right.

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

¹ An earlier version of this paper was published in La Via Campesina's Open Book: Celebrating 20 Years of Struggle and Hope, 2013.

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 which belong to different geographical contexts (Fillieule et al. 2010, 232). These advantages help 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), as well as women's 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 social movements, such as La Via Campesina, that decide to use rights in their struggle against capitalism and neoliberalism. In my opinion, they are particularly useful to understand why La Via Campesina has not used existing universally recognized human rights, such as the *human right to food*, to frame its demands, but has instead created new human rights.

In this paper, I argue that La 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, rather than focusing exclusively on the role of the state; 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 (Vía Campesina 1996). Food sovereignty made its first appearance on the international scene later that year²; it was defined by La 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” (Vía Campesina 1996)³.

In the late 1990s and early 2000s, the *right to food sovereignty*, as defended at the international level, dealt mainly with trade and the WTO⁴. The WTO came under attack as an institution, and as a symbol, despite the fact that the direct effects of the entry into force of WTO’s Agreement on Agriculture (AoA) on developing countries were relatively limited, since many countries had already dismantled trade policy instruments such as quantitative import restrictions, either as part of IMF/World Bank conditionalities or as a result of unilateral liberalization (Reichert 2009). The WTO became one of the main targets of La Via Campesina’s activities, and opposition to the WTO helped federate the movement. The focus was on bringing an end to dumping, revamping international trade rules, and ensuring tariff protection for agricultural products. In a statement issued during the WTO Ministerial Summit of Seattle, La Via Campesina demanded that the global community “establish alternatives to the neo-liberal policies and institutions such as the WTO, WB and the IMF” (Vía Campesina 1999). Food sovereignty came to designate such an alternative framework for international trade in agriculture.

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. In recent years, it has

² 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.

³ 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).

⁴ 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. In addition, it is important to note that, at the local and national levels, resistance against the appropriation of nature, and of land in particular, was at the core of La Via Campesina’s struggles. Access to land was one of the key themes of the parallel forum to the 1996 (Vía Campesina 1996); it has become even more central since the food prices crisis of 2007-08 (International Planning Committee for Food Sovereignty (IPC) 2008).

developed into a fully-fledged rights-based paradigm, resting on six pillars (Nyeleni Food Sovereignty Forum 2007), and has spread to new geographic regions, including Asia and Africa.

But food sovereignty is more than an alternative paradigm. It has been claimed by the movement as a new human right. Interestingly, 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, it 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. As I have developed elsewhere, the right to food sovereignty 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).

Institutionalizing the Right to Food Sovereignty

La Via Campesina has sought to institutionalize the *right of peoples to food sovereignty* in two ways: it has tried to translate it into alternative international trade rules for food and agriculture, and it has sought to obtain its universal recognition as a new human right. Around the year 2000, in the run up to the WTO Ministerial in Doha (2001), La 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. 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”⁵. 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). While many Via Campesina activists insist that the struggle for the right to food sovereignty should

⁵ 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.

be articulated at all relevant levels, the focus on the “local” is increasingly striking. Activists are putting in place food sovereignty practices that represent concrete and feasible alternatives, here and now. In a context marked by land grabs and the capitalist appropriation of nature, the structural aspects of food sovereignty appear less relevant; the priority today is reclaiming control over land and natural resources.

Efforts to institutionalize the right to food sovereignty have not been abandoned, however. 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.

Food Sovereignty Policies

La 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). The exploration of all the challenges involved in translating the right to food sovereignty in national and local legislation and policies is beyond the scope of this paper, but some lessons can be learned from national examples. Public policies for food sovereignty tend to promote agriculture as the motor of the economy and as a main contributor to economic growth (Mali, Nicaragua, Venezuela); they seek to boost local and peasant-based food production for food security, often in the context of a self-sufficiency strategy, while not excluding agroexport as an opportunity for rural economic development; they mean to compensate the inherent weaknesses of the agricultural sector (Venezuela, Bolivia) and if possible to bring rural incomes at par with those of urban inhabitants; they favour alternative farming practices (less industrial, more family-based) but do not exclude industrial farming and large-scale agriculture; and, in some places, they seek to provide access to land and to limit the invasion of transgenic seeds.

These policies tend to generate a lot of enthusiasm within La 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.

Food Sovereignty at the Committee on World Food Security (CFS)

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). La Via Campesina's interactions with the CFS have been ambivalent. On one hand, La 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, La 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, despite the insistence of some Latin American states that food sovereignty be discussed in this new arena dedicated to global food security. In contrast, the already codified *human right to food* has been used extensively by civil society, and is referred to in a number of CFS documents, such as the Voluntary Guidelines on the Governance of Land, Fisheries and Forests, and the Global Strategic Framework.

The Rights of Peasants, Women and Men

While the *right of peoples to food sovereignty* has been mostly deployed by La Via Campesina to contest neoliberalism in agriculture, a number of other new rights are part of the movement's vocabulary. Over the last decade, the rights repertoire of La Via Campesina has flourished to include the "right to land and territory", the "right to means of agricultural production", the "freedom to determine price and market for agricultural production", the "right to the protection of agriculture values", and the "right to biological diversity" (Via Campesina 2008b). These rights, listed in the movement's Declaration of the Rights of Peasants address deeper, long term, "agrarian transformations" (Borras 2009, 5) and in particular the transition of agriculture to capitalism.

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 Serikat Petani Indonesia-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. The Declaration recognizes the “right to food sovereignty” in article 5.9, but article 5 deals with “the right to seeds and traditional agricultural knowledge and practice”, and provides no definition of the right to food sovereignty. In addition, the appropriation of the peasants’ rights idea by other regions remains a considerable obstacle, in particular in Latin America where references to food sovereignty dominate. At the same time, the struggle for the recognition of new human rights for peasants may reinforce La 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 have started in July 2013 and are expected to extend over the next few years.

From Food Sovereignty to the Recognition of New Rights for Peasants

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

they durably coexist?

In contrast with the *right of peoples to food sovereignty*, which insists on distributional claims, the *rights of peasants* emphasize questions of recognition. La 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 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 La 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 La Via Campesina's struggle is framed in the future: not so much as an anti-capitalist struggle but as an anti-discrimination one. Will La Via Campesina put the emphasis on its transformative political project – and alternative societal project, food sovereignty – or on the distinctiveness of the peasantry? Making the struggle for peasants' rights too much about identity and recognition may damage La Via Campesina's long-term goals, if questions of redistribution are set aside.

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<http://www.yale.edu/agrarianstudies/foodsovereignty/index.html>

A fundamentally contested concept, food sovereignty has — as a political project and campaign, an alternative, a social movement, and an analytical framework — barged into global agrarian discourse over the last two decades. Since then, it has inspired and mobilized diverse publics: workers, scholars and public intellectuals, farmers and peasant movements, NGOs and human rights activists in the North and global South. The term has become a challenging subject for social science research, and has been interpreted and reinterpreted in a variety of ways by various groups and individuals. Indeed, it is a concept that is broadly defined as the right of peoples to democratically control or determine the shape of their food system, and to produce sufficient and healthy food in culturally appropriate and ecologically sustainable ways in and near their territory. As such it spans issues such as food politics, agroecology, land reform, biofuels, genetically modified organisms (GMOs), urban gardening, the patenting of life forms, labor migration, the feeding of volatile cities, ecological sustainability, and subsistence rights.

Sponsored by the [Program in Agrarian Studies at Yale University](#) and the [Journal of Peasant Studies](#), and co-organized by [Food First, Initiatives in Critical Agrarian Studies \(ICAS\)](#) and the [International Institute of Social Studies \(ISS\)](#) in The Hague, as well as the Amsterdam-based [Transnational Institute \(TNI\)](#), the conference “Food Sovereignty: A Critical Dialogue” will be held at Yale University on September 14–15, 2013. The event will bring together leading scholars and political activists who are advocates of and sympathetic to the idea of food sovereignty, as well as those who are skeptical to the concept of food sovereignty to foster a critical and productive dialogue on the issue. The purpose of the meeting is to examine what food sovereignty might mean, how it might be variously construed, and what policies (e.g. of land use, commodity policy, and food subsidies) it implies. Moreover, such a dialogue aims at exploring whether the subject of food sovereignty has an “intellectual future” in critical agrarian studies and, if so, on what terms.

ABOUT THE AUTHOR

[Priscilla Claeys](#) is a researcher in Social and Political Sciences at the University of Louvain (UCL), Belgium. She recently completed her PhD dissertation on the use of human rights by the agrarian movement La Via Campesina. Her research interests include peasant movements, food and agriculture, human rights, and economic globalization. She is an Advisor to the United Nations Special Rapporteur on the Right to Food, Olivier De Schutter, since 2008. Prior to becoming an academic, she worked for a number of human rights organizations and development NGOs. She teaches two online courses on the right to food at the Open University of Catalunya (UOC), in partnership with the FAO.