



Food Security, Law and Theology: Biblical Underpinnings of the Right to Food

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by

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*Don't we have the right to food and drink?
-1 Corinthians 9:4*

Was Paul ahead of his time? Did he recognize a right to food that the international community has only in the late 20th century been ready to acknowledge and implement? Was it Paul's theology that brought him to muse about his right to food? Or is Paul's statement taken out of context with Christian theology and its treatment of food much more complex, less clear and more nuanced than Paul's quote might first appear? 1 Corinthians 9:4 is part of a bigger scheme of the obligations and rights flowing from food in the Bible. One might ponder where the Christian perspective on food fits with current legal perspectives on the right to food?

Food, law and theology are not a common triad. Yet for well fed Christians and non-Christians living in the 21st century there must be a link. We have a moral and a legal obligation towards the hungry. From a legal perspective, international and national laws impose legal obligations to recognize and implement the right to adequate food. From a theological perspective, our Christian faith requires that we acknowledge, with thanks, God's provision of food for us and that we feed the hungry, the widows, the orphans and the aliens.

This discussion paper is a resource to assist Christians and Christian organizations that want to understand and act on issues involving the right to food and its implementation in Canada and abroad. The paper has four main objectives: (1) to equip the reader with the necessary background to understand the evolution of the right to food under international law; (2) to invite the reader to consider the Biblical treatment of food and food aid; (3) to identify where the current legal and Christian perspectives on food complement or clash with one another; and, (4) to encourage individual Christians and Christian groups to assist in the implementation of the right to food in Canada and abroad.

INTRODUCTION - HAVING ENOUGH TO EAT, FOOD SECURITY AND THE RIGHT TO FOOD

Having enough to eat...having what is needed to survive...not having to worry about where the next meal is coming from. Food is essential. Through the medium of food, we live and grow, develop human relationships, even express our spirituality. When we lack food, we place all these pursuits in peril. To have access to food, that is, to live in a state of food security, is to have this banquet of human development at one's fingertips. What is food security? It is to have "the physical and economic access at all times to adequate food or means for its procurement".¹ To be food insecure, on the other hand, is not to have such access.

Food insecurity has important physical and psychological dimensions. How can the food insecure get enough food? Can they grow it in fields, plots or gardens? Must they buy it through a local market or shop? Is the food available through a food bank, a relief organization or an extended family support network? Is the country in which they live in a state of war or suffering from natural disasters that make food generally unavailable? The psychological dimension of food insecurity is the knowledge that there is not enough food today and that the lack of food has grave consequences—lack of opportunities for self and family, missed potential for the physical and mental development, pain, suffering, starvation and eventually premature death.

Approximately 800 million people (or about 1 in 7 persons) worldwide are hungry. Why? It is not because the world does not produce enough food to feed its 6 billion inhabitants. If food were evenly divided around the world, every human being would have access to a daily diet of about 2700 calories, which with the appropriate balance of micronutrients would be more than enough for an adequate diet. Thus globally, production is not, for the moment, the problem. Local and regional production may be problematic, with some areas incapable of producing or buying enough food. Natural disasters like drought, floods and other natural phenomena affect

some areas while others are besieged with man-made disasters like war, environmental degradation and unsustainable practices fueled by greed.

The problem of food insecurity is thus not principally a production problem but rather one of distribution. In this regard, the policies and actions of national governments and international organizations affecting food can play a significant role in undermining access to food and food security especially for the most vulnerable. National governments exert control over food in many ways. They determine overall policies for agriculture such as the types of crops to be produced, the level of taxation for farmers, the ownership of land, access to technology and even the pricing of agricultural commodities. They control eligibility for and delivery of food assistance and social assistance programs. National governments also determine the extent to which they will intervene in cases where people have limited or no access to food. Governments at war may use food as a weapon to rid themselves of unwanted minorities by expropriating land, burning crops, or denying access to food aid for “enemies of the state”. Thus, states exert a high level of control over food security within their own borders.

States also affect other countries’ food policies directly through their foreign policies on food, agriculture, trade and investment. While states may offer generous food programs or social assistance at home, at the international level they might champion practices, which imperil foreigners’ access to food. As well, directives of international organizations can negatively affect national food security. International financial organizations like the World Bank, and the International Monetary Fund, often impose structural adjustment programs on member states that negatively affect national food security. Trade agreements sometimes contain obligations that also have a negative impact on national food security in some countries.

The problem of hunger and food insecurity, while not unique to the twentieth century, is a presenting problem, the solution for which is of increasing importance. Without a resolution of the issue of food insecurity, global problems needing solutions are stacking up into a dangerous holding pattern like a fogged-in airport. Developing countries are demanding that their concerns about hunger and food security be taken seriously by developed countries and until they are, no progress will be made on other pressing global problems like environmental degradation, climate change or further trade liberalization. Not resolving the problem of hunger and food insecurity, frankly speaking, puts the world at greater risk of global catastrophe.

The above discussion leads one to ask two basic questions. “Can anything be done to improve access to food locally and internationally? Are there ways to improve access to food for the poor, the hungry and the most vulnerable?” The international community has chosen to adopt a legal framework built on a human rights approach to encourage states to collectively recognize and implement every person’s right to food. Our Christian tradition, on the other hand, is guided by Biblical laws relating to food and the provision of food aid to those without adequate resources. Each paradigm attempts to impose a set of obligations on actors with access to resources to improve access to food by those that do not. Below each paradigm is examined to demonstrate how it establishes and implements rules to reduce food insecurity.

1. LEGAL PRESPECTIVES ON THE RIGHT TO FOOD

International law, generally speaking, regulates the behaviour of states and only incidentally the behaviour of individuals. As such, states are the primary subjects of international law. In concluding international treaties, states agree to act or refrain from acting in certain ways with respect to how they treat other states, other states’ nationals or occasionally their own

residents. International agreements provide states with a mutually agreed upon bargain. States agree to limit their national policy choices thereby surrendering some sovereignty at home so that an international objective can be achieved. Each state then knows that the other states that have agreed to be bound by the treaty will also have surrendered the same sovereign rights to achieve the objective.

1.1 International Consensus and the Recognition of Human Rights

The appearance of international legal instruments to protect human rights is somewhat anomalous to that of other international agreements. Unlike the general case of international law as regulating the conduct of states *vis-à-vis* other states, international human rights law regulates the conduct of states *vis-à-vis* individuals because human rights belong to individuals not states. While human rights came to the fore at the end of the Second World War, the philosophic origins can be traced to Greek, Roman times. The first Bills of Rights appearing in England, France and the United States in the 17th and 18th centuries, recognized the inalienable quality of human rights, although the rights recognized were limited to political rights. Human rights belong to the individual and are to be respected and protected by the government. With the formation of the United Nations in 1945, human rights were formally recognized as part of the international legal landscape.

The initial recognition of human rights and the development of international human rights instruments to protect them under the umbrella of the United Nations were delayed by deep political divisions between the then Eastern Bloc and Western Bloc of states. The West was the champion of individual civil and political rights like freedom of conscience, freedom of association, freedom of the press, protection of the law through the elimination of arbitrary detention, the right to a fair trial, and the right to life. The East, led by the Soviet Union, was more inclined to support economic,

social and cultural rights of the collective arguing that civil and political rights were capitalist concepts.

The stark division between civil and political rights on the one hand and economic, social and cultural rights on the other had some very unfortunate consequences. It made universal acceptance of all the rights contained in the 1948 United Nation's Universal Declaration on Human Rights impossible. When it came time for states to transpose the non-binding Universal Declaration into binding international treaties, countries would not agree to a single treaty. Instead, the rights enumerated in the Universal Declaration were split into two separate international treaties in 1966—the International Covenant on Civil and Political Rights (CCPR) and the International Covenant on Economic, Social and Cultural Rights (CESCR). During the years of the Cold War at least, endorsement of the CCPR was indicative of a state's support for a strong system of individual western-style political rights while support for the CESCR was tantamount to an admission of support for socialism and its ideals. Another unfortunate consequence of the split into two sets of rights was that civil and political rights were to be immediately implemented whereas economic, social and cultural rights, including the right to food, were only to be progressively implemented. This had a dramatic effect on states' impression as to the urgency of recognizing the two sets of rights in national legislation. Civil and political rights could be implemented immediately because they were erroneously thought to be negative rights—that is, the government only need to refrain from certain acts to achieve their recognition and implementation—and thus inexpensive to implement. Economic, social and cultural rights, on the other hand were thought to be positive rights—that is, requiring significant financial resources to implement—and thus needed only to be implemented when such resources became available. As academics and practitioners eventually pointed out, aspects of civil and political rights can require heavy expenditures (for example, a

functioning and fair judicial system) while certain aspects of economic and cultural rights are without cost (for example, requiring governments to refrain from enacting laws and policies negatively impacting access to food).

There has been much activity in the arena of international human rights with the thawing of the Cold War in 1989-90. One of the great achievements has been the reunification of the two streams of human rights. At the World Conference on Human Rights held in 1993, the Vienna Declaration and Programme of Action declared that “all human rights are universal, indivisible, interdependent and interrelated”. Such a development represented a major step along the path of international consensus in the area of human rights. Unfortunately however, the distinction between immediate implementation for civil and political rights and progressive implementation for economic, social and cultural rights has not been erased.

Another vestige of the separate development of the two streams of human rights is an institutional imbalance, with the institutions related to the CCPR much developed than those of the CESCR. In fact, the lack of development of institutions to protect the rights to food, housing, education, health and culture has led the international community and non-governmental organizations to lobby for separate international rules and institutions. It is for this reason that much of the work that has been done on the right to food prior to 1997, has been conducted outside the ambit of the CESCR. A history of the development of the right to food is set out below.

1.2 Development of an International Right to Food

Initial attempts to bring the force of international law to bear on the problem of hunger were linked to the human rights language articulated by the American President Theodore Roosevelt. In 1941, he called for a world that was, among other things, “free from want” and he had his eye on

international cooperation and new institutions like the United Nations to achieve it. From a legal point of view then, it is important to survey how this idea of “freedom from want” became a fully-fledged right to food in international law.

The right to food is established in several international instruments and binding treaties. Table 1 below sets out the most important of these instruments, their date of adoption, legal force, states involved, Canada’s commitment to the instrument and the basic content of the instrument.

The Charter of the United Nations, the founding document, did not make specific reference to “freedom from want” or “the right to food” although the concept of inalienable human rights and their progressive realization was a cornerstone of the document.² In 1948, three years after the coming into force of the Charter, the Universal Declaration of Human Rights was adopted by the United Nations General Assembly. The Declaration made the first international reference to food as part of basic human rights. Article 25(1) of the Declaration says that, “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 ...” However, United Nations General Assembly resolutions are not considered in themselves to be legally binding on states.

In light of the non-binding nature of the Universal Declaration, states agreed in 1966 to conclude two treaties—the CCPR and the CESCR— to give binding effect to the rights enumerated in the Universal Declaration. With respect to food rights, Article 11 of the CESCR³ binds states to “recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food” and to recognize “the fundamental right of everyone to be free from hunger”. This provision forms the basis of all international law recognizing the right to food.

In 1967, several states entered into an international agreement to make the provision of food aid an obligation under international law. With the conclusion of the Food Aid Convention (FAC), eighteen states agreed to supply a minimum of food aid to countries in need. Since that time, several other states have become signatories to the FAC which was renewed several times and remains in effect today. While the Food Aid Convention has obvious commercial objectives⁴ as well as altruistic ones, its legal obligations are clear: if a country agrees to provide food aid it must do so, although the treaty generally lacks enforcement measures other than the moral suasion of other member states who comply with their food aid commitments.

In 1989, the United Nations Convention on the Rights of the Child (CRC) created additional state obligations regarding the provision of food to children. Article 27 requires that “States Parties recognize the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development and to take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programs, particularly with regard to nutrition, clothing and housing.”

The World Food Summit convened by the Food and Agriculture Organization of the United Nations (FAO) in 1996 was an important catalyst to further advance the development of the content of the right to food. The event was attended by 187 countries and produced a Rome Declaration on World Food Security and a World Food Summit Plan of Action. While reaffirming the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, the Rome Plan of Action asked for the clarification of the definition of the right to food. Paragraph 61(e) invited:

... the UN High Commissioner for Human Rights, in consultation with relevant treaty bodies, and in collaboration with relevant specialized agencies and

programmes of the UN system and appropriate intergovernmental mechanisms, to better define *the rights related to food* in Article 11 of the Covenant and to *propose ways to implement and realize* these rights as a means of achieving the commitments and objectives of the World Food Summit, taking into account the possibility of formulating voluntary guidelines for food security for all. (emphasis added)

Table 1: Instruments Important in the Recognition and Development of the Right to Food

Instrument	Drafted	Legal Force	States Involved	Canada's Status	Content
Universal Declaration on Human Rights	1948	Non-binding declaration of the UN GA	48 for, 0 against and 8 abstentions	Voted for adoption	Sets out the ensemble of human rights to be protected internationally
Geneva Conventions and Additional Protocols	1949 -	International multilateral treaties	Depends on specific treaty	Most are binding on Canada	Establishes rights and obligations for states to respect and protect food rights during conflict
Covenant on Economic, Social and Cultural Rights (CESCR)	1966	International multilateral treaty	141	Binding on Canada since 1976	Establishes state obligations to protect economic and social rights including the right to be free from hunger and to an adequate standard of living, including food
Food Aid Conventions	1967 -	International multilateral treaties renewed periodically	Originally 18 under the 1967 agreement, now over 20	Binding on Canada since 1967	Establishes state obligations to provide a minimum amount of international food aid
Covenant on the Rights of the Child (CRC)	1989	International multilateral treaty	191	Binding on Canada since 1992	Establishes immediate rights and obligations for states for rights for children including nutrition
Rome Declaration and Plan of Action	1996	World Food Summit	187	Non-binding	Seeks clarification of the content of the right to food and suggests the international bodies to complete the task
General Comment 12 of the Committee on ESCR	1999	Decision of the Committee on ESCR – strong, legal content	Implicitly 141 but instrument is that of the Committee, not the states	Not official binding but serves as a interpretation of Article 11 of the CESCR	Establishes the precise content and implementation of the right to adequate food

The Committee on Economic, Social and Cultural Rights, a body created in 1985 to oversee the implementation of the CESCR rights, undertook the task of clarifying of the right to food in response to para. 61(e) of Rome Plan of Action. In 1999, the Committee developed and adopted General Comment 12 – The Right to Adequate Food,⁵ the first detailed pronouncement by a United Nations Body on the content and the implementation of the right to food:

The human right to adequate food is of crucial importance to the enjoyment of all rights. It applies to everyone...” (para. 1)

...

The Committee affirms that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights. It is also inseparable from social justice, requiring adoption of appropriate economic, environmental and social policies, at both the national and international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all. (para. 4)

The Committee’s formal definition of the core content of the right to adequate food reads:

The availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture; the accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights. (para. 8)

The Committee further stated that the right to adequate food must not be interpreted narrowly as a minimum package of calories, proteins and other specific nutrients but rather as a broader right which must be realized progressively although states will have the burden to demonstrate why the right cannot be immediately implemented. The Committee also confirmed that there is a core right for all to be free from hunger even in times of natural or other disasters.

The right to adequate food imposes three types or levels of obligations on states: to respect, to protect and to fulfil. Under the obligation to respect, the state, as governor of its people, must restrain its own actions to prevent any policy, legislation or administrative act

which would imperil an individual's or group's access to food. Every level of government has this obligation—national, provincial and municipal.

With regard to its obligation to protect, the state, as arbiter amongst its people, must protect each individual's access to food from arbitrary or discriminatory interference by another individual or enterprise.

The obligation to fulfil has two branches – to facilitate and to provide. The state obligation to facilitate means that the state must pro-actively engage in activities to strengthen people's access to resources to ensure their livelihood. Finally, whenever an individual or group cannot, for reasons beyond their control, enjoy the right to adequate food, states have an obligation to provide food.

1.3 Implementation of the Right to Adequate Food

Implementation must necessarily begin at the national level. General Comment 12 suggests that implementation requires a national strategy to ensure food and nutritional security for all. The national strategy should be based on human rights principles that define the objectives, and should include the formulation of policies and corresponding benchmarks and resources to meet the objectives. As well the strategy would set out the responsibilities and time frames for implementation of the necessary measures.

Monitoring the implementation of the right to food has been difficult. Compared to civil and political rights, monitoring of the implementation of economic and social rights by governments, inter-governmental organizations and non-governmental organizations is in its infancy. With respect to the right to food, the General Comment encourages states to develop and maintain mechanisms to monitor the implementation of the right to food, including access to courts, tribunals, human rights commissions or ombudsmen to seek remedies for the violation of

the right to adequate food. At the international level, the Committee on Economic, Social and Cultural Rights will continue to monitor the enforcement of the right through the examination of the mandatory reports provided to the Committee by States Parties to the CESCR.

As Canada has signed and ratified the CESCR, it has been bound since 1976 to comply with the implementation requirements of the CESCR. The primary and, for the present, only implementation requirement is that Canada submit a report to the Committee on Economic, Social and Cultural Rights every six years outlining its progress in implementing economic, social and cultural rights in Canada. Canada's last report to the Committee of on Economic, Social and Cultural Rights was its third periodic report, which was reviewed by the Committee in November 1998. The Committee's concluding observations, published in December 1998 found a number of unresolved issues concerning economic rights that adversely affect individual Canadians' right to adequate food.⁶ The Canadian government maintains, however, that it has been a strong international advocate for the right to food citing its strong presence at the World Food Summit in 1996 and its co-sponsorship with Cuba of Resolution 1999/24 "The Right to Food" adopted by the United Nations Commission on Human Rights in April 1999.⁷ At home, the Canadian government in consultation with civil society has adopted Canada's Action Plan For Food Security, which outlines 10 priorities to achieve food security in Canada and abroad.⁸

2. BIBLICAL PERSPECTIVES ON FOOD AND FOOD AID

Food is vitally important in the Bible. It permeates the text at every juncture. Food has central role in our first contact with God in the Garden of Eden. The tribe of Israel is cared for in its 40-year desert trek by God-given manna and quail. Then the nation is ushered into a fertile land that meets all of their physical needs. Christ's ministry started at a wedding reception and it

ended when he proclaimed his message of the New Covenant using bread and wine. The Early Church, on fire with Christ's New Covenant, shared everything, food included. Even in Revelation, food and wine references abound with more than a dozen occurrences of figurative allusions to eating and drinking.

2.1 The Bible's Food Matrix – Physical, Social, Moral and Spiritual Dimensions

The Bible's frequent reference to food highlights food's importance for the physical, social, moral and spiritual well being of God's People. Developing a Christian theology requires an examination of each of these dimensions of human-ness across the four eras covered in the Old and New Testaments. Table 2 below sets out the Bible's Food Matrix.

Table 2: The Bible's Food Matrix revealing the physical, social, moral and spiritual dimensions of food

Era Quality	Creation Era	Theocracy of Israel	Jesus' time and teaching	Early Church Practice
1. Physical (food as meeting the daily requirements of living)	Gen 1:29 - God provided abundant food for Adam and Eve	God provides manna and quail in the desert for 40 years, then a land of milk and honey	Matt 4 - Jesus experiences hunger Matt 15:32 - Jesus feeds the 4000 Matt 6:11 - Jesus pray of thankfulness for food – “our daily bread”	Early Church practice of feeding the widows and the orphans and distribution according to need
2a. Social (eating together strengthens social bonds)	Gen 18 – Abraham feeds God's messengers	Significant events in Israel's history commemorated by a feast – Feast of Tabernacles, First Fruits, Passover	Matt 9:10 and Matt 11:18 - Jesus' social events around food were condemned as eating and drinking with sinners	Acts 2:42 – The New Church breaks bread together
2b. Social (food's role in confirming the binding nature of a covenant)	Gen 15:10 - God's covenant with Abraham sealed with a heifer, a goat and 2 birds	Num 6:1 and Judges 13:7 – Nazerites, a covenant people of God, were set apart by their food habits	Matt 26, Mark 14 and Luke 22 – The Last Supper's New Covenant sealed with bread and wine	Rom 12:20 – Paul makes a vow to abstain from certain foods for the benefit of others

3a. Moral (personal triumphs or failures resulting from food) 3b. Moral (obligations to the community)	Gen 1:29 - Food is good work of God and of great variety for Adam and Eve	Prov 23:2, 23:21 and 28:7 – Gluttony is a disgrace and idolatrous Lev 23:22 - Gleaning provisions Ezek 18:16 - admonitions to assist the poor	Matt 25:40 - The way in which one treats the poor and hungry determines moral character and judgement before God	Titus 1:12 – Gluttony is sinful Acts 15, 1 Cor 10:20 – Food sacrificed to idols is sinful Acts 6 – the feeding program of the new church under Stephen
4a. Spiritual (food impeding our relationship with God)	Gen 3 - Adam and Eve committed first sin through the medium of food Gen 4 – Cain committed second sin because of God’s reaction to his food offering	The plethora of food laws in the Old Testament; The necessity of food offerings of grain or meat to communicate with God	Matt 15:20 – and Mark 7:17 – Jesus challenges the food laws of the Old Testament by challenging the definition of clean and unclean foods	Rom 14:20 - Do not eat foods that will make your brother fall Acts 15:28 – The Council of Jerusalem sets out food rules for non-Jews
4b. Spiritual (food as a mark or symbol of spirituality)	Gen 2:17 – God uses a tree and its fruit as the mark of the knowledge between good and evil		Jesus is the bread of life and the living water of life John 4:34 - Jesus’ food is to do God’s will	James 2:14 – Faith is demonstrated in action, such as sharing food

2.1.1 Physical needs

Food is a central concept in the Old and New Testaments. Subsistence economies and the harsh climatic regions of the Middle East made food, its cultivation and consummation a central theme of physical life during the entire period in which the Bible was written. It is sometimes easy to lose sight of this fact in our modern age of Western World abundance where the importance and centrality of food has been substantially downgraded.

The story of creation in the first chapter of Genesis establishes clearly that God created all means of physical sustenance. After God created man and woman, he gave them these plants “for food”. Man was placed in the Garden of Eden to tend and care for it. When the first humans

sinned God commanded that Adam and Eve to produce their own food “by the sweat of their brow”.

Throughout the Bible, “bread” is used as the food term of immediate need and sustenance. “Give us this day our daily bread.” “Man cannot live by bread alone.” Bread is the single most important food word in the Bible and focuses attention on the necessity of meeting daily nutritional requirements for survival. God provided for the Israelites daily while they were in the desert with the bread-like manna. “Fruit” and specific references to different fruits, including figs, raisins, pomegranates, olives, grapes and wines, on the other hand, represent abundance. Meeting physical needs basically with “bread” or abundantly with “fruits” is a constant theme in the Old and New Testaments.

Jesus understands the physical dimension of food. He knew hunger and he knew, along with Satan, the physical need to appease such hunger. Jesus under the physical demand for food and often satisfied that need in his disciples and his followers generally

Jesus called his disciples to him and said, “I have compassion for these people; they have already been with me three days and have nothing to eat. I do not want to send them away hungry, or they may collapse on the way.” (Matt 15:32)

2.1.2 Social functions

Throughout the Bible, food is used as means to build, enhance or repair relationships. Eating together builds community. It demonstrates trust and care. It even prevents quarrels. In this way food meets important social needs and is an instrument of blessing. In the Old Testament for example, Abigail made appeasement to David, who was coming to kill her husband, by sending him donkeys laden with food. By Abigail’s gift of food and well-chosen words, conflict was averted. (1 Sam 25:18)

Food brings people together as it did at the Last Supper or at the meetings of the Early Church or at Old Testament festivals such as the Feast of Tabernacles, First Fruits or Passover. The Bible's constant recognition of the state of the poor and the need that they be cared for speaks volumes not only to the physical attributes, but also the social attributes, of food. Feeding the poor would bring them into community and thus the poor would come to enjoy the benefits of community life and interaction as well as no longer being hungry.

Acts 6:1 is a revealing passage concerning the effect on a Christian community when some of its members were being discriminated against in food distribution. "In those days when the number of disciples was increasing, the Grecian Jews among them complained against the Hebraic Jews because their widows were being overlooked in the daily distribution of food." This was a dire situation as it went not only to a violation of the vulnerable group's physical well being but had social effects on the larger community. Obstructing the poor in getting their food was indicative of a much deeper tear in the social and spiritual fabric of that early Church community.

Food in the Bible also has the social function or peacemaking. Abigail used it to appease David and Paul suggests we use to appease our enemies. In Rom 12:20 Paul says, "If your enemy is hungry, feed him; if he is thirsty, give him something to drink."

2.1.3 Moral implications

The law given to Moses as set out in Exodus and Leviticus makes it very clear that those who have food have an obligation to share with others.

When you reap the harvest of your land, do not reap to the very edges of your field or gather the gleanings of your harvest. Leave them for the poor and the alien. I am the LORD your God. (Lev. 23:22)

This particular command is part of a larger admonition to care for the poor and the alien.

However, it is significant that one of the ways the poor are to be cared for is that those who produced food were to leave some for the poor. The law could have commanded that those who produced food were to give percentages to the poor in a manner similar to the provision for the Levites. However, in this command, the requirement was that food be left for the poor and that the poor would actually have to come and get it themselves “from the edges of the fields”.

The other significant command in relation to food and the poor is found in the 7-year Sabbath regulations for the land. In the Exodus version of the law of the 7th year Sabbath rest for the land indicates that what the land produces in its fallow year:

Then the poor among your people may get food from it, and the wild animals may eat what they leave. Do the same with your vineyard and your olive grove. (Ex. 23:11)

This implies that in the Sabbath year, as in the desert, God himself supplies the needs of the poor.

There are many references to God’s concern for the poor. He requires that his people care for the poor among them, that they refrain from taking advantage of them and that they will suffer judgment for treating the poor wrongly.

Even in the New Testament there are several instances where individuals defile themselves by inappropriately consuming food. Either they eat too much of it and risk the sins of excessive living or they eat food which causes their brothers and sisters to stumble. While Jesus’ teachings and those of the disciples relax the food laws of the Old Testament, food can still be a personal stumbling block.

Do not destroy the work of God for the sake of food. All food is clean, but it is wrong for a man to eat anything that causes someone else to stumble. It is better not to eat meat or drink wine or to do anything else that will cause your brother to fall. (Rom. 14:20-21).

2.1.4 Spiritual role of food

It is significant that the first sin related to food. God had given all plants to the man and woman for food except for the significant “tree of the knowledge of good and evil.” When Adam and Eve succumbed to the temptation “to eat and be like God”, their disobedience of God’s command was manifested by eating the forbidden fruit.

Leviticus is filled with specific references to the elaborate food laws of the Jewish faith. Fulfilling the laws would bring one into a closer relationship with God. Offering appropriate food sacrifices also demonstrates the spiritual function of food in the Old Testament.

In the New Testament Jesus reveals the spiritual consequences for failing to heed the obligation to feed the poor. Jesus says in Matt 25:33-35:

He will put the sheep on his right and the goats on his left. Then the King will say to those on his right, ‘Come, you who are blessed by my Father; take your inheritance, the kingdom prepared for you since the creation of the world. For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in.

Then in Matt 25: 40-42, Jesus concludes:

“I tell you the truth, whatever you did for one of the least of these brothers of mine, you did for me.” Then he will say to those on his left, “Depart from me, you who are cursed, into the eternal fire prepared for the devil and his angels. For I was hungry and you gave me nothing to eat, I was thirsty and you gave me nothing to drink.”

Food is often a metaphor for meeting daily spiritual needs. Jesus refers to himself as both the living water and the bread of life. In John 6:31, Jesus says, “Our forefathers ate the manna in the desert; as it is written: ‘He gave them bread from heaven to eat.’” Then in John 6:50, Jesus says “But here is the bread that comes down from heaven, which a man may eat and not die.”

Food is important in the Bible given its central place in the physical, social, moral and spiritual development of God’s people. It is, of course, possible to overstate the importance of

food in the Bible. The Bible sets out God's plan for our salvation and His love for His People. While our physical needs are important, Jesus' work is of a spiritual nature and food is only an element in that plan of spiritual renewal. As Paul states in 1 Cor. 8:8 "But food does not bring us near to God; we are no worse if we do not eat, and no better if we do."

2.2 Developing a Christian Theology of Food and Food Aid

2.2.1 Food to be received with gratitude

The Christian theology of food begins with gratitude. Jesus taught us to give thanks for "our daily bread". Paul reminds us that "So whether you eat or drink or whatever you do, do it all for the glory of God." (1 Cor.10:31). Food, like grace, is a gift from God to be received with gratitude. No one has a right to food. Instead, one is grateful to be the recipient of God's bounty and abundance. When one is hungry, God will provide as He did to the Israelites in the desert or to the gleaners, like Ruth. And while the hungry have no right to food, those blessed with abundance have an obligation to provide food to the hungry.

2.2.2 Food as the fabric of relationships

In the Bible, time and time again food is used to build community. Sometimes the relationship to be cemented is between a person of high stature and those of more humble circumstances such as with Samuel calling for a feast to announce that David will be Israel's new king. Sometimes the relationship is a familial one with the parable father killing the fattened calf to celebrate the return of his lost son. Sometimes the giving of food appeases enemies or starts the process of forgiveness. Ultimately the sharing of food is a sign of love and acceptance such as was shown by Jesus dining with tax collectors. Regardless, food is not just a commodity for

consumption. It has an important and often sacred role in building community and avoiding conflict.

2.2.3 Grappling with the balance between justice and compassion

Yet there is a strong tension within the Christian theology of food. How does one balance the justice theme of strict food laws in the Old Testament or the hard teaching of Paul's New Testament passage "if you don't work, you don't eat" with the compassion that God's show for his people in the desert or Jesus' feeding of the 5000? Both themes exist. God's command is to work "by the sweat of your brow" to produce food, failing which you will surely die. Just as without God's grace of salvation you will die spiritually, without God's provision you will die. But God does provide and his people are under an obligation to thankful share their bounty received from God. The focus in the Christian theology of food (and consequently food aid) is that we have no right to food but rather an obligation to be thankful for the provision of food and to show this gratitude by extending an offer of food to others—to meet their physical, social, moral and spiritual needs.

3. COMPATABILITY OF LEGAL AND CHRISTIAN PERSPECTIVES ON FOOD

Are the legal and theological perspectives on food compatible? Some common themes do emerge from the two perspectives as well as some potential conflicting points of view.

3.1 Common Threads

A major contribution to the legal definition of the right to food has been the introduction of the three-pronged approach outlining the duties of states to respect, to protect and to fulfil.

This approach, while a breakthrough at the international legal level, has a long tradition in Christian theology and in its practical application.

3.1.1 The duty to respect

The duty to respect refers, in the modern legal context, to the state's obligation not to encumber or destroy an individual's access to the means of production of or access to employment to buy food. In the Old Testament, gleaning rules, Sabbath for the land and the Jubilee all provided security for the poor. These laws permitted people to work for food and ensured that their land would not remain forever encumbered.

3.1.2 The duty to protect

The duty to protect is really an anti-discrimination provision in international law. It makes the larger community (or the state in modern times) responsible to ensure that individuals do not interfere with other individuals' right to food. There are Biblical dictates that specifically proscribe actions that would deprive people access to food. For example, if a man marries a second wife, he must not deprive his first wife of food, clothing and marital rights. Second wives were not to be a reason for the violation of the first wife's right to food (Ex. 21:10). Oppression which causes an inability to access food is also outlawed. Take, for example, the pronouncement in Ezek. 18:7: "He does not oppress anyone, but returns what he took in pledge for a loan." There are several Biblical injunctions which express similar obligations to protect including the one in Zech 7:10: "Do not oppress the widow or the fatherless, the alien or the poor. In your hearts do not think evil of each other."

3.1.3 The duty to fulfil

There is a clear Christian directive to provide food to those in need. The first of the two branches of the obligation — to provide — is exemplified in several Biblical passages. In Ezek. 18:16: “He does not commit robbery but gives his food to the hungry and provides clothing for the naked.” (See also Is. 58:7; Prov. 25:21). In Deut. 10:18: “He defends the cause of the fatherless and the widow, and loves the alien, giving him food and clothing.” In Luke 3:11 John answers, “The man with two tunics should share with him who has none, and the one who has food should do the same.” As well the Prov. 31:20 wife “opens her arms to the poor and extends her hands to the needy.”

But the second branch of the duty to fulfil is to facilitate the poor’s access to food. Although the Bible is less clear on this directive, the institutionalization of land use laws might serve as a Biblical model for a duty to facilitate. The state of Israel would have had a duty to oversee the implementation of the gleaning, Sabbath and Jubilee laws, all of which would have facilitated the poor’s access to food.

This kind of duty to facilitate might translate in today’s world for broad international obligation for special and differential treatment in trade and financial agreements that should be accorded to developing countries. The justice of everyone having to play by the same rules would be replaced by the compassion accorded to gleaners. Several developing countries currently suffer under extreme debt loads that make adherence to some international rules very onerous and strict adherence to those rules negatively impacts food security in such countries.

3.2 Potential Clashes Between Current Legal and Christian Perspectives on Food

While there are common grounds between the international human rights approach to the right to adequate food, there is also the potential for a number of areas of conflict between it and the Christian perspective on food and food aid.

3.2.1 Rights of individuals and the obligations of members of the body of Christ

One of the important distinctions between Christian theology on food and the human rights approach is the focus of the inquiry. Under human rights analysis, the focus is the individual holder of the right. When his or her rights are violated, the human rights mechanism must be able to cause the violator, whether state, corporation or individual, to cease the violation. The human rights system, as it is currently structured, favours the protection of individual-based rights over any other kind. Thus when the Christian theology of food and food aid is examined against this backdrop several potential conflicts appear. First, the Christian theology of food focuses not on an individual's rights but on the individual's gratitude to accept God's provision of food. Furthermore, Christian theology reveals an obligation on the Christian and his or her community to act to alleviate hunger, as, for example, did the Early Church. Human rights instruments and institutions try to empower the individual to actualize his or her entitlements by restraining state action or by requiring states to fulfil these entitlements. The Christian theology does not espouse this sort of rugged individualism particularly in the area of food where the Biblical paradigm recognizes food's social significance in the concentric circles of family, community, body of Christ and the whole humanity. Christians live "in community". International human rights law is slowly making advances to recognize community rights in areas like the right to culture and to religious freedom, but the notion that the right to food can be protected as a group right is not sufficiently developed to permit a community to bring a

complaint of a violation of the right to adequate food. Only the individual members of that community can do so.

3.2.2 Growing intolerance of the Christian worldview

The increasing hostility towards the Christian worldview is a potential obstacle to the complementarity of the international human rights perspective and the Christian perspective on food issues. According to sources such as the World Evangelical Fellowship, Christians are experiencing increasing persecution worldwide. Canadian Christians are increasingly witnessing the spread of disinformation concerning Christians and their views. Given the Biblical notice that persecution will follow from following Christ's commands (see Matt. 5:11-12) it is safe to assume that Christians will face increasing opposition as they carry out Christ's commands.

Opposition to Christianity in general need not be an insurmountable obstacle. It does mean, however, that Christians cannot assume that they will be treated as though they are coming to the issue of the right to food in good faith and without an "agenda". It is likely, however, that when policy makers become aware of the level of humanitarian assistance provided through Christian organizations, Christians will continue to be welcomed at the consultative table both nationally and internationally.

4. A CALL TO ACTION - THE ROLE OF CHRISTIANS AND CHRISTIAN ORGANIZATIONS IN REALIZING THE RIGHT TO ADEQUATE FOOD

As Christians, we are obliged to share our food and resources, both within our local communities and in the world. The significant role that food can play in strengthening communities means that our act of sharing potentially gives twice, once to meet physical needs

and a second time to create community. There are, however, pitfalls to sharing as sometimes food aid can create dependency and destroy local markets. What is the most effective way that we as Christians, called by God to share our food, can act? What do we do here at home and abroad? What actions can we take individually or as a group to respond to our obligation to honour God by providing to the food insecure? In Table 3 below, several recommended actions for individuals, as well as Christian organizations, are set out.

Table 3: Draft Plan of Action for Individuals and Groups engaged in Food Issues

Action	by	Individual	Groups	Special Task
1. Prayer		For an end to oppression; for hope for the hungry	For an end to oppression; for hope for the hungry	
2. Gleaning and Lifestyle		For responsible living and careful purchasing		
3. Engagement		Lobbying our elected officials to take up the cause of food security at home and abroad	Lobbying our elected officials to take up the cause of food security at home and abroad	
4. Programming Role			For continued emergency relief and food programming	
5. Advocacy Function		Joining non-governmental groups that are concerned about food issues	Getting a position at the bargaining table with government and in international organizations where food issues are germane	
6. Monitoring Function			Setting up mechanisms within existing food aid agencies to monitor and report on food rights violations to government and international organizations	
7. Call to American Sisters and Brothers				For Christians and Christian organizations to encourage and assist U.S. Christians to challenge the official U.S position on the non-recognition of food rights

4.1 Acting As an Individual

We can pray—pray that the oppressors of the hungry around the world will release their oppressed; pray the Canadian governments will take a more active concern for the hungry and homeless; pray that the poor and hungry will find hope for a new start.

What acts of gleaning can we make available to poor and the hungry? In our drive for efficiency, do we crop right to the edges of our “fields” and pick through our vineyards twice? What actions can we take in our jobs, in our homes, in our social lives to leave a little for those less fortunate? Can we be less competitive for a moment and more compassionate in our daily lives?

Are our actions compromising the food security of other Canadians or persons living abroad? Do we have financial investments in companies or countries where governments are known to systematically denied their inhabitants the right to adequate food? We need to pay attention to the impact of our purchasing habits and the consequences that such decisions entail like the production of wastes, the temptation of over consumption and the selection of food produced by unsustainable practices.

We can actively pursue our elected federal and provincial representatives to encourage them to make food issues and poverty reduction a major priority. Ask them in a letter or by phone what the Canadian government is doing to implement our national food security policy and whether its current international policies complement or contradict our programmes for relief and development abroad.

4.2 Acting as a Group

Christian social action in the field of food issues must concentrate on three broad issues. First, Christian organizations should continue their work in emergency relief and food programming. Second, Christian organizations need to “come to the table” to assist governments to develop strategies for national and international food policy. Third, Christian organization must take a more active role in monitoring and reporting instances of food rights violations in Canada and around the world.

Christian food programming fills our call to share our food and to feed the hungry, as well as the international community’s need for emergency food assistance to disaster areas. There must be a commitment, of course, to promote food self-sufficiency where feasible and to ensure that Christian organizations are not undermining local production and markets. Clearly, this is a niche that organizations like the Canadian Foodgrains Bank occupy and should continue to actively pursue.

The second area of engagement is that of being a credible voice at the policy development table, whether at home as part of the government’s consultative process with non-governmental organizations or abroad as part of the larger global non-governmental community. National and international organizations are becoming increasingly open to input from non-governmental organizations, especially credible ones that have been working on food issues for many years. The Christian community may present its views to government on implementation of our national food security strategy through umbrella organizations like the Evangelical Fellowship of Canada or the Canadian Council of Catholic Bishops develop or through specialized Christian agencies such as the Canadian Foodgrains Bank or the Mennonite Central Committee, Hope International Development, Cause Canada, Canadian Catholic Organization

for Development and Peace. Particular churches might wish to develop a food action plan that they can share directly with the Canadian government or with other churches.

Finally, the last role, and perhaps the least developed at present, is for Christian food organizations to engage in monitoring and reporting of violations of food security rights in countries in which they operate. Such reporting has been very sparse in the past and is much needed to better implement the right to adequate food. Since several Christian organizations have a constant presence in countries where food rights are systematically violated, these organizations are credible reporters of such violations to international monitoring bodies like the Committee on Economic, Social and Cultural Rights and the office of the United Nations High Commissioner on Human Rights. Non-compliance by delinquent states can be improved if international organizations have detailed accounts of rights violations supplied to them by Christian aid organizations.

4.3 A Special Task – A Call to Our Sisters and Brothers in the United States

The position of the United States on the right to food is particularly puzzling. As the most powerful nation in the world and the most capitalistic, its stance on any international issue of particular importance. The official position of the United States government is openly hostile to the international recognition of the right to food and any dialogue on food rights. During the World Food Summit, the United States was alone amongst the 187 nations attending the summit, to voice strong opposition to the definition and implementation of the rights relating to food.⁹ The American position presents a significant legal obstacle to the early implementation of the right to food. Why this opposition? Three reasons come to mind. First, the American position is supported by the belief that the right to food is an inferior right compared to other human (read

civil and political) rights.¹⁰ Second, there is still the notion that economic, social and cultural rights are too socialistic. Third, the United States government may fear that if it agrees to recognize and protect economic, social and cultural rights that there will be a huge financial burden attached to the implementation of this rights at home and abroad. A large portion of this burden might fall on the United States as has occurred in the past with the funding of international institutions such as the United Nations.

Is the American position reasonable? It is not really defensible in terms of law, logic or tradition. The United States is alone in failing to acknowledge the recent legal developments recognizing the right to adequate food. Logically, the right to adequate food necessarily fits with the recognition and protection of human rights generally, particularly as a necessary complement to the civil and political rights that the United States champions. The right to freedom of conscience is hollow without food in one's stomach. Finally by tradition, the United States has a strong Christian heritage and was in fact founded as a country where all could enjoy the freedom to practice their religion. While the influence of Christianity in American life has waned, Christians still form a large portion of American society and have a significant political impact. If the Christian theology of food requires the recognition of a duty to feed the hungry and help the poor, it is particularly anomalous that the official American position opposes the recognition of the right to adequate food.

A final task and point of action as non-American Christians would be for us to encourage our American sisters and brothers in Christian organizations, and as individual Christians, to challenge their government on why it continues to oppose the recognition of the right to adequate food. Meeting with our American counterpart organizations, praying with them, developing action plans to change government food policies would present an important next step to attempt

to change the course of American policy. If the United States government were to openly embrace the recognition and implementation of the right to adequate food, a new door would open upon the international stage, a door that might well lead to a negotiating table where states agreed to stronger commitments and more political will to seriously tackle the pressing problem of world hunger.

ENDNOTES

¹ Committee on Economic Social and Cultural Rights, General Comment 12, para 6 (1999). United Nations Document Number E/C.12/1999/5, CESCR General Comment 12. Available at: <http://www.unhchr.ch/tbs/doc.nsf/MasterFrameView/3d02758c707031d58025677f003b73b9?Opendocument>

² Articles 1, 13, 55, 56, 62, 68, and 76 speak to the issue of human rights. Article 55 contains the reference to what will eventually become a basis for food rights.

³ The CESCR has been in force in Canada since 19 August 1976.

⁴ The scheme was, from the outset, principally oriented to the orderly disposal of surplus grains stocks in such a manner as to avoid unwanted market disruptions and to have all rich western countries participate more evenly to distribute the financial consequences of giving away national surplus production. This type of orderly disposal of surpluses was built upon existing “soft law” obligations of the FAO’s Principles of Surplus Disposal.

⁵ See note 1 above.

⁶ The Report is located at: <http://www.unhchr.ch/tbs/doc.nsf/MasterFrameView/c25e96da1156431802566d5004ec8ef?Opendocument>

⁷ The resolution can be found at: <http://www.unhchr/Huridocda/Huridoca.nsf/TestFrame/683ad6ca7a685f0e802567630055b73b?Opendocument>

⁸ For the full Action Plan document see: <http://www.agr.ca/cb/fao/fsap/fsape.html>.

⁹ 14 other countries provided reservations or interpretative statements concerning the content and meaning of the Rome Declaration, but only that of the American government took issue with the meaning of the right to food, its elaboration, implementation and realization. For the other interpretative statements see “Report of the World Food Summit” FAO, 1996 at 35-51.

¹⁰ There are indications, however, that the U.S. position may be changing to one more sympathetic to recognizing some legal content to human rights to food, see “Human Rights as a Framework for Food Security”, NGO response to US government’s draft “National Action Plan on Food Security” (on file with author).