

An Interpretation of Discourse on Food Sovereignty and People's Access to Productive Resources

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The paper assesses the definitional frameworks on “rights to food” in relation to “food security” and “food sovereignty” and links these concepts with the issue of people’s ownership to productive/natural resources.

1. Definition and Discourse on food and People's Sovereignty

Before we come to discuss the agenda of rights, let us explore some of the popular concepts which are often linked with the issue of rights to food or even treated as synonymous to it. It is important to develop this definitional familiarity as we would try to note the distinctions of different discourses and assess appropriateness of using them as synonyms.

1.1 Food security and its indicators¹

Food security is a popular multi-faceted concept with availability of adequate supplies at a global and national level at one end and the concern is with adequate nutrition and well-being at the other end.

The Committee on World Food Security, a body set up in 1975 by the UN World Food Conference to oversee developments in food security, adopted in the early 1980s the recognition of food security as a tripartite concept, reflecting the criteria of availability, access and stability. Similarly, the OECD suggests that food security has three dimensions: availability, access and utilization, although this source indicates that there is a tendency to characterize it in terms of availability. Attempts to capture trends in variables that are likely to reflect food security² can be broadly categorized into two interrelated sets: those that directly measure shortfalls in consumption requirements, and those that concern the potential to meet such shortfalls.

The United States Department of Agriculture (USDA)³ evaluates two aspects of food security, availability and distribution, both of which capture the extent of the shortfall, and analyze predicted trends through to 2009.

At a more aggregate level, the FAO Committee on Food Security reviews a set of six indicators derived from observations of the global cereals market. Although these indicators (see Box 1.1) are confined to cereals, the contention is that they shed light on the global food situation due to the weight of cereals in the overall food basket and thus overcome the difficulty of aggregating over food commodities in calculations of the total food supply and of food imports. Review of potential indicators by FAO (2003) points to the fact that those capturing the ability to finance import requirements, by for example export earnings, are likely to be more robust indicators of food security than either those based on the primary indicators of price levels or price instability, or those based upon trends in stocks and flows in global cereal markets.

Democracy, promotion and protection of all human rights and fundamental freedoms, including the right to development, and the full and equal participation of men and women are essential for achieving sustainable food security for all. The Nobel Laureate Amartya Sen has underlined the interdependence of

¹ Adapted from Trade Reforms and Food Security: conceptualizing the linkages, FAO, Rome, 2003

² OECD. 2002. The medium term impacts of trade liberalization in OECD countries on the food security of non-member countries. Paris: OECD.

³ USDA. 1999. *Food Security Assessment*. USDA Economic Research Service. Situation and Outlook series GFA-11 Washington DC.

civil and political rights on the one hand and economic, social and cultural rights, including the right to adequate food, on the other: civil and political rights are not only intrinsically valuable, but they are also instrumentally valuable for achieving economic, social, and cultural rights.⁴

Box 1.1	FAO's food security indicators
	Ratio of world cereal stock to world cereal utilization A ratio of 17-18 percent is estimated to be the minimum necessary to safeguard world food security.
	Ratio of supplies to requirements in the 5 main exporters
	Ratio of closing stock in the 5 main exporters to their domestic consumption plus exports
	Cereal production in the 3 main importers (China, India and CIS).
	Cereal production in Low Income Food Deficit Countries (LIFDC)
	Production in LIFDC except China and India
	Source: FAO. 1999. Assessment of the Impacts of the Uruguay Round on Agricultural Markets and Food Security. CCP 99/12 Rev. Rome, FAO. October 1999.

1.2. Food Sovereignty:

Food Sovereignty is the **RIGHT** of peoples, communities, and countries to define their own agricultural, labor, fishing, food and land policies which are ecologically, socially, economically and culturally appropriate to their unique circumstances. It includes the true right to food and to produce food, which means that all people have the right to safe, nutritious and culturally appropriate food and to food-producing resources and the ability to sustain themselves and their societies.⁵

Food sovereignty includes⁶:

- Prioritizing local agricultural production in order to feed the people, access of peasants and landless people to land, water, seeds, and credit. Hence the need for land reforms, for fighting against GMOs (Genetically Modified Organisms), for free access to seeds, and for safeguarding water as a public good to be sustainably distributed.
- The right of farmers, peasants to produce food and the right of consumers to be able to decide what they consume, and how and by whom it is produced.
- Agricultural prices linked to production costs.
- The population is empowered and facilitated to take part in the agricultural policy choices.
- The recognition of women farmers' rights, who play a major role in agricultural production and in food.

The concept of food sovereignty was developed by Via Campesina and brought to the public debate during the World Food Summit in 1996 and represents an alternative to neoliberal policies. Since then, that concept has become a major issue of the international agricultural debate, even within the United Nations bodies. It was the main theme of the NGO forum held in parallel to the FAO World Food Summit of June 2002. This concept also includes the issue of rights and protection of agricultural workers. The frame-work of food sovereignty observes that, farmers should be able to earn a fair price for their production from the national as well as the international marketplace. In the west, the farmers must not be forced to depend on income support from taxpayers, which is neither politically nor economically justifiable when the bulk of these subsidies go to large agribusinesses and to underwrite unsustainable

⁴ MARC J. COHEN, THE RIGHT TO ADEQUATE FOOD AND FOOD SECURITY, Prepared for Presentation at the Congressional Human Rights Caucus Members Briefing on World Hunger: Moving Toward Global Food Security, Washington, DC, May 21, 2003.

⁵ IPC Food Sovereignty

⁶ UNCTAD

agricultural practices such as industrialized animal factories. The concept further includes fair trade Food sovereignty is not contrary to trade but to the priority given to exports: it allows to guarantee food security for the people, while trading with other regions specific products which make up diversity on our planet. Under the responsibility of United Nations (UN) this trade must be granted a new framework, which⁷:

- Prioritizes local and regional production before export, allows the Countries/Unions to protect themselves from too low priced imports,
- Permits public aids to farmers, provided these are not intended directly or indirectly to export at low prices,
- Guarantees stable agricultural prices at an international level through international agreements of supply management.

Food sovereignty is a call to governments to adopt policies that promote democratic, sustainable, decentralized, domestic family-farm and peasant based production, rather than totalitarian, unsustainable, corporate-industrial, transnational export-oriented production. This means ensuring adequate prices for all farmers, supply management, abolishment of all forms of export subsidies, and the regulation of imports to protect domestic food production. All food products must comply with high environmental, social and health quality standards.⁸

1.3. Right to food:

The right to adequate food is both freedom and entitlement. Freedom from hunger and entitlement to food that meets dietary needs, that is free from adverse substances, that is culturally acceptable, is in large enough quantities, is physically and economically accessible, and with sustainable supply for present and future generations.⁹

The right to food, and the measures that must be taken, are laid out quite clearly in article 11 of the International Covenant on 3 Economic, social and cultural rights. Paragraph 1 calls on States to “*recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food and the continuous improvement of living conditions*”. Paragraph- 2 is more precise, as it demands that States guarantee the fundamental right of everyone to be free from hunger, and asks them to take “individually and through international co-operation, the measures, including specific programs, 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”. The UN Convention on the Rights of the Child (CRC), 1989, goes beyond hunger and addresses the issue of child nutrition.¹⁰

The right to food emerges as part of customary international law by analyzing various treaties, agreements, and United Nations Documents, specifically the United Nations Charter, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and, most recently, the World Food Summit Declaration and Plan of Action.¹¹

⁷ Towards Food Sovereignty; International workshop on review of AoA, Geneva, Switzerland, 2003

⁸ Towards Food Sovereignty; International workshop on review of AoA, Geneva, Switzerland, 2003

⁹ MARIA SOCORRO I. DIOKNO, *The Right to Adequate Food in Philippine Development Interventions*, Unpublished paper

¹⁰ Dev; S. Mahendra, Right to food in India, Centre For Economic And Social Studies, August, 2003

¹¹ ANTHONY PAUL KEARNS The Right to Food Exists Via Customary International Law 22 *Suffolk Transnat'l L. Rev.* 223 (1998)

The fact of the matter is that all governments and all states possess resources: physical factors, natural resources, human power, existing productive capacities, financial resources in domestic currency and foreign exchange, receipts from borrowings, grants and assistance programs, among others. All these resources put together are available for state use. So clearly, the basic problem is not that government does not have resources, but that government has structured its resources along the lines of its policy priorities. And the sad fact remains that human rights still do not belong to the top of government's policy priorities.¹²

Food is an integral part of human rights not merely an item in trade basket.

- Universal Declaration of Human Rights (UDHR) states that “everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care.” (Article 25)
- International Covenant on Economic, Social and Cultural Rights (ICESCR) guarantees an adequate standard of living, housing, work, food and health. (Articles 6, 11 and 12)
- International Covenant on Civil and Political Rights (ICCPR) guarantees the right to life and states that “in no case may a people be deprived of its own means of subsistence.” (Articles 1 and 6)

In 2004, the 188 members of the Food and Agriculture Organization (FAO) adopted Voluntary Guidelines on the Right to Food.

There is need to carry on an analysis on governmental obligations aims at evaluating criteria that will enable or prevent people from obtaining the right to food. Issues such as food-pricing policies, land tenure, export oriented agriculture, food subsidies, and land rights of women, can be addressed as right to food issues. Two immediate purposes are served: first, such an analysis provides background information for demanding the implementation or alleging violations of the right to food; and second, it educates non-lawyers on ways of utilizing law to promote human rights. Today the temptation is to blur the distinction between the living international law of human rights (actual practices of states) and the declaratory human rights proclamations (law as it could or should be), and combine both in writing and teaching. Although improvement cannot be accomplished without striving toward a better world, attempts to effect change must first address the existing obstacles.¹³

Since the early 1970s, the volume of agricultural trade, including temperate zone and tropical products, and fishery and forestry products, has grown by about 75 percent and its value from US\$148 billion to some US\$580 billion in 1997 (in nominal terms). Because trade in manufactures grew more rapidly, the share of agricultural products in merchandise trade fell from around 20 percent in the early 1970s to about 10 percent in 1997. Nevertheless large percentage of population is still engaged in agriculture for livelihood (e.g. Nepal 93%, Burkina Faso 92%, Rwanda 90%, Nigeria 88%, Tanzania 80%, China 70%, India 60%, Bangladesh 60% and Pakistan 53%). But agricultural policies mainly focus on increasing production and trade, rather than on the livelihoods of the food producers

1.1.4 The implications of different Concepts:

The concept of “**food security**” is a technical concept. The concept of “**food sovereignty**” is a political concept. The concept of “**right to adequate food**” is a legal concept. However, the normative content of the right to food and the concept of food sovereignty also present significant differences. The right to food is conceptualized as a right of individuals; food sovereignty is advocated as a peoples’ right. The right to food is realized when people have access to food that meets specified adequacy standards — irrespective of whether that food is imported or produced domestically, or whether it is produced by family farmers or by agribusiness. Food sovereignty goes beyond availability and accessibility of

¹² *MARIA SOCORRO I. DIOKNO*, ESC RIGHTS AND BUDGET ANALYSIS, Presented before the Seminar Workshop: *Developing Strategies to Monitor and Advance Economic, Social and Cultural Rights in the Asia Pacific Region*, jointly organized by Forum Asia and Task Force Detainees of the Philippines, held at the Davao Waterfront Insular Hotel, Davao City, on October 24, 2001

¹³ KATARINA TOMASEVSKI International Law And World Hunger: Commentary: Human Rights: The Right To Food 70 *Iowa L. Rev.* 1321 (1985)

adequate food to favouring food that is produced domestically by family farmers. In other words, while the right to food does not favour particular food security policies (beyond creating a legal obligation to pursue those policies to the maximum of available resources, and to comply with basic principles such as non-discrimination), food sovereignty is linked to a more specific policy orientation — thought not to a readily made set of policies (Windfuhr and Jonsén, 2005).¹⁴

Constitution of Bangladesh: PART II
FUNDAMENTAL PRINCIPLES OF STATE POLICY

15. Provision of basic necessities.

It shall be a fundamental responsibility of the State to attain, through planned economic growth, a constant increase of productive forces and a steady improvement in the material and cultural standard of living of the people, with a view to securing to its citizens-

- a. the provision of the basic necessities of life, including food, clothing, shelter, education and medical care;
- b. the right to work, that is the right to guaranteed employment at a reasonable wage having regard to the quantity and quality of work;
- c. the right to reasonable rest, recreation and leisure; and
- d. the right to social security, that is to say to public assistance in cases of undeserved want arising from unemployment, illness or disablement, or suffered by widows or orphans or in old age, or in other such cases.

18. Public health and morality.

(1) The State shall regard the raising of the level of nutrition and the improvement of public health as moving its primary duties, and in particular shall adopt effective measures to prevent the consumption, except for medical purposes or for such other purposes as may be prescribed by law, of alcoholic and other intoxicating drinks and drugs which are injurious to health.

(2) The State shall adopt effective measures to prevent prostitution and gambling.

This requires both international legal clarification and national laws. In this regard as presented above Bangladesh Constitution has clear guidance. There are instances of Court taking action in absence of comprehensive laws in a country to expand protection.

2. Agenda of People’s Access to Productive Resources

Many Asian countries, including Bangladesh, experience seasonal starvation or chronic malnutrition or massive hunger and poverty. Current figures show that there are 500 million people in Asia-Pacific who suffer chronic hunger. At the center of these problems are fundamental issues such lack of access to land and other resources, structural adjustment programs and multilateral trade and investment agreements brought about by globalization and which continue to wreck havoc on what remains of the rights of the people of most Asian countries. According to an estimation, although, remarkable growth in agricultural productivity was achieved over the last 30 years through intensification and diversification of crop production in Bangladesh already, 45% of the 160 million people in the country are consuming less than their daily calorie requirements; 53% are also estimated to be living below the poverty line.¹⁵

Improving access to natural resources — as the basis for food production and income generation — is a key element of realizing the right to food. However, unlike other human rights such as the right to property (see below), protecting access to resources (access to natural capital, in the “sustainable livelihoods” framework) is not at the very core of the human right to food, but a means to an end — the production or procurement of food. This end may also be achieved through other (complementary or alternative) means, such as through income from employment. For instance, governments may pursue the progressive realization of the right to food through policy interventions in areas other than resource access (e.g. through promoting off-farm diversification) if this is an effective strategy for improving the combinations of livelihood assets and their food access outcomes. However, not taking “appropriate” steps (to the maximum of available resources) to tackle resource access where this results in insufficient

¹⁴ Lorenzo Cotula; The Right to Food and Access to Natural Resources, FAO, 2008

¹⁵ <http://usaidlandtenure.net/usaidltprproducts/country-profiles/bangladesh>

access to adequate food (because of a lack of alternative livelihood sources) would violate the right to food.¹⁶

Because of its different conceptual underpinnings, the political (rather than legal) concept of food sovereignty places more specific emphasis on access to resources. Because food sovereignty “empowers peasant and family farmer-driven agriculture”, it requires “genuine and integral agrarian reform that guarantees peasants full rights to land, defends and recovers the territories of indigenous peoples, ensures fishing Communities’ access and control over their fishing area and ecosystems, [and] honours access and control by pastoral communities over pastoral lands and migratory routes” (Nyéléni Declaration on Food Sovereignty). In other words, the food sovereignty framework provides more far-reaching ammunition than the right to food for calls to improve resource access. It entails not just a focus on access to adequate food, however produced, but also a policy priority for specific mechanisms for food access — namely, those based on local production by smallholders through access to natural resources. On the other hand, although less far-reaching in scope, the resource-access arguments based on the right to food enjoy the greater authority flowing from the fact that this right is enshrined in binding international law; and that taking steps to realize such a right is a legal obligation of states. It is to be further noted that, in practice, the relative weight of resource access as a means to realize the right to food varies depending on socio-economic — rather than legal — factors.¹⁷

As for example in a country such as Bangladesh, where natural resources (e.g. land, water and genetic resources) are the main source of food availability and accessibility for a large majority, where there are limited off-farm livelihood opportunities or it is inadequate to meet the food requirement, and where the ability of markets to ensure access to food is highly unlikely and constrained, then improving access to natural resources is the focus of the obligations concerning the realization of the right to food. Thus although it may not be compulsory in a reverse situation, in case of a country such as Bangladesh both right to food and food sovereignty.

2.1. Peasantry, Trade and Agriculture: Access to resource in Bangladesh

Through the continuation of green revolution, a good number of changes have occurred in the production relation of existing agrarian structure. Directly or indirectly, the peasant today is dependent on new actors and factors for her/his financial support and the inputs she/he requires in agriculture. The fundamental question associated with all these trends is whether these new market actors and factors initiate any positive change in peasant’s production relation? A study reflects¹⁸:

- ✘ In terms of seed, the involvement of new actors has squeezed the decision making power of peasants. Though there is a great demand among peasants for BADC’s seeds and they are compelled to buy seeds from market actors which they consider of being low-standard.
- ✘ As a finance provider, the peasant get assistance from NGOs and some respect from Bank but they have to go for advance selling since the NGO worker starts knocking at his/her door for installment, few months later of disbursing money.
- ✘ No matter the environmental damage or cost incur because of pesticide use, the overwhelming use of pesticide increase the production cost. Simultaneously, the use of fertilizer and high dependency on chemical fertilizer reduce the fertility of the land and increase the production cost per year.
- ✘ Therefore, the whole new production relation and market structure have diminished the liberty of the peasants and limited their decision making process to a great extent.

Without knowing, millions of innocent peasants of our country turn into the victim of global trade aggression. They know little about the process their agriculture got dependent on water pump, chemical

¹⁶ FFAO, 2008

¹⁷ FFAO, 2008

¹⁸ Ali; A.K.M. Masud, Ali: Sarkar; Living Beyond the Corporate Cage; INCIDIN Bangladesh; Dhaka, 2005

fertilizer and destructive pesticide, how the agriculture of this country lost its invaluable varieties and is losing biodiversity as well as how new global trade policy jeopardizes existing agriculture and makes peasants vulnerable to this policy. The common peasants are only familiar with the local dimension of trade exploitation.

As it is the peasants have reflected¹⁹ that their agriculture production or income cannot ensure livelihood security round the year. In spite of all these bottlenecks, the only option remains open for these peasants is to continue the agricultural activities since they have neither skills nor education to devise other options. They are really worried about the future, which they consider bleak. For their next generation they are therefore exploring other options other than peasantry. Thus the market forces are not just marginalizing the peasantry it is presently on a rampage to destroy the very form of agrarian living of these millions which link them to agriculture

The peasants are not getting fair price of her/his agro products because of multiple causes. The peasants of southern part of Bangladesh identifies several reasons, firstly before starting the cultivation she/he takes loan from different formal and non formal institutions, for example, agriculture bank, NGOs etc and these institutions from where she/he receives loan, started to pressurize the peasant to pay the installment before harvest period. As a result, the peasant compels to sell her/his agro product with less price and he/she does not get any opportunity to stock it as she/he goes for advance selling. Secondly, the government procurement activities are not effective. Like the peasant of southern part, the peasant of shathkhira also identifies same type of problems, but along with these problems they also identifies some different problems also, the weekly installment of the NGOs loan, the poor communication between district town and villages, the downward price trend in the harvesting period, the peasant does not get the opportunity to sell their products directly to the exporter, there is no collective-based preservation system in the locality, the excessive tax has been charged from the peasants. Since the peasants do not participate in the market independently and she has the pressure of different formal institutions, the fair price issue is far from materializing. Under the SAP Bangladesh has gradually moved towards limited structures and mechanisms of market regulation, such as state companies in seeds and other inputs, are being dismantled and privatized. Over the years, price protection for food products, food distribution systems, and national preferences in government procurements are being deregulated or undermined. This degraded peasants entitlement to food by reducing their purchasing power – and turned market based food security into an absurdity.

WTO agreements such as The Agreement on the Trade-Related Aspects of Intellectual Property Rights (TRIPS), and on Sanitary & Phytosanitary Standards (SPS), strengthen corporate control and further displace family farming and peasant production. Farmers are rapidly losing control over seeds and other genetic resources while the corporations are increasingly consolidating their control over these resources through patenting, biopiracy and genetic engineering. Genetic engineering and the patenting of life forms not only threaten our ecology and food security, they also threaten the economic independence of farmers. Moreover, it took away women's traditional role as "custodian of seed" and thereby marginalized their role in agriculture. In general this also implies loss peasants' access and ownership on genetic resources.

2.2. Peasantry and Access to Land and Water in Bangladesh

In rural Bangladesh, one percent of landowners own more than 7.5 acres. Ten percent of landowners own between 2.5 and 7.5 acres. The remaining 89% of landowners own less than 2.5 acres. Thirty-nine percent have less than .5 acres. This inequity exists despite a series of land reforms in the 1950s and 1960s that included tenancy reforms, imposed ceilings on landholdings, and provided for the distribution of public land to the landless (GOB BS 2008; Uddin and Haque 2009). Moreover, there is also a gender inequality in land ownership, in 1996, only 3.5% of agricultural land was titled in the name of a woman.

¹⁹ Ibid

Fewer than 10% of women have their name included on any documentation of property rights. In rural areas, women access land almost exclusively through their relationships with male family members such as husbands, fathers, or brothers (GOB 1972; Kamal 1988; ADB 2004a; World Bank 2008a). Lastly, it has an ethnic dimension. In the Chittagong Hill Tracts regions, the migration of settlers onto land held by indigenous people under customary law has caused ongoing conflict, which has recently elevated (Roy 2005; ANGOC 2001; World Bank 2010b; CARE 2003; Uddin and Haque 2009; ISN 2010). On the other hand, Vested Property Law of 1948 continues to institutionalize grabbing of land owned by Hindu citizens. In 2001 the Awami League Government passed the “Restoration of Vested Property Act, 2001” (Act No. 16 of 2001). Notwithstanding its intentions, this law proved anemic in restoring property rights to marginalized Hindus. With the return to Bangladesh Nationalist Party rule later that year an amended bill, the “Restoration of Vested Property Act 2001” on Nov. 26, 2002, virtually foreclosed the chance to return of confiscated properties, allowing Government unlimited time to return vested properties.²⁰

As a result the percentage of landless people over the last few decades has increased. The growth has been as follows: 1947: 14.3%; 1970: 19.8%; 1975: 32%; 1984: 46% and 2001: 68.8%. Conflict and political tensions relating to land are high. The International Finance Corporation (IFC) ranks Bangladesh 119th out of the 183 countries ranked with regard to the “ease of doing business” but 176th out of 183 on the specific issue of “registering property.”²¹ Moreover, 10% absentee land owners own 50.6% of the total cultivable land of Bangladesh.²² It is critical to observe that land is scarce and, therefore, establishing ownership right over land was always highly competitive, in which violence, speculation and other deceptive means were common. Land forms the basis of our social, economic and political power structures.²³ When these are compared with the data on landlessness (i.e. 52 % of the rural population, which accounts for almost 75% of the country’s population, is landless or holds less than .5 acres of land), it becomes clear that the exiting land regime does not only push the marginalized people out of land – makes it extremely difficult for them to maintain, reclaim or take position and own land.

A research noted that: the estimated amount of total identified khas land in Bangladesh is 3.3 million acres with 0.8 million acres of agricultural khas land, 1.7 million acres of nonagricultural khas land, and 0.8 million acres of khas waterbodies. However, the above amount of khas suffers from underestimation. The actual amount of khas land should be higher than 3.3 million acres. Evidence of land grabbing becomes evident as serious mismatch is observed in the official statistics of open water bodies: a total of about 2.3 million acres of water bodies is “missing”. Similarly, about 71,000 acres of agricultural khas land is also “missing”. Official source claims that about 44 percent of the 803,308 acres of (identified) agricultural khas land has already been distributed among the poor, landless and destitutes. However, the validity of this distribution statistics is questionable. The researchers estimate that at best 26 percent of the khas land has been distributed (i.e.; the official distribution figure is 40% exaggerated). The rest are illegally occupied by rich and powerful people in the society.²⁴

Bangladesh is also experiencing rapid urbanization. Dhaka is among the ten most populous cities in the world, and the percentage of Bangladesh’s urban population living in slum conditions is the second-highest in South Asia. Among the ever increasing urban population - the poorest households are squatting on public land or living in informal settlements with no security against eviction. Agricultural land made up 70% of land area in 2003–05, while urban land accounted for between 8% and 20% (GOB data

²⁰ Shelley Feldman and Charles Geisler; Land Grabbing in Bangladesh: In-Situ Displacement of Peasant Holdings, Conference paper, University of Sussex, 2011
of Peasant Holdings

by Shelley Feldman and Charles Geisler

²¹ Ibid. USAID

²² Muhammed Kamal Uddin; Needs for Land and Agrarian Reform in Bangladesh; ARBAN Bangladesh 2002.

²³ Abul Barkat; Shafique uz Zaman; Selim Raihan; Distribution and Retention of Khas Land in Bangladesh, HDRC-ALRD, Dhaka, 2000

²⁴ Ibid. HDRC-ALRD, 2000

varies). The amount of land available for cultivation is declining, and 60% of Bangladesh's landowners cultivate one acre or less (World Bank 2009a; ADB 2004c; IMF 2005; GOB 2005; GOB 2010).²⁵

Along with these man-made factors, natural disasters (e.g. river erosion) also contribute in loss of land and hence in increase in landlessness. On the other hand, due to water logging access to agricultural land has declined. Salinity (due to rampant expansion of commercial shrimp farming) has reduced utility of land and water both for the peasantry. Leasing of open water bodies have overwritten the traditional rites of collective use of these water sources and displaced the traditional fishing communities.

3. Moving towards People's Resource-based Food Sovereignty:

It is clear that along with access to land, the right to productive resources such as seeds and water are crucial in ensuring Food Sovereignty. This highlights need of a comprehensive agricultural reform that gives the poor peasants access and control over the land, seeds, genetic resources and water on one hand while freedom of growing crops which are pesticide free and GM free; guarantees an ecological production for present and future generations; supports the rights of women farmers; protect the traditional rites of the indigenous people; assures access of the traditional fishing communities to open water bodies and strengthens the communities in rural areas. Food sovereignty therefore calls for a political struggle to establish the legal entitlement to "rights to food" by ensuring access and ownership of peasantry upon natural/productive resources essential for growing safe, culturally acceptable, sustainable and adequate "food" within a framework that assures entitlement to food for all.

During the episode of food crisis experienced during the last Care-taker Government, in its *World Development Report 2008: Agriculture for Development* the World Bank admitted that trade liberalization eventually had resulted in skyrocketing of food prices afflicts the rural population of Bangladesh. The report released by the bank also informed that the trend of shrinking the sizes of farms in economies, such as Bangladesh, which still heavily relied on agriculture, was another major cause of rural poverty, and such a reality can generate further social tensions, leading to civil conflicts. '*Trade liberalisation that raises the price of food hurts net buyers (the largest group of rural poor in countries like Bolivia and Bangladesh) and benefits net sellers (the largest group of rural poor in Cambodia and Vietnam),*' reads the report. More than 50 per cent of the poor in Bangladesh, according to the report, comprised the rural landless households and they spent 27 per cent of their total budget for buying rice, the nation's staple food. And so, it says, '*Poor Bangladeshis are the most vulnerable to increases in rice prices.*' *Only 8 per cent of the country's poor are found to be net sellers of food. 'So the aggregate welfare effect of a change in rice prices is dominated by its effect on net buyers.'* Also, the number of farms in Bangladesh has doubled over the past 20 years, increasing the number of farms smaller than 0.2 hectares in size proportionately. '*Continuing demographic pressures imply rapidly declining farm sizes, becoming so minute that they can compromise survival if off-farm income opportunities are not available,*' the report cautions. *It also points out that 'a large share of rural households... does not have any access to land'.*

During this episod of food crisis, importing food from the neighboring countries was revealed to be an ineffective option. Even when it was possible to import- it did little to reduce the price of food at market. David Toole, regional director of UNICEF South Asia, told a press briefing in New Delhi (New Age, June 18, 2008). '*When food prices double we have a near perfect storm affecting children in poverty,*' Toole said. In South Asia, '*we are seeing increasing rates of malnutrition in the past several months in mostly western and Midwestern areas. These are the poor areas.*' At 42 per cent, South Asia has the world's highest underweight prevalence.

As a response to the soaring price of rice in open market, politicians and civil society members urged the caretaker government to immediately introduce rationing system for providing lower and lower-middle

²⁵ Ibid

class people with rice and other essentials at low price. At a citizens' dialogue, they also suggested that the government increase investment and subsidy in agriculture to ensure food security in the country (The Daily Star, 09 May 2008).

The studies and concerns raised during this period clearly reflect:

- The process of market liberalization propagated and promoted by the WB/IMF and faithfully implemented by Bangladesh has led to structural constraints in ensuring “food security”.
- The state at present has no economic wing to intervene and influence the market (as it has already dismantled those mechanism in the name of freeing the private sector from government control) as a result the state depends upon its “armed wing” for delivery of “emergency food rationing” – just as it has to rely upon it for “traffic control” or “fight against corruption”!
- The unequal and unfair trade regime has led to a discriminatory system that paralyzes economies such as Bangladesh from gaining through trade in agriculture.
- The global trade in food has led to expansion of poverty in Bangladesh - the children and other vulnerable groups are exposed to chronic malnutrition.
- Presently the agriculture policy of government is leading to destruction of small farmers and small scale agriculture leading to increased landlessness and further aggravation of rural poverty (reduced access to food and livelihood of peasantry).

Within this context, the relevance of a genuine agrarian reform becomes a necessity. The “genuine agrarian reform” would empower the landless and farming people; especially women ownership and control of the land they work and which returns territories to indigenous peoples. The right to land must be free of discrimination on the basis of gender, religion, race, social class or ideology; the land belongs to those who work it. Peasant families, especially women, must have access to productive land, credit, technology, markets and extension services. Governments must establish and support decentralized rural credit systems that prioritize the production of food for domestic consumption to ensure food sovereignty. Production capacity rather than land should be used as security to guarantee credit. To encourage young people to remain in rural communities as productive citizens, the work of producing food and caring for the land has to be sufficiently valued both economically and socially. Governments must make long-term investments of public resources in the development of socially and ecologically appropriate rural infrastructure.²⁶

Experience of Khash land distribution in Bangladesh reveals that transfer of land to the marginalized peasantry is not adequate to ensure that they would be able to retain land or would be able to productively utilize the land. This would require additional support from the state in form of legal protection (that would counter market interference; offer formal protection to traditional rites etc.), promotion of collective utilization of land (to counter agribusiness), protection to water as a public good, input support/subsidy, credit and preferential market access to marginal and collective farmers etc. Moreover, the protection of bio-diversity, control of seed to the farmers and measures ensuring food redistributing justice (e.g. rationing) etc. are essential safety-circles in linking the agrarian reform with food sovereignty. This would also reject privatization of these resources, allow common property and prohibit patenting and intellectual property rights around knowledge, seeds, and plant genetic resources.

The experience of food crisis, famine, hunger and malnutrition experienced by Bangladesh has already revealed that these take place primarily not because there is not enough food in the market, but primarily because there is not enough purchasing power at the hand of people to procure adequate food. The discourse of food security, right to food and food security help us to realize that in a country such as Bangladesh, entitlement to food cannot be generated only by ensuring availability of food or expansion of non-farm employment opportunities – it would essentially require peoples access to productive resources.

-The End-

²⁶ La Vía Campesina, November 11-17, 1996, Rome, Italy; www.viacampesina.org