Political appeal of an ambiguous idea
Explaining the institutionalisation of food sovereignty in Nepal

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Crawford School of Public Policy

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A thesis submitted for the degree of Doctor of Philosophy of the Australian National University

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Declaration

This thesis contains no material which has been accepted for the award of any other degree or diploma in any university. To the best of the author’s knowledge, it contains no material previously published or written by another person, except where due reference is made in the text.

Puspa Sharma

15 February 2019
Acknowledgements

This thesis bears my name as the author, but the thesis is not the outcome of an individual effort. Many people, directly and indirectly, have contributed to my project. I would like to thank all of them. I might not be able to specify the names of everyone and I apologise at the outset.

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Abstract

The idea of food sovereignty lacks clarity and is imprecise. Yet, some countries have accepted the idea and included it in their constitutions and legislation. Existing literature on food sovereignty tends to argue that the reason for the institutionalisation of the idea of food sovereignty by some countries is that these countries have accepted the demands made by social movements on food sovereignty and are willing to make changes in the food and agriculture sector accordingly. I argue that this explanation regarding the institutionalisation of the idea of food sovereignty does not hold much ground. Rather, the institutionalisation of the idea of food sovereignty can be better explained by the “coalition magnet” thesis. A coalition magnet is an idea with political appeal that attracts a diversity of individuals and groups, and is used strategically by policy entrepreneurs to frame their interests, mobilise supporters and build coalitions. For an idea to be called a coalition magnet, three things are essential: 1) effective manipulation of the idea by policy entrepreneurs, 2) embracing or promotion of the idea by key actors in the policy process, and 3) coming together of actors who previously seemed to be at odds. I find that the idea of food sovereignty possesses these three attributes, and this helps explain the institutionalisation of food sovereignty by Nepal. In Nepal, there were policy entrepreneurs who propagated the idea of food sovereignty, and other actors also found the idea appealing, more so because they could interpret and accept the idea of food sovereignty in their own particular ways. This facilitated agenda setting as can be seen in the inclusion of “food sovereignty” in Nepal’s Constitution, and also in relevant policy and planning documents. However, the incorporation of the idea of food sovereignty in these official documents has been vague and imprecise. In terms of operationalising the idea of food sovereignty, there has not been much progress. This shows that ideas that are coalition magnets could be useful for agenda setting. But the nature of a coalition magnet also explains why the idea might be difficult to implement.
<table>
<thead>
<tr>
<th>Abbreviation</th>
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<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
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<tr>
<td>ADS</td>
<td>Agriculture Development Strategy</td>
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<td>AIC</td>
<td>Agriculture Inputs Corporation</td>
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<tr>
<td>ANPA</td>
<td>All Nepal Peasants’ Association</td>
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<tr>
<td>ANPFa</td>
<td>All Nepal Peasants’ Federation</td>
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<tr>
<td>ANPFa-R</td>
<td>All Nepal Peasants’ Federation (Revolutionary)</td>
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<td>AoA</td>
<td>Agreement on Agriculture</td>
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<td>APP</td>
<td>Agriculture Perspective Plan</td>
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<td>ARF</td>
<td>Agriculture Reform Fee</td>
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<td>ASC</td>
<td>Agriculture Supply Corporation</td>
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<tr>
<td>AWRC-LP</td>
<td>Agriculture and Water Resources Committee of the Legislature Parliament</td>
</tr>
<tr>
<td>BIMSTEC</td>
<td>Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation</td>
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<td>BNP</td>
<td>Basic Needs Programme</td>
</tr>
<tr>
<td>CFI</td>
<td>Chronic Food Insecurity</td>
</tr>
<tr>
<td>CPN (Maoist)</td>
<td>Communist Party of Nepal (Maoist)</td>
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<tr>
<td>CPN (UML)</td>
<td>Communist Party of Nepal (United Marxist-Leninist)</td>
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<tr>
<td>CPO</td>
<td>Causal Process Observation</td>
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<td>EU</td>
<td>European Union</td>
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<td>FAO</td>
<td>Food and Agriculture Organization of the United Nations</td>
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<td>FDI</td>
<td>Foreign Direct Investment</td>
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<tr>
<td>FTA</td>
<td>Free Trade Agreement</td>
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<td>GATT</td>
<td>General Agreement on Tariffs and Trade</td>
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<td>Abbreviation</td>
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<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>GHI</td>
<td>Global Hunger Index</td>
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<td>GMO</td>
<td>Genetically Modified Organism</td>
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<tr>
<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<tr>
<td>IFPRI</td>
<td>International Food Policy Research Institute</td>
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<tr>
<td>IGC</td>
<td>Inter-governmental Committee</td>
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<tr>
<td>IMF</td>
<td>International Monetary Fund</td>
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<tr>
<td>IPC</td>
<td>Integrated Food Security Phase Classification</td>
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<td>IPR</td>
<td>Intellectual Property Right</td>
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<td>LDC</td>
<td>Least-developed Country</td>
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<td>MDG</td>
<td>Millennium Development Goal</td>
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<tr>
<td>MoAD</td>
<td>Ministry of Agricultural Development</td>
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<td>NAP</td>
<td>National Agricultural Policy</td>
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<td>NASDP</td>
<td>National Agriculture Sector Development Priority</td>
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<td>NFC</td>
<td>Nepal Food Corporation</td>
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<td>NFGFN</td>
<td>National Farmer Group Federation Nepal</td>
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<td>NFICs</td>
<td>Net-Food-Importing Developing Countries</td>
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<td>NFSA</td>
<td>National Food Security Act</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organisation</td>
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<td>NHI</td>
<td>Nepal Hunger Index</td>
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<tr>
<td>NPA</td>
<td>Nepal Peasants’ Association</td>
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<tr>
<td>NPC</td>
<td>National Planning Commission</td>
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<tr>
<td>OECD</td>
<td>Organisation for Economic Cooperation and Development</td>
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<td>PMAMP</td>
<td>Prime Minister Agriculture Modernisation Project</td>
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<td>SAARC</td>
<td>South Asian Association for Regional Cooperation</td>
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<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>SAFTA</td>
<td>Agreement on South Asian Free Trade Area</td>
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<td>SAP</td>
<td>Structural Adjustment Programme</td>
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<tr>
<td>SAPTA</td>
<td>SAARC Preferential Trading Arrangement</td>
</tr>
<tr>
<td>SoEs</td>
<td>State-owned Enterprises</td>
</tr>
<tr>
<td>TNCs</td>
<td>Transnational Corporations</td>
</tr>
<tr>
<td>TPP</td>
<td>Trans-Pacific Partnership</td>
</tr>
<tr>
<td>TRIPs</td>
<td>Agreement on Trade-related Aspects of Intellectual Property Rights</td>
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<tr>
<td>TYIP</td>
<td>Three Year Interim Plan</td>
</tr>
<tr>
<td>UPOV</td>
<td>International Union for the Protection of New Plant Varieties</td>
</tr>
<tr>
<td>VDC</td>
<td>Village Development Committee</td>
</tr>
<tr>
<td>WFP</td>
<td>World Food Programme</td>
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<tr>
<td>WTO</td>
<td>World Trade Organization</td>
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Chapter 1
Introduction

1.1 Broad context

The past six decades of Nepal’s political history is a story of the rise and fall of democracy and the King’s absolute rule at different times. During this period, the country also suffered from a decade-long Maoist insurgency. At the core of these struggles was the claim that a particular political regime was better than the others in ensuring the Nepali people’s aspirations of a good life and the country’s development (von Einsiedel, Malone & Pradhan 2012). The tug-of-war between the major political forces, with the major political parties and the Maoists forming a political coalition against the King in 2005, ultimately resulted in the overthrow of the monarchy and the abandonment of the Constitution of 1990 in 2007. After the abandonment of the Constitution of 1990, an Interim Constitution was written for the period until a new Constitution would be written by a Constituent Assembly.

The Interim Constitution departed from the 1990 Constitution in significant ways. One was in relation to the expanded coverage of fundamental rights in the Interim Constitution compared to the 1990 Constitution. In the Interim Constitution, rights regarding employment and social security were established as fundamental rights, under which every citizen was guaranteed the right to employment and the right to food sovereignty, and women, labourers, and the aged, disabled and incapacitated and helpless citizens were guaranteed the right to social security (Interim Constitution of Nepal 2007).
It was the first time that food sovereignty featured in any formal documents in Nepal, but there had not previously been adequate deliberations on food sovereignty. Therefore, guaranteeing food sovereignty as a fundamental right of every citizen was surprising.\footnote{UNDP Nepal published the Interim Constitution in both the Nepali and English languages, including a brief introduction to the Constitution and a simple guide to understanding the Constitution. In the footnote to the fundamental right on food sovereignty, the editors of the publication state, “We have confirmed that ‘food sovereignty’ is the phrase deliberately chosen” (Cottrell et al. 2009, p. 70). The need to “confirm” that it is food sovereignty and not existing concepts such as “food security” or “the right to food” implies there was lack of awareness regarding food sovereignty.}

The term “food sovereignty” was included in subsequent policy and planning documents related to agriculture. When the new Constitution was written in 2015, food sovereignty was again guaranteed as a fundamental right of every citizen (The Constitution of Nepal 2015).

Unlike “food security” and “the right to food”, there is less understanding and awareness about the idea of food sovereignty, not only in Nepal, but across the globe. Incorporation of such an idea in Nepal’s Constitution, and in policy and planning documents, without wider discussions, prompted the need for an exploration of what the idea of food sovereignty is about, why it was incorporated in the Constitution and other formal documents, and how it would be realised. My PhD research project is an endeavour in that direction.

1.2 Food security, the right to food, and food sovereignty
To understand “food sovereignty”, it is useful to first briefly discuss two widely used popular concepts: “food security” and “the right to food”. “Food security” and “the right to food” have not been defined and understood consistently and universally since their origin. They have been defined and interpreted in numerous ways over the years, and they have gone through several iterations (Maxwell 1996). The now widely accepted definition of food security was created at the World Food Summit in 1996.
The first plan of action of the World Food Summit 1996 states (FAO 1996a),

Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. In this regard, concerted action at all levels is required. Each nation must adopt a strategy consistent with its resources and capacities to achieve its individual goals and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security. In a world of increasingly interlinked institutions, societies and economies, coordinated efforts and shared responsibilities are essential.

The definition of food security in this statement encompasses four dimensions: food availability, food access, utilisation and stability (Candel 2016; FAO 2006). It also highlights the importance of national strategies as well as regional and global cooperation to establish food security. Most countries around the world have accepted this definition of food security and the plans of action to achieve it.

The participants in the World Food Summit 1996 also acknowledged that achieving sustainable food security for all is contingent upon the promotion and protection of everyone’s right to adequate food. The opening statement of the Summit Declaration reads (FAO 1996a),

We, the Heads of State and Government, or our representatives, gathered at the World Food Summit at the invitation of the Food and Agriculture Organization of the United Nations, reaffirm 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.

Food security and the right to food, therefore, are complementary concepts. The right to food places legal obligations on states for people’s attainment of food security.

Earlier, food security was highly synonymous with food availability. As the earliest formal definition of food security, developed at the World Food Conference in 1974, says, food security was about ensuring adequate food supply and controlling price fluctuations
(Maxwell 1996; UN 1975). But the sole focus on food availability did not solve the world hunger problem. Subsequently it was realised that food insecurity is not only a problem of the lack of food availability, but at least equally importantly, it is also a problem of lack of access and/or entitlement to food and/or to food-producing resources (Maxwell 1996; Sen 1981). Food stability and proper utilisation of food were considered other important elements of food security later on, and they were incorporated into the definition of food security.

Nevertheless, there has not been a significant reduction in the policy focus that the availability dimension of food security has received over the years. Even today, in the words of Fouilleux, Bricas and Alpha (2017), there is heavy emphasis on increasing agricultural production to meet the food demands of a rising world population that is going to reach nine billion by 2050. Both developed and developing countries want massive rises in food production. Developed countries, in general, encourage steady rises in agricultural production with the idea of increasing world food supply that would benefit countries with low per capita food production. For developing countries, agriculture is an (or rather, the) important sector from both overall development and livelihood perspectives. Hence, increasing agricultural production is one of the major policy priorities of developing countries.

To increase food and agricultural production, there has been continued heavy reliance on agricultural intensification, mainly since the start of the “green revolution” in the 1960s. Focus has shifted from promoting and practising traditional farming methods to adopting modern farming techniques such as using high-yielding varieties and chemical fertilisers and pesticides. As a result, there have been extraordinary increases in overall food production globally, but the adoption of modern farming methods has also altered the biotic interactions and patterns of resource availability in ecosystems, causing serious environmental harms (Matson et al. 1997). Moreover, intensive agricultural practices have led to corporate-type agricultural development and the rise of multinational food and agricultural corporations. While intensive agricultural practices have rendered agricultural production unsustainable,
the corporate control of the entire food and agricultural value chain has been hugely detrimental to small-scale farmers and peasants (Shiva 2016).

Multinational corporations working in the food and agriculture sector are mainly based in developed countries, but they have made inroads into many developing countries and have controlled many aspects of the food and agricultural value chain in the host countries (Clapp & Fuchs 2009). Multinational corporations have also been engaged in land grabbing and dispossessing the peasantry from their land (Borras Jr & Franco 2010). Moreover, farmers in many developing countries, which have underdeveloped agriculture sectors and where the state barely provides support to the agriculture sector, find it difficult to compete with subsidised agricultural imports (Devadoss 2006). This is perilous to the livelihoods of poor farmers in developing countries.

The availability dimension of food security is about ensuring that food is available through domestic agricultural production and/or imports. Countries that have a suitable agricultural resource base want to focus more on domestic agricultural production, and if possible, also on exports. Domestic agricultural production can be ensured either by developing big agricultural farms and adopting agricultural intensification methods or by emphasising small-scale, peasant-focused agricultural methods. The concept of food security does not necessarily promote one method over the other. Given that food security is also about food access and food stability, governments can choose the food and agricultural system appropriate to their countries’ circumstances and priorities (Godfray et al. 2010).

However, there seems to be an implicit claim that the existing concepts related to food (food security and the right to food) do not emphasise local and democratic means of food production (Martinez-Torres & Rosset 2010). These concepts are understood as being silent regarding small farmers’ and peasants’ contributions to agriculture and on issues of
sustainability. It is considered that food security and the right to food are concerned with the availability of food by any means, ignoring the means and sources of food production.

Therefore, to emphasise local, agro-ecological food production and to assert the rights of small-scale food producers, a global peasants’ movement, La Vía Campesina, was born. La Vía Campesina is an international movement comprising millions of peasants, small and medium-size farmers, landless people, women farmers, indigenous people, migrants and agricultural workers from around the world. The idea of food sovereignty was publicly launched for the first time by La Vía Campesina. Interestingly this was during the World Food Summit 1996. In the document titled, “The Right to Produce and Access to Land”, La Vía Campesina defined food sovereignty as “the right of each nation to maintain and develop its own capacity to produce its basic foods respecting cultural and productive diversity” (LVC 1996, n.p.).

“Food sovereignty” was also included in the statement of the non-governmental organisation (NGO) forum that was organised as a parallel event during the World Food Summit 1996. The statement contained the civil society’s proposals to achieve food security. The sixth and final proposal was on food sovereignty. It stated (FAO 1996b, n.p.),

International law must guarantee the right to food, ensuring that food sovereignty takes precedence over macro-economic policies and trade liberalization. Food cannot be considered as a commodity, because of its social and cultural dimension. This proposal was further explained as follows:

Each nation must have the right to food sovereignty to achieve the level of food sufficiency and nutritional quality it considers appropriate without suffering retaliation of any kind. Market forces at national and international levels will not, by themselves, resolve the problem of food insecurity. In many cases, they may undermine or exacerbate food insecurity…

All countries and peoples have the right to develop their own agriculture…

These statements suggest that the idea of food sovereignty is mainly about ensuring food sufficiency at the national level, and that this is the way to achieve food security and the right to food. Food sovereignty is also about the rights of countries and their peoples to develop their own agriculture. However, the definition of food sovereignty and its explanation have not remained the same since the origin of the idea. As I will elaborate upon in Chapter 5, food sovereignty has been defined in numerous ways. Nevertheless, a common understanding among advocates of food sovereignty is, “[food sovereignty is] the right of nations and peoples to control their own food systems, including their own markets, production modes, food cultures and environments” (Wittman, Desmarais & Wiebe 2011, p. 2). Thus, the idea of food sovereignty is mainly related to the production and marketing aspects of food. The idea engages with the question of who produces food, how they produce food, and for whom they produce food.

Food sovereignty is claimed to be an alternative to the expansion of capitalist agricultural production and the neoliberal globalisation of agricultural markets (Burnett & Murphy 2014; Daugbjerg, Farsund & Langhelle 2015) since these phenomena are supposed to have promoted chemical-intensive industrial agriculture, the rise of multinational seed corporations, and the displacement of farmers from their lands, among other things (Edelman et al. 2014). Yet, as some literature suggests, which I discuss in detail in later chapters, food sovereignty is an idea with many ambiguities and it lacks precision (Bernstein 2014; Edelman et al. 2014; Grey and Patel 2015; Hospes 2014; Patel 2009; Tilzey 2018). There is a lack of clarity on the “sovereignty” of food sovereignty.

Also, as Patel (2009) argues, the notion of food sovereignty has become a “big tent”. There has been a huge expansion in La Vía Campesina’s membership over the years. Its members include both political and non-political organisations, from both developed and developing countries, working on issues ranging from overall agriculture to specific commodities, labour
rights, broad rural concerns, and so on. To incorporate the interests of all its members, including the local politics of some members (Grey & Patel 2015), food sovereignty has become a mix of several things. Also, as Gordillo and Jeronimo (2013) state, the precise lack of an understanding about food sovereignty is evident in the consideration by some that it is antagonistic to food security, while others find the two concepts to be complementary.

Over the years, the idea of food sovereignty has been accepted and adopted by various social movements such as land movements and indigenous movements all over the world. Promotion of the idea was mainly initiated by small farmers and peasants in developing countries, but lately, food movements in some developed countries such as the United States and Canada have also been promoting food sovereignty (Trauger 2015). A common theme of food sovereignty movements in both developing and developed countries is the struggle against large-scale industrial farming and supermarket cultures in support of local agriculture and family farms. But given that at least a third of the total employed population in developing countries is engaged in agriculture (most of whom are small farmers and peasants) against about three percent of the total employed population being engaged in agriculture in developed countries, food and agricultural issues of developing countries are different from the food and agricultural issues of developed countries. This also makes the idea of food sovereignty less clear. Nevertheless, food sovereignty has largely been successful as a social movement.

1.3 Adoption of food sovereignty by states

From the above account, we see that food sovereignty is an idea promoted by social movements mainly against the corporatisation and liberalisation of food and agriculture. However, because the idea lacks a single and consistent definition, and consequently is not clear and does not have a distinct set of implementation mechanisms, “food sovereignty” has

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3 See https://data.worldbank.org/indicator/SL.AGR.EMPL.ZS, viewed 26 July 2018
not been accepted by many governments and in inter-governmental forums (Haugen 2009; Hospes 2014). The Food and Agriculture Organization of the United Nations (FAO) provides a forum to discuss food sovereignty, but has not yet included “food sovereignty” in its official documents. For example, the FAO did not include the “NGO Forum Statement of the World Food Summit 1996” that contains “food sovereignty” in the list of documents of the Summit. But it provided space to include the document under the “parallel events” heading.⁴

There are a few countries that have accepted and adopted the idea of food sovereignty. Most of these countries are in Latin America. Of the countries that have formally accepted food sovereignty, countries such as Bolivia, Ecuador, Venezuela, Egypt and Nepal have institutionalised⁵ food sovereignty by including it in their constitutions. Others such as Mali, Nicaragua and Senegal have included it in their national legislation (Beuchelt & Virchow 2012; FAO n.d.-c). Most of these countries incorporated food sovereignty in their newly written constitutions and legislation after they had changes in political regimes through political movements. The issue of political sovereignty was an important feature of those political movements. Therefore, “‘sovereignty” associated with “food” might also have made the term “food sovereignty” politically appealing in these countries.

There are relatively more studies on food sovereignty in the case of Latin American countries (for example, Beauregard & Gottlieb 2009; Cockburn 2014; Giunta 2014; Gysel 2016; Kappeler 2013; Lambek et al. 2014; Lavelle 2014; McKay, Nehring & Walsh-Dilley 2014; Peña 2016; Schiavoni 2015, 2017; Trauger 2015). These studies mostly engage with the social movement aspect of food sovereignty, and partly with how food sovereignty is being implemented in the chosen country of study. The studies imply that food sovereignty was

⁵ Institutionalisation of food sovereignty in this thesis means formally adopting the idea of food sovereignty and trying to make “food sovereignty” the norm by including the term in constitutions, legislation, policies and other relevant official documents. Institutionalisation of the idea does not necessarily mean that the idea is also implemented.
adopted by the relevant country because of the social movement on food sovereignty. For instance, McKay, Nehring and Walsh-Dilley (2014), Peña (2013) and Peña (2016) state that in Bolivia, Ecuador and Venezuela food sovereignty was institutionalised due to strong social movements and the rise of leftist leaders in those countries. But they do not engage in depth with some important questions such as, Was there a common understanding and consensus among relevant actors in the stated countries in institutionalising food sovereignty? The study on Ecuador by Peña (2013) suggests there was not. Rather, the outcome on food sovereignty was a compromise between social and state actors. If this is the case, how was it possible to compromise on such a contested idea as food sovereignty? Existing studies do not delve deeper into these aspects. They do not provide clarity regarding the process of institutionalising food sovereignty.

1.4 Research questions
We see from the brief discussion above that food sovereignty is not a very clear idea. It encompasses several issues and is supported by different types of stakeholders. But is food sovereignty an individual right, or is it a programme, or a process, or something else? Is “food sovereignty” antagonistic or complementary to “food security” and “the right to food”? Understanding the idea of food sovereignty as a counter-reaction to the corporatisation and liberalisation of food and agriculture suggests the need to frame public policies accordingly at both the domestic and international levels. Would establishing food sovereignty by a country as every citizen’s constitutional right be the solution to the problems that the food sovereignty movement has been highlighting? How can problems related to a country’s external economic relations with regard to food and agriculture be solved? These are some of the questions that need answers to understand what food sovereignty is and how it can be operationalised.

No doubt, food sovereignty is being promoted vigorously by social movements. But the ambiguity inherent in the idea of food sovereignty is a reason to ask how such ideas get
incorporated into countries’ constitutions, legislation, policies and so on. How would a state implement food sovereignty when there is no clarity? Existing studies on food sovereignty have not precisely delved into the institutionalisation and implementation aspects of food sovereignty. Against this backdrop, the research questions this study aims to find answers to are:

1. When food sovereignty is ambiguous and lacks precision, how does it get institutionalised? and
2. What are the consequences for policy-making when an ambiguous idea such as food sovereignty is institutionalised?

This study aims to answer these questions based on the case of Nepal. It investigates the process of institutionalising food sovereignty by the Nepali state. It then examines the implementation of food sovereignty by Nepal to seek answers to the above-stated questions.

1.5 Theoretical framework

The existing literature on food sovereignty, which mainly covers the social movement on food sovereignty, explains the idea of food sovereignty as a counter-reaction to the corporatisation and neoliberal globalisation of food and agricultural systems. This resonates well with the double movement thesis propounded by Polanyi (2001[1944]) more than six decades ago. That was the time when market economies promoted by classical economists were favoured over state involvement in the economy. Polanyi argued that the economy is embedded in society, and therefore, the idea of disembedding the economy from society, i.e., the idea of a self-regulating market, might not be a good idea that could produce positive results in the long run.

Polanyi theorised that any effort towards creating a self-regulating market would create social disruptions since the economic system is embedded in the social system. He viewed the commodification of land, labour and money, and their subordination to the market economy, as disembedding the economic system from the social system, and hence unnatural. He did
not view land, labour and money as commodities produced for sale in the market as is any other good. Polanyi argued that land, labour and money were “fictitious commodities” unlike other “real commodities”, but the market economy’s treatment of these fictitious commodities in the same way as treating real commodities was a source of great contention.

Polanyi attributed the countermovement organised by the working class, mainly farmers and labourers, of the time to the commodification of fictitious commodities. He argued that the push towards economic liberalism in line with the ideals of the market economy on the one hand, and towards socialism on the other, gave rise to the “double movement” and governed the dynamics of modern society for a century (Polanyi 2001[1944]).

There is a resemblance of the social movement on food sovereignty to the double movement thesis. However, the double movement thesis does not explain institutional change which, in this case, is the preference for the idea of food sovereignty over the concepts of food security and the right to food.

It could be argued that states adopt the idea of food sovereignty for rhetorical or symbolic purposes (Böhringer & Vogt 2004; Boussaguet 2016). Given that the term “food sovereignty” is politically appealing, this argument seems plausible to some extent. However, as we will see in later chapters, in the case of Nepal, food sovereignty has not remained a mere symbol or a rhetorical term in the country’s Constitution. Several policies and planning documents related to food and agriculture have incorporated the idea of food sovereignty. Also, to comply with the constitutional provision that the right to food sovereignty of every Nepali citizen would be safeguarded in accordance with the law, Nepal has promulgated the Food Sovereignty Act. Moreover, even if one is to accept the adoption of food sovereignty as a mere symbolic act, the question as to why the major political parties in Nepal reached a consensus in adopting the idea of food sovereignty remains.
The fact that the major political parties in Nepal consensually adopted the idea of food sovereignty rejects another possible argument that the adoption of the idea of food sovereignty could be the result of party competition (Grossman & Helpman 1996). In multi-party systems, political parties compete with each other to attract voters. The political parties try to attract voters based on the parties’ ideological differences and their own socio-economic and political agendas, among other things. “Food sovereignty” seems to be an appealing agenda that political parties could use for electoral competition. Hence, the argument could be that “food sovereignty” is adopted by political parties to attract voters. However, the consensus reached among the major political parties in Nepal in adopting the idea of food sovereignty rules out the possibility that Nepal’s acceptance of the idea of food sovereignty was due to party competition.

Therefore, to understand states’ acceptance of the idea of food sovereignty, we turn to the ideational literature as this literature helps explain institutional change (Blyth 2002). Ideational scholars argue that both policy stability and change can be understood by taking an ideational approach to public policy (Daugbjerg, Farsund & Langhelle 2015). This is because, if existing policies based on particular ideas are not challenged, they will continue. If, however, they are challenged by showing their shortcomings and alternatives are provided, then given the right conditions, they are likely to change (Hall 1993; Skogstad 2008). Hence, Béland and Cox (2011a) state that ideational explanations are richer than other explanations of change as ideas have great transformative power. Similarly, Schmidt (2008, p. 306) argues, “[ideas] exert a causal influence in political reality and, thereby, engender institutional change”. The focus of the ideational research agenda in policy studies has been to understand how ideas influence public policies. Thus, the ideational literature may better explain the institutionalisation of food sovereignty by states.

A recent discovery in the ideational literature is that there are some ideas that have the characteristics of a coalition magnet (Béland & Cox 2016). Ideas that are coalition magnets
have a political appeal that attract a diversity of individuals and groups. They are used strategically by policy entrepreneurs to frame their interests, mobilise supporters and build coalitions (Béland & Cox 2016).

The types of ideas that Béland and Cox (2016) consider coalition magnets are often new cognitive constructions of a phenomenon that political actors might not previously have been aware of. For an idea to become a coalition magnet, three things are essential: 1) effective manipulation of the idea by policy entrepreneurs, 2) embracing or promotion of the idea by key actors in the policy process, and 3) coming together of actors who were at odds with each other previously, or mobilisation of actors who were not previously engaged with the particular issue. That is, somewhat counterintuitively, it is the ambiguity of the idea that attracts individuals and groups having divergent interests or preferences in building a coalition. The reason for this is that ambiguous ideas can be interpreted in numerous ways and perceived according to one’s own understanding.

An idea’s intrinsic qualities, especially its valence and its potential for ambiguity or polysemy (Béland and Cox 2016) or multi-vocality (Parsons 2016), partly determine its success in coalition building. Ideas having positive valence but varied interpretations are attractive to many as they can promote such ideas according to their interest or preference, possibly changing with time or according to the circumstance. Therefore, Parsons (2016) suggests that to understand the role of ideas as coalition magnets, it is important to carefully track the actor(s) and the issues they championed with respect to policies, how their agenda related to the perceived problems, and how both changed over time. His views align with Béland and Cox (2016), who argue that the direct role of the individual and collective actors who must mobilise politically to impose particular ideas is essential in building coalitions.
The coalition magnet thesis might explain institutional change, but how viable are coalition magnets from the perspective of operationalising the change? The coalition magnet literature is not explicit about it. This is a gap that needs to be filled in the coalition magnet literature.

Given the nature of food sovereignty as a politically appealing idea, it could be a coalition magnet, and this might explain the institutionalisation of food sovereignty by states. Hence, this research is grounded in the ideational literature, and mainly in the notion of ideas as coalition magnets. But I start with the double movement theory to investigate the social movement on food sovereignty in Nepal. I also examine Nepal’s implementation of food sovereignty to investigate the viability of coalition magnets as prescription for policy.

1.6 Empirical insights and key arguments

After the restoration of multi-party democracy in Nepal in 1990, Nepal’s new government undertook economic reform programmes adopting liberal economic policies. The principal elements of the economic reform programmes included (Karmacharya 2001):

1. Trade policy reform, which included trade liberalisation with the elimination of quantitative restrictions and rationalisation of tariffs,
2. Exchange rate reform, which included current account convertibility of its currency,
3. Reforms in investment policies to attract foreign direct investment (FDI), and
4. Liberalisation of control, which included, among other things, curtailment of prices and distribution controls, deregulation of interest rates, privatisation of state-owned enterprises, and allowing determination of agricultural input and output prices by the market along with the phasing out of subsidies on fertiliser and other agricultural inputs.

These reform measures, specifically reforms in investment policies and liberalisation of controls, related to the agriculture sector as well. With a few exceptions, Nepal opened its agriculture sector to foreign investment. Despite this, however, FDI in the agriculture sector in Nepal has been extremely modest (see Chapter 7). There is no direct presence of a large agriculture-related corporate sector or multinational organisations working in Nepal.
As a part of the reform measures, Nepal’s government also privatised some of the agriculture-related state-owned enterprises. In addition, the government withdrew the subsidies provided on fertiliser and other agricultural inputs. These measures affected Nepal’s agriculture sector in some ways. Mainly, the withdrawal of subsidies put Nepal’s agriculture sector on uneven ground with highly subsidised Indian agriculture.

The trade policy reform was related more to industrial goods than to agricultural goods. This was because, in the case of agricultural goods, Nepal already had a liberal trading arrangement with India based on the bilateral trade treaty between the two countries that had been in existence in different forms since the 1950s. Given that India was—and still is—Nepal’s largest trading partner, with almost 90 percent of Nepal’s agricultural trade taking place with India, the bilateral trade treaty between the two countries is more important than the other trade policy measures that Nepal undertakes.

At the regional level, by virtue of being a member of the South Asian Association for Regional Cooperation (SAARC) since 1985, Nepal signed the SAARC Preferential Trading Arrangement in 1993, which was later replaced by the Agreement on South Asian Free Trade Area in 2004. At the multilateral level, Nepal became a member of the World Trade Organization (WTO) in 2004. Memberships in these regional and multilateral trading arrangements have not impacted Nepal’s agriculture as it has carved out safeguards on agriculture in these trading arrangements (see Chapter 7).

Therefore, Nepal’s undertaking of economic liberalisation policies and programmes does not seem to have inflicted significant harm on the country’s agriculture sector. The withdrawal of agricultural subsidies and imbalanced provisions on agricultural trade in the bilateral trade treaty with India are the two major factors that have harmed Nepal’s agriculture in some ways. Nepal could provide more agricultural subsidies, remaining within the permissible limits of the WTO, if the country had the means to do so. The bilateral trade treaty between
Nepal and India needs to be amended through bilateral negotiations. There are also no major issues related to the corporatisation of agriculture in Nepal. Therefore, a possible argument that formal adoption of food sovereignty by the Nepali state is because of liberalisation and the corporatisation of food and agriculture does not seem to hold much ground in the case of Nepal.

Nevertheless, there are many domestic problems and issues related to the food and agriculture sector in Nepal. One of them (and a very important issue) is related to land. Inequality in land ownership in Nepal is not as pronounced as in some Latin American and African countries where some people own thousands of hectares and some none; but there is inequality in land ownership in Nepal. Therefore, land reform has been a decades-old agenda of all major political parties in Nepal. These political parties have been at the helm of power at different times, but they have not solved the land problem. Limited agricultural land against a large majority of the population dependent on agriculture, problems of land fragmentation against the political parties’ agendas of agriculture modernisation and commercialisation, the country’s difficult geography that has made the task of land consolidation difficult, and the politics associated with land redistribution, are some of the major challenges of land reform in Nepal.

Other domestic problems related to the food and agriculture sector in Nepal relate to the lack of access to agricultural credit at reasonable interest rates, the lack of timely access to quality agricultural inputs such as seeds and fertiliser, low returns to farmers from agricultural investments (oftentimes below the cost of agricultural production) that has made agriculture a less attractive profession, fallowing of land, conversion of agricultural land into real estate, and so on. These are not problems that can be solved merely by adopting the idea of food sovereignty. Despite the adoption of the idea of food sovereignty by Nepal, these problems remain, thus demonstrating that there are factors other than the lack of a particular concept related to food that have contributed to the existence of the problems.
Then why was the idea of food sovereignty accepted and adopted by the Nepali state, more so as a fundamental constitutional right of every citizen? What made the official adoption of the idea of food sovereignty possible in Nepal? I argue, based on the evidence, that it is not a result of the “double movement”. Had it been so, the issues that the social movements have raised (for example, promoting small-scale, local agriculture) would have begun to have been addressed after the institutionalisation of the idea of food sovereignty. I argue that Nepal’s institutionalisation of the idea of food sovereignty can be explained by the coalition magnet thesis.

The political regime change of 2007 ushered in the idea of creating a “new” Nepal. The country’s conversion from a unitary, constitutional and monarchical Hindu state to a federal, republic and secular state invoked the idea of people’s sovereignty strongly in Nepal. The change raised people’s expectations regarding the country’s overall development, including agricultural development. Under such conditions, “food sovereignty” appealed to almost all the major actors. There were policy entrepreneurs in Nepal who had been advocating for food sovereignty. The changed political situation of the country provided them the right opportunity to promote and institutionalise the idea of food sovereignty.

As I discuss in detail in Chapter 8, the Nepali state accepted and adopted the idea of food sovereignty because the idea has the attributes of a coalition magnet. But as subsequent developments in Nepal have demonstrated, there have not been major changes in food and agricultural policies since the adoption of the idea of food sovereignty. Food and agricultural policies since the formalisation of the idea of food sovereignty have largely been a continuation of the past. There have been some marginal changes, but these changes may have been possible even without the adoption of the idea of food sovereignty.

While this finding demonstrates that the institutionalisation of food sovereignty by Nepal was due to the character of the idea of food sovereignty as that of a coalition magnet, it also
shows that the mere adoption of the idea of food sovereignty does not necessarily translate into the idea’s operationalisation. This means that an idea that is a coalition magnet could be useful in the agenda-setting phase of the policy process, but it might not be a viable prescription for the implementation of the agenda. However, this study is based on the single case study of Nepal, and therefore, its findings might not be generalisable. This is a limitation of this research. Nevertheless, the study could provide analytic generalisation (Yin 2010) and could be replicated in other cases where states have adopted the idea of food sovereignty.

1.7 Chapter plan
The thesis is structured as follows. In Chapter 2, I engage in detail with the theoretical framework this research is grounded on. I explain the double movement, engage with the debate regarding the role of ideas in policy and institutional change, review the literature on ideas as coalition magnets and discuss the viability of coalitions formed around coalition magnets.

Chapter 3 details the methodology of the research. It explains the research design, which includes the research questions, research method (case study and process tracing) and the research proposition. It also explains the choice of Nepal as the case for the research. It then provides detail about the data and the data collection procedure.

In Chapter 4, I analytically review the literature on food security and the right to food, mainly in the context of the corporatisation and liberalisation of the food and agriculture sector. I also briefly review the concept of food sovereignty to engage with the literature as to why the concepts of food security and the right to food are considered inappropriate and/or inadequate.

Chapter 5 unpacks the idea of food sovereignty and engages with the literature on food sovereignty in detail. I compare this new idea with the concepts of food security and the right to food. This is followed, in Chapter 6, by an analytical discussion of the incorporation of
“food sovereignty” by some Latin American countries in their constitutions. Unpacking the idea of food sovereignty in Chapter 5 and discussing the experiences of some Latin American countries in relation to food sovereignty in Chapter 6 helps investigate the ambiguity inherent in the idea of food sovereignty.

In Chapter 7, I examine Nepal’s economic reforms, mainly the country’s adoption of liberal economic policies since the late 1980s, mostly in the area of food and agriculture. This provides the ground to examine the concept of food sovereignty from the perspective of the double movement. In Chapter 8, I examine the process of institutionalising food sovereignty in Nepal. I trace the process of including “food sovereignty” first in the Interim Constitution after the success of the political movement, and later in the Constitution and other policy and planning documents. I confirm in this chapter that the idea of food sovereignty possesses the attributes of a coalition magnet, and that this explains the institutionalisation of food sovereignty by Nepal.

Chapter 9 examines the food and agricultural policies and programmes that the Government of Nepal has undertaken since the enshrining of every Nepali citizen’s right to food sovereignty in the Interim Constitution. This chapter shows that Nepal’s food and agricultural policies and programmes have largely been the same as before. The marginal changes made in food and agricultural policies cannot be attributed to the adoption of the idea of food sovereignty. These changes could have been possible within the concepts of food security and the right to food.

Chapter 10 concludes the thesis. In this chapter I discuss the key findings of the research, highlight the significance of the research, and provide some directions for future research.
Chapter 2
Double movement, ideas and coalition magnet

2.1 Introduction

“Food sovereignty” as a normative basis for food and agricultural policies has been promoted by various social movements around the world. But only a very few public authorities have adopted the idea of food sovereignty (Hospes 2014). The idea has also not been endorsed by or agreed upon in any inter-governmental forum (Haugen 2009).

Existing literature on food sovereignty claims that the promotion of the idea of food sovereignty is a countermovement against the commodification of food and agriculture due to globalisation and corporatisation (see, for example, McMichael 2014; Schanbacher 2010; Trauger 2015). This aligns with Polanyi’s thesis of the double movement (Polanyi 2001[1944]), which I discuss in the next section. Hence, the double movement thesis helps explain the advocacy and promotion of food sovereignty by social movements. But it does not explain why the concept of food sovereignty has been endorsed and adopted by some countries, albeit only a few.

Hospes (2014) tends to provide answers as to why many countries, public authorities and inter-governmental forums have not adopted the idea of food sovereignty. Against the common and persuasive explanation that “existing power structures are biased towards maintaining the corporatist food regime and neo-liberal thinking about food security” and hence that the idea of food sovereignty has not been widely accepted, Hospes argues that the debate about food sovereignty itself has deterred public authorities from designing food and

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6 The Food and Agriculture Organization of the United Nations (FAO) has provided some space to debate and discuss food sovereignty. But the FAO has not officially endorsed and accepted “food sovereignty” as can be seen from the non-inclusion of food sovereignty in FAO’s official documents.
agricultural policies based on food sovereignty (Hospes 2014, p. 120). He states (Hospes 2014, pp. 120-1),

…this debate is characterized by deadlock: standstill and non-progressive discussion with public authorities at national and international level, sustained by lack of conceptual clarity and lack of a common framework for debate with public authorities. This deadlock not only provides an alternative powerful explanation for why food sovereignty plays a limited role in food and agriculture policy but could also challenge the food sovereignty movement to develop a new agenda and discourse, with a view to fundamentally changing food and agriculture policy. [There are] two mechanisms underlying this deadlock: confusion about the concept of sovereignty and the lack of attention given by the rather closed epistemic community to how to reconcile the conflicting values, discourses and institutions on food. …the adoption of a pluralistic perspective on sovereignty and a new discourse for the food sovereignty movement can help break the deadlock.

Thus, according to Hospes, having conceptual clarity and a common framework for debate with public authorities on the issue of food sovereignty is necessary to ensure that the idea of food sovereignty will be accepted as a principle in determining a country’s food and agricultural policy. However, there are some countries in the world that, despite lacking conceptual clarity and a common framework on food sovereignty, have adopted “food sovereignty” as a right or a principle to determine their food and agricultural policy.

I argue that adoption of the idea of food sovereignty by some countries could be better explained by turning to the ideational literature because ideas are considered to have transformative power by way of exerting a causal influence in political reality and, thus, bringing about institutional change (Schmidt 2008). Therefore, starting with the literature on the double movement, this thesis will use the analytical frame of the ideational literature to analyse the adoption of the idea of food sovereignty by certain countries and the implementation of this idea.
In this chapter, I first discuss the literature on the double movement. Then, as supplemented by Blyth (2002) to the double movement literature, I discuss the role of ideas in public policy and institutional change.

Although ideas affect public policy and institutional change, this can happen in different ways. For instance, some ideas possess the attributes of a coalition magnet, and so the institutionalisation of these ideas can be explained differently than ideas that are not coalition magnets (Béland & Cox 2016). A review of the literature on food sovereignty suggests that food sovereignty might be an idea that possesses the attributes of a coalition magnet. Hence, in my analytical frame, I narrow down the ideational literature and focus on ideas as coalition magnets. Finally, I discuss the limitations of the coalition magnet thesis in terms of the viability of ideas that are coalition magnets.

## 2.2 Double movement

The “double movement” has its genesis in the industrial revolution. No doubt, the industrial revolution changed the world. There was massive transformation of European civilisation from the pre-industrial to industrial era, and gradually of several countries around the world, with shifts in ideas, ideologies and social and economic policies accompanying the industrial revolution. The classical economists’ idea of market liberalism transformed the economic organisation of the time, which Karl Polanyi has termed the “great transformation” (Polanyi 2001[1944]). The transformation occurred due to the disembedding of the economic system from the social system. According to Polanyi, the economy is embedded in society, and the idea of disembedding the economy from society, i.e., the idea of a self-regulating market as propounded by the classical economists, was a stark utopia.

Polanyi argued that any effort towards creating a self-regulating market would create social disruptions since the economic system is embedded in the social system. The market economy left the organisation of almost everything—including land, labour and money—to
the market, which, according to Polanyi, is “commodification”. Polanyi viewed the commodification of land, labour and money, and their subordination to the market economy as unnatural. To him, land was part of nature, labour a part of human activity, and money a mere token of purchasing power. These elements were not produced to be sold on the market like any other good. Polanyi argued that land, labour and money were “fictitious commodities” unlike the other “real commodities”, but the market economy’s treatment of these fictitious commodities as similar to real commodities was a source of great contention. Hence, the commodification of fictitious commodities initiated a spontaneous countermovement by the working class, mainly farmers and labourers. The push towards economic liberalism in line with the ideals of the market economy on the one hand, and towards socialism on the other, gave rise to the “double movement” and governed the dynamics of modern society for a century (Polanyi 2001[1944]).

In the words of Polanyi (Polanyi 2001[1944], pp. 138-9),

[The double movement] can be personified as the action of two organizing principles in society, each of them setting itself specific institutional aims, having the support of definite social forces and using its own distinctive methods. The one was the principle of economic liberalism, aiming at the establishment of a self-regulating market, relying on the support of the trading classes, and using largely laissez-faire and free trade as its methods; the other was the principle of social protection aiming at the conservation of man and nature as well as productive organization, relying on the varying support of those most immediately affected by the deleterious action of the market—primarily, but not exclusively, the working and the landed classes—and using protective legislation, restrictive associations, and other instruments of intervention as its methods.

The idea of the self-regulating market, dependent largely on the methods of laissez-faire and free trade, was beneficial to the trading classes. Hence, the trading classes extended their support in institutionalising economic liberalism, i.e., adopting the market economy. The market economy presumed that the market itself would address price and income issues,
including those of land and labour. Leaving land (nature) and labour (human activity) to the vagaries of the market in this way inflicted harm mainly to the working and landed classes. The result was a countermovement by these classes of people calling for state protection. Thus, the double movement is the movement for laissez-faire, on one side, undertaken by a variety of groups “to expand the scope and influence of self-regulating markets”, and the movement for protection, on the other, undertaken by a wide range of social actors, “to insulate the fabric of social life from the destructive impact of market pressure” (Block 2008, p. 2).

The dynamics of the double movement are at play even today. Stiglitz (2001) related the anti-globalisation protests in Seattle in 1999 and in Prague in 2000 to Polanyi’s assertion of the double movement. Similarly, the growing nationalistic sentiments today even in many developed countries that are considered champions of market economy and globalisation, and the rise of populist leaders in these countries, also suggest the double movement continuing in the current era.

Moreover, on the one hand, there is continued emphasis on self-regulating markets. On the other, there are a multitude of social movements that claim that the focus of self-regulating markets has been mainly on profits with utter disregard for society and environment, as can be seen in the harm that the market has inflicted on different cultures and the environment. Social movements related to land, water, food, climate, and so on are an illustration of the countermovement in current times against the ideals of economic liberalism.

Many analysts studying social movements have based their analyses of countermovements against the expansion of liberal economic policies on Polanyi’s thesis of the double movement (for example, Evans 2008; Levien 2007; McMichael 2014). They explain the countermovement as calls to national governments to check the adversities of the market, since, as Polanyi argued, even in laissez-faire, the government was deeply involved in
managing the market (Block 2008). They also explain the countermovement as protests against the expansion of market economies at the global level. Block (2008, p. 3) provides a persuasive explanation for these phenomena as he states,

Perhaps, Polanyi’s most original contribution was to redefine the field of social struggle as occurring in the specifically global context. To be sure, many analysts before him had recognized the expansive and global nature of capitalism, but he took the argument a step further by showing how social struggles within particular polities were constrained and limited by the nation’s particular position within the global system of states. This meant that the two movements were not simply national phenomena, but global phenomena. For most of the past two centuries, the influence of the movement for *laissez-faire* was magnified enormously by the support of the world’s dominant global power, first England and then the United States, and the system of financial and military coercion that those powers were able to mobilize.

Indeed, the identification of social struggles in specific global contexts, and the expansion of *laissez-faire* due to the dominance of global powers, are Polanyi’s important contributions. Hence, Polanyi’s thesis is widely celebrated for its relevance even today. However, a gap in Polanyi’s argument is how the global countermovements are organised. He explains the global expansion of the market economy, but does not explain how global social struggles take place. Levien (2007) notes this shortcoming and states that there are inadequacies in Polanyi’s explanation of the double movement, mainly in terms of explaining how a countermovement is politically organised. He observes that Polanyi had an overly organic conception of society when he assumed that a countermovement arises mechanically and spontaneously, whereas “challenging the ‘self-regulating’ market will not be some spontaneous, mechanical, and consensual reaction of ‘society’ to the onslaught of the market” (Levien 2007, p. 125). It is the activists who organise a countermovement, often through “pre-existing forms of political organisation” (Levien 2007, p. 128). Levien also argues that the scale at which a countermovement must be organised today is different from Polanyi’s vision then. For Polanyi, a countermovement was a multitude of dispersed and fragmented
reactions at the local or national level, whereas a countermovement today against neoliberalism will entail multi-level contestation at local, national and transnational levels. McMichael (2006) argues in the same vein as he states that economic liberalism has assaulted farmers, mainly small farmers, globally, and that such assault to small farmers by capital today can be resolved only through “a politicised movement on a world scale” (McMichael 2006, p. 407).

This is an important contribution that helps in understanding the multiple dimensions of social movements. However, a question that is not answered by most of the literature on social movements is, How do the demands put forth by social movements get included in national policies? Polanyi’s thesis was that states create the necessary institutions to respond to the demands of social movements. He argued that when there is a countermovement, states will create institutions to put a check on the adversities of the market and address such demands. Do states act in this way in the case of every social movement and its demands? Can the states’ policies adopted in the global context and world-scale politicisation of social movements in response to such policies be understood in the same manner as in national contexts? There is a gap in understanding the processes of translation of social movements organised in various contexts into national policies.

Also, Polanyi had a one-way focus on social movements against the disembedding of markets from society. When he wrote *The Great Transformation*, he presumed that when states created institutions to respond to the subordination of society to self-regulating markets, the double movement might have come to an end. There might not be another double movement of the same sort in the future (Block 2008; Blyth 2002; Levien 2007). Particularly, Blyth (2002) found some contradictions in this view of Polanyi and his concept of the double movement. Blyth pointed to Polanyi’s inability to envision that when states create institutions to respond to the calls of one group, then the other group that will feel affected by the institutional change will again start another countermovement. Thus, Blyth argued that the
process of institutional change is not a one-way process. The process of disembedding and re-embedding the economy continues since those who are affected by the institutional change will start another countermovement (Blyth 2002).

To illustrate his point, Blyth (2002) explains that during the Great Depression of the 1930s, the economic and regulatory institutions of liberal capitalist states became unstable and therefore, a majority of these states rejected the ideas of classical liberalism. Instead, they developed and deployed a variety of reflationalary and redistributive economic ideas, such as Keynesianism and fascism, which perceived that the private economy as a whole was inherently unstable and incapable of delivering socially optimal outcomes. This called for active government roles in controlling the national economy through market manipulation, and thus the creation of institutions of embedded liberalism. However, it was not the end. States again began to experience economic downturns in the 1970s and early 1980s, and institutions of embedded liberalism seemed unable to address the problem. Hence, organised business groups and their political allies displaced states as the principal actors in economic dislocation. Blyth states, “Just as labor and the state reacted to the collapse of the classical liberal order during the 1930s and 1940s by re-embedding the market, so business reacted against this embedded liberal order during the 1970s and 1980s and sought to ‘disembed liberalism’ once again” (Blyth 2002, p. 6).

In sum, Polanyi’s concept of the double movement and subsequent contributions to the explanation of social movements could be an important starting point to view the emergence of social movements in different contexts. However, they do not fully explain the processes of subsequent institutional change. Unlike Polanyi, for whom a countermovement was spontaneous, and an institutional disequilibrium would automatically lead to a new institutional equilibrium, Blyth (2002) emphasises the study of ideas, as ideas play vitally important roles in institutional construction and change.
2.3 Role of ideas in policy and institutional change

What are “ideas”? Parsons (2002, p. 48) defines ideas as “subjective claims about descriptions of the world, causal relationships, or the normative legitimacy of certain actions”. Similarly, according to Béland and Cox (2016), ideas are causal beliefs about economic, social and political phenomena. They state, “[a]s beliefs, they are interpretations of the material world, shaped as much by the material world as by our emotions and values. As causal beliefs, ideas posit relationships between things and events” (p. 430). Ideas help to construct the problems and issues that enter the policy agenda, and help address the problems and challenges (Béland 2009; Béland & Cox 2011a; Blyth 2002; Campbell 2002; Hall 1993). It would be cognitively impossible for agents to act in a world in any meaningful sense if they did not have ideas as to how the world is put together (Blyth 2002).

Ideas as the determinants of policy change had been emphasised by Keynes long ago (Keynes 1936, cited in Daugbjerg and Swinbank (2009)). But many policy analysts tended to explain public policies by giving priority to interest-based theories rather than to ideational theories (Daugbjerg & Swinbank 2009). As Campbell (2002, p. 21) states in the introductory sentences of his article,

> Political sociology and political science have focused on how the pursuit of self-interest affects politics and policy making in advanced capitalist societies. This has been true for pluralist, elite, neo-Marxist, historical institutionalist, and rational choice theories. Scholars have paid far less attention to how ideas, that is, theories, conceptual models, norms, world views, frames, principled beliefs, and the like, rather than self-interests, affect policy making.

Regarding the priority given to interest-based theories, according to Scott (2000), scholars in other social sciences were greatly influenced by the success of economic models that explained human behaviour based on preferences and constraints. Hence, they borrowed the concept in explaining public policies in other fields of social sciences as well. “Rational choice theory”, as it is called, states that “all action is fundamentally ‘rational’ in character.
and that people calculate the likely costs and benefits of any action before deciding what to do” (Scott 2000, p. 126).

Rodrik (2014) posits that interests are at the core of political economy as they are considered the ultimate determinants of political outcomes, but there is not a well-defined mapping from interests to outcomes. He argues that the “mapping depends on many unstated assumptions about the ideas that political agents have about 1) what they are maximizing, 2) how the world works, and 3) the set of tools that they have at their disposal to further their interests” (p. 190). He further states that the three components of the optimisation problem in rational choice theory—preferences, constraints, and choice variables—rely on an implicit set of ideas (p. 191).

Thus, in reaction to the limitations of interest-based explanations, particularly rational choice theory, in explaining political and public policy outcomes, there was an “ideational turn” in the early 1990s with scholars turning to ideas to explain such changes (Béland 2016; Blyth 1997; Campbell 1998, 2002). Peter Hall’s seminal article (Hall 1993) attempted to specify more fully the roles that ideas play in policymaking. Hall (1993, p. 279) states,

> Policymakers customarily work within a framework of ideas and standards that specifies not only the goals of policy and the kind of instruments that can be used to attain them, but also the very nature of the problems they are meant to be addressing.

The more importance given to ideas than to interests in explaining public policies was because rational choice theory took a materialistic and rationalistic approach, assumed only individuals and their interests as the real unit of analysis, and argued collective action problems as insurmountable (Blyth 2002, 2003). Blyth posited that collective action problems are not insurmountable. He argued that collective action barriers can be overcome, and to do this, ideas play a crucial role. He states, “the ideas that agents have about the sources of the ‘crisis’ they face set limits on the types of collectivities, and thus collective actions, that are possible” (Blyth 2002, p. 13).
However, the ideational turn was not free of contestations, and some of the contestations remain to this day. One such contestation relates to some scholars’ treatment of ideas and interests as either/or binary. Some treat self-interest itself as an idea while others neglect interests completely (Béland 2016). Nevertheless, similar to Rodrik (2014), most scholars who emphasise the importance of ideas in explaining public policy do not discount the role of interests altogether. However, these scholars posit that rather than taking interests as given, the role of ideas in the shaping of interests should be emphasised (see, for example, Béland 2009; Blyth 2002, 2003; Hall 1993). Their main argument is that interests do not arise out of nowhere. Ideas help actors shape their interests.

Blyth explains this eloquently. He states (Blyth 2002, pp. 28-9),

> If our analysis holds ideas apart from interests, rather than seeing them as mutually constitutive, then all we are really saying is ‘because they wanted to do it, they did it, and because we know they did it (assuming everyone acts on his or her own best interests), this shows they wanted to do it.’ Within such a framework, we can never answer the really interesting question: ‘Why did they do it?’
>
> The analyst ends up in this position because of a conceptual error present in most formulations of interest: conceiving of interest as a singular concept. Positing that an agent did something because his or her ‘interest’ lay in x over y ignores the fact that the concept of interest presupposes unacknowledged but very important cognates of interest, such as wants, beliefs and desires. As decision theorists have demonstrated, however, these cognates are not analytically separate from interests and must be considered as part of the concept of interest itself. If this position is accepted, then specifying interests become less about structural determination and more about the construction of ‘wants’ as mediated by beliefs and desires—that is, ideas.

He further argues that in periods of “Knightian” uncertainty—which he defines as “situations regarded by contemporary agents as unique events where the agents are unsure as to what their interests actually are, let alone how to realize them”—agents do not know what the possible outcomes could be, and which of those could be the most likely (Blyth 2002, p. 9).
In such instances, agents are not sure of their interests. Hence, their actions depend on the ideas they possess about the uncertainty.

Blyth’s conception of “Knightian” uncertainty is different from the conception of uncertainty as “risk” possessed by some institutionalists. In the case of uncertainty as risk, agents’ interests in a risky environment determine the course of action to be taken. In the case of Knightian uncertainty, “agents’ interests become something to be explained, rather than something with which to do the explaining” (Blyth 2002, p. 9). As Blyth rightly explains, in relation to an economic crisis, for example, it is the ideas that different agents have about what the crisis actually is that makes them argue over the issue and try to convince the other until there is agreement among them that makes collective action possible to resolve the crisis.

Béland (2009) has similar views on the importance of ideas in explaining agents’ interests as he states, “ideational processes affect the ways policy actors perceive their interests and the environment in which they mobilize” (p. 702). Drawing on King (1973), he argues, “Although the concrete economic and institutional position of policy actors affects the way they mobilize and understand their interests, two actors who occupy the same basic economic and institutional position can have contrasted views about what their interests are” (Béland 2009, p. 708). Such a situation is “especially common in periods of high uncertainty, when existing institutional arrangements are less likely to determine the behaviour of key political actors” (Béland 2009, p. 708).

Also, after the 1970s, along with the focus on interests, there was a renewed emphasis on the role of institutions in determining social and political outcomes (Hall & Taylor 1996). This renewed emphasis on institutions in explaining policy change was termed the “new institutionalism”, which was developed in reaction to the influential behavioural perspectives
of the 1950s and 1960s that had submerged the “old institutionalism”\(^7\) (Hall & Taylor 1996; Schmidt 2006). The basic premise of the new institutionalism was that institutions are equilibrium-focused and static in nature (Hall & Taylor 1996; Hay 2008; Schmidt 2008). However, there were differences in explaining the constituents of the stable equilibria of institutions. Thus, Hall and Taylor (1996) categorised the new institutionalism into three main types: historical institutionalism, rational choice institutionalism and sociological institutionalism. For historical institutionalists, the stable equilibria of institutions is with self-reinforcing historical paths, or path dependence; for rational choice institutionalists, it is with fixed rationalist preferences; and for sociological institutionalists, it is with all-defining cultural norms (Schmidt 2008).

Scholars pointed to several limitations in these new institutionalisms, including their basic premise of stable equilibria and their constituents, arguing that these alone are not able to explain institutional change (Hay 2008; Schmidt 2008). They argued that in assuming the stability of institutions, the new institutionalists failed to consider the importance of ideas, which gives a dynamic view of change (Hay 2011). Several political science and public policy scholars have acknowledged this. As Daugbjerg and Swinbank (2009, p. 32) state, for example,

> The theoretical approaches focusing on interests and institutions proved able to explain political stability, but as they were applied to explain the neo-liberal policy reforms of the 1980s and 1990s it became clear to many that they only partially explained policy change.

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7 The “old institutionalism” studied “the formal institutions of government and defined the state in terms of its political, administrative and legal arrangements…it used a largely descriptive methodology to explain the relations among levels and branches of government, with concepts of the state drawn from traditional political philosophy and understood in terms of sovereignty, justice, power, citizenship, and legal status in international law…[and] remained largely atheoretical” (Schmidt 2006, pp. 99-100).
Ideational scholars view that both policy stability and change can be understood by taking an ideational approach to public policy (Daugbjerg, Farsund & Langhelle 2015). This is because if existing policies based on particular ideas are not challenged, they will continue. If, however, the policies are challenged by showing their shortcomings and alternatives are provided, then given the right conditions, they are likely to change (Hall 1993; Skogstad 2008). Hence, Béland and Cox (2011a) state that ideational explanations are richer than other explanations of change. They emphasise the great transformative power of ideas similar to Schmidt (2008), who argues, “[ideas] exert a causal influence in political reality and, thereby, engender institutional change” Schmidt (2008, p. 306). Hence, the focus of the ideational research agenda in policy studies has been to understand how ideas influence public policies. Because the new institutionalisms could not fully explain policy change, scholars started turning to ideas, mostly after the 1990s, to understand policy change.

Blyth (1997) argues that ideas were rediscovered due to the limitations of the “new institutionalism” after the 1980s. More importantly, most new institutionalism scholars also accepted the fact that ideas mattered. Historical institutionalism posited that change occurs due to exogenous factors, such as wars and depressions. This disregarded the change brought about by agents. Hence, to explain change in a more convincing and less ad hoc manner, historical institutionalists considered ideas as a crucial variable that could explain both the path of institutional change and the origins of the change itself (Blyth 1997). In the case of rational choice institutionalism, rational choice institutionalists resorted to using ideas as a residual category when the Pareto-superiority postulates were seen to be systematically violated (Blyth 1997). Also, the rationalist research programme incorporated ideas into the

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8 Schmidt (2008) emphasises the explanatory power of both ideas and discourse, but treats the two as not very different, suggesting that the difference is one of emphasis. She states that scholars who focus on ideas leave the interactive processes of discourse implicit, and those who focus on discourse address explicitly the representation of ideas.
study of institutions as devices to reduce uncertainty and serve as focal points for agreement in multiple equilibria situations. Yet, as Blyth (1997) contends, both historical institutionalism and rationalist institutionalism use ideas only as “fillers” and do not fully investigate ideas as explanatory factors in their own right.

In light of these limitations, ideas were brought to the mainstream of explaining institutional change. The new institutionalism, with ideas at the centre of explaining change, is given different names such as constructivist institutionalism, discursive institutionalism, ideational institutionalism and strategic institutionalism (Hay 2008, 2011; Schmidt 2008). In this new institutionalism, “the role of ideas in influencing the developmental trajectory of institutions under conditions of uncertainty and/or crisis” is considered to be influential (Hay 2008, p. 11).

Therefore, in recent years, ideational approaches have become more familiar across the social sciences as ideas are increasingly recognised as major factors in politics due to their important role as a primary source of political behaviour (Béland & Cox 2011a; Berman 2013). However, the ideational approach of explaining policy and institutional change is not free of contestation. For example, Hay (2004) reviews Blyth (2002) and commends the important contribution that Blyth has made in the field of comparative political economy; however, he argues that there are some limitations in Blyth’s approach, mainly in relation to ambiguity and inconsistency in the treatment of ideas and interests in explaining institutional change. Hay points to Blyth’s reference to interests as “social constructs” in some places and as “materially given” in others, suggesting that Blyth does not have a clear demarcation on ideas and interests when he is making his claims. He states (Hay 2004, p. 210),

If, as Blyth consistently seems to suggest, it is organized interests with access to significant material resources (such as business) that come to seize the opportunity presented by a moment of crisis, then the role of ideas in determining outcomes would seem to have been significantly attenuated.
This does not mean, however, that the importance of ideas in explaining change can be discounted. It only suggests that more clarity is needed in articulating that ideas shape interests, and how it results in political and policy change. Hay (2011) argues that interests should be seen as social constructs rather than as materially given.

Despite the limitations of ideational theories, which ideational scholars have been continually trying to address, their contribution to political economy has been well acknowledged. As Hay (2004, p. 212), who has a critical view on Blyth (one of the most important ideational scholars), states, for example, “Ideational analysis … has much to contribute to contemporary comparative political economy and it is likely to have considerable appeal to those who believe that a predictive science of politics is not possible”. The question today is not “whether” ideas matter, but “how” they matter (Mehta 2011).

With such importance assigned to ideas, Blyth (2002, pp. 34-41) has hypothesised five specific causal effects of ideas, which Hay (2004) does not accept as hypotheses but as analytical premises. They are:

1. In periods of economic crisis, ideas (not institutions) reduce uncertainty,
2. Following uncertainty reduction, ideas make collective action and coalition-building possible,
3. In the struggle over existing institutions, ideas are weapons,
4. Following the delegitimation of existing institutions, new ideas act as institutional blueprints, and
5. Following institutional construction, ideas make institutional stability possible.

These hypotheses/analytical premises make the ideational explanation a plausible theory of change. However, some important questions remain: Who are the actors who generate the ideas during moments of crisis? Will there be only one set of ideas or multiple sets of ideas presented by several groups? Whose ideas prevail and why? Which ideas make collective action and coalition building possible and why? In other words, What determines which ideas get accepted and which do not? A revered ideational scholar herself, Schmidt (2008, p. 307),
states, “[t]he big question for scholars of ideas is why some ideas become the policies, programs, and philosophies that dominate political reality while others do not”. This is an important question for ideational scholars to pursue. In the case of certain ideas, the “coalition magnet” thesis, propounded by Béland and Cox (2016), could make a significant contribution towards our pursuit of the answer.

2.4 Ideas as coalition magnets

According to Béland and Cox (2016), one of the major ways in which ideas shape political power relations is through their role as a “coalition magnet”, which is “the capacity of an idea to appeal to a diversity of individuals and groups, and to be used strategically by policy entrepreneurs (i.e., individual or collective actors who promote certain policy solutions) to frame interests, mobilize supporters and build coalitions” (p. 429). Coalitions forming around ideas could be tightly or loosely organised, formal or informal networks, and could be national or transnational.

Not all ideas are coalition magnets. Ideas which are novel constructions, thus unfamiliar to actors in a policy debate, or those being used in a new or unfamiliar way, can become coalition magnets (Béland & Cox 2016). In contrast to the common understanding that power is an important factor in understanding the political effect of ideas (Béland 2010; Carstensen & Schmidt 2016), Béland and Cox (2016, p. 429) argue that “ideas that perform as coalition magnets do not have power per se”. Rather, coalition magnets can become political power resources as they affect “the ability to shape outcomes and reach particular goals” (Béland & Cox 2016, p. 431). They state that the following three things need to happen to ideas that are coalition magnets to allow the ideas to impact power relations and policy decisions (Béland & Cox 2016, p. 429):

First, the ideas are effectively manipulated by policy entrepreneurs as those entrepreneurs seek a new language to define a policy problem. Second, the ideas are embraced or promoted by key actors in the policy process. These are individuals with
decision-making authority, and the recognition by key actors grants the ideas legitimacy as the authoritative ideas in the policy debates. Sometimes the key actors are also the policy entrepreneurs who devised the ideas. Third, the ideas bring together actors whose perceived interests or policy preferences had previously placed them at odds with one another; or the ideas might awaken a policy preference in the minds of actors who were not previously engaged with the particular issue. When these three circumstances occur simultaneously, the idea becomes a coalition magnet empowering policy entrepreneurs involved in coalition building.

Although an idea attracting individuals and groups having divergent interests or preferences in building a coalition seems somewhat counterintuitive, Palier (2005) and Jenson (2010) state that highly ambiguous and polysemic ideas can be interpreted differently by different people; hence, they are more appealing for coalition building than better-defined, narrower ideas. Such ideas give policy entrepreneurs the space to manipulate the ideas according to their target audience. Khayatzadeh-Mahani et al. (2017) argue along this line, and drawing from Béland and Cox (2016), they identify “sustainability” as a coalition magnet, thus suggesting that “sustainability” can be used to encourage more multi-sector collaboration to advance health equity goals.

An idea’s intrinsic qualities, especially its valence and its potential for ambiguity, polysemy or multi-vocality, partly determine its success in coalition building (Béland & Cox 2016; Parsons 2016; Schmidt 2017). Ideas having positive valence are naturally highly appealing. If the ideas are also polysemic, they would be more attractive as they can be interpreted in various ways to promote and advance one’s interest or preference. The basic premise is that when an idea having the characteristics of a coalition magnet is originated, it has a certain meaning. But the positive valence and polysemic character of the idea enables its numerous interpretations and wider acceptance. For example, the idea of sustainable development was

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9 Multi-vocality is an idea’s capacity to be understood in multiple ways, combining shared and unshared interpretations (Parsons 2016).
originated to mean “development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (Bruntland Commission 1987). It mainly considered environmental sustainability. Gradually, the idea of sustainability was co-opted by others, such as the corporate sector, the government, the military, and so on (Parr 2012). For instance, the corporate sector used the idea of sustainability to enlarge its profits by showing concern for the environment, rather than truly valuing the environment (Béland & Cox 2016; Parr 2012). The idea of sustainability has, in fact, helped shape the corporate sector’s interests. This is because “sustainability” is a polysemic idea having positive valence. It appeals to almost anyone, and thus helps shape different interests as well.

Béland and Cox (2016) demonstrate this in the case of two other ideas: “solidarity” and “social inclusion”. For instance, in the case of social inclusion, they argue (Béland & Cox 2016, p. 439),

[Social inclusion] is an idea central to academic and expert debates that also has a clear normative dimension, which makes it especially appealing in terms of coalition building. Another factor that makes the idea of social inclusion a potential coalition magnet is its high positive valence. Because it is typically framed as the solution to a broad new social evil known as social exclusion, and because it evokes the image of an integrated social order, the idea of social inclusion has a positive meaning. Just like sustainability and solidarity, social inclusion is something that can mean different things to different people, but it sounds so positive that few politicians could explicitly stand against it.

When talking about polysemic or multi-vocal ideas, it is necessary to track both their shared core and differences in various advocates’ interpretations (Parsons 2016). A multi-vocal idea should have something as its core so as to be understood the same way by its advocates, but there should also be differences in understanding its other qualities. Those differences become the reason for the idea’s wider acceptance and thus formation of a coalition around it. For example, at the core of the idea of “sustainability” is “regard for the future”, and that of “social inclusion” is “an integrated social order”, which are general common understandings.
But, going deeper, these ideas are interpreted in many different ways. Thus, a common understanding due to the core, but also flexibility for varied interpretations, is what makes the ideas acceptable to many.

Ideas that work as coalition magnets get into the policy process through coalition building. For this, actors, who are the policy entrepreneurs, play important roles. Policy entrepreneurs can be individual or collective actors. Their direct roles in political mobilisation to impose particular ideas are essential in building coalitions (Béland & Cox 2016).

This might explain the acceptance of the idea by a range of actors and building coalitions. But ideas that are coalition magnets are inconsistent and contradictory by nature. Hence, their application could give rise to conflicts. How, then, are such conflicts resolved and the ideas implemented? Béland and Cox (2016) argue that they are resolved by wielding power by actors who wish to push the accepted definitions of an idea in a direction that helps them build support. The power of actors in this sense does not mean “power over” as domination, but “power to” influence (Béland & Cox 2016). The actors derive such powers through several means such as their knowledge related to the idea and their access to political and policy processes, among others. The power to influence enables actors to convince others of the importance of the idea they wish to promote. According to Béland and Cox (2016), actors use their ideas and power to influence discourse through framing processes. They state (Béland & Cox 2016, p. 432),

Through framing processes, actors present their ideas, attempt to connect their ideas to important values, and strive to persuade others of the validity of their particular interpretation of ideas. They employ their power to be successful, and when they are successful they have built the foundation for broader acceptance of their ideas. This is how ideas and power interact to help bring about or sustain political coalitions.

Therefore, in studying ideas as coalition magnets, it is important to carefully track the actor(s) and the issues they championed with respect to policies, how their agenda related to
perceived problems, and how both changed over time (Parsons 2016). It is important to see the actors’ engagement with issues related to the idea over time. It is also important to identify the actors’ promotion of agendas related to the idea. More important, it is crucial to find whether and how the actors that championed the idea possess the power to influence.

2.5 Viability of coalitions formed around coalition magnets

While coalition magnets may facilitate the formation of coalitions in agenda setting, such coalitions may prove fragile in the post agenda-setting stages of the policy process, i.e., in policy formulation, decision-making, implementation and evaluation (Howlett, Ramesh & Perl 2009). The ambiguities of the idea are likely to point policy in different, sometimes opposite, directions, each having their supporters. The various policy options can be difficult, if not impossible, to reconcile in a coherent policy package. Therefore, coalitions formed around magnets in the agenda-setting stage may not necessarily be viable policy coalitions as stakeholders engage in the difficult process of translating broad and diverse objectives into specific policy measures.

Although not applying the concept of coalition magnets per se, the study of European Union (EU) biofuels policy by Skogstad (2017) can provide some insight into the viability of a coalition formed around an idea possessing the characteristics of a coalition magnet. Skogstad (2017) considers the EU biofuels policy a multi-dimensional policy enabling rallying support from a broad coalition as it is seen as a solution to multiple problems. Her study shows that biofuels attracted a variety of stakeholders with interests in greenhouse gas emission reduction, energy security and rural development, akin to a coalition magnet. Consequently, a diverse and loose majority coalition was formed to support the adoption of a biofuels policy with a number of strict sustainability and land-use criteria included to maintain the coalition. However, as it became clear during the implementation phase that not all expectations of the policy’s ability to promote sustainability could be met, the coalition was weakened and policy scaled back.
From a critical coalition magnet perspective, it can be argued that a fragile majority coalition supportive of biofuels was maintained throughout the agenda-setting and policy formulation phases but weakened during the implementation phase, resulting in policy reversal. This development raises the question of how viable coalitions formed around a coalition magnet are in the post-agenda-setting phases of the policy process. Whether a coalition can be maintained in the policy formulation and/or implementation phase is affected by two factors. Firstly, it depends on the extent to which the various dimensions of a broader policy problem can be accommodated in the policy design. As Skogstad (2017) shows, if they can, the coalition may be sustained. But the process of specifying the means to achieve the diverse objectives may have weakened the coalition and produced a policy characterised by instrument inconsistencies. This increases the risk of implementation failure in the sense of general under-performance or partial goal achievement, which in turn may lead to a collapse of the coalition. Secondly, the viability also depends on whether the coalition magnet can be used effectively to legitimise policy measures despite not addressing all the dimensions of the problem and not accommodating the interests of some stakeholders. This may go unnoticed for some time as the attention of political actors, the media and the general public may shift elsewhere. Watchdog and advocacy groups often lack incentives and organisational capacity to monitor developments in specific policy design stages occurring after more general policy principles are enacted (Patashnik 2003). However, as the policy is implemented, it will gradually become apparent to some coalition members that certain dimensions of the policy problem are not effectively addressed. This may re-politicise the issue and split the coalition.

2.6 Conclusion
Polanyi’s thesis of the double movement provides important insights into the understanding of various social movements that result from the instability of existing social, economic and political institutions. But it does not adequately explain the process through which new institutions are created. The ideational literature helps fill this gap.
This study on food sovereignty is informed by these theories of the double movement and the ideational literature, in particular ideas as coalition magnets. Thus, the analytical frame for the current research includes the “double movement” as the starting point to investigate the social movement on food sovereignty, and the role of ideas in policy and institutional change, in particular, ideas as coalition magnets. I use this analytical frame to investigate the reasons for the adoption of the idea of food sovereignty by Nepal. However, as the coalition magnet thesis helps explain only the acceptance of ideas by a multitude of actors, but does not say much about the implementation of the ideas, I will examine the implementation aspect of food sovereignty in terms of its translation into food and agricultural policies to investigate the viability of coalition magnets as prescription for policy. Before I do that, in the next chapter, I first explain the methodology that I have adopted to perform these investigations.
3.1 Introduction

This chapter lays out the methodology undertaken to conduct this research. Starting with the context for the research, I re-state the research questions, explain the framing of the research design and detail the research method used to find answers to the research questions.

As a policy researcher working on trade and food security issues, I was exposed to the idea of food sovereignty through a peasant organisation in Nepal. This organisation was calling for the adoption of the idea of food sovereignty for better food and agricultural policies since, it argued, the idea of food sovereignty was more comprehensive than the concepts of food security and the right to food. Some of the demands that this peasant organisation was making in relation to the promotion of the idea of food sovereignty were domestic, such as land reform, timely provision of quality agricultural inputs and agricultural credit, and so on, while other demands were non-domestic measures, such as calling for the World Trade Organization (WTO) to get out of agriculture.

Meanwhile, I attended two WTO ministerial conferences, in Hong Kong in 2005 and in Bali in 2013. During these conferences, and more specifically in Bali, I saw La Via Campesina staging protests against the WTO and making calls for food sovereignty from outside the official conference venue. On the other hand, developing countries, mainly India, were intensely negotiating within the WTO, officially calling for some important changes in the Agreement on Agriculture. Some scholars have argued that India, in the WTO, was taking a food sovereignty approach in its stance on agriculture (Farsund, Daugbjerg & Langhelle 2015). India’s peasant organisations, which are members of La Via Campesina, supported the Government of India’s stance, but there were many other issues that the peasant organisations
were fighting against, including against some measures that the Government of India had taken due to its WTO membership (such as the lifting of quantitative restrictions on some agricultural products) (The Hindu 2013). They accused the government of not doing enough in protecting and promoting India’s agriculture and farmers’ rights. Moreover, India has not officially accepted the idea of food sovereignty. The Government of India has not included food sovereignty in any of its official documents.

This was an interesting observation. The state felt it was possible to bring about changes in domestic food and agricultural policies adopting the existing concepts of food security and the right to food. On the external front, with organisations such as the WTO, the state would take a tough stance and negotiate intensely to bring about the necessary changes but would not call for the entire dismissal of the agriculture sector from the WTO. Hence, while there seemed to be some similarity between the Indian state and its peasant organisations, there also seemed to be differences between them in accepting the idea of food sovereignty.

In light of this observation, I found it difficult to understand the reasons for the incorporation of food sovereignty as a right of every Nepali citizen in Nepal’s Interim Constitution of 2007. Given there are domestic problems in the food and agriculture sector in Nepal, it was understandable on the part of social movements to make calls for food sovereignty, but I wondered why the Nepali state accepted the idea of food sovereignty. More importantly, how had it been possible to incorporate an idea such as food sovereignty that lacked clarity in Nepal’s Constitution? In what ways the idea of food sovereignty was different and how it would be operationalised were other important questions to pursue. They provided me the impetus to undertake this research.

### 3.2 Research design

According to Hancké (2010, p. 232),
Doing research is constructing research, and research design is the toolbox that allows us to do that professionally. Constructing research, in turn, means, that you construct your research question, and present your version of the debate surrounding that question. It also means that you collect and construct data and cases so that they speak to the question and debate that you identify.

Following this statement about research design, below I first state my research questions and subsequently explain the methods I used to collect and construct data to find answers to my research questions.

3.2.1 Research questions
The research questions this study aims to answer are:

1. When food sovereignty is ambiguous and lacks precision, how does it get institutionalised? and
2. What are the consequences for policy-making when an ambiguous idea such as food sovereignty is institutionalised?

The sub-questions that help in answering the main research question are:

1. Are there food- and agriculture-related problems that countries institutionalising food sovereignty find that cannot be addressed within the concepts of food security and the right to food?
2. Is there a common understanding of food sovereignty among major policy and other relevant actors in countries that have institutionalised food sovereignty?
3. How have countries that have institutionalised the idea of food sovereignty been operationalising the idea? Is the operationalisation of the idea of food sovereignty different from the operationalisation of the concepts of food security and the right to food?

3.2.2 Proposition
Review of the agendas promoted by global social movements on food sovereignty and the arguments presented in a large majority of the existing literature on food sovereignty, as we will see in subsequent chapters, suggest that the adoption of the idea of food sovereignty by different countries could be due to the “double movement”. Therefore, a possible explanation
that one might put forward in relation to Nepal’s adoption of the idea of food sovereignty could be that Nepal’s adoption of liberal economic policies has impacted its food and agriculture sector. There are also various internal problems related to food and agriculture in Nepal, such as unequal distribution of land and lack of access to credit and inputs, among other things. Hence, Nepal adopted the idea of food sovereignty because this new idea would provide the means to address its external and internal problems related to food and agriculture, which otherwise had not been possible within the concepts of food security and the right to food.

However, having worked earlier in the area of food security, trade and agriculture, and based on some interactions I had with relevant stakeholders in Nepal, I have some background knowledge of the topic. I do not find the above-stated possible explanation regarding Nepal’s adoption of the idea of food sovereignty a convincing one. Rather, a review of the literature on food sovereignty and the theories I have discussed in the previous chapter have provided different insights. Therefore, my proposition, based on the existing analyses of food sovereignty and the Nepali context, and the ideational theories I discussed in Chapter 2, is that Nepal adopted the idea of “food sovereignty” due to the potential of the idea being a coalition magnet. Despite the adoption of the idea of food sovereignty, there has not been a paradigm shift in Nepal’s food and agricultural policies as advocated for by global social movements on food sovereignty.

3.2.3 Research method
3.2.3.1 Case study
This is qualitative research, based on a single case study. The project that I have undertaken, which looks like a radical shift in Nepal’s food policy, is a contemporary phenomenon. My endeavour has been to investigate the reasons for the phenomenon and subsequent developments. Yin (2003) explains that case study is an appropriate strategy for such an
endeavour. I have sought to explain the causal mechanism regarding Nepal’s adoption of the idea of food sovereignty, and how this has been translated into practice.

Another reason to undertake a single case study for my research is to conduct an in-depth analysis of the mechanisms at play (Gerring 2004) in the adoption of the idea of food sovereignty by Nepal. As Gerring (2004, p. 349) states,

[T]he in-depth analysis of a single unit is useful in elucidating causal mechanisms because its characteristic style of evidence gathering—over time and within-unit variation—is likely to provide clues into what connects a purported X to a particular Y. Cross-unit variation, in contrast, is often mute with respect to causal mechanisms.

I have chosen a single case also to determine whether the propositions of the theory I have chosen are correct or whether some alternative sets of explanations are called for (Yin 2003). A common concern, and hence a limitation, of case study research is its inability to generalise the findings. Although case studies are not generalisable to populations or universes, they can be generalisable to theoretical and/or analytical propositions (Yin 2010, 2018). This single case study will examine, and if required expand, the proposition in relation to the idea of food sovereignty as being a potential coalition magnet. Hence, it will examine the idea of food sovereignty from a policy perspective unlike most of the literature on food sovereignty that has analysed this idea from a social movement perspective. The analytical generalisations that can be derived from this single case could be used in other settings where the idea of food sovereignty has been adopted.

3.2.3.2 Process tracing

In my single case study, I have adopted the process tracing method as process tracing is an essential form of within-case analysis (George & Bennett 2005), and can contribute decisively both to describing political and social phenomena and evaluating causal claims (Collier 2011). According to Gerring (2004, p. 349), “the investigation of causal mechanisms (including both process tracing and pattern-matching) is commonly associated with the case
study research design”. Further, Mahoney (2010, p. 124) states, “Process tracing contributes to causal inference primarily through the discovery of CPOs\textsuperscript{10}, and the information contained within a CPO reflects in-depth knowledge of one or more particular cases. Moreover, when it comes to studying ideas, process tracing is considered a “powerful empirical approach for distinguishing between ideational and material effects” (Jacobs 2015, p. 41). In fact, the causal effects of ideas on policy change can best be studied through process tracing (Béland & Cox 2011b; Campbell 2002; Parsons 2002; Yee 1996).

Collier (2011) explains that process tracing is a qualitative method, although it sometimes relies on quantitative data for fine-grained description. Background knowledge is important, especially in the careful, analytically informed specification of hypotheses. Hypotheses are essential in selecting and interpreting evidence, and in weighing them against one another.

There are four tests, namely “straw-in-the-wind”, “hoop”, “smoking-gun” and “doubly decisive” in process tracing, according to the necessary and/or sufficient conditions required to accept the inference (Table 3.1). Passing the “doubly decisive” test provides both necessary and sufficient conditions to affirm a causal inference.

\textsuperscript{10} Collier, Brady and Seawright (2010) define a causal process observation (CPO) as “an insight or piece of data that provides information about context, process, or mechanism, and that contributes distinctive leverage in causal inference” (p. 2, footnote 3).
Table 3.1: Process tracing tests for causal inference

<table>
<thead>
<tr>
<th>Sufficient for affirming causal inference</th>
<th>No</th>
<th>Yes</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>b. Failing: Hypothesis is not eliminated, but is slightly weakened.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. Implications for rival hypotheses: Passing slightly weakens them. Failing slightly strengthens them.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Failing: Hypothesis is not eliminated, but is somewhat weakened.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. Implications for rival hypotheses: Passing substantially weakens them. Failing somewhat strengthens them.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Necessary for affirming causal inference</th>
<th>No</th>
<th>Yes</th>
</tr>
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<tbody>
<tr>
<td>2. Hoop</td>
<td>a. Passing: Affirms relevance of hypothesis, but does not confirm it.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Failing: Eliminates hypothesis.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. Implications for rival hypotheses: Passing somewhat weakens them. Failing somewhat strengthens them.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Failing: Eliminates hypothesis.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. Implications for rival hypotheses: Passing eliminates them. Failing substantially strengthens.</td>
<td></td>
</tr>
</tbody>
</table>

Source: Collier (2011).

As briefly discussed in the introduction chapter, a common explanation for the promotion and adoption of the idea of food sovereignty is the double movement. Therefore, in my case study, I examine whether there were conditions for the double movement in Nepal, and whether the double movement existed. If yes, this would largely inform the adoption of the
idea of food sovereignty by Nepal. The next step would be to investigate the process of the double movement and the translation of the idea of food sovereignty into the country’s constitution and other policy documents. If the double movement did not exist, this would provide strength to the coalition magnet thesis. But to confirm that the coalition magnet thesis explains the adoption of the idea of food sovereignty, we need to find that the idea of food sovereignty meets the three attributes of the coalition magnet.

I used these research methods to test my proposition. I will explain how I did this, in the data analysis section, later.

3.3 Why Nepal?

As we will see in later chapters, only a few countries in the world have institutionalised the idea of food sovereignty. Most of these countries are in Latin America, and there are some studies on food sovereignty covering these countries. Most of these studies explain that the institutionalisation of the idea of food sovereignty in Latin American countries is due to radical social movements and the rise of leftist leaders. The radical social movements, in turn, have been the outcomes of centuries of extreme inequality in land ownership and corporate control of the food and agriculture sector by foreign entities, among others.

Nepal is different. It is an agricultural country with two-thirds of its population dependent on the agriculture sector, but the sector contributes only around a third of the country’s gross domestic product. It is a net-food-importing least-developed country. There is some inequality in land ownership in Nepal, but it is nowhere near comparable to Latin American countries. Also, there is no direct presence of large corporations owned by foreign entities in the food and agriculture sector in Nepal. Moreover, agricultural trade and commercialisation are not severely opposed in Nepal. In fact, commercialising agriculture and enhancing food and agricultural exports is a major agenda of all the major political parties.
The food sovereignty movement at the transnational level arose, *inter alia*, as an opposition to the inclusion of agriculture in the WTO. All the countries that have institutionalised food sovereignty in their constitutions are developing-country members of the WTO. Nepal is the only least-developed country (LDC) among them. As an LDC member, Nepal receives special and differential treatment, and its terms of WTO membership with regard to food and agriculture are said to be in Nepal’s favour (Pandey, Adhikari & Waglé 2014).

More importantly, for decades, Nepal has not had separately organised farmers’ groups. Rather, farmers have been organised by different political parties under their banners. There have not been visible social movements on food sovereignty on the ground. It could be that Nepal is a deviant case (Seawright & Gerring 2008).

As Seawright and Gerring (2008) explain, if a case, by reference to some general understanding of a topic, demonstrates a surprising value, then it is a deviant case. They further state that “the purpose of a deviant case analysis is usually to probe for new—but as yet unspecified—explanations”, and that it is an exploratory form of research (p. 302). Hence, although I chose Nepal as the case country for this research for reasons I stated above, as a deviant case, it could also provide new insights.

### 3.4 Data
The two major sources of my data are: 1) documents and audio-video materials, and 2) in-depth interviews.

#### 3.4.1 Documents and audio-video materials
I studied the changes in Nepal’s food and agricultural policies after the country adopted liberal economic policies, mainly since the early 1990s. I examined Nepal’s policies on food security and the right to food, and subsequent inclusion of “food sovereignty” in the Interim Constitution of 2007, in subsequent policy and planning documents, and in the new Constitution. To do this, I reviewed various documents that consisted of the constitutions,
formal policy and planning documents, government and non-government reports, media articles, opinion pieces, published interviews, books, journal articles, and so on. I also analysed audio-video materials such as interviews of relevant actors and media reports on food and agricultural issues.

3.4.2 Interviews
Kapiszewski, MacLean and Read (2015, p. 190) state, citing Weiss (1994), that “[I]nterviews allow us to gather information to generate detailed, holistic descriptions, capture varying perspectives, discuss processes, unearth competing interpretations of events, identify the micro-foundations of macro-patterns, and frame hypotheses”. They also cite Beckmann and Hall (2013) to claim that “while political actors’ formal decision-making processes are more visible and available than ever before in today’s information-rich environment, interviews allow us to explore the informal interactions and behaviors that can be equally important to political outcomes”. Every aspect of the importance of interviews as stated in these claims is appropriate for this research.

Between July and October 2016, I conducted in-depth, semi-structured interviews with 30 relevant stakeholders in Kathmandu. Based on my earlier engagement in policy research in Nepal, I knew a few stakeholders working in the food and agricultural policy area in Nepal. I met these stakeholders early on. Then, through the snowball technique, I met other stakeholders and interviewed them. The stakeholders consisted of farmers’ leaders, political party representatives working on food and agricultural issues, policy-makers, planners, leaders of non-governmental organisations, activists, development partners, legal experts, independent researchers, academics, and private sector representatives. Most of these stakeholders are experienced people in their field. Many of them have even engaged in preparing major planning, policy and strategic documents on food and agriculture in Nepal. I also did some follow-up interviews through email and social media.
The interviews concentrated on understanding the interviewees’ perceptions regarding the performance of Nepal’s agricultural sector. The interviews were not fully structured. I had a few guiding questions to begin with, and later the interview would take the form of a discussion. Some of the issues that were discussed included food and agricultural trade, Nepal’s memberships in various bilateral, regional and multilateral trading arrangements, issue of food self-reliance and/or self-sufficiency, and so on. A significant amount of the interview time was spent in understanding the interviewee’s perception of the idea of food sovereignty, their awareness in relation to the global social movement on food sovereignty, and their views towards the incorporation of “food sovereignty” in Nepal’s constitution and various policy and programme documents.

3.5 Data analysis
First of all, from the documents and audio-video materials, I examined the evidence against the possible explanation that Nepal adopted the idea of food sovereignty due to the double movement. I examined Nepal’s food and agricultural policies over the years and the ideas behind such policies. I investigated Nepal’s approach to liberalising its economy in general, and the policies it adopted in the food and agriculture sector in particular, to test the double movement thesis. I examined whether contestations existed among different relevant actors, and whether and how those contestations related to the food and agricultural policies Nepal had adopted over the years. After a thorough analysis of the policies that Nepal had adopted in relation to the food and agriculture sector, and of Nepali stakeholders’ responses to such policies, I could refute the possible explanation that Nepal’s adoption of the idea of food sovereignty was a result of the double movement.

Next, to examine my proposition that Nepal’s adoption of the idea of food sovereignty could be due to the “coalition magnet”, I examined how the idea of food sovereignty was introduced into the country, who the actors were who had introduced the idea, how these actors framed the idea, how the several relevant actors have understood food sovereignty, and
what the process was that led to incorporating the idea of food sovereignty in Nepal’s Constitution and policy and planning documents. I mainly used the interview data to perform this analysis.

I transcribed all the interviews myself. The transcription process, which entailed listening to the interviews carefully, was helpful in getting a deeper sense of the discussions I had with the interviewees.

When the transcriptions of all the interviews were complete, I went through the transcribed texts several times to get a better sense of the perceptions of actors on the various issues we had covered in the interview in relation to the idea of food sovereignty. I categorised the interviewees’ responses under several headings such as land reforms, agriculture trade, agriculture modernisation, traditional agriculture, and so on. While I had asked the interviewees categorically on their understanding of the idea of food sovereignty, their responses in relation to these different elements of food and agriculture helped me get a better sense of the actors’ perceptions of the idea of food sovereignty.

Through this exercise, I gathered information, based on the different actors’ perceptions, on the context of adopting food sovereignty by Nepal and the processes that enabled the inclusion of “food sovereignty” in the country’s constitution. This helped in identifying CPOs so as to make causal inference. I analysed the interview data against the three attributes of a coalition magnet, which allowed me to infer that the coalition magnet thesis explains the institutionalisation of the idea of food sovereignty by Nepal.

Regarding implementation of the idea of food sovereignty, Nepal first incorporated “food sovereignty” in its Interim Constitution in 2007. Nine years had passed when I conducted the interview in 2016. Therefore, through the interviews, I also attempted to understand the actors’ perceptions regarding the operationalisation of the idea of food sovereignty in Nepal. I used the data that I gathered from the interviews regarding the operationalisation of the idea
of food sovereignty and the data I had gathered by reviewing relevant documents prepared since 2007 for triangulation between different types of evidence.

I also presented the findings of my research at two international conferences: The 3rd International Conference on Public Policy, held at the National University of Singapore in June 2017, and the General Conference of the European Consortium for Political Research, held at the University of Hamburg in August 2018. The feedback I received at those conferences helped sharpen my analysis.

In the next chapter, I discuss the origin and evolution of the concepts of food security and the right to food, to set the context for a detailed discussion on the idea of food sovereignty.
Chapter 4
Three ideas about food: food security, the right to food and food sovereignty

4.1 Introduction
Globally, food security, the right to food and food sovereignty are the three concepts concerning the food aspect of people’s livelihoods. As a formalised concept, the right to food is the oldest of the three. It was included in the Universal Declaration of Human Rights in 1948. The concept of food security was formalised in the 1970s; the concept of food sovereignty was introduced in the 1980s and brought into wider public debate in the mid-1990s.

Since its early conceptualisation, food security has been understood in a variety of ways and thus there are hundreds of definitions of food security (Maxwell 1996). The case of the concept of the right to food is similar in terms of its constituent elements. However, the idea of food security has been refined since the mid-1990s, and that of the right to food since the mid-2000s. Therefore, the ideas of food security and the right to food had been in existence for decades, but there were no single definitions of these terms. There were ambiguities in understanding them and therefore problems in their implementation.

As we shall see later, the concept of food security was clarified after the World Food Summit of 1996. The right to food was understood better after the Food and Agriculture Organization of the United Nations (FAO) published the “Voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security” in 2004. But interestingly, as these established concepts were better clarified and their scope widened, the idea of food sovereignty was developed.
Why have such ideas evolved over time? Do they serve different purposes in the realm of food and agriculture? Are they complementary or antagonistic to each other? There is some literature on this debate (see, for example, Beuchelt & Virchow 2012; Edelman 2014; Gordillo & Jeronimo 2013; Lambek et al. 2014; McMichael 2006; Mechlem 2004; Schanbacher 2010; Trauger 2015). Some of the literature points to the subsequent evolution of the new ideas in response to the shortcomings of the old ones (for example, Lambek et al. 2014; McMichael 2006; Trauger 2015). Others see them as representing three different ideas related to food, and therefore, having importance in their own right. One view regarding the latter is that food security is a policy concept and is technical, the right to food is a legal concept, and food sovereignty a political concept (see, for example, Beuchelt & Virchow 2012; Mechlem 2004; Windfuhr & Jonsén 2005). Scholars have not settled on a common understanding and agreement about the necessity and usefulness of these different ideas about food security, the right to food and food sovereignty (see, for example, Agarwal 2014; Bernstein 2014; Beuchelt & Virchow 2012; Eide, Oshaug & Eide 1991; Haugen 2009; Hospes 2014). Hence, the debate continues. The most important element in this debate is related to trade liberalisation and the corporatisation of food and agriculture.

There is universal acceptance that the focus on food sovereignty is a backlash against neoliberal trade regimes and the corporate control of food and agriculture. The literature that supports the idea of food sovereignty argues that the concepts of food security and the right to food favour food and agricultural trade liberalisation and corporatisation, and hence presents food sovereignty as an alternative (Rosset 2006; Schanbacher 2010). Therefore, it is necessary to understand the origin and evolution of food and agricultural trade liberalisation and corporatisation, and how the concepts of food security and the right to food relate to these phenomena.

In this chapter, I trace the origin and evolution of the three ideas of food security, the right to food and food sovereignty over time and their current state in the global debate. I begin with
an introduction to food sovereignty to understand broadly how it has been conceptualised. As we will see in subsequent sections, food and agricultural trade liberalisation and corporatisation feature as central elements in the food sovereignty literature. Therefore, I analyse the literature on the relationship of food security and the right to food with food and agricultural trade liberalisation and corporatisation. This will help understand and analyse in a systematic manner the broad debate on the three concepts related to food, and whether the three of them serve different purposes.

Based on the analytical review of food security and the right to food, I argue that there are problems in the food and agriculture sector, but the problems are not due to deficiencies in these existing concepts. Rather, the problems have historical roots and might not be solved by the choice of one over another. Problems in the food and agriculture sector can be addressed within the concepts of food security and the right to food. Continued efforts are being made to address the problems in the food and agriculture sector. Hence, it might be wise to give momentum to these efforts instead of shifting attention to a new idea on food, i.e., food sovereignty, which itself seems to be lacking clarity and operational modality.

4.2 The concept of food sovereignty, its origin and evolution over time

4.2.1 Origin of the concept of food sovereignty

According to Heller (2013), cited in Edelman (2014), the specifics of how and when the term “food sovereignty” originated are not clear. Edelman (2014) states that historical accounts show the term might have originated in Latin America in the 1980s, although other terms indicating similar meanings to food sovereignty had been in use, though occasionally, since the 1960s. Based on a review of several documents, Edelman provides the following account of the origin of the term “food sovereignty” and similar terms:\textsuperscript{11}

\footnote{11 I have referred to the documents and literature that Edelman has cited based on his paper, except for his own account.}
• 1983: The government of Mexico announced a new National Food Programme, the first objective of which was “to achieve food sovereignty”. It was understood as more than self-sufficiency in food.\(^\text{12}\) It implied national control over diverse aspects of the food chain, thus reducing dependency on foreign capital and imports of basic foods, inputs and technology. The key factor of the strategy was the adoption of a holistic focus on policies related to the phases of production, transformation, commercialisation, and consumption (Heath 1985).

• Late 1980s: Peasant activists in Costa Rica occasionally used the term “food sovereignty”. The same phenomenon was seen a few years later in Honduras and in other countries in Central America.

• 1988: The term “food autonomy” was utilised by ultra-radical Costa Rican peasant groups (La República 1988).

• Late 1990 and 1991: A few mentions of the term “food sovereignty” were made in the documents of the Food Security Training Programme funded by the European Community and organised for peasant activists from Central American countries. The participants of the training programme then started using the term “food sovereignty”, although often interchangeably with “food security” (Edelman 1998).

• Early 1991: Rural activists from Costa Rica employed the term “food sovereignty” in relation to the dumping of imported food, and also to argue for “sovereignty in exports” (Hernández, Hernández & Monge 1991). Their understanding was that foreign firms should not control Costa Rica’s agricultural export trade.

• April, 1991: Three peasant leaders of Costa Rica sent a letter to the country’s president specifying that food sovereignty should be an objective of the country so that the country would not have to depend on surpluses from other countries that could vanish and the prices of which are subject to the international market (Campos, Fernández & González 1991).

• December 1993: French union paysans, together with eight thousand smallholders from across Europe, travelled to Geneva with a banner that read Souveraineté alimentaire, which means “food sovereignty” (Heller 2013).

Thus, the term “food sovereignty” might have originated in Latin America in the 1980s. As a new idea, however, it started getting popularised after the World Food Summit of 1996 when

\(^{12}\) The impression that the idea of “food sovereignty” provides is that of achieving food self-sufficiency without depending on any external source.
La Vía Campesina brought it to wider public debate. Figure 4.1, Figure 4.2 and Figure 4.3 respectively show the trends in the use of the terms *soberanía alimentaria* (Spanish), “food sovereignty”, and *souveraineté alimentaire* (French) in scholarly writings between 1980 and 2008. As we can see from the figures, the use of the term *soberanía alimentaria* started from the 1980s, but it spiked after 1996. The use of the terms “food sovereignty” and *souveraineté alimentaire* occurred mostly after 1996.

**Figure 4.1: Use of the term *soberanía alimentaria* in scholarly writings**

![Graph showing the use of the term *soberanía alimentaria*.](image)

Source: Google Ngram.

**Figure 4.2: Use of the term “food sovereignty” in scholarly writings**

![Graph showing the use of the term “food sovereignty”.](image)

Source: Google Ngram.

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13 The figures are from Google Book’s Ngram viewer. They show the trend in the use of the terms “food sovereignty”, “souveraineté alimentaire” and “soberania alimentaria” over the years in a corpus of books in Google Books’ repository. The data is available up until 2008. I have replicated this from Edelman (2014).
Three things that stand out from the brief historical account of the evolution of food sovereignty are: 1) rural activists and peasants from some Latin American countries employed the term “food sovereignty”, although interchangeably with “food security” in some cases, in the beginning; 2) governments in some Latin American countries officially aimed to achieve food sovereignty, which was understood as achieving national food self-sufficiency, food autonomy, and domestic control over the entire food chain process from production to consumption; and 3) food sovereignty was a new idea that was adopted in response to increasing food imports, dumping of food in domestic markets, heavy reliance on foreign capital, inputs and technology, and control over the food system (including exports) by the corporate sector and foreign companies that were promoting industrial agriculture. That is, food sovereignty was a response to external aggression in the domestic food and agriculture sector. Peasants and rural people were calling on their national governments to fight against such aggression and to safeguard their economies and livelihoods.

4.2.2 Birth of La Vía Campesina and definitions of food sovereignty

Food sovereignty advocates strengthened the call for food sovereignty in the late 1980s and early 1990s when most countries around the world started adopting liberal economic policies. It was alleged that developing countries were forced to accept such policies by global
financial institutions such as the World Bank and the International Monetary Fund (IMF) as part of the Structural Adjustment Programmes (SAP) (LVC 2018). It was also the time when the Uruguay Round of trade negotiations was ongoing to establish the World Trade Organization (WTO). Moreover, the corporatisation of agriculture was expanding faster and spreading into developing countries, thus creating problems such as land grabbing, soil and environmental degradation, the displacement of people from their land, and the gradual loss of traditional and indigenous agricultural methods, among other things (Borras Jr & Franco 2012; Sassen 2013; Tilzey 2018). Therefore, rural activists and peasants from Latin America, some of whom were politically motivated, were able to mobilise peasants from several countries around the world to give birth to La Vía Campesina in 1992 (Martinez-Torres & Rosset 2010). As a strong transnational peasant movement, La Vía Campesina then started to actively promote food sovereignty. When agriculture was brought within the ambit of the WTO through the Agreement on Agriculture (AoA) in 1995, the voice for food sovereignty under the banner of La Via Campesina grew even louder.

Since its inception, La Vía Campesina has organised a number of international conferences and forums. It also organises events in parallel with the FAO food summits and WTO ministerial conferences. In all of these events, the main agenda that La Vía Campesina promotes is food sovereignty. But it has not defined food sovereignty in a particular manner in every event. The definition of food sovereignty has been evolving over the years.

When La Vía Campesina brought the idea of food sovereignty into public debate for the first time in 1996, it defined food sovereignty as “the right of each nation to maintain and develop its own capacity to produce its basic foods respecting cultural and productive diversity” (emphasis added, LVC 1996, n.p.). It stated that the right to exercise food sovereignty was a state prerogative. But the definition of food sovereignty changed over the years. The latest definition of food sovereignty, as spelled out in the Nyéléni Declaration of 2007, is “the right of peoples to healthy and culturally appropriate food produced through
ecologically sound and sustainable methods, and their right to define their own food and agriculture systems” (emphasis added, The Nyéléni International Steering Committee 2007, n.p.).

In whatever way food sovereignty has been defined, the main thrust of the idea of food sovereignty has been the right to be free from external influence of any kind that would interfere with national and local food systems. It is based on the conviction that the neoliberal economic model has devastated traditional agriculture, thus inflicting severe harm on peasants, indigenous people, and national and local food systems. And it has been strongly suggested that global organisations and institutions such as the World Bank, the IMF and the WTO have promoted the neoliberal model, and hence are responsible for all these harms (Sassen 2013; Tilzey 2018). La Via Campesina claims that the agricultural policy-making capacities of developing countries have been severely constrained by the existing global architecture of economic governance related to food and agriculture (Desmarais 2002; Martinez-Torres & Rosset 2010). Therefore, it argues that there is a need for countries and people to reclaim their right to design their own food and agricultural policies, keeping food producers, especially peasants and Indigenous peoples, at the centre of such policy-making.

In this broader context of the idea of food sovereignty, an obvious question is, Do the existing and widely accepted ideas of food security and the right to food fail to consider the aforementioned factors, thereby necessitating the acceptance of the new idea of food sovereignty? There have not been many systematic studies on the topic. I attempt to explore this question in the subsequent sections. I first discuss briefly the historical evolution of agricultural trade, the corporatisation of agriculture and the state of play today. I then analyse whether and how food security and the right to food relate to agricultural trade liberalisation and the corporatisation of agriculture—the broader elements that the food sovereignty movement is fighting against.
4.3 Agricultural trade liberalisation and the corporatisation of agriculture

4.3.1 Evolution of agricultural trade

The debate surrounding food and agricultural trade rests mainly on the question of whether, as Polanyi (2001[1944]) classified, food and agricultural products are “real commodities” or “fictitious commodities”. It is based on such a distinction that political scientists use the term “agriculture normalism” to refer to the act of liberalising agricultural trade in the same vein as liberalising industrial goods trade, and “agriculture exceptionalism” to refer to the act of shielding agriculture from certain global trade rules and providing it exceptional treatment (Daugbjerg & Swinbank 2009). As we will see below, adoption of agricultural normalist and agricultural exceptionalist policies can be attributed to the double movement thesis (Polanyi 2001[1944]) in the case of the food and agriculture sector. Moreover, ideas, interests and institutions have played key roles in countries’ adoption of agriculture normalism and agriculture exceptionalism policies (Daugbjerg & Swinbank 2009).

Classical economists’ convincing arguments on the virtues of free trade led Great Britain to adopt trade liberalisation policies unilaterally in the 19th century. The repeal of the Corn Law marked a significant step in advancing economic liberalism in the world. In the primarily agricultural society of the time, trade liberalisation started with countries exporting agricultural goods in which they had comparative advantage, and importing the rest. However, agricultural trade practices did not last long. According to McCalla (1969, p. 333), “except for a relatively brief period in the late 1860’s and early 1870’s, world agricultural trade did not even approach the ‘free trade’ norm”. A number of factors led to protectionism in agricultural trade by most countries, except by Great Britain, which continued with unilateral trade liberalisation (McCalla 1969).

Countries had adopted agricultural trade liberalisation policies following the desire and persuasion of the industrial sector as such trade liberalisation provided the industrial sector with cheap and adequate raw materials. However, when many countries’ agricultural sectors
could not compete with cheap imports, they resorted again to protectionism following the demands for the same by the agricultural sector. There was a double movement at play between the industrial sector and the agricultural sector.

Britain’s move to agriculture normalism in the 19th century was guided by its economic interests, but the forces of ideas and institutions helped shape those interests (Schonhardt-Bailey 2006). Countries that liberalised agricultural trade following Britain abandoned it altogether and resorted to agriculture exceptionalism after a few years upon finding that agricultural trade liberalisation negatively impacted their agriculture sectors (McCalla 1969). In this case too, ideas shaped the economic interests of relevant groups, and the groups were able to nationalise those interests (Schonhardt-Bailey 2006).

According to McCalla (1969), following World War I, during which countries had produced extremely huge amounts of agricultural commodities to meet war-time needs, stocks of agricultural products increased heavily while there was a severe decrease in their price. This led to different types of reactions by different countries, such as the United States (US) imposing duties on agricultural imports through the *Emergency Tariff Act* of 1921 and the Hawley-Smoot Tariff of 1930, and France, Germany and Italy restricting agricultural imports to support the incomes of their farmers. Following the war, countries became wary of depending too much on imports of food and agricultural products, and adopted self-sufficiency strategies (Aparicio, Pinilla & Serrano 2009). Governments started playing active intervening roles by way of providing price support and protecting agriculture through the creation of higher tariff walls.

In the 1930s and 1940s, after the Great Depression, there were food shortages in poorer countries. It was decided that such shortages would be met through existing surpluses and excess food production in richer countries (Shaw 2007). The unit of analysis for adequate food production was taken as the world, and that called for considering issues related to trade
and transport. It was assumed that smooth trade and transport facilities would ensure that food reached from surplus areas in the world to deficit areas. Globalisation increased countries’ interdependence on food even further. Thus, ideas about agriculture normalism and agriculture exceptionalism, which gave rise to a variety of interests in different countries, continued to shape the debate.

Studies suggest that many developing countries have a higher comparative advantage in agriculture and would stand to gain immensely from a “truly free” trade in agriculture (see, for example, Anderson & Martin 2005; Hertel et al. 2000). However, many developed countries, which consider themselves as bastions of free trade and push for the same in regard to other developing countries, still protect their agriculture sectors. They are guided by free trade ideologies but are compelled to safeguard their economic, political and social interests by protecting agriculture through the creation of relevant institutions. A fresh instance is the initial negotiations on agriculture for the Trans-Pacific Partnership (TPP) Agreement. Among the then-TPP members, New Zealand had an interest in the free trade of dairy products, Australia in sugar, and the US in rice; but Canada and the US wanted managed trade in dairy products, the US and Mexico in sugar, and Japan in rice, as “these industries are backed by significant voting blocs in their respective countries” (Stiglitz & Hersh 2015, n.p.).

The WTO is the only multilateral trade institution that has more than four-fifths of countries as its members and that covers almost the entire gamut of global trade. Today, any debate on food and agricultural trade liberalisation brings in the WTO. There are harsh criticisms of this institution, alleging that it promotes food and agricultural trade to the detriment of poor farmers in developing countries (Desmarais 2002; Tilzey 2018). Therefore, I now look at the formalisation of global trade rules historically, and analyse the tension and debate on agriculture normalism versus agriculture exceptionalism which continues to the present day.
4.3.2 Agriculture in the GATT and later in the WTO

In 1947 when the General Agreement on Tariffs and Trade (GATT) was instituted to govern international trade in goods, agricultural trade was given exceptional treatment by allowing for import restrictions and the provision of subsidies (Daugbjerg & Swinbank 2009). This was at the behest of the US and European countries that wanted to continue with domestic support and protection to their agriculture sectors (McCalla 1969). But the protection and support provided by the developed world, especially the US and the European Union (EU), to their agriculture sectors distorted global agriculture, and were especially harmful to developing countries where livelihoods were being threatened and export incomes from agricultural products were being harmed (Clapp 2006). Such support and protection also negatively affected agricultural exporters such as Australia and New Zealand. This even led to farm wars between the major agricultural producers in the 1980s (Wolfe 1998).

Moreover, it had become too costly for the US, the EU and Japan to continue with high levels of agriculture protection (Clapp 2006). Hence, there was a need to revisit domestic agricultural support and to govern agricultural trade through international trade rules. Consequently, the Uruguay Round of trade negotiations in the 1980s brought agriculture back to the negotiating table to liberalise agricultural trade and institute rules to govern it.

After much wrangling and deliberation, the AoA was put in place as a separate agreement under the WTO in 1995.

The objective of the AoA is to establish a fair and market-oriented agricultural trading system through substantial progressive reductions in agricultural support and protection. It was mainly the US and the EU that were at the forefront of providing agricultural support and protection, and therefore, the AoA was essentially an outcome of the compromise between them (Daugbjerg & Swinbank 2009). There were differences among them regarding the level of protection that needed to be reduced and the time span over which the reforms would take place. Reducing support and protection provided to the agriculture sector by the
US and the EU would be beneficial to developing countries as that would create a level playing field and make most developing countries’ agriculture competitive. However, as scholars argue, the US and the EU, in their negotiation and compromise between them, ignored the concerns of developing countries (Gonzalez 2002). The AoA was designed in such a way that it favoured agricultural producers in richer countries at the expense of poor farmers in developing countries. The agreement allowed the richer countries to continue with their agricultural subsidies and protection, and forced the poorer countries to open up their markets to cheap subsidised imports (Gonzalez 2002; Khor 2008).

The AoA included special and differential treatment provisions for developing countries (WTO 1995a). They were provided longer time periods to reduce their agricultural support and were allowed to make smaller reduction commitments. The least-developed countries (LDCs) were exempt from making any reduction commitment. But these provisions did not address the concerns of countries with potential to compete in developed country markets, as developed countries would still have high barriers for imports. Also, for emerging developing countries such as India, the permitted level of support to its agriculture sector was not adequate. Hence, these countries felt that they were left out during the AoA negotiations and thereafter.

One concern that the AoA sought to address explicitly was the effects that the reform measures to be pursued under the AoA would have on net-food-importing countries. It was realised that the reform measures to be undertaken in the agriculture sector under the AoA would negatively affect net-food-importing developing countries (NFIDCs) and the LDCs. Therefore, the “Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least-Developed and Net Food-Importing Developing Countries” was also adopted and made part of the AoA. The measures that were included in the decision were reviewing and adequately providing food aid mostly in the form of grants or on appropriate concessional terms, and providing technical and financial assistance to
enhance agricultural productivity and infrastructure (WTO 1995a). Despite these provisions, as I will discuss in the next section, agriculture continues to be one of the most contentious issues in WTO negotiations.

Another WTO agreement that is related to agriculture and that is alleged to have harmed small-scale traditional agriculture in developing countries is the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs). As per TRIPs, WTO members are supposed to provide protection to their plant varieties either by patents, or an effective *sui generis* system, or a combination of both. Based on this provision, countries can choose not to protect plant varieties by patents, and most developing countries have done so. But because the provision allows the patenting of plant varieties, developing countries are concerned that it would promote bio-piracy and make their plant varieties the private property of someone else. Moreover, experience has shown that during negotiations for accession to the WTO, some developed countries put undue pressure on countries seeking WTO membership to accept conditions that go beyond the WTO provisions (Adhikari & Dahal 2007; Rajkarnikar 2005). One such condition is becoming a member of the International Union for the Protection of New Plant Varieties (UPOV). Becoming a UPOV member restricts governments from safeguarding their farmers’ rights to save, exchange, re-use and sell seeds. Many developing countries, such as Nepal, which have become WTO members by accession, have been able to fend off the pressure to join UPOV, whereas many others, such as Cambodia, have had to accept being a UPOV member to gain WTO membership (Adhikari & Dahal 2007; Baumüller, Adhikari & Dahal 2008). These types of issues have ignited resentments in various groups in developing countries against the WTO.

4.3.3 Agriculture in the WTO Doha Round
The various WTO agreements provided frameworks for negotiations to reform global trade. The specifics of the reform measures were to be negotiated among WTO members in subsequent rounds of negotiations. Therefore, on agriculture, the three pillars of the AoA—
domestic support, export subsidies and related issues, and market access—were the subject of negotiations. Members had to negotiate the intricacies of limiting domestic support and export subsidies provided to agriculture, and the opening of each other’s markets for agricultural products. In that course, as stipulated by the AoA, developed and developing countries would have to make different levels of commitment, which would obviously be less for the latter group of countries.

New negotiations did not start until late 1999. When they started, the wide differences among the WTO members, mainly between developed and developing country groups, came to the fore. In 2001, the Doha Round of trade negotiations was launched. It was called the “development round” with promises to institute measures for global trade, including agricultural trade, that would benefit developing more than developed countries (Clapp 2006). As Farsund, Daugbjerg and Langhelle (2015) state, the negotiating agenda for agriculture as outlined in the Doha Declaration included all three pillars of the AoA: improving market access, reducing, and ultimately phasing out, all forms of export subsidies, and substantially reducing trade-distorting domestic support. Of these agendas, the reduction in and gradual phase out of export subsidies and domestic support are essentially developed-country issues. For developing countries specifically, the negotiating agenda stated that they “should be allowed to consider their developmental needs, including food security and rural development” (Farsund, Daugbjerg & Langhelle 2015, p. 12).

It has been more than 16 years since the Doha Round was launched, and yet it remains far from conclusion. There are several issues that have held back the Doha Round from concluding, one of which is the complex issue of agriculture. The AoA sought to gradually end distortions present in the food and agriculture sector by governing it through international trade rules. It also sought to address the concerns of NFIDCs and LDCs. However, it did not adequately take into consideration the food security and other concerns of other developing countries, mainly those having high-potential agriculture sectors (Clapp 2006). These
countries argued that the AoA did not go far enough in adequately reforming developed countries’ agriculture sectors. The AoA was designed in such a way that rather than creating a level playing field, it made developing countries’ agriculture less competitive compared to that of the developed countries. In addition, developing countries see their policy space related to agriculture development and food security being constrained due to the AoA (Gallagher 2007).

Earlier, domestic support was mainly the concern of a few developed countries as their support was beyond the permissible levels and therefore they were supposed to reduce it. Lately, a few developing countries such as India (Brink 2014), China and Indonesia\textsuperscript{14} have seen their domestic support to agriculture rise substantially over the years. These developing countries claim that it is necessary for them to increase domestic support to their agriculture sector to address various socio-economic concerns as large proportions of their populations depend on agriculture. They are concerned that the WTO has been constraining their domestic agricultural policy-making authority. Therefore, developing countries have been effectively putting forth their proposals in the WTO negotiations through coalition building, such as through the G20 and the G33 (Eagleton-Pierce 2014; Narlikar & Tussie 2004).

In the run-up to the Ninth WTO Ministerial in Bali in December 2013, the G33, led by India, had proposed that the government’s price support to agricultural goods for public stockholding of food-stuffs for food security purposes not be subject to WTO discipline.\textsuperscript{15} Initially, this was opposed by the developed countries under the presumption that it would bring about distortions in world agricultural markets. A few developing countries also opposed it since they perceived that it would have a price-dampening effect, which would


\textsuperscript{15} India envisages enlarging its price support programme to agriculture, but doing so under the current AoA rules would cross the limit set by the AoA and would be subject to dispute in the WTO.
affect their agriculture sector (Bellmann 2014). This became a major sticking point for the Ministerial to succeed, and in the final hours, although the proposal was not accepted in its original form, a temporary solution was found through a peace clause. In Bali, and in subsequent negotiations, it was decided that no WTO member would bring a legal case against any member that breaches its limit of price support for public stockholding purposes until a permanent solution to the issue is put in place. The decision had also been to negotiate and adopt a permanent solution by the 11th WTO Ministerial in 2017. The G33, and mainly India, negotiated hard to turn the temporary solution to a permanent one as soon as possible, but there has not been major progress yet. Such constraints to domestic agricultural policy-making due to global trade rules, according to Farsund, Daugbjerg and Langhelle (2015), provide a reason for developing countries such as the G33 group to challenge the role of trade in ensuring food security.

Global agricultural trade is inevitable, and global trade rules are necessary to guide such trade. More importantly, global trade rules must be fair for all participants. Countries that have felt that current global trade rules have not been fair to them have been negotiating hard in the WTO to bring about changes in the trade rules to make it fair for all. It might not be possible to get the outcomes in their favour soon, but the gradual changes that have occurred point to the possibility of making global trade fair for all. The main issue of concern is, rather, as we will see below, the corporatisation of food and agriculture.

4.3.4 The corporatisation of food and agriculture
The influential presence of the corporate world in the food and agriculture sector is evident from the following (ETC Group 2005, cited in Clapp and Fuchs 2009):

- The top 10 seed companies control nearly 50 percent of the USD21 billion annual global commercial seed market and nearly all of the genetically engineered seed market,
The top 10 pesticide companies control 84 percent of the USD30 billion annual global pesticide market,

The top 10 food retailers control 24 percent of the estimated USD3.5 trillion global food market, and

The top 10 food and beverage processing companies control 24 percent of the estimated USD1.25 trillion global market for packaged foods.

Globalisation of food and agriculture is not a recent phenomenon. Symbolically, it started with Columbus’s quest to find new routes for the spice trade; and the grains trade became widespread in the late 19th century (Busch & Juska 1997). But the type of global food and agricultural trade we see today, and that includes fruits, vegetables, meat and dairy, started about six decades ago (Busch & Juska 1997; Clapp & Fuchs 2009). The corporatisation of agriculture more or less paralleled global food and agricultural trade, and today transnational corporations (TNCs) sit at centre-stage of the globalisation of agri-food markets (Clapp & Fuchs 2009). These corporations are heavily concentrated in and control both upstream (i.e., providing agricultural inputs such as seeds, chemicals and fertiliser) and downstream (i.e., engaged in activities such as handling, packaging and transportation of food) “on-farm” activities (Paarlberg 2010).

The issues surrounding TNCs are of two kinds: 1) the political role of corporate and business actors in the establishment and implementation of norms, rules, and institutions governing international political and economic relations (Sheingate et al. 2017), and 2) impacts of corporate concentration and market domination on society and the environment (Clapp & Fuchs 2009). TNCs are accused of having influenced the making of norms, rules and institutions to suit their interests, and capturing market power. The dumping of food and agricultural products in the global market, rendering peasants landless through land grabs, promoting chemical-intensive agriculture and thus degrading the environment, and promoting the use of genetically modified organisms (GMOs), among other things, are the ills that TNCs are argued to have inflicted upon humankind (Sassen 2013; Shiva 2016; Tilzey 2018).
Paarlberg (2010) traces the first contemporary critique of American agribusiness in 1973 in a book titled *Hard Tomatoes, Hard Times* written by Jim Hightower. The book argued that “a consolidation of corporate power over the agricultural sector had subordinated even the U.S. Department of Agriculture and the nation’s agricultural universities and was bringing about the demise of small farms, displacing farm workers, and bringing [to the American people] unhealthy food” (p. 128). The concentration of market power by a very few agribusiness companies is the single-most important concern in developed countries. But developed countries also see advantages in the ways corporate food and agricultural companies operate. For instance, according to Paarlberg (2010), economic studies have shown that technologies in the corn and cottonseed industries in the US have benefited farmers by outweighing the disadvantage of greater corporate concentration.

In developing countries, the issues are different. They relate mainly to the holding of patent rights to seeds by a few multinational companies, propagation and use of chemical fertilisers and pesticides, promotion of GMOs, and destruction of local food systems due to the propagation of fast-food and supermarket cultures. These have profound effects on the lives and livelihoods of small farmers in developing countries. Farmers are often made dependent on patent-protected seed varieties, which they cannot save and use in the next season. There have been cases of multinational seed companies suing farmers for saving and reusing seeds (Barker, Freese & Kimbrell 2013). Application of chemical fertilisers and pesticides has depleted soil nutrients, and farmers have become extremely dependent on their use. Such dependency has, in the words of Howard (2009), placed farmers on an “agriculture treadmill”. To remain on the treadmill, farmers need to keep following the same pace lest they fall off. Similarly, the developed world itself is divided on the impact, and hence use, of GMOs, whereas developing countries are increasingly pressured to adopt GMOs, neglecting biosafety and environmental concerns (Zerbe 2004). Moreover, fast-food and supermarket cultures are destroying local food systems and severely affecting small-scale farming, thus
impacting a majority of people dependent on such farming practices in developing countries (Reardon & Berdegué 2002).

Many critics of agricultural trade and the corporatisation of agriculture see these two issues as linked. They argue that global agricultural trade has given a boost to agriculture corporatisation, and the corporate sector in the agricultural industry has gained enough power to set the rules of global agricultural trade (Clapp & Fuchs 2009; Paarlberg 2010). Therefore, whereas one claim is that global agricultural trade and the corporatisation of agriculture have been assisting countries realise their food security goals, critics argue the opposite. They view global agricultural trade and the corporatisation of agriculture rather as worsening the food security situation in many developing countries.

Criticisms of food and agricultural trade liberalisation and corporatisation on the one hand, and advocacy for food sovereignty on the other, suggest that for the advocates of food sovereignty, the concepts of food security and the right to food are either inappropriate or inadequate as they do not address concerns related to food and agricultural trade liberalisation and corporatisation. Therefore, in the following sections, I discuss and analyse the origin and evolution of the concepts of food security and the right to food and their relationships with food and agricultural trade liberalisation and corporisation.

4.4 Food security and the right to food: inappropriate and/or inadequate concepts?

4.4.1 Origin and evolution of food security
Prior to the 1970s, food security was understood more or less synonymously with food availability. It was assumed that developing countries’ food security could be ensured with adequate availability of food at the global level. For instance, in the 1930s following the Great Depression, there was a huge surplus of staple foods in developed country markets. Yet, food production was prioritised in those countries because there were acute food shortages in poorer countries (Shaw 2007). The idea was to meet food deficits in poorer
countries through food surplus in richer countries. In food-deficit countries, emphasis was placed on increasing the incomes of the poor and raising their consumption levels rather than on increasing food production. The United Nations Conference on Food and Agriculture in 1943 also reiterated the need to expand food production. As Shaw (2007, p. 3) states, the ultimate objective of the Conference was to ensure “an abundant supply of the right kinds of food for all mankind”. Such a focus on ensuring adequate supply of food emphasised the importance of increasing food production globally and ensuring adequate food availability.

The concept of food security was formalised for the first time at the World Food Conference in 1974. The Conference highlighted the importance of increasing agricultural production and food consumption, especially in developing countries. It also recognised the need to improve food distribution, and took into consideration other aspects of food security such as malnutrition and gender issues to strengthen world food security (Marie 1974; UN 1975). To formalise food security, among other things, the Conference endorsed the International Undertaking on World Food Security initiated by the FAO. It also recommended establishing a Committee on World Food Security as a standing committee of the FAO Council.

Since the 1974 World Food Conference, and especially after Amartya Sen posited that food insecurity is more an issue of the lack of entitlement than one of food unavailability (Sen 1981), the concept of food security has “evolved, developed, multiplied and diversified” making it a “cornucopia of ideas” (Maxwell 1996, p. 155).16 There has been a move away from the sole focus on food availability and supply, and a number of organisations and academics have defined and redefined food security in numerous ways. Maxwell (1996) identified three major shifts in the conceptualisation of food security from the early 1970s to the mid-1990s: 1) focus of food availability shifted from the global and the national to the

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16 Citing Smith, Maxwell and Pointing (1993), Maxwell (1996) states that there were around 200 definitions of food security until the mid-1990s. Similarly, Mechlem (2004) cites Sage (2002) to state that there are around 450 indicators of food security.
household and the individual; 2) food security was considered not only to be about ensuring enough food, but more about ensuring livelihoods; and 3) food security should not be measured by means of objective indicators alone, but subjective perceptions should also be taken into account.

According to Shaw (2007), the concept of “basic needs” and “food entitlements” moved the concept of food security from a purely agricultural sector concern into the broader area of poverty and development problems. The larger debate around the idea of food security helped define food security by encompassing several aspects. At the World Food Summit in 1996, food security was defined as existing when “all people, at all times, have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life” (FAO 1996a, n.p.). This definition of food security, which is the most comprehensive definition thus far, has since been widely accepted across the globe. It covers four major dimensions: availability, access, utilisation and stability (Table 4.1).
Table 4.1: Four dimensions of food security

<table>
<thead>
<tr>
<th><strong>Physical availability of food</strong></th>
<th>Food availability addresses the “supply side” of food security and is determined by the level of food production, stock levels and net trade.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Economic and physical access to food</strong></td>
<td>An adequate supply of food at the national or international level does not in itself guarantee household level food security. Concerns about insufficient food access have resulted in a greater policy focus on incomes, expenditure, markets and prices in achieving food security objectives.</td>
</tr>
<tr>
<td><strong>Food utilisation</strong></td>
<td>Utilisation is commonly understood as the way the body makes the most of various nutrients in the food. Sufficient energy and nutrient intake by individuals are the result of good care and feeding practices, food preparation, diversity of the diet and intra-household distribution of food. Combined with good biological utilisation of food consumed, this determines the nutritional status of individuals.</td>
</tr>
<tr>
<td><strong>Stability of the first three dimensions over time</strong></td>
<td>Even if the food intake is adequate today, one is still considered to be food insecure if s/he has inadequate access to food on a periodic basis, risking a deterioration of one’s nutritional status. Adverse weather conditions, political instability, or economic factors (unemployment, rising food prices) may have an impact on one’s food security status.</td>
</tr>
</tbody>
</table>


Food security objectives are realised only when all four dimensions are met. Food availability can be ensured first through food production. Aggregating all food production throughout the world, there is more food supply than demand. But all countries do not have an equitable share in it. The issue is the same with food production at the national level. Even if a country has produced food sufficient enough for its entire population, all households might not have

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equitable access to the food. Going further, it is also possible that a household having enough food production to meet the needs of all its household members could see some of its members not having an equitable share. To address the problem at the national level, international trade is a means. Countries can meet the shortfall in food production through food imports. Ensuring food availability at household and individual levels calls for addressing several issues such as access to land and agricultural inputs, well-functioning markets, effective government regulation, well-targeted food distribution systems, gender concerns, and so on.

The second dimension of physical and economic access to food relates to household and individual access. Households producing enough for themselves can have physical access to their own food. For the others, who do not grow their own food, there have to be markets where food is bought and sold at fair price. To enable households buy food from the market, they should have adequate incomes. For the extremely poor and the vulnerable, the responsibility rests on the state to provide food through the public distribution system.

The third dimension—utilisation—covers food safety and nutrition, people’s health, and hygiene practices, among others. These are essential to derive the best nutritional outcomes from the food that is consumed. Finally, the fourth dimension of stability is to ensure that the first three dimensions remain stable over time whatever the social, economic, environmental or political circumstances.

Thus, food security is a broad idea, ranging from food production to people’s health, with an individual to the whole world as units of analysis. Given that there are concerns regarding the idea of food security in terms of its relationship with food and agricultural trade liberalisation and corporatisation, I analyse below how the four dimensions of food security relate to trade liberalisation and corporatisation.
4.4.2 Agricultural trade liberalisation, corporatisation and food security

Farsund, Daugbjerg and Langhelle (2015) state that until the AoA became part of the WTO, agriculture was largely placed outside of international trade rules. Trade and food security were two distinct areas having no specific links to each other. The inclusion of agriculture in the WTO intensified the debate on the linkage between trade, agriculture and food security.

When we consider the four dimensions of food security (availability, access, utilisation and stability), we find that trade relates to all four of these dimensions in an important way. Trade certainly helps ensure availability of food in countries that have to depend on food imports whether partially or fully. Trade could help ensure access by having an effect on markets and hence prices, and also by helping households earn income through exports of surplus food or non-food agricultural products. By ensuring availability of safe and quality food, it can affect the utilisation aspect of food security. Finally, in countries that have to rely on food imports due to their natural and geographical disadvantage in growing food, and during disasters and emergencies, food trade helps ensure price stability (FAO & OECD 2011). Therefore, epistemic organisations such as the FAO, the World Bank, the WTO and the Organisation for Economic Cooperation and Development (OECD) promote food and agricultural trade liberalisation (see, for example, Farsund, Daugbjerg & Langhelle 2015; OECD 2013; World Bank 2014).

But trade does not always impact food security positively. It can also negatively impact the four dimensions. For example, as was experienced during the food crisis of 2008–09, food-exporting countries might resort to export bans and affect food availability in food-importing countries. Practices of dumping can affect domestic markets and prices. Trade in genetically modified food might ignore food safety, environmental and cultural concerns. The fourth dimension of stability relates to the stability of the first three dimensions; therefore, when trade affects the first three dimensions negatively, it can negatively affect the stability dimension. Hence, there are countries and people who argue that agricultural trade
liberalisation cannot be a means to achieve food security. For instance, Olivier De Schutter, United Nations Special Rapporteur on the Right to Food from 2008 to 2014, cautions countries against excessive reliance on international trade to achieve food security (De Schutter 2011). Referring to the AoA, he argues that the major objective of the AoA is not food security per se; rather, food security is only an offshoot of its primary objective, i.e., agricultural trade liberalisation. This means that the AoA supposes that the liberalisation of agricultural trade would take care of food security, whereas in practice, as De Schutter (2011) argues, despite food trade being the world’s fifth largest export sector, many developing and least-developed countries that have undertaken agricultural trade liberalisation measures continue to suffer from food insecurity. His contention is that international trade in agricultural and food products does not help meet developing countries’ long-term objectives of increasing national food production and reinforcing the capacity of small farmers.

Challenges to the notion of international trade as a means to achieve food security have become stronger as, according to Clapp and Murphy (2013), the unbalanced global trading system over the past four decades has systematically disadvantaged the LDCs and made them net agricultural importers from being net agricultural exporters. The system has increased the dependence of developing countries, in general, on food imports, and made these countries vulnerable to food price volatility. They argue that instability in the global food market caused by the food price spikes of 2007–08 has created grounds to question the efficacy of international trade in addressing food insecurity. Moreover, contrary to the claim made by the OECD, the World Bank and others that there is less price volatility in the world market (FAO & OECD 2011; OECD 2013), Otero, Pechlaner and Gürcan (2013) assert that developing countries’ increasing dependence on food exports and imports will get world food prices of relevant commodities transmitted to domestic markets. This is particularly harmful to
working-class populations during times of high world food prices as they spend a significant share of their income on food.

Arguments against the role of trade liberalisation in addressing food insecurity have also been stronger due to the negative effects of the SAPs on developing countries’ agriculture and food security. In the early 1990s, at the behest of international institutions such as the World Bank and the IMF, many developing countries, especially the poorest ones, substantially withdrew the support they were providing to their agriculture sectors and reduced tariffs on agricultural imports. As a result, their domestic agriculture could not compete with cheap, subsidised imports, and so food imports became a major means of making food available to their people (Clapp 2006). This has led to immense economic and social costs, including pressures on foreign exchange; increasing dependence on the international market for food, which has increased vulnerability; and the destruction of local food systems and cultures; among others (Gürkan, Balcombe & Prakash 2003; Litonjua 2010; McMichael 2009; Otero, Pechlaner & Gürcan 2013).

The above discussion points to the fact that trade liberalisation can affect the four dimensions of food security positively or negatively, based on how trade rules are set and how they are followed. Trade in itself does not negatively affect food security. But since the availability dimension of food security incorporates food imports as a means, and food imports have not been favourable to many developing countries in general, critics view food security as an inappropriate concept (Martinez-Torres & Rosset 2010; McMichael & Schneider 2011).

Regarding the effects of food and agriculture corporatisation on food security, evidence so far suggests that the corporate sector’s involvement in the entire food chain has mostly had negative effects on global agriculture and the environment in general, and on small farmers and peasants in particular (Clapp & Fuchs 2009; Rosset 2006; Shiva 2001). Therefore, some scholars, such as Bernstein (2014), who view food sovereignty positively but critically,
question the many proposals of food sovereignty but not its call to fight against the
corporatisation of food and agriculture. According to McMichael (2003), the rise of TNCs in
the food and agriculture sectors has led to the privatisation of food security. He argues that,
by handing the essential task of ensuring food security for the people over to the private
sector, states have been creating havoc in the lives of millions of people around the world.

Through the advancement of new technologies such as genetic engineering, private
corporations claim to have been contributing immensely to world food security by increasing
agricultural production and producing nutritious food. But Jean Ziegler, a special rapporteur
on the right to food for the United Nations Commission for Human Rights, remarks that
multinational companies are a source of the food insecurity problem in the world (Ziegler
2004). He states that private corporations do not care about the human right to food and,
therefore, states have to regulate the activities of the corporations in their own countries and
in other countries. McMichael (2006) asserts that the corporate control of the food and
agriculture sector undermines peasant agriculture and creates dispossession and ecological
commodification. He argues that the corporate food regime “deepens the use, misuse and
abandonment of natural and social resources” and thus disembeds the economy from society
and the environment (McMichael 2006, p. 408). These have devastating impacts, ironically,
on the food security of those who have been engaged in producing food for generations, and
for whom agriculture is a way of life.

The concept of food security seems to be indifferent to the corporatisation of food and
agriculture. It is up to every country’s government to decide whether engagement of the
corporate sector in any part of the food chain would support or negatively affect food security
of its people. The concept of food security does not preclude any government from taking
measures to prevent the corporatisation of food and agriculture, or to ensure that the
corporate sector does not function against the larger interests of the nation and its people.
4.4.3 Origin and evolution of the concept of the right to food

The concept of the right to food originated much earlier than the formal concept of food security. In 1948, the Universal Declaration of Human Rights stated, in Article 25(1), “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food …” (UN 1948). The International Covenant on Economic, Social and Cultural Rights (ICESCR) that was adopted in 1966, and which entered into force in 1976, reiterated the right to adequate food in Article 11 (UN-OHCHR 1966). Similarly, the World Food Conference of 1974 recognised the inalienable right of every man, woman and child to be free from hunger and malnutrition (FAO 1996a). However, the concept of the right to food received increasing attention only after the World Food Summit of 1996.

The Summit reaffirmed 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” (FAO 1996a, n.p.). The Summit declared that the promotion and protection of the right to adequate food is indispensable to the goal of achieving sustainable food security for all. That is, the goal of achieving food security could be achieved only if people had legal recourse to claim the right to adequate food. However, there was a lack of clarity on the content of the right to adequate food and the fundamental right of everyone to be free from hunger. Therefore, in the Plan of Action containing states’ commitments and objectives, objective 7.4 was to “clarify the content of the right to adequate food…as a means to achieving food security for all” (Mechlem 2004, p. 641). This objective stated that the right to food is a means to achieve food security, but there was a need to clarify the content of the right to adequate food. This suggests that the implementation of the right to food had not progressed then due to ambiguity surrounding its scope.

The World Food Summit of 1996 also called for better definition of the rights related to food in Article 11 of the ICESCR, and to propose ways to implement and realise those rights as a
means to achieve the commitments and objectives of the World Food Summit. It also stated the possibility of formulating voluntary guidelines on the right to food. Thus, after the adoption of a rights-based approach to food security in the mid-1900s, it took almost half a century to realise that guidelines were necessary to implement the right to food. This shows that due to the lack of a clear understanding about what countries should do to ensure the right to food, the concept had been reiterated time and again, but only on paper (Hawkes & Plahe 2013).

4.4.4 FAO voluntary guidelines on the right to food
Actions to specify the voluntary guidelines on the right to food did not take off until the second World Food Summit, titled “World Food Summit: five years later”, in 2002. The Heads of State and Government and their representatives participating in the 2002 World Food Summit invited the FAO Council to establish an Intergovernmental Working Group, with the participation of stakeholders, to “elaborate, in a period of two years, a set of voluntary guidelines to support Member States’ efforts to achieve the progressive realisation of the right to adequate food in the context of national food security” (FAO 2002, n.p.). Accordingly, in November 2002, an Intergovernmental Working Group was established. It strengthened its working relationships with various governmental and non-governmental organisations and civil society, but particularly with the Office of the High Commissioner for Human Rights and the Special Rapporteur on the Right to Food to prepare the voluntary guidelines. The FAO Council adopted the guidelines in 2004 (FAO 2005).

The voluntary guidelines are non-binding obligations, and FAO member states are only “encouraged” to apply them in establishing the right to food. There are 19 guidelines covering every aspect related to food, ranging from promoting democracy, good governance, human rights and the rule of law to ensuring access to resources and assets, ensuring the conservation and sustainable use of genetic resources, supporting vulnerable groups and creating safety nets, and bringing about reforms in international food aid, to name a few (see
Box 4.1 for a list of the 19 guidelines, and refer to FAO (2005) for details on the guidelines). These 19 guidelines depict the comprehensiveness of the concept of the right to food. Following these guidelines by any country would mean the guaranteeing by that country of its people’s right to food. But for many countries, this looks like a tall order. In practice, most countries focus on providing support to vulnerable groups and creating safety nets as ways of fulfilling their duty to protect their people’s right to food.

**Box 4.1: Voluntary guidelines on the right to food**

| Guideline 1: Democracy, good governance, human rights and the rule of law |
| Guideline 2: Economic development policies |
| Guideline 3: Strategies |
| Guideline 4: Market systems |
| Guideline 5: Institutions |
| Guideline 6: Stakeholders |
| Guideline 7: Legal framework |
| Guideline 8: Access to resources and assets (covers labour, land, water, genetic resources for food and agriculture, sustainability and services) |
| Guideline 9: Food safety and consumer protection |
| Guideline 10: Nutrition |
| Guideline 11: Education and awareness raising |
| Guideline 12: National financial resources |
| Guideline 13: Support for vulnerable groups |
| Guideline 14: Safety nets |
| Guideline 15: International food aid |
| Guideline 16: Natural and human-made disasters |
| Guideline 17: Monitoring, indicators and benchmarks |
| Guideline 18: National human rights institutions |
| Guideline 19: International dimension |


Nearly all the 19 voluntary guidelines on the right to food relate to undertaking domestic measures, but the importance of international measures, actions and commitments has also been specified. The international measures, actions and commitments relate to several things
such as international food aid, international trade, the role of the private sector, technical assistance, and so on. In the context of food sovereignty, in which food and agricultural trade liberalisation and corporatisation are major issues, I discuss the relationship between the right to food, and food and agricultural trade liberalisation and corporatisation, in the following section.

4.4.5 Trade liberalisation, corporatisation and the right to food

The FAO and other inter-governmental forums have recognised the importance of trade in realising the right to adequate food. When the ICESCR recognised the need to undertake various measures, both individually and through international cooperation, to establish the right to food, it considered trade an important means. Therefore, it called for 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 (UN-OHCHR 1966). The emphasis that the FAO puts on the role of trade to ensure the right to food is evident in, among other things, the voluntary guidelines. The “voluntary guidelines on the right to food” states that international measures should support states’ national efforts in realising the right to food. International trade is a component of Guideline 19—international dimension—of the voluntary guidelines (FAO 2005).

The literature on the linkage between trade and the right to food suggests that, as in the case of food security, rather than the effects of trade itself on the right to food, it is the way trade rules are framed that determines what impact trade might have on the right to food. For instance, De Schutter (2009) and Hawkes and Plahe (2013) argue that the way agricultural trade rules are framed in the AoA would not be supportive of many developing countries’ quests to recognise the right to adequate food for their people mainly because of two reasons: 1) the AoA has been designed in such a way that it compels developing countries to export raw agricultural commodities and import processed products, and 2) the AoA focuses on technical details with no concern for the human right to food. The voluntary guidelines also
concur with this literature as the guidelines speak about the AoA’s long-term objective of establishing a fair and market-oriented trading system, and the need to conclude the Doha Round, taking fully into account the needs of developing countries and LDCs on agriculture.

Regarding the effects of the corporatisation of food and agriculture on the right to food, there is almost a unanimous claim that the corporatisation of agriculture has undermined the right to food in both developed and developing countries (Holt Giménez & Shattuck 2011; McMichael 2009; Narula 2010; Riches 1999; Ziegler 2004). An extreme view in this respect is that the private sector is driven only by profit motives, and therefore, is not concerned about respecting and protecting the human right to food. Social movements, therefore, are against private sector participation in the food and agriculture sector. But most governments, and relevant inter-governmental organisations and forums, view private sector participation in the food and agriculture sector to be important. However, the inter-governmental organisations also assert the need for strong government regulations to oblige the private sector to honour people’s right to food. For instance, Voluntary Guideline No. 4.3 on Market Systems mentions, “States should encourage the development of corporate social responsibility and the commitment of all market players and civil society towards the progressive realization of the right of individuals to adequate food in the context of national food security” (FAO 2005, p. 13). Similarly, General Comment No. 12 of the United Nations Economic and Social Council, Committee on Economic, Social and Cultural Rights, states, “the private business sector—national and transnational—should pursue its activities within the framework of a code of conduct conducive to respect of the right to adequate food” (UN 1999, p. 6).

As in the case of food security, the concept of the right to food does not preclude international trade or the corporatisation of agriculture. Neither does the adoption of the right to food compel countries to accept trade liberalisation and/or corporatisation of food and agriculture. It is up to the nations to decide whether and to what extent trade liberalisation
and/or corporatisation of food and agriculture would be necessary for them to achieve their food security and other socio-economic goals. Counties can make this choice within the frameworks of food security and the right to food.

4.5 Conclusion

As discussed above, the literature on food sovereignty argues that the origin and evolution of the idea of food sovereignty is a countermovement against the commodification of food and agriculture. The literature also alleges that food and agricultural trade liberalisation and corporatisation have been the main reasons for such commodification. When food sovereignty has been presented as the solution to the problems of food and agricultural trade liberalisation and corporatisation, the argument tends to suggest that the existing concepts of food security and the right to food are either inappropriate or inadequate. Certainly there are problems in achieving food security, more so because it encompasses multi-dimensional issues, and is a “wicked problem” according to some scholars (Candel 2016; Candel, Breeman & Termeer 2016). But, as we saw above, food security (understood as covering the four dimensions of food availability, access, utilisation and stability), and the right to food (understood as a rights-based approach to development, the elements of which could be drawn from the FAO voluntary guidelines on the right to food), are comprehensive ideas. In their broad understanding, they cover nearly every aspect of food and agriculture.

It is true that the concepts of food security and the right to food are not against promoting international cooperation in the food and agriculture sector, including food and agricultural trade. They also do not explicitly reject the corporatisation of food and agriculture. However, they do not accept food and agricultural trade liberalisation and corporatisation in their current forms. Therefore, the problem is not in the concepts themselves, but in the ways trade liberalisation and corporatisation have been taking place.
Historically, there has not been smooth functioning of global food and agricultural trade. There have been setbacks in its functioning since the early days when trade started. There have been tensions between choosing “state-assisted paradigms” and “market liberal paradigms” in food and agricultural trade (Daugbjerg & Swinbank 2009). In no other sector has the idea of embedded liberalism versus disembedded liberalism been so vigorously debated than in the food and agriculture sector. Disembedded liberalism in the agriculture sector is alleged to have been promoted especially by the AoA, and hence there has been an aversion to the AoA from certain groups. There are indeed shortcomings in the AoA that need to be addressed, but operationalisation of the AoA tends to point towards gradually ending distortions in global food and agricultural trade. Moreover, to address the alleged shortcomings in the AoA, developing countries are vigorously fighting within the WTO by forming coalitions. Accepting the role of international trade in ensuring food security and the right to food does not mean that adopting food security policy and/or providing legal protection to the right to food entails accepting the current design of international trade rules.

Multinational corporations’ participation in various stages of agricultural production and supply chain has intensified further the debate on embedded versus disembedded liberalism in the agriculture sector. Certainly, there are issues related to multinational corporations’ monopoly control over seeds, intellectual property protection of seeds (thus making them inaccessible to small and marginal farmers), destruction of traditional farming and local food culture, land grabs, and so on. It is wrong to assume that the ideas of food security and the right to food accept the status quo regarding the functioning of multinational corporations. There is room to bring about changes in the current global architecture of food and agriculture while remaining within the comprehensive frameworks of food security and the right to food. When food sovereignty is being vigorously promoted by social movements around the world as a better idea, and some governments are also accepting it, it is necessary to look into the details of the elements of food sovereignty. What are the specifics that the
idea of food sovereignty defies? Whose sovereignty is the idea of food sovereignty promoting, and how can that be guaranteed? Is food sovereignty more concerned with a country’s external economic relations or its internal food and agricultural policies? In the next chapter, I will unpack food sovereignty and engage more with the debate on food sovereignty to seek answers to these questions.
5.1 Introduction

As discussed in the previous chapter, Latin American countries seem to have been at the forefront of starting the double movement in the food and agriculture realm. The double movement seen in Latin America in the context of food and agriculture was evident in several countries in the 1980s and 1990s, and thereafter (Barthélemy & Nieddu 2007; Holt Giménez & Shattuck 2011; Levien 2007; McMichael 2006). The idea of food sovereignty was one reason for the double movement. On the one hand, the corporate sector’s role in agriculture increased, and the liberalisation of food and agricultural trade was promoted in line with the wave of globalisation in general. On the other hand, given the onslaught of the agriculture-related corporate sector against small farmers and peasants, and claims of subsidised food dumping by some developed countries in developing country markets, small farmers and peasants in developing countries rallied against the commodification of food and agriculture. As McMichael (2006, p. 408) states, for instance,

It is [the] neoliberal trajectory of global capital accumulation that over-determines the latter’s contradictory social and ecological relations, and hence its resistances. The corporate food regime, which deepens the use, misuse and abandonment of natural and social resources, unfolds within a general imperative of ‘disembedding’. Arguably, ‘peasant movements’ (including land rights, ‘food sovereignty’, biodiversity and seed-saving movements) are the most direct expression of the crisis created by dispossession and ecological commodification, especially insofar as these movements manifest themselves in a diversity of responses to ‘re-spatialise’ the social and economic relations in the corporate food regime. They represent the possibility of a peasant modernism, dedicated to an ‘agrarian citizenship’, via a politics of ecology and food sovereignty anchored in an episteme of politically reconstituted place.
The coining of the term “food sovereignty” was against a perceived sense of loss of sovereignty in the realm of food and agriculture. As the brief historical account of the origin of the idea of food sovereignty in the previous chapter suggests, trade liberalisation and the corporatisation of food and agriculture made ways for foreign companies and governments to enter into other countries and control many aspects of the latter’s food and agriculture sectors. Defining food sovereignty initially as the right of nations to maintain and develop their own capacity to produce their own basic foods provides evidence to support the argument that food sovereignty was born out of the sense of loss of national sovereignty. But later, as food sovereignty was defined as the right of peoples to define their own food and agricultural systems, it suggested there wasn’t only a loss of national sovereignty, but even within nations, people’s sovereignty was being compromised, and hence there was a need for people to claim back their sovereignty.

Sovereignty is a political term, and it has been heavily and historically contested. Scholars have classified different types of sovereignty and studied their relationships. As Reisman (1990, p. 866) writes, since the time of Aristotle the term “sovereignty” has been given “different meanings, hues and tones” by those who have used the word, based on the context and their objectives. So, when such a contested term has been used in the context of food and agriculture, rather than providing solutions to the policy problems present in the food and agriculture sector, it seems to have added more ambiguities.

My purpose here is not to engage with the contestations on the what, why and how of sovereignty. However, to discuss the “sovereignty” of food sovereignty, we need to review briefly the debate on sovereignty in general. In this chapter, I first discuss the various notions of sovereignty to help us analyse whether or not the idea of food sovereignty has been developed based on those notions. I then examine the elements of food sovereignty, based on which I discuss the “sovereignty” of food sovereignty. We will see, as in the case of sovereignty, food sovereignty has also been given different hues, meanings and tones. This
makes food sovereignty politically appealing but ambiguous. The political appeal and ambiguity in food sovereignty could have the potential to attract a diverse range of stakeholders who would accept the idea of food sovereignty for its appeal and ambiguity because its meaning could align with their respective understandings and interests. This, I argue, might have made food sovereignty a potential “coalition magnet”.

5.2 What is sovereignty?
Krasner (1999) defines sovereignty as an institutional arrangement associated with four particular characteristics: recognition, territory, exclusive authority, and effective internal and trans-border regulation or control. He states that these four characteristics are associated with the different ways in which scholars have used the term “sovereignty”. They are international legal sovereignty, Westphalian sovereignty, domestic sovereignty, and interdependence sovereignty. Krasner (1999, p. 3) defines these different sovereignties as follows:

International legal sovereignty refers to the practices associated with mutual recognition, usually between territorial entities that have formal juridical independence. Westphalian sovereignty refers to political organization based on the exclusion of external actors from authority structures within a given territory. Domestic sovereignty refers to the formal organization of political authority within the state and the ability of public authorities to exercise effective control within the borders of their own polity. Finally, interdependence sovereignty refers to the ability of public authorities to regulate the flow of information, ideas, goods, people, pollutants, or capital across the borders of their state.

These four types of sovereignties reflect the “internal” and “external” dimensions of sovereignty (Bartelson 1995). However, most often, these different types of sovereignties are mixed together in analysing the recognition or violation of state sovereignties in general. It is important to distinguish between the types of sovereignties in making such analysis because, as Krasner argues for instance, while almost all states in the international system enjoy international legal sovereignty, many fewer states enjoy Westphalian sovereignty. Westphalian sovereignty has been eroded through imposition and coercion by strong states.
over the weak. It has also been eroded by states’ signing of various international conventions, treaties and agreements because, by signing international conventions, treaties and agreements, states invite external authority into their polity. Therefore, when discussing sovereignty, it is necessary to have clarity on the type of sovereignty one is referring to.

Despite the distinction between the different types of sovereignty, which has made analysing issues of sovereignty relatively simple, differences in the ways of defining and understanding sovereignty persist (Bartelson 1995, 2006). For instance, on domestic sovereignty, the question of where sovereignty resides within a state is a source of conflict regarding whether sovereignty has been respected or violated. As Reisman (1990) states, for example, when an elected government is overthrown through a coup or any such means against popular will and there is an external invasion to reinstate the elected government, it could be interpreted as infringement of national sovereignty, especially by those who overthrew the elected government; but for others, it would be protecting popular sovereignty.

Earlier, the concept of sovereignty was associated with the supreme authority of a ruler, especially a monarch. After the American Revolution, the idea that people mattered spread across the world. This gave rise to the concept of popular sovereignty or people’s sovereignty (Reisman 1990). Article 21(3) of the Universal Declaration of Human Rights also states that “[t]he will of the people shall be the basis of the authority of government” (UN 1948). It was through free and fair elections that people would exercise their sovereignty to decide on any related matter through their elected representatives. The sovereignty that international law protects today is “people’s sovereignty rather than the sovereign’s sovereignty” (Reisman 1990, p. 869).

In food sovereignty, has the duality of sovereignty, i.e., sovereignty of the state and sovereignty of the people, been adequately acknowledged and clarified? What are the issues in the external and internal dimensions of food sovereignty? The literature on food
sovereignty does not delve much into these questions. This makes it difficult to understand precisely what food sovereignty is. It leaves open the interpretation of food sovereignty and its operationalisation.

To analyse the “sovereignty” of food sovereignty, I first explore in detail the definitions of food sovereignty over time. I also look into the constituent elements of food sovereignty that have been promoted over the years. Based on the definitions and the constituent elements, I analyse whether the “sovereignty” of food sovereignty has been perceived with enough clarity so as to make food sovereignty an operational concept.

5.3 Elements of food sovereignty
Initially, the use of the term “food sovereignty” by small farmers and peasants in some Latin American countries in the 1980s was a demonstration of their defiance against external control of their food and agricultural systems. Such external control was manifested in the dumping of food by other countries into these Latin American countries’ markets, control of these countries’ food exports by foreign entities, and excessive use of foreign capital and technologies in agriculture, among other things. Small farmers and peasants also sometimes used the term “food autonomy” interchangeably with the term “food sovereignty”, which shows that their main concern was to be free from all types of external control in relation to food and agriculture. But food sovereignty was not defined in a particular way.

The first formal definition of food sovereignty was developed after the formation of La Vía Campesina. At the World Food Summit in 1996, La Vía Campesina defined food sovereignty as “the right of each nation to maintain and develop its own capacity to produce its basic foods respecting cultural and productive diversity” (LVC 1996). This definition was born out of the idea that no country should depend on other countries for its food needs. Any country that had the capacity to produce its food should “maintain” such capacity, and countries that had low or no capacity to produce its food should “develop” the capacity.
Advocates of food sovereignty argue that developed countries, and mostly the corporate sector that is engaged in the entire chain of the food and agricultural system, have been destroying developing countries’ capacities to produce their own food, and have not been letting countries lacking the capacity to produce food develop such capacity (McMichael 2006; Rosset 2006). One major way of constraining developing countries from exploiting their full potential in the food and agriculture sector, according to food sovereignty proponents, is dumping subsidised, cheap food in developing country markets.

Food sovereignty advocates also allege that in the name of increasing food production, the corporate sector has been promoting chemical-intensive agricultural production, and hence, there has been a rapid increase in the use of chemical fertilisers, insecticides and pesticides. Chemical-intensive industrial agriculture could have had a short-term beneficial effect on agricultural productivity and production, but over the long term, it has had a devastating impact on soil nutrition, the environment and human health (Clapp & Fuchs 2009; Shiva 2016). Moreover, gaining intellectual property rights (IPRs) over new plant varieties by multinational seed companies has severely impacted farmers, especially small farmers, due to the restrictions that IPRs over new plant varieties pose on farmers’ rights to save, sell, use and re-use seed (Shiva 2001). These developments in the area of food and agriculture have been detrimental to farmers, mostly small farmers and peasants, in many ways, including on their food security.

Hence, La Vía Campesina stated that food sovereignty is a precondition of genuine food security, and emphasised the following seven principles as the necessary foundation for achieving food security (LVC 1996):

1. Food is a basic human right. Every nation should guarantee a constitutional right to access to food and develop its primary sector.
2. Agrarian reform—which entails providing landless farmers, especially women farmers, ownership and control of the land they work on, and returning territories to Indigenous people—is necessary for food sovereignty.

3. Food sovereignty entails the sustainable care and use of natural resources, especially land, water and seeds.

4. There is a need to reorganise the food trade. National agricultural policies must prioritise agricultural production for domestic consumption and food self-sufficiency. Food is first a source of nutrition, and only secondarily an item of trade. Food imports must not displace local production nor depress prices.

5. Regulation and taxation of speculative capital and a strictly enforced code of conduct for transnational corporations (TNCs) is necessary because speculative capital undermines food sovereignty. Multilateral institutions such as the World Trade Organization (WTO), World Bank and the International Monetary Fund (IMF) have facilitated the growing control of TNCs over agricultural policies.

6. Social peace is a pre-requisite for food sovereignty.

7. Democratic control is essential for food sovereignty, which entails, among other things, peasants and small farmers having the opportunity to provide direct input in agricultural policies at all levels.

In the definition of food sovereignty that it is the right of nations to maintain and develop their own capacity to produce basic foods, there is an implicit assumption that such a right of nations has been usurped for some reason. But the seven principles of food sovereignty do not seem to align with this assumption because most of these principles can be adhered to by any country within existing concepts of food security and the right to food. Any country can recognise food as a basic human right and provide legal means for its protection. In fact, many countries have already done so, also to comply with their international commitments. Theoretically, countries are free to decide on their agrarian reform measures, on the sustainable care and use of national resources, on their approach towards food trade, and on the mechanisms of providing democratic control over food and agricultural policies. There are genuine concerns about the conditionalities that the World Bank and the IMF impose on developing countries, and about the WTO trade rules on agriculture not being fair to
developing countries. But these are issues of constant debate and discussion among country
groups as well as within these organisations. Would the adoption of the idea of food
sovereignty resolve these contestations?

Similarly, the principle that social peace is a pre-requisite for food sovereignty is ambiguous.
Social peace is a broad concept. What does it imply in the stated principle of food
sovereignty? Lack of what kind of social peace has hindered the realisation of food
sovereignty, and how? Moreover, does it mean social peace at the global, national or
community level? These are unanswered questions.

Nevertheless, the seven principles illustrate that the basic idea of food sovereignty, based on
its initial definition, is to emphasise food self-sufficiency at the country level. This is
possible, according to La Vía Campesina, if small farmers and peasants have access to
productive assets such as land, and if they can effectively participate in agricultural policy-
making. La Vía Campesina has argued that governments have the responsibility to ensure
farmers’ effective participation in agricultural policy- and decision-making processes, but, it
contends, the conditions imposed by multilateral institutions do not allow governments to act
freely (LVC 1996, 2018). Therefore, the idea of food sovereignty entails that nations should
claim their right to decide their own food and agricultural policies, free from any external
coercion or influence. An important question in the context of such a claim is, is it actually
external constraints or internal problems within countries that have led to making calls for
food sovereignty? Moreover, by accepting the notion of food sovereignty, what difference are
the states supposed to make that they could not within the existing concepts of food security
and the right to food? There is a lack of clarity on these issues.

As the food sovereignty campaign progressed, there was agreement among non-governmental
organisations, civil society organisations and social movements on the “overall framework of
policies to achieve Food Sovereignty”, but different groups emphasised different issues
within the framework (Windfuhr & Jonsén 2005, p. 12). In 2002, in parallel with the “World Food Summit: five years later”, the second “Forum for Food Sovereignty” was organised. This Forum, which was coordinated by the International Planning Committee on Food Sovereignty (IPC), redefined food sovereignty as follows (LVC 2002):

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.

By replacing “each nation” with “peoples, communities, and countries”, this definition seemed to distinguish, in the definition itself, the internal (rights of peoples and communities) and external (rights of countries) dimensions of food sovereignty. Also, unlike in the earlier definition, food sovereignty was defined as both “right to food access” and “right to food production” of “all the people”. An interesting part to note in this definition is that food sovereignty includes “the true right to food”, which is clarified as the “right to safe, nutritious and culturally appropriate food”, suggesting that the existing and established concept of the right to food is about access to food of any type, without considerations for food safety, nutrition and culture. This is downplaying the comprehensiveness of the concept of the right to adequate food. Moreover, by including both the right to food access and the right to food production, food sovereignty seemed to encompass both consumers and food producers, whose interests, most often, do not align with each other, as is evident, for example, in the case of India (Livemint 2017). Also, this definition does not provide an answer to the question of how the internal and external dimensions of food sovereignty would be reconciled.

It could be the confusion in the actual understanding of food sovereignty that led to redefining food sovereignty even thereafter. In 2004, the IPC changed the first sentence of the
2002 definition of food sovereignty to include “individuals” and restated it as, “…the right of individuals, communities, peoples and countries to define …” (Windfuhr & Jonsén 2005, p. 12). According to Windfuhr and Jonsén, since the right to food is an individual human right, the amendment was made in response to the criticism by human rights groups of the earlier definition as it included the right to food, but not the individual who should exercise such right.

In the food sovereignty forum organised in Nyéléni Village in Sélingué, Mali, in February 2007, the global food sovereignty movement admitted there had not been adequate understanding on food sovereignty. Therefore, they tried to deepen their collective understanding of food sovereignty through numerous debates and interactions (The Nyéléni International Steering Committee 2007). Accordingly, yet again, food sovereignty was redefined in Nyéléni as, “the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems” (The Nyéléni International Steering Committee 2007, n.p.). As in the earlier definitions of food sovereignty, the latter part of this definition also covers a broad range of issues, thus not lessening the confusion inherent in the understanding of food sovereignty. But what changed visibly in this latest definition compared to the earlier ones is the entity that should enjoy the right to food sovereignty. In the Nyéléni Declaration, the right to food sovereignty rested only on the peoples.

In the Nyéléni Declaration, however, although food sovereignty was defined as “the right of peoples …”, the later part of the Declaration states that the food sovereignty movement is fighting for a world where “all peoples, nations and states are able to determine their own food producing systems and policies …” (The Nyéléni International Steering Committee 2007). Therefore, despite the claim that numerous debates and interactions helped the movement deepen its understanding of food sovereignty, ambiguities still persist.
The most-cited definition of food sovereignty today is the one defined in the Nyéléni Declaration, and the elements of food sovereignty are also drawn from this Declaration. The Declaration covers a wide range of issues from peasants’ rights to labour rights. Some of the elements that the global food sovereignty movement states it has been fighting for and against are specific and narrow, whereas others are broad and vague. The specific elements that the food sovereignty movement claims to have been fighting for and against can be categorised as in Table 5.1.
### Table 5.1: Elements of food sovereignty

<table>
<thead>
<tr>
<th>Food sovereignty is for …</th>
<th>Food sovereignty is against …</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Good quality, adequate, affordable, healthy and culturally appropriate food</td>
<td>• Imperialism, neoliberalism, neocolonialism and patriarchy</td>
</tr>
<tr>
<td>• Recognition and respect of women’s roles and rights in food production</td>
<td>• Agents that promote the above such as international financial institutions, the WTO, free trade agreements (FTAs), TNCs, and governments that are antagonistic to their peoples</td>
</tr>
<tr>
<td>• Representation of women in all decision-making bodies</td>
<td>• Food dumping</td>
</tr>
<tr>
<td>• Conservation and rehabilitation of rural environments, fish stocks, landscapes and food traditions</td>
<td>• Domination of food and food-producing systems by corporations</td>
</tr>
<tr>
<td>• Recognition and respect for the diversity of traditional knowledge, food, language and culture</td>
<td>• Technologies and practices such as transgenic crops and animals, terminator technology, industrial aquaculture and destructive fishing practices, industrial dairy practices, industrial bio-fuel monocultures</td>
</tr>
<tr>
<td>• Full rights to land to peasants, territories to indigenous people, fishing communities’ access to and control over their fishing areas and ecosystems</td>
<td>• Privatisation and commodification of food, basic and public services, knowledge, land, water, seeds, livestock and natural heritage</td>
</tr>
<tr>
<td>• Local autonomy and governance</td>
<td>• Development projects and extractive industry that displace people and destroy the environment and natural heritage</td>
</tr>
<tr>
<td>• Right to defend territories from the actions of TNCs</td>
<td>• Food aid that disguises dumping and introduces genetically modified organisms</td>
</tr>
</tbody>
</table>


Such definitions, and inclusion of a number of elements in the food sovereignty box has made the concept of food sovereignty highly ambiguous. As Patel (2009) states, food sovereignty has become a “big tent”. Membership of La Vía Campesina has expanded hugely over the
years. Its members include political and non-political organisations, from both developed and developing countries, working on issues ranging from overall agriculture to specific commodities, labour rights, broad rural concerns, and so on. Not all of them have a common interest and agenda in food and agriculture. Therefore, to incorporate all their interests, including local politics of some members (Grey & Patel 2015), food sovereignty has become a mix of several things.

Nevertheless, amidst the numerous definitions of food sovereignty and its varied understandings, the two broad aspects of food sovereignty that are claimed to be associated with people’s sovereignty and national sovereignty, respectively, are: 1) emphasis on the “peasant way”, and 2) focus on national food self-sufficiency, which I discuss in the sections below.

5.3.1 Emphasis on the “peasant way”

The idea of food sovereignty is based on the belief that small farmers, including peasant fisher-folk, pastoralists and indigenous people, are capable of producing food for their communities and feeding the world in a sustainable and healthy way (LVC n.d.). The immense contribution of small farmers in feeding themselves and the world has continued through several generations. According to the Food and Agriculture Organization of the United Nations (FAO), the vast majority of the world’s farms are small or very small, with farms smaller than two hectares accounting for 84 percent of all farms (FAO n.d.-a). But they comprise only 12 percent of agricultural land. These smallholder family farms produce about 80 percent of the world’s food, and strongly contribute to food security (FAO 2014). It is alleged that over the past few decades, liberalisation of food and agricultural trade, and the increasing participation of the corporate sector in agri-business, has been contributing to decreasing importance given to peasant practices in agriculture, which is concerning for farmers’ livelihoods and world food security (Wittman 2011).
Land grabs of different forms have displaced millions of farmers from their land and made them seek alternative sources of livelihood (Borras Jr et al. 2011). Industrial agriculture has severely harmed the soil and the environment through the use of chemical fertiliser and pesticides (Horrigan, Lawrence & Walker 2002). Cheap subsidised foods used to be dumped in developing country markets, rendering small farmers’ produce uncompetitive, hence pushing them out of the market (Gonzalez 2002). In the face of low or no returns, farmers are increasingly giving up their profession, which has resulted in the displacement of local food production and increasing reliance on food imports. All this, together with small farmers’ lack of access to adequate land and other productive resources, has placed agriculture today on an uneven playing field between the big corporations and small farmers and peasants.

Grey and Patel (2015) argue that the hierarchy of food production, processing and consumption was created by capitalism to cater to the need for cheap food for urban consumers in the global north at the expense of the poor in the global south. This involved, among other things, violence against indigenous peoples, even within the global north. Thus, as Grey and Patel (2015, n.p.) explain, the modern, corporate form of agriculture has destroyed indigenous food systems:

> After the initial waves of extermination, more subtle technologies of governance served to break Indigenous food systems. Forced dependence first on government rations or treaty annuities, then on state-funded commodities programmes and the provisions stocked at the corner store, sickened Indigenous Peoples, their homelands, and the critical link between the two. State technologies of order were designed to smash the Indigenous systems of food production, consumption, celebration, and identity, and to replace them with the civilizing forces of modernity.

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18 Strubenhoff (2016) explains that export subsidies in developed countries have gradually decreased over the years, but developing countries are concerned that agricultural subsidies of other kinds, such as production subsidies, are still very high in developed countries, thus affecting their farmers (Reuters 2015).
Therefore, food sovereignty is a movement to claim back control and autonomy over the food system. However, in the idea of autonomy, “critics have found reason to question the coherence of the concept of ‘food sovereignty’ itself” because “the call for autonomy immediately invites the question over who ought to be autonomous, and from what” (Grey & Patel 2015, n.p.). Food sovereignty as the right of nations, peoples, communities, and individuals does not serve a meaningful purpose since the rights of these entities to food and agriculture are themselves competing in several instances. For example, individuals have different tastes and choices, and hence sovereign right to individuals could mean many different claims. Similarly, farmers and consumers have different interests, mainly when it comes to food choices and prices. Even among farmers there are differences between big farmers and small farmers, and among consumers, there are differences between rural and urban consumers. Therefore, the idea of food sovereignty as the “autonomy of every individual” seems to undervalue the rights of peasants and small farmers.

The notion of food sovereignty could also be different in the case of colonial versus non-colonial societies. As Grey and Patel (2015, n.p.) assert, for instance, in colonised societies in particular, “peoples’ and countries’ rights are not the same, especially if those peoples are Indigenous”. In such societies, peoples’ rights are supposed to have been usurped by the state, and therefore, food sovereignty of both the state and the peoples could be a source of conflict.

Only a few might deny that the tremendous rise of agriculture-related multinational corporations and their increasing influence in global food and agricultural systems is a matter of serious concern. The task of restoring lost traditional and indigenous food systems is essential, but also not simple. Questions of whether and to what extent the conflict between trade liberalisation and the corporatisation of food and agriculture on the one hand, and local, traditional and/or indigenous food systems on the other, have internal and/or external dimensions have different answers based on separate jurisdictions. The need to establish the
rights of small farmers and peasants, and at the same time ensure affordable and good quality food to both rural and urban populaces, presents dilemmas to policy-makers. This is mainly because, as some sceptics argue, the claims made by the global food sovereignty movement that small farmers and peasants alone are capable of feeding the increasing world population might be too ambitious and far-fetched (Bernstein 2014). This scepticism stems from the variety of definitions of small farmers and peasants. Moreover, there is also ambiguity regarding whether the food sovereignty movement is about small farmers and peasants, or whether it is about other issues that affect agriculture in general, for instance, the use of genetically modified seeds, chemical fertilisers, insecticides and pesticides, among other things, by any farmer whether big or small.

In many developing countries, a large majority of the people is engaged in agriculture. Agriculture for these people is a source of their own food, and even more importantly, their source of livelihood. They generate incomes from agriculture, which they use to meet their basic needs such as buying food, taking care of their family’s health and children’s education, and so on. Therefore, to enhance farmers’ incomes from agriculture, governments in most developing countries are increasingly emphasising commercial agriculture because subsistence agriculture based on traditional methods has not helped to raise the living standard of farmers. Does commercial agriculture sit well with the notion of food sovereignty? Is it possible to adopt both “the peasant way of agriculture” and “agricultural commercialisation” simultaneously, not to mention the debate over how peasants are defined (Shanin 1982)? The idea of food sovereignty does not provide a definitive answer to this question. Countries that have accepted the idea of food sovereignty do not seem to have a clear understanding of this aspect. Therefore, although the idea of food sovereignty, in relation to people’s sovereignty, is about an emphasis on the peasant way of agriculture, there is a lack of clarity as to how this could be achieved.
5.3.2 Focus on national food self-sufficiency

Despite the wider acceptance of the concept of food security as encompassing the four dimensions of food availability, access, utilisation and stability, the greater emphasis that the availability dimension has received since the early days is still valid. In most policy and academic debates related to food, a significant amount of attention is devoted to the challenge of ensuring enough food to feed a global population that is going to reach nine billion by 2050 (Fouilleux, Bricas & Alpha 2017). This is not surprising as food availability is a prerequisite to meet the other dimensions of food security. Without adequate food being available in the first place, the other dimensions are not meaningful. Food sovereignty also emphasises food availability, but it advocates for a different approach to making food available. It emphasises national food self-sufficiency to be achieved through the peasant way.

What is the right policy choice to make food available? Certainly, countries that are not endowed with adequate and productive farmland, appropriate climate and other resources necessary to grow food, have to depend on imports. Even countries that can grow their own food cannot rely completely on domestic food production. At the household level, a household that produces its own food ensures its food availability to a large extent through self-production. Other households, such as those comprising wage earners and urban consumers, have to depend on the market. Therefore, the challenge is to have the right mix of domestic food production and imports, and well-functioning markets. The challenge is aggravated further when one considers that the linkage between trade and food security is not straightforward. As Barton et al. (2006, p. 29) state, “a trade regime is both an economic and a political construct”. From an economic point of view, a trade regime lowers the transaction cost of trade globally (in this case, the cost of food and agriculture), whereas from a political point of view, a trade regime constrains the policy-making liberty of an individual country and its relevant institutions.
Is it the political economy of global trade that, despite the world as a whole (in principle) being self-sufficient in food, about 800 million people are still chronically undernourished (Clapp 2017)? Most food sovereignty proponents think so, and refute the idea that trade can positively affect food security (Rosset 2006). Considering that food is different from other commodities, they argue for food self-sufficiency strategies at the national level, as a means to achieve food sovereignty.

A general understanding of food self-sufficiency is “the extent to which a country can satisfy its food needs from its own domestic production” (FAO n.d.-b). It is based on the idea that a country can have greater control over its food supply if it does not have to depend on the international market. Most countries around the world favour meeting domestic food requirements to the extent possible through domestic production because there are economic, social and political rationales to it. For example, for a large country such as India, importing the amount of food required for its more than a billion people would be extremely costly (FAO n.d.-b). Moreover, agriculture is a source of livelihood for a large majority of India’s population that lives in rural areas, which necessitates increasing domestic agricultural production. Politically, food can be used as a means to wield power, which is also reflected in the FAO voluntary guidelines on the right to food, which states that food should not be used as a tool for political and economic pressure (FAO 2005). There is a general understanding that relying on domestic food production would help avoid external influence that could be exerted through food means. Another rationale for depending on domestic food production is to safeguard the country from global food price and production volatility.

However, complete reliance on domestic food production is only idealistic at best. According to Clapp (2017), a general understanding of food self-sufficiency as eschewing all food trade is an extreme way of looking at the issue. On this understanding, food self-sufficiency would exist only if a country had completely closed borders. In the real world, such conditions do
not exist. Even North Korea imports food and accepts international food assistance. Therefore, according to Clapp (2017, p. 89),

A more pragmatic understanding of food self-sufficiency is domestic food production that is equal to or exceeds 100% of a country’s food consumption. Trade is not ruled out in this definition, as food self-sufficiency is defined by the ratio of food produced to food consumed at the domestic level. This definition of food self-sufficiency is based on the fact that, to be self-sufficient, countries need not produce all the food by themselves. They can specialise in certain food products and produce them in quantities equal to or more than their total consumption needs of all foods. They engage in trade to export their surplus and import other food items that they do not produce. Therefore, becoming food self-sufficient does not mean closing borders. Actually, even countries adopting food self-sufficiency policies fall somewhere between open and closed borders, i.e., in between the two extremes, along a continuum (Figure 5.1).

**Figure 5.1: Food self-sufficiency policy continuum**

Source: Clapp (2017).

For economists, adopting a policy of open borders but also focusing on domestic food production is adopting a policy of food self-reliance. They define food self-reliance as ensuring domestic availability of food, including through imports if necessary (Panagariya 2002; Pingali & Rosegrant 1995). For economists, food self-sufficiency is an extreme and economically non-viable concept. Economists’ adherence to the idea of self-reliance is based on the perceived benefits of international specialisation and theory of comparative advantage. Therefore, food self-sufficiency as defined by Clapp (2017) would be similar to food self-
reliance for economists. Food self-sufficiency as diametrically opposite to trade is not a useful proposition. If accepted this way, there would be concurrence in accepting the notion that international trade is a useful means to achieve food security.

However, Clapp agrees with Chang (2009, p. 6) that “…[agricultural] specialization makes sense in the long run only when countries achieve a certain level of economic development…”, and therefore asserts that countries should carefully consider ways to improve domestic food production if there is a risk of hunger to a large proportion of their population due to the vagaries of world markets. This is to say that it would be beneficial for poorer countries to focus on producing all their food on their own and not depend on the idea of comparative advantage and agricultural specialisation. Then, food self-sufficiency for poorer countries would mean meeting all their food needs through their own production. Such arguments, contrarily, tend to accept as well as reject trade as a means to achieve food self-sufficiency.

In a similar manner, the idea of food sovereignty also does not look to be very clear on the idea of food self-sufficiency. Clapp (2017) and Burnett and Murphy (2014) argue that food self-sufficiency, as promoted by the food sovereignty movement, is not about closing the borders for food and agricultural trade. But promotion of food sovereignty by La Vía Campesina and other social movements points to the direction of closing the borders and meeting all food needs through domestic production. The food sovereignty movement does make calls for fair trade, but does not explain what fair trade looks like and how to achieve it. The movement rejects the regulation of trade by the WTO and through other bilateral and regional FTAs, but does not provide alternative methods of trade regulation. Moreover, even if national food self-sufficiency were possible within closed borders, would it guarantee adequate access to food by all households and individuals in the country, as not every household and individual would be engaged in food production? How far does the idea of
food sovereignty go beyond food availability? The food sovereignty movement lacks clarity on these issues.

Given such vagueness and ambiguities in the major elements of food sovereignty, specifically the emphasis on the “peasant way” and the focus on national food self-sufficiency, I now turn to analysing the “sovereignty” of food sovereignty. In the context of states adopting food sovereignty to include in national food policies, it is worthwhile to perform this analysis to gain an understanding of states’ approaches to the food sovereignty question.

5.4 The “sovereignty” of food sovereignty
The contestation inherent in the concept of “sovereignty” has been carried along in the idea of food sovereignty as well because the issue of whether food sovereignty is state-centric, people-centric or pluralistic has remained unsettled (Edelman 2014; Hospes 2014; Schiavoni 2015). The question of who the sovereign in food sovereignty is, or how food sovereignty is to be exercised by individuals, communities and the state, continues to remain a difficult question because the “sovereignty” of food sovereignty has not been explained by the global food sovereignty movement, and has not been discussed much in the food sovereignty literature. As Grey and Patel (2015) state, the “sovereignty” of food sovereignty has been under-theorised. Given that sovereignty itself has remained contentious since its origin, it might be ambitious to expect a proper theorisation of the “sovereignty” of food sovereignty. Nevertheless, from the varied definitions of food sovereignty over time and its constituent elements, we can draw some inferences about the idea behind the choice of the word sovereignty in food sovereignty. I attempt to do that in this section.

Food sovereignty, defined as the rights of nations, peoples and communities to define their own food and agricultural systems, suggests there are multiple sovereignties in the exercise of rights related to food and agriculture. Emphasis on the peasant way is to claim sovereignty by the community and peoples, and a focus on national food self-sufficiency is to ensure state
sovereignty. It looks as though there is a general acceptance that the sovereignty in food sovereignty rests simultaneously on the nation, its communities and peoples. However, merely accepting the existence of multiple sovereignties in food sovereignty does not simplify matters as sovereignties of the nation, communities and people are not neatly separable. They interact with each other in complex ways. Moreover, national sovereignty has an external dimension as it is about a state’s interaction in the global sphere, whereas communities’ and peoples’ sovereignty are about their relationships with the state.

As Holt Giménez and Shattuck (2011) argue, the establishment of the WTO, and its Agreement on Agriculture (AoA), disciplined the rights of sovereign states to regulate food and agriculture and thus institutionalised the process of agricultural trade liberalisation on a global scale. This strengthened the rise of the corporate food regime, which is characterised by, among other things, liberalised global food trade. This argument essentially suggests a loss of national sovereignty due to the WTO. Based on the distinctions of sovereignty made by Krasner (1999), this is a loss of Westphalian sovereignty. By becoming WTO members, states have invited external authority on their trade policy, although the extent of such authority is viewed by analysts in varying degrees. The food sovereignty movement views the erosion of state control over food and agricultural policy as being due to the WTO and FTAs, and to regain that lost control, agriculture should be placed outside of the WTO and FTAs. This is not entirely true as agriculture is not yet fully liberalised. Export and production subsidies, and different trade barriers, have interfered with full agricultural trade liberalisation.

Gaining WTO membership and/or inviting the corporate sector into food and agricultural systems have been possible with the support of the state. It is also states that enter into FTAs with provisions for food and agricultural trade liberalisation. Moreover, it is states that open up their economies to foreign direct investment in the food and agriculture sector. Some of these acts might be due to coercion, but ultimately, without countries’ willingness, whether
wholeheartedly or with reservations, food and agricultural trade liberalisation and/or corporatisation is not possible. Therefore, how would the exercise of food sovereignty by the state lead to a better outcome when the state has been part of what the food sovereignty movement has been opposing?

Regarding the “sovereignty” of food sovereignty resting on the people, people’s meaningful participation in decision-making on food and agricultural issues should be ensured. This is in the context of most food sovereignty literature arguing that food and agricultural trade liberalisation and corporatisation have been the reasons that farmers, especially small farmers and peasants, have not been able to decide their food and agricultural systems. People do not participate in trade liberalisation and corporatisation phenomena directly. It is through the state that they are exposed to these phenomena. Therefore, food sovereignty as the sovereignty of the people to decide their own food and agricultural systems calls for democratic means where people’s voices are heard and incorporated into policies. In that course, if people’s demands conflict with a state’s external commitment, then the state would have to address such problems through negotiations or other means. What has been seen in practice is that the exercise of multiple sovereignties—by the people and the state—in the current globalised world order is particularly challenging. In the words of Dani Rodrik, global markets, states and democracy cannot co-exist (Rodrik 2011).

The food sovereignty movement calls for the democratisation of food and agriculture. In other words, the movement believes that states decide on issues of food and agriculture, ignoring people’s concerns and their say. Hence, there is a need to put in place mechanisms that would ensure that any step the state were to take in the food and agriculture sector was based on the people’s mandate because, in a representative democracy in general, it is the people who are the sovereign. However, who are the sovereign people in food sovereignty? Are they all citizens or only farmers? Even if only farmers, are they small farmers or well-off farmers? Agarwal (2014) states that in the case of India that there are significant differences
between the interests and needs of small farmers and well-off farmers. Also, what about consumers? These are complex questions in relation to ensuring democratic choice in the food system that the food sovereignty movement has espoused (Agarwal 2014). Due to such complexity, the exercise of multiple sovereignties in food sovereignty looks challenging. This could also provide credence to the claim that food sovereignty is an ambiguous and imprecise idea, thus making it a potential coalition magnet since the sovereignty of food sovereignty can be perceived differently by different people.

Schiavoni (2015) acknowledges that there are multiple sovereignties in food sovereignty that compete with each other, but argues there are ways to reconcile them. She states that including food sovereignty in state policy necessitates the “redefining of the terms of engagement between state and society” (p. 467). Iles and Montenegro de Wit (2015) also argue along similar lines. They claim it is possible to develop multi-scale sovereignty in practice, moving away from traditional notions of sovereignty and accepting sovereignty in terms of “relational scale”, which is “the spatial and temporal relationship among processes at different levels, as well as the processes connecting elements between levels” (p. 486).

Building on these contributions, Schiavoni (2017) suggests understanding food sovereignty construction as a process, and taking a historical, relational and interactive approach to examine it.

Scholars’ continuous attempts at demystifying food sovereignty and their suggestions to make it operational should be appreciated. However, in these accounts of having a better clarity of the idea of food sovereignty, there are two issues that remain unexplored or under-explored. First, these are accounts that are still engaged at the level of food sovereignty movements, suggesting that the movements can take the suggested approaches to make the idea of food sovereignty clear and acceptable. Would this mean that countries that have accepted food sovereignty have adopted the suggested notions of sovereignty and one could see the same in practice? Second, these accounts do not consider well the tensions that exist
in redefining the terms of engagement between the state and society. For instance, by Schiavoni’s own accounts, in the case of Venezuela, the tension was evident between small-scale traditional local agriculture and large-scale industrial agriculture (Schiavoni 2015). For some in Venezuela, a traditional form of small-scale agriculture with indigenous origins should serve as the foundation for food sovereignty, whereas for others, since Venezuela was attempting to make a radical shift to food self-sufficiency through domestic production, the only path to realise this goal was through large-scale industrial agriculture. The same contestation is seen in Indonesia as the narratives based on national food sovereignty support large-scale food estates whereas localist narratives of food sovereignty focus on smallholder access and control over productive resources and local, diversified agriculture (McCarthy & Obidzinski 2017; Neilson & Wright 2017).

Therefore, relying on the three interconnected analytical lenses of scale, geography, and institutions (Schiavoni 2015), accepting food sovereignty in terms of a relational scale (Iles & Montenegro de Wit 2015), and understanding food sovereignty construction taking a historical, relational and interactive approach (Schiavoni 2017) do not help in uncovering the intricacies inherent in the competing sovereignties of food sovereignty. Although these frameworks suggest new ways of looking at state-society relations, what is missing in their analyses is the state’s participation and interaction in the global governance architecture, and how it determines the state’s relationship with society. This is a very important element of the food sovereignty movement, and missing this link in the analysis of competing sovereignties of food sovereignty misses the main point.

Discussing the case of Ecuador, Giunta (2014) acknowledges that global governance has undermined sovereignty and reduced the centrality of states. If so, how could states be guarantors of food sovereignty as called for by the food sovereignty movement? How would the state-society relation function as envisaged by the food sovereignty movement as long as states are within the global governance architecture? This complexity could be a reason that
despite the inclusion of food sovereignty in Ecuador’s Constitution, people and communities in Ecuador hold the right to access to food, but not the explicit right to decide on their agri-food systems and policies (Giunta 2014). This is similar to the case in other Latin American countries, such as Venezuela and Bolivia, where, despite constitutional and/or legal guarantees of food sovereignty, the state still has huge dominance over food and agriculture systems and policies (Cockburn 2014; Gysel 2016; Kappeler 2013).

Food systems are complex, even more so in today’s globalised world. On the one hand, states need to comply with the external commitments that they make by signing bilateral, regional and multilateral agreements, and on the other hand, they need to address the concerns of the people, who are not a homogeneous entity. Often, people’s interests conflict among themselves, and they are also in direct conflict with the state’s external commitments. Therefore, as in the case of sovereignty itself, the “sovereignty” of food sovereignty is difficult to disentangle. Hence, when states incorporate food sovereignty in their national food policies, they might not be considering the sovereignty of food sovereignty. Or, they could be interpreting the sovereignty of food sovereignty in a variety of ways and implementing it accordingly. This again points to the possibility of the idea of food sovereignty working as a coalition magnet.

5.5 Food security, the right to food or food sovereignty?
Holt Giménez and Shattuck (2011) refer to the current global food regime as the corporate food regime, and state there are two major trends in this food regime, namely “neoliberal” and “reformist”. Similarly, there are two major trends in global food movements, namely “progressive” and “radical”. They call the neoliberal trend hegemonic, which is market-based and is driven by corporate agri-food monopolies. The reformist trend is almost identical to the neoliberal trend, with the difference that it calls for mild reforms to the regime through, for example, an increase in social safety nets, consumer-driven niche markets, and voluntary corporate responsibility mechanisms. The reformist trend employs a food security discourse,
is broadly oriented towards state-led assistance, and seeks to regulate, but not directly challenge, market forces by seeking to mainstream less socially and environmentally damaging alternatives into existing market structures.

Regarding the trends in global food movements, the progressive trend calls for change to food systems on the basis of rights, and advances practical alternatives to industrial agri-foods, such as sustainable, agro-ecological and organic agriculture and farmer-consumer community food networks, largely within the economic and political frameworks of existing capitalist food systems. The radical trend is similar to the progressive trend, but takes a food sovereignty approach focusing more on entitlements and structural reforms to markets and property regimes, among others.

Categorisation of these trends in the current food regime classifies food security as belonging to the reformist trend of the food regime, and the right to food and food sovereignty as belonging to the progressive trend and the radical trend, respectively, of the food movement. This suggests that food security stands on one side as a food regime, and the right to food and food sovereignty on the other as food movements. As stated in the previous chapter, there is also a classification in which food security is a policy concept, the right to food a legal concept, and food sovereignty a political concept (Beuchelt & Virchow 2012; Mechlem 2004; Windfuhr & Jonsén 2005). Therefore, the issue is not related to choosing one of the three concepts; rather, it is about viewing the three as different frames and having clarity on how they could be operationalised. However, despite the effort of presenting food sovereignty as the most useful idea by its proponents, incorporating food sovereignty as a right in national legislation and giving it legal meaning has made the distinction between the right to food and food sovereignty less obvious.

As discussed earlier, the concept of food security has moved beyond the single focus on food availability to include other dimensions of access, utilisation and stability. The unit of
analysis has also moved gradually from the global to the national, and further below to the household and the individual. As a development policy goal, food security, at least at the household level, can be achieved by creating a legal obligation on the state. Taking the right-to-food approach could help create such a legal obligation. Hence, the right to food is part and parcel of the rights-based approach to development (Mechlem 2004). Food security is a development policy goal, and the right to food is an approach to realise that goal. Focusing on household and individual food security would bring food security closer to the realisation of the right to food (Eide, Oshaug & Eide 1991; Mechlem 2004).

A common perception about food insecurity is that it exists only in developing countries. But as Chilton and Rose (2009) demonstrate, it exists in developed countries as well. In the United States, in 2007, 11 percent of the population lacked access to enough quality food needed for an active and healthy life. Similarly, there is food insecurity among some groups in Australia (DAFF 2013), and since the late 1980s, there have been increases in food insecurity in Canada and several welfare states (Riches & Silvasti 2014; Rideout et al. 2007). Food insecurity in these advanced countries might not be significant from a numerical perspective, but since they are rich countries, and given the ethos of the welfare state, they do matter.

The rise in food insecurity in developed countries has led to a rise in food charities. When people have to depend on charity for their basic food, it means their right to food is not sufficiently respected, protected and fulfilled (De Schutter 2014). This is because meeting food needs through charities is benevolence, but not a right, as it mainly ignores the dignity aspect of an individual’s humanity, which is an essential characteristic of the right to food. Therefore, there is a need for a rights-based approach to addressing food insecurity also in developed countries (Chilton & Rose 2009; Riches & Silvasti 2014; Rideout et al. 2007).
Hence, the relationship between food security and the right to food is one of complementarity. The two seem to cover the same terrain, even more so as food security lately has been understood at the level of the household and the individual. But food security is a development goal for which states do not have legal obligations, whereas the right to food places such legal obligation on states. In other words, the right to food is a rights-based approach to development in meeting food security goals.

The right to food and food sovereignty are presented as somewhat the same by some scholars,¹⁹ but as alternative policy goals by others (Lambek et al. 2014). Beuchelt and Virchow (2012) have compared the two concepts and stated that the two are similar in many respects, but they also have certain differences. For instance, the target group of the concept of the right to food is all individual human beings, whereas the target group of food sovereignty is mainly peasants, pastoralists, indigenous people, artisanal fisher-folk, traditional forest-dwellers and rural workers. In this sense, while the right to food encompasses all individuals, including both food producers and consumers, food sovereignty is more about the rights of food producers. Food sovereignty is conspicuously silent about food consumers (Edelman 2014). Therefore, in contrast to LVC (1996), which claims that the basic human right to food can only be realised when food sovereignty is guaranteed, Beuchelt and Virchow (2012) argue that food sovereignty can be realised within the right to food.

The concepts of food security and the right to food have evolved over the years, and there is more or less a consensus now on what they mean and how they could be realised. Regarding food sovereignty, there are variations in understanding this idea, and over the years, the idea has become more ambiguous rather than being clarified. If not understood in a radical form, the basic elements of food sovereignty, i.e., adopting the peasant way and focusing on

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¹⁹ For example, De Schutter (2010) mentions Nepal’s including the “right to food sovereignty” in the interim constitution when stating progress on the “right to food” at the national level, which is an illustration of viewing the “right to food” and the “right to food sovereignty” synonymously.
national food self-sufficiency in the sense of arguments made by Clapp (2017), can be achieved within the frameworks of food security and the right to food. It is for these reasons that scholars such as Beuchelt and Virchow (2012), Haugen (2009) and Hospes (2014) make a case for adopting the concept of the right to food, and Gordillo and Jeronimo (2013) argue that food security and food sovereignty can be framed together, linked by the concept of the right to food.

The title of the voluntary guidelines prepared by the FAO is “Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security”. This suggests a relationship between food security and the right to food, but does not specify what the relationship is. Mechlem (2004) discusses this relationship and concludes that improving food security would lead to the progressive realisation of the right to food. However, she argues that a right to food approach to food security has distinct characteristics pertaining to “the justification underlying the two concepts, their nature, the unit they are mainly interested in, their focus, and their scope” (p. 648). Taking a rights-based approach complements food security through dimensions of dignity, rights acknowledgement, transparency, accountability, and empowerment.

Similarly, Beuchelt and Virchow (2012) argue that the right to adequate food can become a powerful tool for marginalised groups or organisations acting on their behalf if it is integrated into national legislation. Enshrining the right to food in national legislation would give people a democratic voice and compel governments to design policies in people’s interests (Birchfield & Corsi 2009). Therefore, it is important to ensure that states incorporate the right to adequate food in their national legislation. So far, 30 countries around the world have explicitly guaranteed the right to adequate food in their constitutions, and more than a hundred countries have included it implicitly and/or stated it as a directive principle of state policy (FAO 2017).
It should not matter much whether the right to adequate food is protected explicitly or implicitly or as a directive principle in a country’s constitution. What is more important is whether the country has developed detailed mechanisms on how to implement the right to food, and if the mechanisms are followed through. From this perspective, according to Birchfield and Corsi (2009, p. 718), “India is a leader amongst nations seeking to legally enforce the human right to food”. India’s constitution neither explicitly nor implicitly guarantees the right to food. The directive principles of state policy on the right to an adequate means of livelihood, secure work, a living wage, and conditions of work ensuring a decent standard of life, raising of people’s nutrition levels and the standard of living, and the improvement of public health are the foundations of guaranteeing people’s right to adequate food in India (Articles 39, 43 and 47 of India’s Constitution, as cited in FAO 2017).

India has implemented the National Food Security Act (NFSA), which was passed by India’s Parliament in 2013. India did not legislate the NFSA necessarily to comply with its international commitments. It did so to address food-related problems that arose at home. The need to guarantee the right to food in India, and mechanisms the state had to set to protect the right to food, started with a legal case that was brought to India’s Supreme Court in 2001. Additional petitions were brought to the case, and through a series of interim orders, the Supreme Court redefined government food schemes as constitutionally protected legal entitlements, outlined in detail how the government schemes were to be implemented, and also identified relevant authorities that it would hold accountable in the event of non-compliance (Birchfield & Corsi 2009). Subsequently, after much deliberation, the Supreme Court’s order to guarantee the fundamental human right to food was codified into the NFSA.

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20 See Birchfield and Corsi (2009) for details about the case and how it led to the legalising of the right to food in India.
A salient feature of the NFSA is the targeted public distribution system, according to which up to 75 percent of India’s rural population and up to 50 percent of the urban population would receive a uniform entitlement of 5 kg of grain per person per month at heavily subsidised prices. The poorest of the poor would continue to receive their existing allowance of 35 kg per household per month. The NFSA also covers targeted benefits to women and children, such as nutritional support, maternity benefits and women’s empowerment (GoI 2013). The NFSA, therefore, establishes the right of every Indian citizen to have stable physical and economic access to basic food. Establishing the right to have stable access to food by every Indian citizen is currently more important than the focus on food production in India as the country has seen impressive growth in food grain production in recent years (Narayanan 2015). Hence, promulgation of the NFSA seems to be the right course taken by the Government of India, although there are challenges in “revisiting the operational aspects of food procurement and distribution for a more cost-effective and nimble system” (Narayanan 2015, p. 207).

According to international human rights law, there are three obligations on states to ensure human rights: the obligation to respect, the obligation to protect, and the obligation to fulfil (Box 5.1).

**Box 5.1: States’ human rights obligations**

<table>
<thead>
<tr>
<th>Obligation to respect:</th>
<th>States must refrain from interfering with or curtailing the enjoyment of human rights.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Obligation to protect:</td>
<td>States must protect individuals and groups against human rights abuses.</td>
</tr>
<tr>
<td>Obligation to fulfil:</td>
<td>States must take positive action to facilitate the enjoyment of basic human rights.</td>
</tr>
</tbody>
</table>

Source: UN (n.d.).

From the perspective of the human right to food, states’ obligation to respect entails not interfering in people’s abilities to make food available for themselves (FAO Legal Office
Similarly, the obligation to protect requires, for example, establishing a regulatory environment in the fields of food safety and nutrition, protection of the environment and land tenure. The obligation to fulfil requires identifying vulnerable groups and designing, implementing and monitoring policies that would facilitate their access to food-producing resources or an income. Direct assistance might have to be provided as a last resort. India’s efforts at providing its citizens the right to food through the NFSA, which has been hailed as a leading example, focuses mostly on the obligation to fulfil, more so as a last resort. It defines food security narrowly as “the supply of the entitled quantity of foodgrains and meals” and covers the public food distribution system (The National Food Security Act 2013, p. 2). However, it touches upon the obligation to respect and protect in Schedule III of the Act, where it mentions agricultural revitalisation, procurement, storage and movement related interventions, and access to safe water and sanitation, health care, and so on.

Compared to the FAO voluntary guidelines on the right to food, India’s NFSA has very limited coverage. Yet, it has been applauded as a good example because other countries have not explicitly ensured legal protection in this manner despite some of the countries’ explicit recognition of the right to food in their constitutions. If these countries were serious in providing the right to food to their people, and if they followed the voluntary guidelines, they could comprehensively cover a wide range of issues related to food and agriculture.

5.6 Conclusion
The idea of food sovereignty is ambiguous. There is no clarity on what the “sovereignty” of food sovereignty entails, and whose sovereignty it calls for. Acceptance of the existence of multiple sovereignties in food sovereignty does not help resolve the ambiguity in the exercise of food sovereignty, due to the complex nature of the food system. There are different narratives about national food sovereignty and local food sovereignty. National food sovereignty for some is about large-scale industrial agricultural production to ensure national food self-sufficiency and avoid external influence of all forms. Local food sovereignty
narratives call for the adoption of small-scale family farming and emphasis on local agriculture. Local food sovereignty narratives call for people’s sovereignty to be guaranteed by the state, whereas national food sovereignty narratives call for states’ sovereignty from any external influence such as the WTO membership, FTAs, international financial institutions’ conditionalities, and so on. As discussed above, reconciling the two narratives and redefining state-society relations on food and agriculture, therefore, looks complicated.

The concepts of food security and the right to food have received clarity in their understandings after years of deliberations. Therefore, operationalising the concepts of food security and the right to food effectively might be more beneficial than introducing a new concept, which is more ambiguous and seems difficult to implement. Food security and the right to food can encompass the major elements of food sovereignty such as a focus on small-scale local agriculture and on national food self-sufficiency. It is up to the states to decide whether they want these elements to be encompassed, and if so, to what extent.

As discussed above, proponents of the idea of food sovereignty allege that by entering into bilateral, regional and multilateral FTAs that cover food and agriculture, states experience a loss of national sovereignty. If this is the case, states can reclaim their lost sovereignty by pulling out of the agreements. But this is more easily said than done. These agreements do not cover only food and agriculture, and therefore, states do not only take food and agricultural issues into consideration in making their decisions. Alternatively, they work within the system to bring about the required changes as India has been doing in the WTO. Providing a legal guarantee to food sovereignty as a right in a country might not help overcome the loss of national sovereignty defined in this manner.

This brings us back to the question of how an idea such as food sovereignty gets institutionalised. The idea of food sovereignty looks to be ambiguous, but politically appealing. This might have made the idea of food sovereignty a potential coalition magnet,
which could have facilitated its adoption by states. Before assessing the possibility of the idea of food sovereignty acting as a potential coalition magnet, we need to confirm that the idea is indeed ambiguous. As discussed in earlier sections of this chapter, the way food sovereignty is being defined and promoted by social movements suggests that the idea of food sovereignty is ambiguous. But how have countries that have institutionalised food sovereignty been implementing it? Is there uniformity in the implementation of food sovereignty? If yes, we could argue that despite the various notions of food sovereignty, there could be uniformity in its implementation, thus refuting the claim that the idea of food sovereignty is ambiguous. If not, it would confirm the claim that food sovereignty is indeed an ambiguous idea, hence taking us a step closer to seeing the idea of food sovereignty as a potential coalition magnet. In the next chapter, I examine, although briefly, how food sovereignty is being implemented by some Latin American countries that have incorporated the idea in their countries’ constitutions and/or legislation, and investigate the ambiguousness of the idea of food sovereignty.
Chapter 6
Food sovereignty’s journey from social movements to constitutions

6.1 Introduction
As we saw in Chapter 4, Latin American countries introduced the idea of food sovereignty, although in different names and forms, in the 1980s (Edelman 2014). But the idea was brought into the wider public sphere and popularised by the transnational peasants’ movement La Vía Campesina from the mid-1990s. Since then, many social movements around the world have embraced, and have been promoting, the idea of food sovereignty. A few countries have also included food sovereignty in their constitutions and national legislation in different forms. Most of these countries are in Latin America, and a few are in Asia and Africa (Beuchelt & Virchow 2012).

As discussed in the previous chapter, the idea of food sovereignty lacks precision. It is difficult to state precisely the conditions that are necessary to implement the idea of food sovereignty, distinguishing it from the concepts of food security and the right to food. There are differences even among food sovereignty proponents as to whether the idea of food sovereignty is an alternative to the concepts of food security and the right to food, or whether the three are complementary. Nevertheless, the idea of food sovereignty has been accepted by some countries. Bolivia, Ecuador, Egypt and Nepal have specifically included “food

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21 While constitutions of most developed countries are basic documents that provide the broad foundation on which to build the countries’ various legislation, constitutions in most developing countries are elaborate, policy-like documents. For example, the officially translated English version of the newly promulgated Constitution of Nepal is 226 pages long, and is divided into 35 parts, 308 articles and nine schedules (see The Constitution of Nepal 2015). It is criticised by some as a planning document for its length and detail.
sovereignty” in their constitutions, whereas Venezuela is said to have included principles of food sovereignty in its constitution (Beuchelt & Virchow 2012; Schiavoni 2015).

As discussed in the previous chapter, the food sovereignty literature unanimously argues that global social movements propagated the idea of food sovereignty as a response to neoliberal ideas pursued in the food and agriculture sector, and to the commodification of food and agriculture. Promotion of mechanised agriculture in industrial form, use of chemicals for agricultural production, promotion of genetically modified seeds, and most importantly, worldwide neglect of small-scale local and traditional agriculture, have been cited as reasons for the promotion of food sovereignty by social movements. The “sovereignty” aspect of food sovereignty in this debate stems from the claim that the aggressive promotion of agricultural development in industrial forms by many developed countries, multinational institutions and transnational corporations has usurped the sovereignty of states in making their decisions relating to food and agriculture. Also, it is claimed that, within states, farmers have been kept at bay in relation to decision-making on issues related to food and agriculture, which has resulted in states’ adoption of food- and agriculture-related development models as promoted by external agencies.

In this context, it is useful to review and analyse the incorporation of food sovereignty in the constitutions of countries that have incorporated the idea, and to examine the implementation of the idea of food sovereignty in these countries. Do these countries have a uniform understanding of and a definitive framework to implement food sovereignty? Is there uniformity among these countries in operationalising the idea of food sovereignty? If yes, this might partly refute the claim that food sovereignty is an ambiguous idea. If not, it would strengthen the claim that food sovereignty is an ambiguous idea with varied interpretations, thus making the idea of food sovereignty a potential coalition magnet.
Latin American countries have a relatively longer experience of implementing food sovereignty. Hence, in this chapter, I briefly review the constitutional guaranteeing of food sovereignty by Venezuela, Ecuador and Bolivia, and compare how these countries have been implementing food sovereignty. I perform this review to test whether food sovereignty is indeed ambiguous and hence a potential coalition magnet. My review and analysis in this chapter is based on available literature. I mainly seek answers to three questions: 1) What are the reasons for these selected countries to adopt food sovereignty? 2) Have these countries included food sovereignty in their constitutions as a right, or a framework, or something else? 3) How have these countries been implementing food sovereignty?

6.2 Venezuela

A predominantly agricultural country in the early 19th century, with about 70 percent of the population living in rural areas, Venezuela witnessed massive urbanisation in the 20th century, which resulted in only about 12 percent of the country’s population living in rural areas by the 1990s (Wilpert 2006). The two major reasons for this shift were inequitable land appropriations and emphasis on oil exploitation. In the 1920s, the contribution of agriculture to Venezuela’s gross domestic product was about one-third, which decreased to less than one-tenth by the 1950s, and to about one-seventeenth in 2005 (Wilpert 2005). The country gradually became a huge importer of food; yet, with poverty as high as 70 percent in the late 1990s, food was not accessible to a large segment of the population (Beauregard & Gottlieb 2009; Lavelle 2014; McKay, Nehring & Walsh-Dilley 2014).

Venezuela has always had hugely unequal land ownership. In 1937, a mere 4.8 percent of land owners possessed land holdings of 1,000 hectares or more, which constituted 88.8 percent of all agricultural land, whereas 57.7 percent of all land owners were small farmers with land holdings of 10 hectares or less, which constituted only 0.7 percent of all agricultural land (Wilpert 2006). To address this hugely unequal land ownership, Venezuela implemented an agricultural reform law in 1960. However, the law did not significantly alter
Venezuela’s land ownership pattern. In 1997, a mere 5 percent of land owners controlled 75 percent of the land, whereas 75 percent of the smallest land owners controlled only 6 percent of the land (Wilpert 2006).

Venezuela also adopted neoliberal economic policies in the 1980s and 1990s, which fanned then-existing popular discontent due to the perception that such policies widened the gap between the rich and the poor (Lavelle 2014). Such discontent owing to unequal land distribution, adoption of neoliberal economic policies, and the state’s neglect of the poor, provided fertile grounds for the rise of a socialist champion, Hugo Chávez, in 1998 (Kappeler 2013).

After Hugo Chávez was elected Venezuela’s President in 1998, he started the “Bolivarian Revolution” of which land and agricultural policy reforms were key components, and food sovereignty was adopted as the means to bring about those reforms (Beauregard & Gottlieb 2009). Chávez adopted a national policy of food sovereignty in 1999, making Venezuela the world’s first country to do so (Beauregard & Gottlieb 2009; Schiavoni 2015).

Venezuela’s Constitution does not explicitly contain the term “food sovereignty”.22 It contains several Articles related to agriculture and rural development, focusing on sustainable agriculture, secure food supply, strategic self-sufficiency in food, employment and well-being of the rural population, transformation of fallow land into productive units through tax laws, and providing land ownership to farmers and agricultural producers in accordance with the law (Box 6.1). This has been interpreted as the incorporation of food sovereignty elements in Venezuela’s Constitution (McKay, Nehring & Walsh-Dilley 2014).

Box 6.1: Articles related to agriculture and rural development in Venezuela’s Constitution

**Article 305**
The State shall promote sustainable agriculture as the strategic basis for overall rural development, and consequently shall guarantee the population a secure food supply, defined as the sufficient and stable availability of food within the national sphere and timely and uninterrupted access to the same for consumers. A secure food supply must be achieved by developing and prioritizing internal agricultural and livestock production, understood as production deriving from the activities of agriculture, livestock, fishing and aquaculture. Food production is in the national interest and is fundamental to the economic and social development of the Nation. To this end, the State shall promulgate such financial, commercial, technological transfer, land tenancy, infrastructure, manpower training and other measures as may be necessary to achieve strategic levels of self-sufficiency. In addition, it shall promote actions in the national and international economic context to compensate for the disadvantages inherent to agricultural activity.

The State shall protect the settlement and communities of non-industrialised fishermen, as well as their fishing banks in continental waters and those close to the coastline, as defined by law.

**Article 306**
The State shall promote conditions for overall rural development, for the purpose of generating employment and ensuring the rural population an adequate level of well-being, as well as their inclusion in national development. It shall likewise promote agricultural activity and optimum land use by providing infrastructure projects, supplies, loans, training services and technical assistance.

**Article 307**
The predominance of large land estates is contrary to the interests of society. Appropriate tax law provisions shall be enacted to tax fallow lands and establish the necessary measures to transform them into productive economic units, likewise recovering arable land. Farmers and other agricultural producers are entitled to own land, in the cases and forms specified under the pertinent law. The State shall protect and promote associative and private forms
of property in such manner as to guarantee agricultural production. The State shall see to
the sustainable ordering of arable land to guarantee its food producing potential.

In exceptional cases, quasi-tax contributions shall be created to provide funds for
financing, research, technical assistance, transfer of technology and other activities that
promote the productivity and competitiveness of the agricultural sector. These matters shall
be appropriately regulated by law.

Source: *Venezuela (Bolivarian Republic of)’s Constitution of 1999 with amendments through 2009.*

The kind of emphasis Venezuela’s Constitution has placed on agricultural and rural
development might be radical in view of the Venezuelan state’s decades-long neglect of the
agriculture and rural sector due to the importance that Venezuela had given to urbanisation
and the oil economy. But the measures for agricultural and rural development as stipulated in
the Constitution are not beyond the scope of the concepts of food security and the right to
food. Therefore, including these measures in Venezuela’s Constitution might have been less
contested.

Venezuela made explicit mention of the term “food sovereignty” in its *Organic Law of Agro-
food Security and Sovereignty*, which was approved in 2008 (McKay, Nehring & Walsh-
Dilley 2014). According to McKay et al., of the various strategies that Venezuela adopted to
implement food sovereignty, one was its state-led redistribution of agrarian reform
programme, which was oriented towards improving access to land, food and markets of the
lower-rung populace. To implement agrarian reforms, and to provide Venezuelan farmers
access to land through land reforms, Venezuela promulgated a land law in 2001 (Kappeler 2013; Lavelle 2014). The land law sought to ensure small farmers’ access to land by setting
limits on the size of landholdings, taxing unused property, redistributing state-owned land to
peasant families and cooperatives, expropriating illegally held land from the private sector,
and recovering fallow land. The food sovereignty law also sought to ensure Venezuelans’
access to food and markets through the establishment of state-run food companies and food
banks that would respectively provide subsidised food and free meals to the needy (McKay, Nehring & Walsh-Dilley 2014).

The most important aspect of food sovereignty in Venezuela is the formation of local institutions (i.e., the communal councils and *comunas*, or communes), which provide space to farmers to effectively participate in decision-making (McKay, Nehring & Walsh-Dilley 2014; Schiavoni 2015). However, these local institutions have been formed not only to enable decentralised and participatory decision-making processes in regard to food and agricultural issues, but in relation to every local developmental issue ranging from water and sewage management to infrastructure development. Therefore, the formation of the communal councils should not be limited to analysing the implementation of food sovereignty alone. They have been formed to follow the principles of participatory democracy, and recognising people’s sovereignty, in general.

In Venezuela, giving voice to the people through the communal councils in general, and devising programmes to provide access to land and to food and markets in particular, are not without contestation. There have been conflicts between capitalist elites and landless farmers in land redistribution programmes (Beauregard & Gottlieb 2009), and class conflicts in communal councils over development priorities (McKay, Nehring & Walsh-Dilley 2014). Overall, as Kappeler (2013) argues, the food sovereignty experiment in Venezuela is not in accordance with the promotion of food sovereignty by La Vía Campesina.

According to Kappeler (2013), the Venezuelan government expropriated large amounts of unused land, but provided only some of them to local peasants. It turned the rest of the farm “into an enterprise that followed all the logics and rationales of high modern capitalist farming” (Kappeler 2013, p. 11). The food sovereignty exercise in Venezuela does not demonstrate the peasant way of agriculture. What changed visibly in Venezuela with the implementation of food sovereignty was that the state took greater control of the food and
agricultural system (which, earlier, had largely been controlled by foreign entities), and Venezuela’s food import sources changed from its chief foes such as the United States and Colombia, to other regional states such as Argentina and Brazil. Venezuela adopted the idea of food sovereignty mainly in the sense of the nation’s capacity to feed its people, and hence it adopted a mixed approach of simultaneously promoting peasant agriculture and agricultural development based on a large-scale industrial model that made use of machinery, chemicals and petroleum-based fertilisers. This illustrated the differing narratives—national versus local—on food sovereignty.

Thus, in Venezuela, food sovereignty is not specified as a right, but as a broad framework, largely in the context of the nation’s historical neglect of the agriculture sector and elite capture of the sector. However, the idea of food sovereignty has not been adopted with a clear understanding. Whose sovereignty it is in food sovereignty that the state of Venezuela wants to safeguard has remained an intriguing question. The measures that Venezuela has adopted in bringing about agri-food reforms suggest there is no reason to assume that the concepts of food security and the right to food would bar Venezuela from taking these measures. It is difficult to state clearly from Venezuela’s food sovereignty experience what Venezuela wanted to address by adopting the idea of food sovereignty that it felt it could not address without adopting this new idea. Moreover, the food crisis seen in Venezuela in recent years has given critics reasons to question the adoption of food sovereignty by Venezuela as a better and alternative framework to implement reforms in the food and agriculture sector (Barbarani 2016).

6.3 Ecuador
As in the case of Venezuela and many other Latin American countries, there was huge inequality in land ownership in Ecuador (Beauregard & Gottlieb 2009; Peña 2016). In the large estates spanning thousands of hectares of land, Ecuador had adopted modern agricultural practices, producing commodities mostly for exports, for over five decades
(Beauregard & Gottlieb 2009). The agricultural estates were modelled along the lines of modern, industrial agriculture, with a focus on exports. Although modernising agriculture had some benefits initially, in later years there were more socio-environmental and economic problems such as large-scale soil erosion, loss of local genetic resources, decline in agro-biodiversity, pest problems and public health problems due to the use of pesticides, and centralisation of financial systems and markets that undermined terms of trade and fairness for growers as well as urban-based consumers (Arce, Sherwood & Paredes 2015). Despite large-scale agricultural development in the country, the food needs of the Ecuadorian people were met mainly through imports. More importantly, a large majority of farmers did not have access to land and credit to perform agricultural activities. Their rights, as well as the rights of indigenous people in Ecuador, in relation to access to land and natural resources and participation in decision-making, were not protected. Hence, farmers and indigenous people in Ecuador formed a coalition named La Mesa Agraria, emphasising food sovereignty (Beauregard & Gottlieb 2009). This coalition played an important role in incorporating food sovereignty in Ecuador’s 2008 Constitution (Wittman, Desmarais & Wiebe 2011).

Ecuador’s 2008 Constitution is based on the indigenous tradition of Sumak Kawsay, which means “good living” (Peña 2016). La Mesa Agraria advocated for food sovereignty as an essential element of good living (Giunta 2014). Accordingly, in the chapter on the “Rights of the good way of living” in the Constitution, it was stated, “The Ecuadorian State shall promote food sovereignty” (Constitution of the Republic of Ecuador 2008). The term “food sovereignty” is not only mentioned in several places in the Constitution, but there is a separate chapter, Chapter Three in Title VI (Development structure), on food sovereignty.

The first article of this chapter, Article 281, reads (Constitution of the Republic of Ecuador 2008),
Food sovereignty is a strategic objective and an obligation of the State in order to ensure that persons, communities, peoples and nations achieve self-sufficiency with respect to healthy and culturally appropriate food on a permanent basis.

Therefore, food sovereignty is explicitly associated with the strategic objective of attaining self-sufficiency in food at the personal, community, peoples and national levels, which the Ecuadorian state has to ensure. The Constitution has listed 14 measures through which the state can ensure food self-sufficiency as stated. These measures emphasise farmers’ access to land, credit and inputs, small- to medium-scale organic production, traditional farming methods, and so on. A directly relevant measure from the perspective of achieving self-sufficiency stipulated in the Constitution, and which has not been explicitly stated by the food sovereignty literature in other instances, is adopting fiscal, tax and tariff policies to discourage food imports and protect the national agri-food and fishing sectors. Moreover, the Constitution has also forbidden large estate-farming and concentration of land.

These constitutional provisions on food sovereignty signify the importance given by Ecuador to small and medium farmers, to traditional farming practices at smaller scales, and to protecting national agri-food and fishing sectors. According to Peña (2016), it had been possible to have constitutional provisions on food sovereignty in Ecuador due to the emergence of new social movements, mainly the indigenous movement, that challenged neoliberalism and advocated for a radical redefinition of politics, which was adopting the idea of food sovereignty in relation to food and agricultural issues.

The social movement organisations in Ecuador gained access to influential legislative allies and political alignments, which allowed them to directly negotiate the principles of the food sovereignty regime of the Constitution (Giunta 2014; Peña 2016). On the other hand, the political parties of the right had lost significant electoral power, which resulted in the minimal influence of food retailers and agro-export industries on the outcome of the food sovereignty article of the Constitution (Peña 2016).
However, the coalition *La Mesa Agraria*, which had played a crucial role in getting “food sovereignty” included in the Constitution, could not include all the important elements of food sovereignty in the Constitution in accordance with the agreed principles of food sovereignty. This was vividly apparent in the case of genetically modified organisms (GMOs), which the food sovereignty movement vehemently opposes. Ecuador’s Constitution declares that GMOs that are harmful to human health or that jeopardise food sovereignty or ecosystems will be forbidden, but this provision has been included with a caveat. An exception has been built into Article 401 of the Constitution, which states, “in the interest of the nation as duly substantiated by the President of the Republic and adopted by the National Assembly” GMOs could be introduced into the country (*Constitution of the Republic of Ecuador* 2008). This suggests that some compromises were made in negotiating the principles of food sovereignty in Ecuador’s Constitution.

Ecuador’s President, Rafael Correa, himself publicly stated how the provision related to GMOs was included in the Constitution as a compromise. In his weekly address on 1 September 2012, he talked about GMOs (Arce, Sherwood & Paredes 2015). He referred to Article 401 of the Constitution that had declared Ecuador free of transgenic seeds and crops, and explained how that provision was built into the Constitution. He said (Arce, Sherwood & Paredes 2015, p. 137),

> I remember when we discussed this in 2008. I was surrounded by the ‘blanket’ of Alberto Acosta (President of the National Constitutional Assembly) and he pulled out an article produced by himself. He said to me, this is over transgenics… I remember thinking to myself, my God, what a crazy idea [to place this in a constitution], but no one had anything to say. I thought to myself, what a fundamentalist idea: no to transgenics. I regret not having said [at the time], ‘Categorically no, this idea is a mistake!’

He went further and said that he was successful at least in building the exception into the Constitution, and informed the public that the country would see the proliferation of GMOs
in the days ahead. Since then, there has been a divide in Ecuador about GMOs, with the government carrying out an aggressive campaign in their favour, and many others, especially food activists, opposing them (Arce, Sherwood & Paredes 2015).

The President’s statement is clearly a sign of the Government of Ecuador trying to exercise sovereignty in making decisions related to the country’s national agro-food policy, as it deems useful, by ignoring the concerns of many Ecuadorian people. Such an exercise of food sovereignty augurs well with Giunta’s claim that Ecuador’s Constitution provides the Ecuadorian people and communities the right to access to food, but lacks clarity on whether the Ecuadorian people and communities hold the right to make decisions on their agri-food systems and policies, which is fundamental to food sovereignty as conceptualised by La Vía Campesina (Giunta 2014).

Although the incorporation of food sovereignty in Ecuador’s Constitution was considered a feat initially by the social movements and their coalition, in due course it appeared that the measures to implement agri-food reforms to realise food sovereignty in Ecuador looked challenging. There were oppositions to the reform measures not only from anti-reform groups, but even from within the President’s own political party (Giunta 2014). There were contestations on land reform, and therefore, the land distribution policies and programmes did not progress as anticipated (Giunta 2014; McKay, Nehring & Walsh-Dilley 2014). Even the social movements that had formed the coalition and had played major roles in incorporating food sovereignty in the Constitution had serious differences regarding the specification of measures to implement food sovereignty. As a result, the Food Sovereignty Law (LORSA), which was approved by Ecuador’s National Assembly in 2009 to implement food sovereignty based on the measures stipulated in the Constitution, was prepared as a “law of mediation”.

The President delivered a partial veto of the new law, by putting aside most of the sensitive issues, some of which were key, from a food sovereignty perspective (Giunta 2014; Wittman, Desmarais & Wiebe 2011).
The result of the concessions made by various quarters to arrive at a consensus to determine the sovereignty of food sovereignty in Ecuador was that they all agreed to food sovereignty and its policies as being the rights of communities, but that the rights should be executed through state policies (McKay, Nehring & Walsh-Dilley 2014). However, the practices of devising state policies suggested negligible roles for the communities. Overall, in the words of McKay, Nehring and Walsh-Dilley (2014, p. 1188), “the execution of the food sovereignty vision from the constitution [in Ecuador] was ultimately unsuccessful.” This was primarily because of differences in the understanding and exercise of food sovereignty.

6.4 Bolivia
As in the case of many developing countries, Bolivia was an inward-looking, state-led economy until the 1980s. By the mid-1980s, with the public sector budget deficit rising to 21 percent of the country’s national income, and the country experiencing great hyperinflations in modern times, Bolivia was in an economic crisis (Mosley 2001). To resolve the crisis, Bolivia undertook structural adjustment programmes and adopted market-based policies, which included liberalisation of prices and foreign trade, and privatisation of most state-owned enterprises (Beauregard & Gottlieb 2009; Mosley 2001). Bolivia also made massive reductions in social spending, and eliminated subsidies provided to the food and agriculture sector (Beauregard & Gottlieb 2009). These measures negatively impacted Bolivia’s middle- and lower-class people, particularly indigenous communities and small-scale food-producing communities. The discontent of the middle- and lower-class Bolivians with the neoliberal policies adopted by the state, and the privatisation of state enterprises such as the state-owned water company, gave rise to massive protests in Bolivia (Beauregard & Gottlieb 2009; McKay, Nehring & Walsh-Dilley 2014).

The influence and support of indigenous communities, small-scale food producers and lower-class Bolivians helped Evo Morales become the President of Bolivia in December 2005. Morales belonged to the indigenous community, and was a leader of the “Movement Towards
Socialism” Party. He ascended to the country’s Presidency with the promise of nationalising Bolivia’s natural resources, increasing the state’s role in the economy, and reducing Bolivia’s dependency on foreign capital and imports (Beauregard & Gottlieb 2009; Kohl & Farthing 2012). Accordingly, in Bolivia’s Constitution, which was approved on 25 January 2009, natural resources were declared as the inalienable and indivisible property of the Bolivian people; however, these resources would be administered by the state (Bolivia (Plurinational State of)’s Constitution of 2009). The Constitution also incorporated the idea of “food sovereignty”, which was a result of the influence of the rural and indigenous communities that had supported Evo Morales (Beauregard & Gottlieb 2009; Gysel 2016; McKay, Nehring & Walsh-Dilley 2014).

Bolivia’s rural and indigenous peoples’ push for the inclusion of “food sovereignty” in the country’s Constitution had its roots in the extreme inequality in land ownership in Bolivia. Also, Bolivia had adopted modern, industrial agriculture, and had undertaken agricultural development under the “Green Revolution” model. There was massive use of agri-chemicals for agricultural production, and emphasis was placed on the mono-cropping practices of cash crops, which had resulted in significant agro-biodiversity loss (Cockburn 2014). This had a significant impact on the indigenous people and small-scale farmers in Bolivia, and hence they viewed food sovereignty as the way to address this challenge (Cockburn 2014). Therefore, when Evo Morales was elected the country’s President, the indigenous people and small farmers, who had supported Morales, were successful in getting “food sovereignty” included in the country’s new Constitution.

Nevertheless, Bolivia’s Constitution uses the term “food sovereignty” in only one instance. In Article 309 of the Constitution, which is in regard to the state’s participation in the economy, it is stated that promoting economic democracy and achieving food sovereignty of the Bolivian people is one of the objectives of the Bolivian state (Bolivia (Plurinational State of)’s Constitution of 2009). Otherwise, the Constitution has used the term “food security and
“sovereignty” as a single phrase. For instance, in Article 405, emphasis has been placed on “food security and sovereignty” for comprehensive sustainable rural development.

The Constitution also recognises the right to food by stipulating that rights to water and food are fundamental rights of the Bolivian people. Further, under “fundamental rights”, it has been stated that “the State has an obligation to guarantee food security; by means of healthy, adequate and sufficient food for the entire population” (emphasis added, Bolivia (Plurinational State of)’s Constitution of 2009). Food sovereignty has not been established as a right, let alone a fundamental right, in Bolivia’s Constitution. This shows that Bolivia did not choose food sovereignty as an alternative to food security and the right to food, but used food sovereignty in conjunction with the existing two concepts.

Bolivia’s Constitution does include elements of food sovereignty such as prohibiting the import, production and commercialisation of GMOs and toxic elements that are harmful for human health and the environment. The Constitution also states that the principles of “food security and sovereignty” of the entire population would guide the negotiation, signing and ratification of agreements that relate to Bolivia’s international relations. Following the principles of both concepts (i.e., food security and food sovereignty) in the context of Bolivia’s international relations looks contradictory because, as discussed in earlier chapters, food sovereignty proponents allege that food security promotes trade liberalisation, whereas food sovereignty supports national food self-sufficiency.

Moreover, when the Constitution seeks to guarantee food security and food sovereignty of “all the people” in Bolivia, it could add complications because, as discussed in the previous chapter, a country’s population is not homogeneous. Consumers and small-scale food producers have different interests. Safeguarding the food sovereignty of one might impinge on the food sovereignty of another. Therefore, stipulating food security and food sovereignty as a single goal in Bolivia’s Constitution could have been a deliberative act of the
Constitution writers in Bolivia to balance the calls of both food security and food sovereignty proponents.

Even before the idea of food sovereignty was included in Bolivia’s Constitution, the idea had been laid out as a key element of a new vision of development by the Morales administration (McKay, Nehring & Walsh-Dilley 2014). However, despite including “food sovereignty” in Bolivia’s development plans and the Constitution, there have not been significant changes in the country’s food and agriculture sector. For example, the land reform programme, which is one of the main elements of food sovereignty as it calls for small farmers’ access to productive land, has not been successful in Bolivia. Agro-industrial elites in the eastern lowlands of Bolivia still enjoy high levels of control over land and resources (Gysel 2016; McKay, Nehring & Walsh-Dilley 2014). The way that land ceilings have been specified by the Bolivian state has made limitations on land sizes almost non-existent, and hence the implementation of land reforms under the “Agrarian Revolution” obsolete. Moreover, encouraging small farmers to mechanise agriculture, and the state’s dependence on external funds to implement the “Rural Development and Food Sovereignty and Security Policy”, have not helped implement food sovereignty in Bolivia (McKay, Nehring & Walsh-Dilley 2014).

Bolivia’s Constitution has prioritised the production and consumption of food and agricultural goods produced in Bolivia. This is interpreted as operationalising the idea of food sovereignty by the Bolivian State. The goals of domestic food production and consumption could be achieved either by emphasising large-scale, industrial-type mono-agriculture or, as promoted by the food sovereignty movement, emphasising small-scale, local agriculture, protecting agro-biodiversity. Bolivia has largely adopted the former model (Cockburn 2014; Gysel 2016). For Bolivia, achieving food sovereignty is almost synonymous with achieving national food self-sufficiency, for which the state has been placed at the centre in all food and agricultural policies and programmes. Such an understanding of food sovereignty in the sense
of national sovereignty has even allowed the use of state-controlled genetically modified seeds and agri-chemicals, and practice of mono-cropping, to increase aggregate national production of food (Cockburn 2014). These practices have been hotly debated in Bolivia, and have been protested against by civil society organisations (Gysel 2016).

In summary, Bolivia has adopted the idea of food sovereignty, but not as an alternative to food security and the right to food. The implementation of the idea of food sovereignty in Bolivia has not been in accordance with the calls made by the food sovereignty movement. Although Evo Morales became the country’s President with the support of indigenous people and small-scale farmers in Bolivia, and these groups were instrumental in getting the idea of food sovereignty adopted by the state, the Morales administration has not implemented food sovereignty as called for by these groups. Food sovereignty in Bolivia has largely been perceived as ensuring national food self-sufficiency, for which the industrial form of mechanised agriculture using agri-chemicals and genetically modified seeds is being promoted. This is against the ideals of food sovereignty as promoted by the food sovereignty movement.

6.5 Conclusion

From the above accounts of food sovereignty practices in Venezuela, Ecuador and Bolivia, it is clear that the call for food sovereignty in these countries was a countermovement to the neoliberal model of development relating to food and agriculture. Therefore, as McKay, Nehring and Walsh-Dilley (2014) argue, the election of leftist leaders, a reinvigorated civil society and anti-imperialist discourse, and increased transnational ties between agrarian movements, which helped illuminate the long-standing rural-urban divide, were some of the reasons for including food sovereignty in the constitutions of Bolivia, Ecuador and Venezuela. However, because food sovereignty is a contested idea and lacks a definitive implementation framework, there have been contentions in operationalising food sovereignty in the stated three countries.
Implementation of the idea of food sovereignty in Bolivia, Ecuador and Venezuela shows that states are not heeding the calls of the social movements that have advanced the idea of food sovereignty. Rather, states are attempting to implement food sovereignty projects, such as public-private partnerships for food production strategies with an emphasis on agricultural modernisation and mechanisation, which are “temporary residual solutions [rather] than a significant restructuring of social relations” as called for by the food sovereignty movement (McKay, Nehring & Walsh-Dilley 2014, p. 1194). More importantly, states are operationalising the idea of food sovereignty in a variety of ways.

When there were contestations in the idea of food sovereignty, how did the countries institutionalise the idea? Was there a common understanding or a compromise between stakeholders in including “food sovereignty” in constitutions and/or national legislation? Or is it that the ambiguity in the idea of food sovereignty provided stakeholders the leeway to accept the idea based on their respective understanding, and to the state to implement it according to its interpretation of the idea? Available literature does not provide clear answers to these questions. In fact, the literature has not delved well into these questions. The literature does not explain the process of institutionalising food sovereignty. Nevertheless, the various mechanisms through which the idea of food sovereignty is being implemented in countries that have formally adopted the idea, provide support to the claim that food sovereignty is indeed ambiguous and could be a potential coalition magnet.

In the next three chapters, I will delve deeper to test the proposition that the idea of food sovereignty is a potential coalition magnet. Taking the case of Nepal, I will examine the process of incorporating food sovereignty into Nepal’s Constitution and other formal documents, and investigate whether the idea of food sovereignty has the three attributes of a coalition magnet.
I will first examine Nepal’s food and agricultural policies over the years, especially after the country started pursuing liberal economic policies. I will then explore the process that led to incorporating food sovereignty into the country’s Constitution and other national policy and planning documents related to agriculture. Finally, I will analyse how Nepal has been operationalising the fundamental right to food sovereignty as stipulated in the Constitution.
Chapter 7
Nepal’s economic reforms and the state of food and agriculture

7.1 Introduction
In the earlier chapters, we saw that the idea of food sovereignty was conceptualised by transnational social movements mainly as a revolt against the commodification of food and agriculture. It was also a reaction against the world’s neglect of the important contributions made by small farmers to food and agriculture. However, we also saw that food sovereignty is not a clear idea and does not have a definitive implementation framework. A brief review of food sovereignty’s adoption and implementation by some Latin American countries in Chapter 6 showed the varied approaches those countries have taken in adopting and implementing the idea of food sovereignty, confirming the claim that food sovereignty is an ambiguous idea. Nevertheless, a common message that emerges from the food sovereignty experience of all Latin American countries is that social movements’ promotion of food sovereignty clearly fits the double movement thesis propounded by Polanyi (2001[1944]). However, the double movement thesis does not provide insights into the process that has enabled states to adopt an ambiguous idea such as food sovereignty, and what purpose the idea of food sovereignty serves.

Nepal has also incorporated food sovereignty into its constitution and agriculture-related plans and policies. In terms of land ownership, the corporatisation of agriculture, and food and agricultural policies, Nepal’s food and agriculture sector is very different compared to that of Latin American countries. Hence, it would be interesting to see whether and how the double movement thesis would apply in the case of Nepal. Moreover, since the double movement thesis alone does not provide answer to states’ adoption of food sovereignty, and
studies have not yet explored this aspect, Nepal’s case might provide an answer to this important question.

In this chapter, I first provide a brief historical overview of Nepal to set the context. Then we will look at the status of, and reform programmes undertaken in, the food and agriculture sector to see whether they provided fertile grounds for the double movement. Did the reform programmes promote food and agricultural trade liberalisation and corporatisation? Were they detrimental to Nepal’s food and agriculture sector? Were there countermovements against the reform programmes? I will discuss both the domestic and international contexts from the perspectives of the agendas put forth by the transnational social movement on food sovereignty to examine whether and to what extent they fit in the case of Nepal.

7.2 A brief historical overview of Nepal

Nepal is a landlocked, least-developed country (LDC) situated between China and India, and has an extremely diverse topography with elevations ranging from 70 metres above sea-level to 8,848 metres—the highest point on earth. The country has an area of 147,181 square kilometres, and hills and mountains cover about 78 percent of its total land mass. Cultivated agricultural land comprises only about 22 percent of the country’s total land area (MoAD 2015b). Agricultural production depends mainly on monsoon rains as round-the-year irrigation facilities are available in a meagre 18 percent of the total cultivable area (MoAD 2015a). Around two-thirds of Nepal’s 30 million people are engaged in the agriculture sector, but the sector contributes only around one-third of the country’s gross domestic product (GDP).

Limited agricultural land, a large population, and lack of adequate rural infrastructure such as irrigation facilities and rural roads, among other things, are considered the major ills affecting Nepal’s agriculture. However, Nepal’s turbulent political journey over two centuries, which witnessed the rise and fall of several regimes, should not be ignored when analysing Nepal’s
economy and society in general, including the state of food and agriculture. The variety of policies and measures adopted by the regimes and governments of different times have shaped Nepal’s food and agriculture sector in the form we see it today.

Nepal’s modern history began in 1768 when King Prithvi Narayan Shah, the then-ruler of the Gorkha Kingdom, conquered the smaller principalities and annexed them to make a single, unified country, Nepal. Since then, and until 2007, his descendants had been on Nepal’s throne, sometimes as direct rulers and as mere figureheads at other times. During the 240 years of monarchy in Nepal, the country witnessed several historic political events, of which I will discuss a few of the important ones below.

In 1846, Jung Bahadur Rana, who was a courtier in the royal palace, took over power in a bloody coup and established the Rana regime that lasted for 104 years. The Rana rulers did not dismiss the Shah Kings, but turned them into mere figureheads from absolute monarchs. Similar to the hereditary monarchy of the Shah Kings, the Ranas also established a system of hereditary transfer of power. Nepal’s development lag is attributed in large part to the autocratic Rana regime as the Ranas served themselves and their family members at the cost of the country and its people.

The Nepali Congress Party, which is the oldest political party in Nepal, was based in India as the Ranas had outlawed political actors and political activities in Nepal. It called for an armed struggle against the Rana regime and launched such a struggle in Nepal. King Tribhuvan, who was on the throne as a figurehead, supported the Nepali Congress Party’s struggle and went into exile to India. Their joint efforts ultimately resulted in the successful overthrow of the Rana regime and the restoration of sovereignty of the crown in 1951 (Riaz

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The Nepal Communist Party, which had been formed in Calcutta in 1949, also played a role, although limited, in the struggle against the Rana regime.\(^\text{24}\)

After the fall of the Rana regime, Nepal became a democracy. In the first parliamentary elections, the Nepali Congress Party secured a two-thirds majority and formed government. However, democracy did not last long. When King Tribhuvan died in 1955, his son Mahendra ascended the throne. In 1960, he dissolved the elected government and parliament, scrapped the constitution and banned all political parties. He introduced the “Panchayat” system and started direct rule.

For the next 30 years, Nepal’s political parties, mainly the Nepali Congress Party and the Communist Party, went underground and fought for the restoration of democracy. Together they launched a massive movement in 1990 and were ultimately successful in restoring democracy later that year. In the first general election after the restoration of democracy, the Nepali Congress Party won a majority of seats, and formed government.

The guiding principle of the Nepali Congress Party is democratic socialism. In accordance with that principle, it had considered its main task in the 1950s “to destroy the feudal order whose traditional strength was based on land ownership and attachment to the power structure” (Mahat 2012). When the Nepali Congress Party had formed government for the first time after the dawn of democracy in Nepal in the mid-1950s, among other things, it moved towards the implementation of land and agrarian reform programmes (Panday 1997).\(^\text{25}\) But the consolidation of power by King Mahendra through the coup d’état put a brake on the programmes that had been initiated or planned.

In the early 1990s, again after the political change, the Nepali Congress Party-led government started the process of economic reform in the country. While keeping the principle of

\(^{24}\) See [http://cpnuml.org/content/prologue.html](http://cpnuml.org/content/prologue.html), viewed 5 November 2017.

democratic socialism intact, it undertook economic liberalisation measures. The argument was that the country would not achieve economic development without capitalist development, and in the then-global context when most of the countries around the world were adopting liberal economic policies, economic liberalisation was essential to achieve democratic socialism (Mahat 2012). The broad economic reform programmes undertaken at that time also included several reforms in the agriculture sector.

Below I discuss the reform programmes undertaken in the 1990s and thereafter until 2006–07, specifically in relation to food and agriculture. I will then examine the implications of these reform programmes. Food sovereignty is against the adoption of liberal economic policies, particularly in the food and agriculture sector. Therefore, analysing the state of Nepal’s food and agriculture before the reforms of the 1990s, and the issues that the reform of the 1990s and thereafter sought to address, is important in analysing Nepal’s food and agriculture sector from the perspective of the double movement.

7.3 Reform programmes of the 1990s

Historically, Nepal’s trade and industrial policies, according to Sharma (2000), can be divided into three distinct phases: i) the free trade regime from 1923 until 1956 when King Mahendra ascended the throne, ii) the protectionist regime during 1956–1985, and iii) the open, liberal regime from 1985–86 onwards. Towards the end of the protectionist regime in 1984–85, Nepal experienced a severe economic crisis with balance of payment deficits for three consecutive years from 1982–83 to 1984–85 due to an unprecedented rise in budget deficit (Khanal et al. 2005). The budget deficit reached 7 percent of the country’s GDP, which was extremely high compared to the budget deficit of 1 percent in the mid-1970s (Sharma 2000). Similarly, the current account deficit had reached 4 percent of GDP, and with international reserves enough to sustain just one month of imports, the country was facing a severe foreign exchange crisis (Khanal et al. 2005; Sharma 2000). Therefore, Nepal negotiated a standby credit arrangement with the International Monetary Fund (IMF), and

Consequently, as suggested by the IMF and the World Bank, Nepal initiated the Structural Adjustment Programme (SAP) in 1986–87 and started adopting liberal economic policies (Karmacharya 2001; Khanal et al. 2005).

After the restoration of multi-party democracy in 1990, the democratically elected government initiated the implementation of the Enhanced Structural Adjustment Facility programme in 1992, and intensified economic liberalisation programmes (Khanal et al. 2005). These were also due to the changing global environment, such as the fall of the Berlin Wall and worldwide calls for liberal economic policies. Moreover, Nepal’s immediate neighbour, India (with which Nepal shares an open border and has special trade relations), had also started pursuing liberal economic policies (Karmacharya 2001; Khanal et al. 2005).

Karmacharya (2001) categorises four reforms as the principal elements of the reforms that Nepal undertook in the early 1990s. They were:

1. Trade policy reform, which included trade liberalisation with the elimination of quantitative restrictions and rationalisation of tariffs,
2. Exchange rate reform, which included current account convertibility of its currency,
3. Reforms in investment policies to attract foreign direct investment (FDI), and
4. Liberalisation of control, which included, among other things, curtailment of prices and distribution controls, deregulation of interest rates, privatisation of state-owned enterprises (SoEs), and allowing determination of agricultural input and output prices by the market along with the phasing out of subsidies on fertiliser and other agricultural inputs.

According to Khanal et al. (2005), reforms in the agriculture sector followed the reforms initiated in exchange rate policy, trade policy, industrial policy, monetary policy, financial policy and fiscal policy. Land reform was an important component of agricultural reforms.
7.4 Reforms in the food and agriculture sector

Nepal was an extremely feudalistic society until the end of the Rana regime. One of the objectives of the government formed after the end of the Rana regime and at the advent of democracy in 1951 was to end feudalism (Mahat 2012). This necessitated carrying out reforms in the agriculture sector, mainly undertaking land reforms. However, it was not an easy task. Political instability with subsequent regime changes made this even more challenging.

To get a better understanding of the reforms in the food and agriculture sector after the 1990s, I first explain the state of food and agriculture and related policies prior to the 1990s. I will then delve into these issues in the period after 1990 until 2006–07. I examine issues and policies related to land, and other agricultural issues and policies, separately.

7.4.1 State of food and agriculture and related policies prior to 1990

After the fall of the Rana regime and the advent of democracy in Nepal in 1951, it was necessary to end feudalism and focus on the country’s overall development to increase people’s livelihoods. At the time, when about 95 percent of the population depended on agriculture and the sector contributed around two-thirds of the country’s GDP, Nepal’s overall development and people’s livelihoods predominantly depended on the agriculture sector (NPC 1956). From 1956, Nepal followed the model of planned development through periodic three-year and five-year plans, which has continued until the present day. These Plans provide insights into the challenges faced by the agriculture sector, and governments’ plans and policies to address those challenges. The highest priority accorded to the agriculture sector is visible in all the Plan documents.
7.4.1.1 Issues and policies on land

During the Rana regime, a large part of Nepal’s land belonged to the Rana rulers, their family members and relatives, and their nobility. The nobles were provided land as Birta.\textsuperscript{26} In 1952, 94 percent of the area under different land tenure was private land of different types, including the Birta (Regmi 1976). However, an estimated 80 percent of the citizens were tenants, some of whom held land, but they all were subordinate to overlords and/or landlords (Regmi 1976, cited in Wily, Chapagain & Sharma 2009). Thus, a huge majority of the people were landless and worked on others’ farms as agricultural labourers under severe, exploitative conditions. The first budget speech of 1952 declared the elimination of the Birta system and the formation of an Agriculture Reform Commission.\textsuperscript{27}

Governments formed after the political regime change in 1951 and after the first general election could not immediately launch a programme to provide land ownership to the tillers. The Plan documents show that governments took a gradual approach to address the land problem. In the first periodic plan that covered the period 1956–1961, the government planned to frame legislation that would place reasonable upper limits on the rents that landlords would be able to collect from tenants (NPC 1956). Accordingly, it enacted the first Land Act in 1958 with this provision. The Plan also stipulated the formation of a high-level Land Reform Commission with members representing all agrarian interests to help the government formulate its land reform policy, and guide its execution. The purpose was to gradually distribute land to the tillers as, in 1960, the revered leader of the Nepali Congress Party, B.P. Koirala, in accordance with his ideology of democratic socialism, asserted that land should belong to the tillers (Wily, Chapagain & Sharma 2009).

\textsuperscript{26} Birta land was provided on the condition that it could be confiscated any time without compensation. This condition always kept intact the trust of the nobles towards the rulers.

\textsuperscript{27} Text of the first budget speech was received through the Ministry of Finance, Government of Nepal. It contains the speech, but lacks other information for a proper citation.
In 1964, a new *Land Act* was enacted, which exists even today, but with a number of amendments made thereafter. The Act provided for the imposition of ceilings on land ownership and on tenancy holdings, and security of tenancy rights, among others (*The Lands Act* 1964). The excess land that the state would be able to draw on by enforcing the land ceiling was to be redistributed to needy farmers. But in practice, according to Wily, Chapagain and Sharma (2009), the provision on land ceilings was weakly enforced and little land was redistributed.

Land reforms were considered essential not only from a social point of view, but also from an economic point of view. Providing tenancy security, and fixing rents and interests initially, and later providing land ownership to tenants, were assumed to provide incentives to the tenants to increase agricultural production that would contribute immensely to the country’s economy (NPC 1962). It was also necessary, according to planners, to modernise Nepal’s agriculture. However, the gaps in land reform plans and their actual implementation did not bode well in realising both social and economic objectives. Despite the reforms undertaken, there was no significant difference in land-holding patterns (Table 7.1). Even in 1981–82, more than four-fifths of land holdings were less than two hectares in size, and covered only about 40 percent of the total land area.
Table 7.1: Distribution of land holding and area, 1961–1982 (in percent)

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<tr>
<td></td>
<td>Holding</td>
<td>Area</td>
<td>Holding</td>
</tr>
<tr>
<td>0.1–0.2</td>
<td>56.2</td>
<td>11.9</td>
<td>62.7</td>
</tr>
<tr>
<td>0.5–1.0</td>
<td>18.8</td>
<td>12.2</td>
<td>14.9</td>
</tr>
<tr>
<td>1.0–2.0</td>
<td>11.9</td>
<td>15.4</td>
<td>11.1</td>
</tr>
<tr>
<td>2.0–3.0</td>
<td>5.2</td>
<td>11.7</td>
<td>5.0</td>
</tr>
<tr>
<td>3.0–4.0</td>
<td>2.7</td>
<td>8.6</td>
<td>2.3</td>
</tr>
<tr>
<td>4.0–5.0</td>
<td>1.5</td>
<td>6.2</td>
<td>1.2</td>
</tr>
<tr>
<td>More than 5.0</td>
<td>3.6</td>
<td>34.1</td>
<td>2.8</td>
</tr>
<tr>
<td>Concentration index</td>
<td>0.64</td>
<td>0.63</td>
<td>0.65</td>
</tr>
</tbody>
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In view of no significant achievement of the land reform programme until the mid-1980s, the Seventh Plan (1985–1990) encouraged the adoption of commercial farming through introducing a system encouraging land owners to provide their land on contract or rent, controlling the fragmentation of additional land, developing land in blocks, and encouraging individuals and firms to cultivate commercially (NPC 1985). I discuss the effects of these policies in later sections when looking at the period after 1990.

7.4.1.2 Other issues and policies

The importance of agriculture to Nepal in the period covered in this section was in meeting the country’s growing demand for food, as well as in raising the level of its exports. Food grain was the primary export of the country at that time with 60 percent of the income from exports derived from the export of food grains alone (NPC 1965). Hence, agricultural development was the most important priority area. All the periodic plans from 1956 to 1990 identified the lack of agricultural modernisation as one of the most important challenges facing Nepal’s agriculture. They identified the lack of use of new plant varieties, lack of use of modern agricultural tools and techniques, and the subsistence mode of agricultural production, among other things, as holding back Nepal’s agriculture from realising its full
potential. Similarly, low agricultural productivity, a higher population growth rate compared to the growth rate of agricultural production, increased population pressure on cultivable land due to the lack of industrial development, erratic weather conditions, lack of irrigation facilities, lack of credit to farmers, and so on, were other problems of the agriculture sector (NPC 1956, 1962, 1965, 1975, 1980, 1985).

To address these problems and challenges, governments laid out various plans and policies in different plan periods. Mostly, they emphasised the use of modern agricultural tools and techniques. The Third Plan (1965–1970) envisaged establishing the Agricultural Supply Corporation as a government entity for the purpose of providing improved seeds, fertiliser and modern agricultural tools to farmers (NPC 1965). The Corporation was established immediately in 1965, and was separated into two entities—the Agriculture Inputs Corporation (AIC) and the Nepal Food Corporation (NFC)—in 1974 (ANZDEC 2002). The AIC had three objectives: i) importing chemical fertilisers from the international market and distributing them throughout the country; ii) producing and processing recommended improved varieties of seeds and distributing them throughout the country; and iii) importing, locally procuring, and distributing agricultural chemicals and implements whenever the need arose (ANZDEC 2002). Hence, the use of chemical fertilisers, improved seed varieties and modern farming tools were emphasised with the idea of increasing agricultural production and productivity, and modernising agriculture. Such policies continued in every plan period until the Sixth Plan (1980–1985), which, despite emphasising modern farming techniques, discouraged mechanised farming and encouraged labour-intensive methods (NPC 1980). This was out of fear that mechanisation would displace people from farms, and the Nepali economy did not have the capacity to absorb displaced people into the underdeveloped manufacturing and services sectors.

Although agriculture was given the highest priority and food production was emphasised for self-consumption as well as for exports, food shortages in the hills and mountains were a
perennial feature. This became more acute prior to the 1990s due to transportation difficulties. The surplus foodgrain from the Tarai\textsuperscript{28} used to be exported to India instead of being supplied to the hills and mountains of Nepal (Pyakuryal, Roy & Thapa 2010). The First Plan had emphasised that every district needed to be self-sufficient in food to the extent possible (NPC 1956). This did not materialise, but the policy of self-sufficiency continued. The Seventh Plan set a target of 10 years for the hills to become self-sufficient in food grain production (NPC 1985). Meanwhile, the government undertook programmes to distribute food grains from surplus to deficit districts. At the same time, it was also engaged in exporting food grains through SoEs.

Along with promoting increases in food grain production, cash crop production was also emphasised. This was in accordance with the objective of developing the industrial sector, which would mostly be agro-based, such as sugar and tobacco industries, and would therefore need cash crops as raw materials. However, production targets for food crops and cash crops varied significantly over the different plan periods. The Third Plan target of increasing production of food grains by 15 percent and cash crops by 73 percent had been reduced to 4.3 percent and 5.2 percent, respectively, by the time of the Seventh Plan (NPC 1965, 1985). Higher targets for increases in cash crop production in the initial years were due to the low base of cash crop production in earlier years.

The Government’s promotion of cash crops for industrial development was a well-thought-out policy since industrial development was essential to transfer human and capital resources from agriculture to other sectors. In choosing cash crop production over food crops, the idea was that farmers could earn more income from cash crops, which they could use to buy food from the market. However, there were mainly two implications of this policy. First, cash

\textsuperscript{28} The Tarai is the southern flat land of Nepal, which is the most ideal for agriculture due to its geography. It is considered the country’s food basket as this region accounts for the major part of cereal production, most importantly rice, which is the major staple food.
crops for industrial purposes would have to be produced from larger swathes of land owned by bigger farmers. Hence, only bigger farmers would benefit from the production of cash crops. Second, given the country’s topography, large swathes of land were in the Tarai, which was also the area that produced the majority of food grains, especially rice. Hence, production of cash crops would significantly reduce the production of food crops. The government might have devised the policy with the intent of increasing the production of both food crops and cash crops to ensure both agricultural and industrial development. However, it does not seem that the trade-offs and implications of the policy were carefully analysed.

Also, to incentivise farmers, the government adopted a policy of ensuring fair prices for agricultural products by fixing minimum purchase prices of principal food crops such as paddy, wheat, maize and lentils, and cash crops such as cotton, oilseeds, jute, tobacco, sugarcane and cardamom (NPC 1980). Similarly, agricultural subsidies were provided in the form of grants to the Agriculture Development Bank to meet the administrative costs associated with providing credit to farmers, transporting improved seeds and chemical fertiliser to the hilly region, purchasing chemical fertiliser, providing loans to install shallow tube-wells, and so on (NPC 1975).

The agricultural subsidies exerted huge pressure on the government exchequer. Moreover, the bigger farmers were especially benefiting from the subsidies, compared to the smaller farmers. Therefore, the Sixth Plan envisaged abandoning subsidies on chemical fertilisers and selling them at cost price. In the same vein, the Seventh Plan planned to gradually reduce prices and transport subsidies present in the sale and distribution of chemical fertiliser. It also planned to engage the private sector and cooperative organisations in the sale and distribution of agricultural inputs. Plans to withdraw agricultural subsidies and open the agricultural inputs market to the private sector were made with the idea of lessening government support to the agriculture sector and increasing the role of the market.
However, the plan was not implemented immediately. The government continued to provide support to the agriculture sector to attain self-sufficiency. In 1987, during the Seventh Plan period, the government launched the Basic Needs Programme (BNP) as a long-term action plan stressing the fulfilment of people’s basic needs through self-sufficiency to the largest extent possible (World Bank 1990). The major attention of the BNP was in increasing food production to attain national self-sufficiency in staple foods: food grains, pulses and potatoes. To attain this, the government devoted two-thirds of the prospective investments under the programme to the agriculture sector, although in the Sixth Plan it had envisaged reducing some agricultural subsidies. To meet the basic needs target in other areas such as clothing and shoes, the government designed supplementary programmes in non-food crops and livestock products. A target was set to be self-sufficient even in cotton (NPC 1985) although cotton is not a product of comparative advantage to Nepal; indeed, it does not even feature in Nepal’s agricultural statistics.

The targets set in the BNP, along with the investments necessary to achieve them, were too ambitious (World Bank 1990). Against a backdrop of policy and institutional constraints, and a lack of adequate technical and administrative implementation capacities, the BNP could not achieve its objectives (World Bank 1990). What it demonstrated, however, is that the government wanted to attain self-sufficiency in food. This aligned with the idea of national food sovereignty, although the idea of food sovereignty only surfaced prominently on the world stage later.

In setting its food and agricultural policies, Nepal was not working alone, however. It was aware of global events regarding food and agricultural issues. As far back as the early 1960s, Nepal was aware of the “free from hunger movement” that was ongoing in the world (NPC 1962). Nepal’s focus on increasing cereal production, and the awareness of the need to have a food policy to raise food and nutritional standards to meet the objectives of the “free from hunger movement”, was inspired by, among other things, this global movement (NPC 1962).
Thus, prior to the 1990s, problems in the agriculture sector in relation to land and other issues were identified. Accordingly, different plans and policies prioritised agricultural development. However, the situation of agriculture did not alter much. While adverse weather conditions and lack of irrigation facilities and inadequate infrastructure were identified as the major reasons for the low performance of Nepal’s agriculture sector, internal administrative factors, such as a lack of timely administrative decisions, were also to blame (NPC 1975, 1980). Most importantly, the agricultural plans and policies could not bring about improvements in the lives of small farmers and peasants.

7.4.2 State of food and agriculture and related policies (1990–2007)
The Nepali Congress Party won the first general election with an absolute majority after the restoration of democracy in 1990 and formed government. On the economic front, it adopted a liberal policy. A leader of the Party, who is considered one of the main architects of Nepal’s liberal economic policy, argues that the country’s path to economic liberalisation is in line with the party’s ideology of democratic socialism (Mahat 2012). He claims that liberal economic policies have been pursued to increase the size of the economic pie, so that the gains are bigger, and can be redistributed to the people at large. He argues that the exponential rise in the country’s revenue and the impressive improvements in Nepal’s social indicators after 1990 are evidence of his claim (Mahat 2005, 2012). There are others, however, who argue that the Nepali Congress Party has drifted somewhat from its democratic socialism ideology (Panday 1997), and that Nepal’s adoption of liberal economic policies was a major reason for some of the country’s socio-economic problems, including in the agriculture sector (Deraniyagala 2005; Sugden 2009). If this were true, it would instigate a backlash from those who were dependent on the agriculture sector and had been benefiting

29 Also see his interview, https://www.youtube.com/watch?v=NO14eW3KXHo, viewed 7 September 2017.
from the different kinds of government support to the sector. We will return to this in later sections.

The Eighth Plan was the first five-year plan after the restoration of democracy in Nepal. As in the previous plans, agriculture received priority in the Eighth Plan, too. The following quote from the Plan illustrates the idea of the government to develop the agriculture sector, keeping in view the country’s social realities (NPC 1992):

[T]he pronouncement of late B.P. Koirala, ‘Plans or budgets should be formulated with the peasant in mind … every Nepali should have a small house to live in and a milk cow in the court yard’, will serve as the guideline in making decisions concerning development programmes in the Eighth plan.

In the sections below, I analyse the reforms undertaken in the agriculture sector, separately on land reforms and other agricultural reforms, in the post-1990 period.

7.4.2.1 Land reforms
Two major problems concerning land after 1990 were dual ownership and the retention of large landholdings by some people. The Eighth Plan viewed land as a sensitive issue, and the lack of adequate data on land had made land reform programmes ineffective (NPC 1992). The Plan envisaged taking a market-oriented approach with public participation rather than the use of government authority or coercion to further the land reform programme. Instituting appropriate tax systems to discourage retention of large landholdings, and providing loans to the landowner or the tenant to purchase the other’s land in order to end dual land ownership, were some of the ideas that the Plan had envisaged for land reforms. Compared to the past, these were different approaches to undertake land reform.

In 1994, the Communist Party of Nepal (Marxist-Leninist), which later became the Communist Party of Nepal (United Marxist-Leninist), or CPN (UML) for short, formed government. It was short-lived, however, lasting only nine months. This government is credited with adopting some important social welfare programmes and taking steps to bring
about reforms in some socio-economic areas (Khatiwada & Koehler 2014), but the opposition parties decried such measures as rhetorical, alleging that they were mere acts of populism (Hachhethu 2006).

One of the measures the CPN (UML) government undertook in relation to socio-economic reforms was related to land reform. The CPN (UML) government constituted a High Level Commission, the Badal Commission, to suggest measures for land reform as land reform measures initiated decades ago had not been successful. After a few months, the Commission provided its recommendations to the government. Its main recommendations included significantly lowering land ceilings, abolishing tenancy completely, converting most of the religious land (Guthi) into private land, liberating bonded labourers, and establishing floors against land fragmentation (Wily, Chapagain & Sharma 2009). However, the recommendations were not implemented as the CPN (UML) government was short-lived, and there was also a lack of political will in implementing the recommendations (Adhikari 2011; Sharma, Upreti & Müller-Böker 2014).

In 2001, after the Maoists intensified their armed revolt, the government, led by the Nepali Congress Party, announced a land reform programme with the intention to divert the support of small farmers to the Maoist rebels (Adhikari 2011; Sharma, Upreti & Müller-Böker 2014). The government lowered the land ceilings compared to the Land Act 1964, although not to the extent proposed by the Badal Commission (Table 7.2). However, as in the past, the revised ceilings were not implemented in earnest. The time lag between proposals of the Badal Commission and revision of the land ceilings provided ample time to people with land above the ceilings to manoeuvre. Aware of such acts, the government mobilised investigative commissions in different parts of the country, but did not act on the findings. As a result, only 0.47 percent of the total holding area, or 0.85 percent of the actual cultivated area of land, could be obtained through the imposition of revised ceilings (Wily, Chapagain & Sharma 2009).
Table 7.2: Land ceilings under the Land Act 1964, proposed by the Badal Commission and revised by the government in 2001

<table>
<thead>
<tr>
<th>Region</th>
<th>Land Act 1964</th>
<th>Badal Commission</th>
<th>Revised in 2001</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarai</td>
<td>18.7 ha (28 bigha)</td>
<td>3 ha (4.5 bigha)</td>
<td>7.4 ha (11 bigha)</td>
</tr>
<tr>
<td>Kathmandu Valley</td>
<td>2.9 ha (58 ropani)</td>
<td>1 ha (20 ropani)</td>
<td>1.6 ha (30 ropani)</td>
</tr>
<tr>
<td>Hills and Mountains</td>
<td>4.8 ha (96 ropani)</td>
<td>2 ha (40 ropani) in hills</td>
<td>3.8 ha (75 ropani)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 ha (80 ropani) in mountains</td>
<td></td>
</tr>
</tbody>
</table>

Source: Sharma, Upreti and Müller-Böker (2014); Wily, Chapagain and Sharma (2009).

Wily, Chapagain and Sharma (2009) state that, as per government surveys, there was a decrease in land concentration from the early 1990s onwards as holdings of land measuring 0.1–0.2 hectares fell from 50.3 percent of total holdings in 1981–82 to 9.8 percent in 1991–92 and 7.8 percent in 2001–02. Similarly, holdings of land measuring more than five hectares fell from 3.4 percent in 1981–82 to 1.5 percent in 1991–92 and further to 0.7 percent in 2001–02. There was also a rise in the number of registered holdings from 1.54 million in 1961 to 2.8 million in 2001, which shows an increase in land ownership. However, given that only a little land was obtained from the imposition of land ceilings, there is doubt as to whether there was really a de-concentration of land (Wily, Chapagain & Sharma 2009). Also, the increase in land ownership might not be genuine and due to the reforms. There could be other reasons for this such as sub-division of the land among family members, particularly to children, and purposive redistribution among the better-offs to conceal large holdings (Wily, Chapagain & Sharma 2009). This suggests the complexity of land reforms in Nepal.

Other than land distribution, the Ninth and Tenth Plans emphasised additional reforms in relation to land. These included plans to adopt legal measures to stop further fragmentation of land beyond a certain ceiling, to abolish the system of bonded labourers on farms and distribute land to freed bonded labourers, and to develop an effective, trustworthy and qualitative land utilisation and management system in the country (NPC 1997, 2002). Some of these reforms, such as freeing bonded labourers, were fully implemented while the others,
such as stopping further land fragmentation, were not effectively implemented. Overall, there was some achievement in land reform, but contestations remained in relation to landlessness, functional landlessness, dual land ownership, and unequal distribution of land.

One of the important policies the government undertook in 2004–05 was providing a 10 percent rebate for the land registration fee for women to increase female ownership of land (MoF 2004). The next government formed after the royal takeover found positive effects of this policy, and to make it even more effective, raised the rate of rebate to 20 percent (MoF 2005). Subsequent governments have continued the policy, and it has had a small, positive effect on land de-concentration and addressing gender inequality in land ownership.

Therefore, some efforts had been made to bring about land reforms, even if due to political compulsion. But these efforts have not been enough. Landless and functionally landless people have held resentments against all governments for not seriously addressing the land problem.

7.4.2.2 Other reforms
The interim government formed after the political regime change in 1990 sought to increase the role of the private sector in agriculture. This occurred during a wave of privatisation globally, and the Government of Nepal initiated the process of privatising many SoEs. The government planned to include five government-owned agricultural farms in the list of SoEs to be privatised (NPC 1992). The Agriculture Input Factory was privatised during the Eighth Plan period. This was done because the government deemed the development of a market-oriented production pattern to be a necessary condition to achieve growth in the agricultural sector.

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30 Functional landlessness is defined as a person’s state of having extremely limited land, not enough even to subsist on. According to Wily, Chapagain and Sharma (2009), by the end of the Tenth Plan period, at least 50 percent of the rural households in Nepal had insufficient farmland even to subsist from, while 3 percent of the landowners held 17.3 percent of the private farm area.
Similarly, until the Seventh Plan, “food security” *per se* was not mentioned in the Plan documents. It was assumed that food security would be taken care of by increasing the production of food crops. Emphasis was placed on the production of cash crops as well. The idea was that cash crops would give higher returns to farmers and the market would take care of their food needs. During 1989–90 to 1991–92, the cultivation area, production and productivity of major food crops had decreased while that of cash crops had increased (MoAD 2015b). It was in the Eighth Plan that programmes to achieve food security were categorically stated for the first time, though briefly (NPC 1992). The Eighth Plan sought to transform the farming system, which was operating on a self-sufficiency basis owing to the BNP, by diversifying agricultural production. It sought to bring about changes in the traditional food-crops-oriented production system by also identifying and promoting high-value and low-weight crops having comparative advantage such as fruits and vegetables, and industrial crops such as jute and sugarcane. Such an emphasis was laid with the aim of raising farmers’ incomes to build their capacity to buy food from the market, and also to support industrialisation by providing agricultural raw materials. The Eighth Plan, which was the first five-year periodic plan after the restoration of multi-party democracy in 1990, identified agriculture commercialisation to be at least equally as important as increasing food production to address food insecurity.

In addition, the reform programme of the 1990s in relation to agriculture focused on improving the supply of agricultural inputs, which was a continuation of earlier programmes. However, some of the strategies adopted this time were different. Assessing that the major problem regarding chemical fertiliser was the lack of timely availability rather than prices, the Eighth Plan envisaged introducing a distribution system that would ensure timely availability of chemical fertilisers at cost price, and gradually reducing subsidies on fertilisers. It also sought to discontinue subsidies on the prices and transportation of improved seeds, fruit saplings and improved breeds, and abolish the subsidies on interest loans. These
were planned to encourage the participation of the private sector in the import and distribution of fertilisers, and provision of other agricultural inputs such as improved seeds and saplings (NPC 1992).

The elimination of subsidies started in 1992 and they were completely eliminated in 1998. According to Khanal et al. (2005), there were four major reasons for the elimination of subsidies: i) the fertiliser subsidy, together with the distribution monopoly, had created supply bottlenecks and consequently pent-up demand; ii) subsidies were biased in favour of big farmers; iii) subsidies had put severe pressure on the treasury; and iv) subsidised fertiliser spilled over to India through the open border. But after the discontinuation of subsidies, the supply of chemical fertiliser, improved seeds, plants and high breeds did not improve during the Eighth Plan period from both a qualitative and quantitative point of view (NPC 1997).

Considering there had been a lack of a clearly defined strategy and a lack of well-focused action in agriculture in the past, which had hampered development efforts, the government launched the Agriculture Perspective Plan (APP) in 1995 to provide a long-term strategy for agriculture development for 20 years from 1995–96 to 2014–15. In his Foreword to the APP, the then-Prime Minister Man Mohan Adhikari, who was also the Chairman of CPN (UML), stated (APROSC & JMA 1995),

> The APP lays out the strategic focus and the prioritized productivity package essential for a holistic and sustainable development of the agricultural and rural sector…the APP in fact embodies a development strategy to transform the entire economy.

The APP had identified four reasons for the deficiency in Nepal’s agricultural production: i) fertiliser policies that held fertiliser growth below its potential and failed to satisfy effective demand, ii) ill-targeted irrigation investment, iii) poor road infrastructure, and iv) an agriculture technology system ill-prepared for high growth agriculture (APROSC & JMA 1995). Accordingly, on the input side, it prioritised well-controlled, year-round irrigation, expansion in fertiliser use by reducing subsidies and promoting private sector participation in
fertiliser trade, development, improvement and dissemination of agricultural technology suitable for Nepal, and provisioning of roads and electricity in rural areas. On the output side, the focus was on growth of the livestock sector and high-value crops, and on agribusiness development. All these were based on the APP’s strategy of a “technology-based green revolution” (APROSC & JMA 1995, p. 5).

The APP became the basis for the Ninth Plan on agriculture. Hence, the Ninth Plan emphasised raising agricultural productivity through resource utilisation, providing irrigation facilities to most of the agricultural land by using low cost technology, increasing the per hectare use of fertiliser, enhancing the utilisation of available agricultural technology, keeping up the comparative advantage of location-specific technology, raising livestock productivity by upgrading animal health, constructing more agricultural roads and increasing the supply of electricity for facilitating private entrepreneurs and enhancing their competitiveness (NPC 1997).

Because of the predominance of agriculture in Nepal’s economy, the APP was also considered the basis to achieve a long-term high economic growth rate. Accordingly, the Ninth Plan placed an emphasis on green revolution in agriculture based on improved technology. Following up on the Eighth Plan, it also focused on agricultural specialisation and comparative advantage. The emphasis placed on agriculture commercialisation was to benefit from Nepal’s memberships in the multilateral and regional free trade agreements (FTAs) (NPC 1997).

Moreover, the Ninth Plan sought to address food insecurity in certain parts of the country by launching the “food for work” programme. Under the programme, people would be employed in various infrastructure development works and provided food grain instead of cash wages. In doing so, the Plan emphasised the procurement of food grain from local sources in the country (NPC 1997). The idea was to link local agricultural development with infrastructure
development, and also address food insecurity. However, the actual implementation of the plan did not proceed accordingly. The programme was implemented, but the food grain to be provided as wages was received through foreign donations rather than procured from local sources (Meagher, Upadhyaya & Wilkinson 2000). The programme also suffered from corruption.

The Government of Nepal’s priority for the agriculture sector continued in subsequent periodic plans. The Tenth Plan, which was also called the Poverty Reduction Strategy Paper (PRSP), identified that the concentration of poverty in rural areas compared to urban areas was due to a low agricultural growth rate (NPC 2002). To achieve high growth in agriculture, the plan continued with the government’s earlier emphasis on agriculture commercialisation and liberal market-oriented policy. It sought widespread participation of the private sector in making quality agricultural inputs available. At the same time, it also encouraged small farmers’ groups and community-based organisations in remote areas of the country to participate in these activities. The Plan sought to expand seed self-sufficiency programmes at the district level. Additionally, in view of the environmental harms of unbalanced and over-use of chemical fertiliser, it sought to encourage the private sector and cooperative organisations to produce organic fertiliser, popularise the use of organic fertiliser, and promote balanced and appropriate use of chemical fertiliser.

To address food insecurity in food-deficit, remote districts, the Plan emphasised the production and use of locally important crops, which also had export potential (NPC 2002). It also envisaged carrying out a massive campaign to increase food productivity in food-scarce areas through the use of quality inputs. Therefore, the Tenth Plan seemed to have taken an approach of engaging the private sector in agriculture development and commercialisation, but also of encouraging and strengthening local, traditional and organic agriculture. However, the plan remained only on paper and did not materialise as expected.
At the turn of the new millennium, the government felt the need to have a new agricultural policy retaining the basic aspects of the APP due to the country’s move towards economic liberalisation and to achieve the millennium development goals (MDGs) (MoAD 2004). Hence, it launched the National Agricultural Policy (NAP) in 2004. Like the APP, the NAP envisioned transforming Nepal’s subsistence-oriented farming system into a commercial and competitive farming system and had almost similar priorities as the APP. Nevertheless, it differed in some ways, especially regarding the approach to be taken in formulating and implementing agricultural plans and policies. While the APP followed a top-down approach, the NAP had a policy of entrusting local bodies the task of formulating, implementing and monitoring agricultural plans suitable to local needs and priorities. It also sought to raise the participation of women up to 50 percent in all possible operations of agricultural programmes. Another important feature of the NAP was targeting small and marginal farmers and providing them with special facilities such as access to land and making available food in food-deficit areas, with the participation of local bodies. In summary, the NAP sought to focus on local agriculture development and address the concerns of small and marginal farmers, unlike in Latin America, while also encouraging the adoption of new agricultural technologies, private sector participation in the agriculture sector, and agriculture commercialisation to benefit from the liberal economic policies the country had adopted.

Thus, the NAP adopted a holistic approach to agriculture development and food security by trying to accommodate the concerns and interests of big land-owning farmers, small and marginal farmers, landless farmers, and people living in food-deficit areas. It demonstrates that Nepal’s agricultural problems are not due to the lack of ideas, plans and policies, but due to the lack of their implementation. The problem lies in the difficulty of balancing the objective of agriculture modernisation and commercialisation on the one hand, and addressing the concerns of subsistence-oriented small farmers and peasants on the other.
7.5 Implications of the agricultural reform programmes of the 1990s

Of the various reforms undertaken in the food and agriculture sector in the 1990s, the most contentious was the withdrawal of different agricultural subsidies. According to Khanal et al. (2005), the withdrawal of subsidies on fertilisers and shallow tube-wells raised the price of these items, leading to reductions in the use of fertilisers and in the installation of shallow tube-wells. Official figures showed that the average distribution of fertiliser in the second half of the 1990s declined to 133,000 tons against the distribution of 165,000 tons in the first half. In terms of nutrient use per hectare, the nutrient use of 21.9 kg/ha during the first five years of the 1990s reduced to 16.4 kg/ha in the second half (ANZDEC 2002). However, a survey among farmers on fertiliser use gave a different picture. It suggested that in 2000–01, nutrient use per hectare increased significantly to 58 kg/ha from 35 kg/ha in 1997–98, against the official figure that showed an increase from 13 kg/ha in 1997–98 to 17 kg/ha in 2000–01 (ANZDEC 2002). Moreover, the increase in the use of fertiliser was not only found among richer farmers; farmers at the bottom of the social pyramid also increased their use (Table 7.3). One area of common agreement regarding the participation of the private sector in fertiliser import and distribution was that the private sector did not maintain the quality of fertiliser; the fertiliser they sold was of inferior quality, thus affecting agricultural production and productivity (ANZDEC 2002; Khanal et al. 2005; Sharma 2005).

<table>
<thead>
<tr>
<th>Year</th>
<th>First quintile</th>
<th>Fifth quintile</th>
</tr>
</thead>
<tbody>
<tr>
<td>1997–98</td>
<td>23.3</td>
<td>243.8</td>
</tr>
<tr>
<td>1998–99</td>
<td>30.4</td>
<td>291.7</td>
</tr>
<tr>
<td>1999–00</td>
<td>33.1</td>
<td>340.9</td>
</tr>
<tr>
<td>2000–01</td>
<td>38.8</td>
<td>383.9</td>
</tr>
<tr>
<td>Average annual growth (%)</td>
<td>18.5</td>
<td>16.3</td>
</tr>
</tbody>
</table>

Source: ANZDEC (2002).
Regarding shallow tube-wells, after the withdrawal of subsidies, there was significant reduction in the installation of shallow tube-wells. In 1998–99, 6,800 shallow tube-wells had been installed, which reduced to less than 2,000 in 1999–2000 against the target of 8,800. In 2000–01, the number of installed shallow tube-wells was even less at below 500 against the target of 4,300 (ANZDEC 2002). Withdrawal of subsidies on shallow tube-wells was a major concern since shallow tube-wells constituted one of the centrepieces of the APP strategy.

After the withdrawal of the subsidies, there were concerns that Nepali farmers had to bear the twin effects of rising input prices and declining output prices as they had to compete with highly subsidised agricultural imports, mainly rice and wheat, from India (see Table 7.4), which had dampened prices in Nepal (Khanal et al. 2005; Khatiwada 2006).
Table 7.4: Distribution of fertiliser and electricity subsidies for key crops in India in 2004

<table>
<thead>
<tr>
<th>Crop</th>
<th>Percent of total subsidy</th>
<th>Subsidy as percent of gross value of production at:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Domestic price</td>
</tr>
<tr>
<td>Rice</td>
<td>37.1</td>
<td>18.3</td>
</tr>
<tr>
<td>Wheat</td>
<td>35.2</td>
<td>27.2</td>
</tr>
<tr>
<td>Maize</td>
<td>2.1</td>
<td>9.3</td>
</tr>
<tr>
<td>Sorghum</td>
<td>1.8</td>
<td>12.4</td>
</tr>
<tr>
<td>Chickpea</td>
<td>2.7</td>
<td>11.4</td>
</tr>
<tr>
<td>Groundnut</td>
<td>2.7</td>
<td>8.4</td>
</tr>
<tr>
<td>Rape/mustard seed</td>
<td>4.5</td>
<td>11.7</td>
</tr>
<tr>
<td>Soybean</td>
<td>1.1</td>
<td>4.3</td>
</tr>
<tr>
<td>Sunflower seed</td>
<td>0.5</td>
<td>8.8</td>
</tr>
<tr>
<td>Sugar</td>
<td>6.6</td>
<td>12.5</td>
</tr>
<tr>
<td>Cotton</td>
<td>5.6</td>
<td>13.2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
<td><strong>16.9 (average)</strong></td>
</tr>
</tbody>
</table>

Note: The total value of the input subsidies for these 11 crops in 2004 was USD7.8 billion, of which USD1.9 billion was for fertiliser and USD5.9 billion for electricity.


ANZDEC (2002) also found that in 1999–2000, the price of rice in bordering Indian markets was 12 percent lower than in Nepal’s bordering markets. However, it argued that richer farmers in Nepal had been especially affected by the lower prices because 85 percent of the farmers in the highest quintile and only 6 percent in the lowest quintile sold rice. Moreover, 60 percent of the farmers in the lower three quintiles sold only 11 percent of the total marketed surplus of rice against 89 percent of the total marketed surplus sold by the 40 percent of farmers in the upper two quintiles. Also, most of the poor farmers were engaged in subsistence agriculture and, therefore, were not affected by the price differences. Farmers who had to buy rice, as well as urban consumers, gained from the lower rice prices.
(ANZDEC 2002). Therefore, it was argued, the major issue was not the withdrawal of subsidies, but rather addressing the problems in the agriculture sector that were holding it back from realising its true productivity potential.

Overall, Sharma (2005) notes that the liberalisation measures and the APP caused the per capita agriculture GDP growth rate to rise from –0.5 percent in the early 1990s to 0.7 percent in the late 1990s. There were also other gains such as an increase in agricultural productivity, better access to the fertiliser market, and positive changes in the public food distribution system due to the organisational reform of the NFC. These could be the reasons that there were almost no organised movements against the liberalisation measures that were adopted in the food and agriculture sector. However, there were resentments among farmers that were affected by the withdrawal of subsidies on fertilisers and shallow tube-wells.

### 7.6 Food aid and public distribution system

Nepal receives food aid from different countries. Japan and the United States (US) are the two major food aid providers to Nepal. As shown in Figure 7.1, food aid received by Nepal over the years has been increasing, although there have been fluctuations. The World Food Programme (WFP) manages and distributes most of the food received as aid by Nepal. The NFC, which is a government entity under the Ministry of Commerce and Supplies and operates the public food distribution system, also manages some of the food received as aid.

**Figure 7.1: Food aid received by Nepal**

![Food aid received by Nepal](image)

Source: Food Aid Information System, World Food Programme.
The NFC was established under the *Corporation Act 1965* as a part of the Agriculture Supply Corporation (ASC). In 1974, the ASC was divided into two separate entities: the AIC and the NFC. The objectives of the NFC were to i) provide a floor price to farmers in less accessible areas of the country, ii) provide food to consumers at fair prices, iii) intervene in the food grain market to stabilise prices, iv) hold food stock to improve food security, and v) manage emergency and regular food aid received from foreign donors (ANZDEC 2002). The principle behind the establishment of the NFC was to provide a safety net to the vulnerable population, especially in the remote areas of the hills and mountains (Pyakuryal, Roy & Thapa 2010). However, for a long period, the NFC was engaged in distributing the majority of subsidised food grains in accessible and urban areas, thus distorting the food grain market (ANZDEC 2002). In fact, from the mid-1970s to the mid-1990s, the NFC emphasised distributing subsidised food in Kathmandu, which thus consumed about half of the total food supplied by the NFC (Pyakuryal, Roy & Thapa 2010). On the one hand, this was against the major objective of catering to the food needs of citizens in remote food-deficit districts, and on the other, subsidies to transport food grains were adding hugely to the government exchequer. Food distributed in remote areas was also not properly targeted to benefit the needy. Government officials and people who had political connections were the main beneficiaries of NFC’s food distribution (Khadka et al. 2014; Pyakuryal, Roy & Thapa 2010).

Therefore, under the Second Agricultural Programme Loan from the Asian Development Bank, the government agreed to reorganise the operations of the NFC. This included i) NFC’s withdrawal from the subsidised distribution of food grains to urban and accessible areas, including Kathmandu, ii) the gradual phasing out of subsidised food grain distribution, and iii) limiting NFC’s activities to the delivery of food grains to remote areas (ANZDEC 2002). Accordingly, the NFC started distributing subsidised food grains to inaccessible areas, and selling food grains at commercial rates, though below the market price, in accessible areas, especially in Kathmandu. It closed its sales depots in 29 districts in non-remote areas,
bringing down the number from 135 to 67, downsized its operations and staff, and relied more on open market operations for the procurement of food grains (Pyakuryal, Roy & Thapa 2010). Reforms undertaken in the NFC also resulted in a rise in the proportion of food grains distributed to remote areas. The proportion of food grains distributed in the remotest areas of the country increased from 14.5 percent in 1994–95 to 39.6 percent in 1998–99, and in moderately remote areas, it increased from 12.4 percent to 18.8 percent during the same period (Sharma 2005).

The WFP also distributes food in remote hilly districts, but unlike the NFC, it distributes food based on programmes such as food-for-work and food-for-education. It also engages in food distribution during emergencies.

Food aid and the public distribution system in Nepal have helped ease food insecurity to some extent, especially in remote areas, but there are contentions regarding their effectiveness and sustainability. NFC provides only about 12 kg of rice per person per year in the remote areas where it distributes government-subsidised food grains. This is extremely modest. Moreover, needy households do not have access to the food distributed by the NFC. The WFP is criticised for spending a huge amount of money in airlifting food grains for distribution. It is also blamed for distributing food of inferior quality. Most importantly, although food aid and public distribution have been regarded as important during emergencies, relying on them persistently is likely to have increased dependency, marginalised agricultural and rural development agendas, and ignored the building of strong foundations for sustainable food security (Khadka et al. 2014). The economic reform measures sought to bring about reforms in the NFC as discussed earlier, but did not seek alternatives to food aid in general. Alternatives could include providing access to land and other agricultural resources to farmers, strengthening local agriculture as envisaged also by the Tenth Plan and the NAP, and making the agriculture sector competitive enough to withstand foreign competition. Therefore, reforms in the public food distribution system only
partly addressed the problem of food inaccessibility in remote areas. There were concerns that no government took effective complementary measures to find permanent solutions to the problem.

7.7 Trade liberalisation
Since the making of a unified modern Nepal, Nepal has been engaged in international trade, mostly with India. Until the early 1970s, almost all of Nepal’s exports consisted of agricultural products (particularly rice) (Figure 7.2), and Nepal enjoyed trade surpluses in food and agricultural products until the second half of the 1980s (Figures 7.2 and 7.3). One reason for the trade surplus was that Nepal used to export its surplus products from the Tarai to the Indian markets. The Indian markets were closer to Nepal and there were better transportation facilities compared to the remote inaccessible areas of the country. Although the country had many food-deficit areas, the surplus food from the Tarai did not reach there due to difficult terrain and lack of transportation infrastructure (Khadka 1985).

Figure 7.2: Nepal’s trade of food and agricultural products (1961–1979)

Source: FAOSTAT.
After the adoption of liberal trade and economic policies in the early 1990s, Nepal’s imports and trade deficit, in general as well as in food and agricultural products, started rising rapidly except for a brief period between 1996 and 1999. In the case of food in particular, as Figure 7.4 illustrates, the ratio of Nepal’s food imports to its total merchandise exports swelled from a little below 30 percent in the early 1990s to around 80 percent in early 2010s. The bulk of Nepal’s overall trade deficit, including in food and agricultural products, is with India. A reduction in imports and an increase in exports between 1996 and 2000 was also due to some changes in the bilateral trade treaty with India, which I will discuss in the next section.
Figure 7.4: Ratio of food imports over total merchandise exports (three-year average, in percent), 1990–2013


Nepal has had a bilateral trade treaty with India since the beginning of the latter’s independence from British rule. At the regional level, Nepal is a member of the Agreement on South Asian Free Trade Area (SAFTA) and the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC). At the multilateral level, Nepal is one of the LDC members of the World Trade Organization (WTO). Below I discuss Nepal’s food and agricultural trade in relation to these different trading arrangements.

7.7.1 Nepal-India trade
India is Nepal’s largest trading partner. A bilateral trade treaty between the two countries governs trade between them. The first bilateral trade treaty between Nepal and India was signed in 1950. Since then, the treaty has been renewed or crafted anew several times. The 1950 treaty was especially related to transit issues in terms of India providing access to its ports to landlocked Nepal. Regarding goods trade, it only mentioned that the governments of the two countries would assist each other in making available commodities that were
essential to the economy of the other. The 1960 treaty, which replaced the 1950 treaty, was more specific regarding goods trade. It stated in Article II that,

subject to such exceptions as may be mutually agreed upon, goods originating in either country and intended for consumption in the territory of the other shall be exempt from customs duties and other equivalent charges as well as from quantitative restrictions.

However, both the 1950 and 1960 treaties did not distinguish between primary goods (which cover mainly food and agricultural products) and industrial goods; the treaties dealt with both primary and industrial goods in the same manner. When a new trade treaty was negotiated in 1971, primary goods and industrial goods were categorised under two separate Articles. Subject to some exceptions, India agreed to exempt both primary goods and industrial goods produced in Nepal from customs duties and quantitative restrictions while importing into India. However, while the treaty categorically mentioned that the duty-free access provided to industrial goods would be on a non-reciprocal basis, it did not mention the same for primary products.

In the next revision of the treaty in 1978, the provisions regarding primary goods and industrial goods were kept intact, but this time it was explicitly mentioned that the grant of exemptions from customs duties and quantitative restrictions in the case of primary goods would be on a reciprocal basis. This meant that not only would India provide duty-free access to primary goods imported into India from Nepal, but Nepal should also provide the same treatment to India while importing primary goods from India.

In 1996, when I.K. Gujaral was India’s Prime Minister, he famously floated the “Gujaral Doctrine”, according to which India would not seek reciprocal treatment from its smaller

neighbours. Consequently, when the Nepal-India bilateral trade treaty was renewed in 1996, India relaxed the conditions on imports of industrial goods from Nepal, but the reciprocal provisions on primary goods remained unchanged. The treaty was revised in 2002, with some major changes that affected Nepal’s exports of industrial products, but the reciprocal duty-free provision on imports of primary products remained the same. The treaty was automatically renewed without any change in 2007 for a period of five years.

The reciprocal and duty-free provision was applicable only in the case of basic customs duty. Therefore, to provide respite to Nepali farmers as they had to compete with heavily subsidised Indian agricultural products, Nepal had introduced an Agriculture Reform Fee (ARF) of 10 percent on agricultural imports from India. This was gradually reduced, first to 8 percent and then to 5 percent in 2008–09 (SAWTEE 2012b).

The ARF, however, has not helped lessen Nepal’s trade deficit. Nepal has suffered from an overall trade deficit with India most of the time, more so after 1990. The deficit gap widened considerably after the revision of the bilateral trade treaty in 2002 discussed above (Figure 7.5). The same is true in the case of food and agricultural trade. India’s exports of food products, animals and vegetables to Nepal increased considerably after 2002 (Figure 7.6).³⁶

³⁵ In addition to tariffs, Nepal used to levy various other duties and charges (ODCs) on imports at the border. The ARF was one of these ODCs. It levied the ARF on agricultural imports from India and the Tibet Autonomous Region of China since agricultural imports from these territories were exempt from tariffs (WTO 2011). As part of its trade liberalisation measures, Nepal eliminated all ODCs except the ARF.

³⁶ Due to a lack of data on Nepal’s exports and imports for certain years, India’s export and import data have been used. Data available for both countries show there is huge difference in export/import data for the same years. Therefore, the data presented here provide an idea of the trend rather than absolute numbers.
Figure 7.5: India’s total exports to and imports from Nepal (1990–2007)


Figure 7.6: India’s exports and imports of food and agricultural products to/from Nepal (1990–2007)

As discussed earlier, one of the reasons for India having a greater competitive edge on food and agricultural trade is the huge amount of subsidy it provides to its agriculture sector. Surprisingly, in bilateral trade negotiations between Nepal and India, Nepal has not strongly asserted that the reciprocal duty-free and quota-free market access provisions on agricultural trade have been unfavourable to Nepali farmers.

Moreover, the extent of unevenness in Nepal-India bilateral trade in general, and in food and agricultural products in particular, is not captured completely by these formal trade figures. Due to the long and open border between the two countries, a huge amount of informal trade has continued for decades (Taneja & Pohit 2001). A 1992 study estimated that the amount of informal trade between Nepal and India in 1989 was eight to 10 times greater than the formal trade between them (Muni 1992, cited in Taneja & Pohit 2001). According to Karmacharya (2010), survey-based estimates suggested that in 2000–01, two-way informal trade between Nepal and India was in the range of USD368 million to USD408 million, which was as large as the formal trade between them. Agricultural commodities comprise a large share of this informal trade. For instance, informal imports of paddy into Nepal from India in 2000–01 were 668 times larger than the formal imports of the same commodity (Karmacharya 2010).

There is a range of problems of informal/unauthorised trade between Nepal and India, including revenue loss and lack of proper data to make effective policies. In the case of agriculture, major problems of unauthorised imports into Nepal from India have been the import of inferior agricultural inputs such as seeds and fertiliser. Nepal and India have signed the “Agreement on Cooperation to Control Unauthorised Trade”, but the Agreement has not been effective enough. The Agreement lacks concrete procedural arrangements for the implementation of its provisions (SAWTEE 2012b). Moreover, its focus is more on trade deflection to and from third countries. Therefore, Nepal-India trade, both formal and informal, is not in Nepal’s favour. But this is not due to the economic reform measures Nepal undertook in the 1990s. The solution to this problem lies in changes in the bilateral trade
treaty between Nepal and India. Why Nepal has not raised this issue strongly enough in trade negotiations with India, and why Nepali stakeholders have not raised it vehemently with the Government of Nepal, are issues that need further exploration. Nepal’s increasing trade deficit in food and agricultural products with India provides a reason for a countermovement against food and agricultural trade liberalisation in Nepal. However, one cannot see such a countermovement happening, in at least an organised manner, in Nepal.

7.7.2 Agricultural trade liberalisation under regional trade agreements (SAPTA, SAFTA and BIMSTEC)

Seven countries in South Asia (Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka) formed the South Asian Association for Regional Cooperation (SAARC) in 1985. Afghanistan joined the Association in 2007. In 1993, they signed the SAARC Preferential Trading Arrangement (SAPTA) with the desire to promote and sustain mutual trade and economic cooperation within the region through the exchange of concessions. However, SAPTA did not contribute much in increasing regional trade among the member countries. The intra-regional trade share of 4 percent when SAPTA entered into force in 1995 rose to only 5 percent over a decade (SAWTEE 2012a). Agriculture was a protected sector in almost all SAARC countries, and SAPTA did not contribute to liberalising agricultural trade among them.

In order to progress beyond the preferential trading arrangement created by SAPTA, SAARC countries signed the SAFTA in January 2004, and made it operational in January 2006. Even SAFTA has not helped raise intra-regional trade among SAARC countries. Intra-regional trade among SAARC countries is still around 5 percent of the total world trade of SAARC countries. Nepal’s trade in the SAARC region is heavily concentrated with India. Until 2006–07, of Nepal’s total exports to SAARC countries, less than 2 percent was to countries other than India. On the import front, it was insignificant at less than 0.5 percent (SAWTEE 2012a).
By the time SAFTA was signed, Nepal’s agricultural tariffs were already the lowest in South Asia due to its unilateral reform initiatives (Pyakuryal, Roy & Thapa 2010). Its average applied tariff on agricultural imports was 14.5 percent, and tariffs on processed and frozen goods were in the range of 25 to 40 percent. The tariff liberalisation programme of SAFTA had aimed to reduce import tariffs on products imported from member countries to 0 to 5 percent by 2016. However, there were lists of items, member-wise, that were shielded from tariff reduction. These were called sensitive lists, and mostly contained agricultural commodities. Nepal also included most of its agricultural products in its sensitive list but this did not make much of a difference. As noted above, Nepal’s trade, including in food and agricultural products, was concentrated with India. Since Nepal has reciprocal duty-free and quota-free market access commitments on such products with India, SAFTA provisions did not have an impact on Nepal’s food and agricultural trade.

Another regional organisation, of which Nepal is a member, is the BIMSTEC, established in 1997. Bangladesh, India, Sri Lanka and Thailand are its founding members. Myanmar joined the organisation in December 1997, and Nepal and Bhutan became members in 2004. BIMSTEC calls itself a sector-driven cooperative organisation, which is unlike many other regional groupings. Initially in 1997, it identified trade, technology, energy, transport, tourism and fisheries as the areas for cooperation among member countries. In 2008, it added agriculture, public health, poverty alleviation, counter-terrorism, environment, culture, people to people contact and climate change to the list.

In the 20-year history of BIMSTEC, it has organised a few summits and ministerial meetings, but has not had concrete cooperation mechanisms in the identified areas. It also does not have an agreement on a BIMSTEC free trade area. With BIMSTEC member countries from South Asia, Nepal’s trade takes place under either the Nepal-India bilateral trade agreement or

SAFTA, as appropriate. Nepal’s trade with other BIMSTEC member countries so far has been on the principles of most-favoured nation (MFN)\textsuperscript{38} and is miniscule. Therefore, BIMSTEC has not had any impact on Nepal’s food and agricultural trade.

7.7.3 Nepal’s WTO membership

Nepal became a member of the WTO in April 2004. The terms of Nepal’s accession to the WTO have been lauded as a well-balanced outcome in terms of Nepal’s commitments to economic reforms and the opening of its economy to the outside world, together with preserving the policy space to meet its development objectives (Pandey, Adhikari & Waglé 2014; Rajkarnikar 2005). It was successful in maintaining adequate protection to its manufacturing, services and agriculture sectors. Here, I briefly discuss the negotiations and outcomes related to agriculture.

During the time of its negotiation for WTO accession, Nepal’s agriculture sector employed over 80 percent of the rural labour force and contributed around 40 percent of the country’s GDP (Pandey, Adhikari & Waglé 2014). Yet, there was massive rural poverty, and the growth in food grain production had not kept pace with population growth, resulting in food insecurity in rural areas. Therefore, the challenge was to ensure adequate protection to the agriculture sector while also meeting the country’s food requirements partly through imports.

As part of its unilateral reform initiatives under the SAP, Nepal had significantly reduced its applied import tariffs on agricultural products. Taking into consideration the possible negative effects of lower tariffs to its agriculture sector in the future, it initially offered to bind its average tariff on agricultural products at 58.3 percent in the WTO. However, given its already low applied rates, some developed country members did not accept the offer, and

\textsuperscript{38} The MFN principle of the international trading system implies that a country should treat all its trading partners (other than those with which the country has a special trade agreement) virtually equally without discrimination. For details see https://www.wto.org/english/thewto_e/whatis_e/tif_e/fact2_e.htm, viewed 15 October 2016.
the final outcome was binding the tariff at 41.5 percent (Pandey, Adhikari & Waglé 2014). Also, it bound 100 percent of its tariff lines on agricultural products and maintained tariff peaks for sensitive items such as cereals and processed food. These outcomes, especially on tariff binding, are not as good as those of original WTO members that are also LDCs. But compared to the outcomes of other LDCs which later became members by accession, and compared to its own applied tariff rates, the outcome was in Nepal’s favour.

Other major issues related to agriculture development within the WTO architecture include subsidies and intellectual property rights (IPRs). The Agreement on Agriculture (AoA), among other things, binds members in the amount of subsidies they can provide to their agriculture sector (WTO 1995a), and the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs) obliges members to protect plant varieties either through patents or a *sui generis* system or a combination of both (WTO 1995b). The amount of agricultural subsidies that Nepal provides is below the amount it can provide remaining within the bounds of the AoA (WTO 2011). On IPR protection, at the time of Nepal’s accession to the WTO, Nepal had committed to promulgate a *Plant Variety Protection Act* by December 2005 (WTO 2003). Since the transition period to comply with the TRIPs Agreement for the LDCs has been extended repeatedly, the new deadline being 1 July 2021, Nepal has prepared a draft law but has not enacted it. The draft law seeks to balance the rights of both breeders and farmers.

Countries that negotiate to accede to the WTO face pressures from existing WTO members to accept even such conditions that are not necessary according to WTO agreements (WTO 2008). Termed ‘WTO-plus conditions’, countries fend off pressures to accept some of them, while they cannot shy away from others. Nepal was also pressured by some countries to meet some WTO-plus conditions, one of which was to join the International Union for the Protection of New Plant Varieties (UPOV) Convention 1991 (Pandey, Adhikari & Waglé 2014; Rajkarnikar 2005). This Convention restricts farmers’ rights to save, re-use and sell seeds. For subsistence-oriented agriculture in Nepal, where farmers are reliant on traditional
methods of saving, reusing and selling seeds, joining the UPOV Convention would be disastrous. However, there were protests in Nepal opposing such pressure. Non-governmental organisations (NGOs) working on agriculture, farmers’ rights and food security issues warned the government not to accept WTO membership at that cost (Pandey, Adhikari & Waglé 2014; Rajkarnikar 2005). Consequently, Nepal refrained from joining the UPOV, committing that it would “look at other WIPO and IP related Conventions, e.g. …, UPOV 1991, …, in terms of national interest and explore the possibility of joining them in the future, as appropriate” (WTO 2003).

Therefore, in existing forms, Nepal’s memberships in SAFTA, BIMSTEC and the WTO do not seem to be negatively affecting Nepal’s food and agriculture sector. There might not be compelling reasons to oppose Nepal’s memberships in these trading arrangements. This could be a reason that some quarters in Nepal oppose trade institutions such as these in general, but not specifically from the perspective of Nepal’s food and agriculture sector.

7.8 Foreign investment, corporate farming and multinationals

One of the policies the Government of Nepal adopted in the early 1990s after the restoration of democracy was attracting FDI. Therefore, it prepared the Foreign Investment and Technology Transfer Act in 1992. Keeping in view the country’s security and other national interests, some sectors were not opened for foreign investment. Some of them—namely poultry farming, fisheries and bee-keeping—related broadly to agriculture (The Foreign Investment and Technology Transfer Act, 1992). Otherwise, foreign investment was welcome in the agriculture sector as well.

Despite allowing foreign investment in the agriculture sector, the scale of such investment in Nepal’s agriculture sector has been extremely modest. Until the fiscal year 2014–15, approved foreign investment in 165 agriculture-related projects, including joint ventures, was
only about USD40 million (DoI 2014).\(^{39}\) There is no direct presence of agriculture-related multinational companies in the country. Also, owning and/or renting hundreds of hectares of land, as in other countries such as in Latin America and Africa, is not present in Nepal. Foreigners are not permitted to own or acquire land other than for industrial purposes.

Indirectly, the presence of agriculture-related multinational companies in Nepal is visible in their products being sold in the Nepali market. For instance, Monsanto (now Bayer)—one of the world’s largest multinational seed companies based in the US—has been selling hybrid seeds in Nepal for a long time (Shrestha 2011). Its seeds are sold in the Nepali market both formally (through registration with the relevant government authority) and informally (seed retailers importing seeds informally from India due to the open border and selling in Nepal) (Adhikari 2016). In 2011, Monsanto proposed to run pilot projects of hybrid maize seeds in Nepal (Adhikari, J 2014; Adhikari 2016; Shrestha 2011). It was claimed that the US government, through its United States Agency for International Development, pressured the Government of Nepal to accept Monsanto’s proposal, although both the Government of Nepal and the US refuted this claim (Shrestha 2011). In the bilateral Trade and Investment Framework Agreement that Nepal and the US signed in 2011, the US government also included stricter intellectual property provisions to safeguard, \textit{inter alia}, the interests of its multinational seed companies when operating in Nepal (Adhikari, K 2014).

Moreover, Monsanto attempted to sell hybrid seeds in Nepal through a large Nepali business house (Adhikari, J 2014; Adhikari, K 2014). There were protests in Nepal against such attempts by Monsanto. Civil society organisations ran a campaign “Stop Monsanto in Nepal”. Their fear was that, in the name of hybrids, Monsanto would introduce and sell genetically modified seeds in the Nepali market (Adhikari, J 2014). A legal case was also filed in Nepal’s

\(^{39}\) Due to the lack of data on implemented projects, it is difficult to state precisely the scale of agriculture-related projects under implementation. In Nepal, implemented projects would necessarily be less than approved projects. Therefore, implemented agriculture-related projects would be much less than USD40 million.
Supreme Court requesting a ban on the import of genetically modified organisms (GMOs). The Court issued an interim order banning such imports (TKP 2014).

Generally, Monsanto does not have a good reputation. Therefore, its attempts to formally enter the Nepali market were met with resistance. The Government of Nepal is not against hybrid seed; indeed, its own agriculture research institution develops and propagates hybrids (Adhikari 2016). The main concern is with GMOs. But because of the opposition to Monsanto in general in Nepal, despite the Supreme Court’s interim order to ban the import of GMOs and not hybrids, the government was reluctant to import any seed produced by Monsanto, fearing a backlash (Adhikari 2016).

This case illustrates a countermovement against multinational companies such as Monsanto in Nepal. Can this be taken as a reason for the adoption of food sovereignty by the country? Maybe not. The Government of Nepal has not categorically banned the import of seed produced by multinational companies such as Monsanto. It has not banned the import of GMOs, but has legislated that GMOs would be regulated (Adhikari, K 2014; Adhikari 2016). Moreover, food sovereignty as the fundamental right of every Nepali citizen was incorporated in the Interim Constitution in 2007, whereas the debate regarding the use of hybrid and genetically modified seeds intensified after 2011 (Adhikari, J 2014).

The Monsanto debacle in Nepal illustrates a countermovement taken up by social groups, but this did not provide the impetus to the Nepali state to adopt a policy of food sovereignty. Adhikari, J (2014) states that providing farmers with complete control over their seed is seed sovereignty, which is necessary for food sovereignty. Thus, adopting food sovereignty by the Nepali state should have entailed giving such control to Nepali farmers. Unfortunately, this is not the case. As Adhikari (2016, p. vii) claims, Nepal has adopted a “formal model of state-led, private-sector supportive seed regulation [that] has failed to address customary dynamics of seed use and exchange and promote farmer-to-farmer seed exchange networks”. Therefore,
adoption of food sovereignty by the Nepali state is not a response to the calls of social movements such as the one against Monsanto.

7.9 State of hunger

Despite the under-performance of the agriculture sector, Nepal is one of the countries in the world to have achieved the MDG target of reducing by half the proportion of people suffering from hunger (FAO, IFAD & WFP 2015; NPC 2016c). Also, the proportion of undernourished people in the total population was 22.8 in 1990–1992, which significantly reduced to 7.8 in 2014–2016. As data from the International Food Policy Research Institute (IFPRI) suggests, Nepal has been performing well in terms of reducing hunger. Nepal’s Global Hunger Index (GHI)\(^{40}\) has declined over the years, from 42.5 in 1992 to 22 in 2017 (see Figure 7.7). Until 2000, Nepal was in the “Alarming” category of the hunger level, but by 2008 it had made progress and was in the “Serious” category. The government attributes the achievement made in hunger reduction to reduced poverty (from 42 percent in 1990 to 31 percent in 2005 and further below to 21.6 percent in 2015).\(^{41}\)

However, there is still significant progress to make. An assessment of Chronic Food Insecurity (CFI) undertaken by the Integrated Food Security Phase Classification (IPC) for Nepal in December 2014 found that 34 percent of the Nepali population still suffered from mild CFI, 13 percent from moderate CFI and 7 percent from severe CFI (MoAD & CBS 2016). Moreover, severe disparities on poverty and hunger exist at the sub-national level. The mountains and hills, particularly in the mid-west and far-west regions of Nepal, still suffer from extreme poverty and hunger (NPC 2016c).

\(^{40}\) GHI scores are calculated using four component indicators: undernourishment, child wasting, child stunting and child mortality. The GHI scores and corresponding hunger levels are classified as: ≤ 9.9 (low); 10.0–19.9 (moderate); 20.0–34.9 (serious); 35.0–49.9 (alarming); ≥ 50 (extremely alarming).

\(^{41}\) Percentage of population below the national poverty line.
After the publication of the GHI by the IFPRI in 2008, an exercise was carried out to calculate the same at the sub-national level in Nepal. Until 2015, the IFPRI had been calculating the GHI differently from the way that it does now, and the categorisation of GHI scores and hunger levels were also different. In 2008, Nepal’s GHI score was 20.6, which placed it in the “Alarming” category of the severity of hunger. But the exercise carried out in Nepal found the score of the Nepal Hunger Index (NHI) to be 22.4 (WFP Nepal 2009). At the sub-national level, the NHI score ranged from 16.86 in the central hilly region to 40.17 in the mid-western mountain region. According to the government, such disparity is due to inadequacies of transportation networks, lack of access to seed and irrigation facilities, and lack of education and income in the poorly performing regions (NPC 2016c). Similarly, limited movement of food and resources from surplus to deficit areas has also contributed to severe hunger in remote areas (NPC 2016c). It is those inaccessible remote areas that the

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Figure 7.7: Nepal's GHI score

Source: IFPRI, Global Hunger Index Data.

42 Nepal’s GHI score of 28.9 in Figure 7.7 and the severity of hunger as “serious” are based on the revised formula and classification done by IFPRI.
government’s public food distribution system caters to, but, as discussed earlier, inadequately and ineffectively.

Often times, it is alleged that the government has not been sincerely fulfilling its responsibility of guaranteeing the right to food of its people. In 1998, for the first time in Nepal’s Supreme Court history, a case was filed in which the petitioner stated there was mass starvation in some remote districts of the country and the government had not been active enough to address it (Chapagai 2014). The petitioner contended that the Court should obligate the government to supply foodstuff in those districts so that people could meet their basic needs. According to Chapagai (2014), it was the first explicit case of the Supreme Court accepting the justiciability of food rights violation. The Court ruled that protection of life and property of the people was the responsibility of the government. It took note of the government’s response that it was doing its part to supply the necessary food, and, therefore, did not issue any order.

Severe hunger and malnutrition, even in some parts of the country, indeed reflect some failure of the government in its duty towards protecting its people. This provides a compelling reason to hold resentments against the government’s inadequate response in addressing the problem. However, the court case demonstrated that an explicit legal guarantee on food was not necessary to oblige the state to ensure that no one dies due to the lack of food. The responsibility of the government to protect the life and property of its people means that the state has to ensure the right to food of its people. Therefore, when “the right to food” and “the right to food sovereignty” are explicitly guaranteed as individual fundamental rights in the constitution, the rights might have been incorporated not only with the objective of protecting people from dying from hunger; they must have a larger scope.


7.10 Conclusion

Agriculture has always been an important sector for Nepal’s socio-economic development. In view of the underdeveloped manufacturing and services sectors, agriculture remains the main source of employment for a majority of people, as stated earlier. The importance of agriculture has not only been in terms of meeting food needs, but also for raw materials for industrial development. The 1990 Constitution explicitly stated as a state policy,

The State shall create conditions for the economic progress of the majority of the people who are dependent on agriculture, by introducing measures which will help in raising productivity in the agricultural sector and develop the agricultural sector on the principles of industrial growth by launching land reform programmes [emphasis added].

This meant that the agriculture sector would be developed as an industry. However, Nepal’s agriculture sector has not been performing as expected. Inadequate access to quality inputs such as seeds and fertiliser, lack of agricultural infrastructure, badly designed and inadequate subsidies, and lack of adequate finance or credit to the agriculture sector are some of the ills that have held agriculture back from realising its potential (Khatiwada 2006). More importantly, a huge segment of the Nepali population that depends on agriculture for its livelihood is either landless or functionally landless. There is still some unequal land distribution, although it is not as pronounced as in many countries around the world. People in some parts of the country suffer from severe hunger and malnutrition. These are serious problems for an agricultural country like Nepal. This reflects, in part, failure of the government and its policies undertaken in the food and agriculture sector.

One strand of thought for Nepal’s agricultural woes and food insecurity is related to the country’s undertaking of liberal economic policies since the early 1990s, which prioritised

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43 Constitution of the Kingdom of Nepal BS 2047 (1990), available at [http://digitalcommons.macalester.edu/himalaya/vol11/iss1/6](http://digitalcommons.macalester.edu/himalaya/vol11/iss1/6), viewed 7 December 2017.
industrial growth. There is some truth in this claim as can be seen in the statement above from the 1990 Constitution that agriculture would be developed on the principles of industrial growth. There was also an increasing emphasis on cash crops over food crops in the post-1990 period. Withdrawal of different kinds of agricultural subsidies due to aid conditionalities also harmed Nepal’s agricultural competitiveness.

However, the claim that entering into FTAs has been detrimental to Nepal’s agriculture does not seem to be well-founded. It is true that Nepal’s agriculture is on an unequal footing with India’s subsidised agriculture, and yet they have to compete on almost equal grounds. This is due to the nature of the bilateral trade treaty between the two countries that has been in existence for several decades. Moreover, the long and porous border between the two countries has helped unauthorised trade to flourish between them. These issues need to be solved through bilateral negotiations. Also, evidence does not support the claim made by some quarters that Nepal’s becoming a member of some regional FTAs and the WTO has infringed on the country’s sovereignty in relation to food and agricultural issues.

Therefore, the double movement thesis does not apply in the case of Nepal. There are resentments in relation to the country’s internal problems in the food and agriculture sector rather than on the external front with respect to its trade relations with countries other than India. Nepal has not witnessed massive organised movements at the people’s level, including on the pressing issue of land. There were sporadic, unorganised movements related to land prior to the 1990s, but not so during and after the 1990s (Karki 2002). There have been no major struggles against the economic reform measures that Nepal undertook in the 1990s. However, there are some NGOs and farmers’ organisations affiliated with political parties that occasionally raise the issue of the harm that the economic reform measures Nepal has undertaken since the early 1990s have inflicted on poor farmers. Also, the “Stop Monsanto in
Nepal” campaign is an illustration of a civil society countermovement against agriculture-related multinational companies. Hence, there exists some form of countermovement.

One might argue that such countermovement is the reason for the institutionalisation of food sovereignty by Nepal. That would be too simplistic a claim to make, as I show in the next chapter. As I trace the process that led to the institutionalisation of food sovereignty in Nepal, it will become clear that there are other important political reasons that explain the institutionalisation of food sovereignty in Nepal.
Chapter 8
Institutionalisation of food sovereignty in Nepal

8.1 Introduction
Nepal underwent a political upheaval in 2005–06, which ushered in historic political changes such as the abolishment of the 240-year-old institution of monarchy, and the conversion of the country into a secular federal republic. The existing constitution was scrapped, and an Interim Constitution was drafted. It was in the Interim Constitution that food sovereignty featured for the first time in any of Nepal’s official documents. The Constitution established food sovereignty as a “fundamental right of every Nepali citizen”. Subsequently, food sovereignty made its way into various planning and policy documents, including the very important Agriculture Development Strategy (ADS), which has been prepared to help govern Nepal’s agricultural development over the course of a 20-year period from 2015 to 2035.

Later, when the elected Constituent Assembly wrote the new Constitution, the guaranteeing of food sovereignty as a fundamental right as enshrined in the Interim Constitution was carried forward in a similar manner. Thus, Nepal has joined the ranks of a very few countries in the world, mostly in Latin America, that have incorporated food sovereignty into their constitution or other legal documents.

As I discussed in earlier chapters, most of the literature on food sovereignty argues that the idea of food sovereignty was born as a reaction to the liberalisation, corporatisation and commodification of food and agriculture. Social movements on food sovereignty substantiate this claim. However, we saw in Chapter 7 that this is not very true in the case of Nepal. Therefore, the double movement thesis does not provide insight into the adoption of the idea of food sovereignty by Nepal.

Nepal promulgated the new Constitution on 20 September 2015.
As we saw from the discussions in earlier chapters, food sovereignty is an ambiguous idea and can be interpreted in multiple ways, but it has broad appeal. Ideas that are appealing but having the characteristics of being defined and understood in numerous ways help bring multiple stakeholders from different political, economic and social spectrums together. The stakeholders accept, embrace and promote the idea based on their own understanding. Béland and Cox (2016) call such ideas “coalition magnets”. The idea of food sovereignty might also have the characteristics of a coalition magnet.

In this chapter, I explore the process that led to the inclusion of food sovereignty in Nepal’s Constitution. In doing so, I examine whether or not the idea of food sovereignty meets the three attributes of a coalition magnet in the case of Nepal. I then assess whether or not the coalition magnet thesis better explains the adoption of the idea of food sovereignty by the Nepali state.

8.2 Political movement, regime change and food sovereignty in Nepal’s Interim Constitution

On 4 February 1996, Dr Baburam Bhattarai, Chairman of the Central Committee, United People’s Front, Nepal, submitted a memorandum with a 40-point demand to the then-Prime Minister Sher Bahadur Deuba (Thapa (2003), cited in ICM (n.d.)). The demands were divided into three broad categories concerning nationality, people’s democracy and livelihood (see Appendix 1 for the list of those demands). As stated in the memorandum, the demands were presented because none of the four governments formed after the establishment of the constitutional monarchical parliamentary system post-1990 had shown an interest in the welfare of the country and its people. The memorandum also stated that if the government did not show any positive indication towards fulfilling the demands in two weeks, by 17 February 1996, the Front would wage an armed struggle against the existing state power. Seven of those demands directly and indirectly related to agriculture (Box 8.1)
Box 8.1: Maoists’ demands in 1996 concerning agriculture

1. Confiscating land that is under the control of the feudal system and distributing it to the landless and the homeless.
2. Fixing and strictly implementing minimum wage for workers, including in agriculture.
3. Exempting poor farmers from loan repayments, and making provisions of loans to small farmers.
4. Making seeds and fertiliser available to farmers at cheap price.
5. Providing appropriate prices and markets for farmers’ produce.
6. Regulating, controlling and systematising the Nepal-India open border.
7. Devising and implementing an appropriate customs policy in order for economic development to help make the nation self-reliant.

Source: Thapa (2003), cited in ICM (n.d.).

The United People’s Front was the electoral front of the underground Communist Party of Nepal (Maoist), or CPN (Maoist) for short (Rai 2016). The Maoist Party did not even wait for the two-week ultimatum that it had given to the government to initiate the process of fulfilling its demands. Ten days after it had submitted the memorandum, on 13 February 1996, it started an armed rebellion by attacking a police post in a western mountainous district of Nepal (Rai 2016; Sharma 2006).

Although the armed movement of the Maoists started on a small scale, it intensified in later years. Meanwhile, there was political instability with frequent changes in governments. A turning point in Nepal’s politics came in 2001 after the royal massacre, in which the entire family of the then-King Birendra was killed in an extended family gathering at the royal palace. King Birendra’s younger brother Gyanendra then ascended the throne.

King Gyanendra gradually started presenting himself as an executive monarch, going beyond the norms of a constitutional monarchy (Ganguly & Shoup 2005). In 2005, he dismissed an elected government and assumed direct control. The mainstream political parties that had adhered to parliamentary democracy with a constitutional monarchy until then had no choice
but to oppose the monarchy (Hachhethu 2007a). The Maoists were already against monarchy in Nepal. After the royal massacre and Gyanendra’s accession to the throne, their aversion towards the monarchy strengthened further. Thus, the monarchy became the common enemy of the mainstream political parties and the Maoists.

The Maoists continued with their armed struggle. The parliamentary parties, on the other hand, started a peaceful agitation. There were still some differences among the political parties as to whether to advance the agenda of abolishing the monarchy completely or to bring about reforms that would bind the hands of the King and turn him into a mere figurehead (Hachhethu 2007a). Ultimately, they agreed to abolish the monarchy. That brought the parliamentary parties and the Maoists together, and subsequently on 22 November 2005, they signed a 12-point understanding to resolve the armed conflict, end the autocratic monarchy, and establish full democracy by establishing sovereignty of the people.45

The parliamentary parties started a people’s movement against the King, which intensified after the signing of the 12-point understanding. Termed the “Second People’s Movement”, it got stronger every passing day with thousands of people taking to the streets, even defying curfews. Finally, the King had to step down. In accordance with the parties’ demands, he reinstated the Parliament that he had dissolved earlier on.

The first task of the reinstated parliament was to draft an Interim Constitution. It constituted an Interim Constitution drafting committee under the leadership of a retired Justice of the Supreme Court of Nepal. The committee collected suggestions from various quarters and prepared the first draft of the Interim Constitution. This was then intensively discussed and

negotiated among the political parties, including the CPN (Maoist), and the finalised version was tabled for approval at the interim legislature parliament. The interim parliament approved the Interim Constitution unanimously on 16 January 2007 (UN-NIP 2007).

The success of the political movement of 2005–06 not only abolished the monarchy, but it also ushered in various social, economic and political rights. There were calls to ensure the rights of minorities and the marginalised, calls for social inclusion, and calls for democratic participation, among others (Hangen 2007). One of the provisions in the Interim Constitution was the enshrining of food sovereignty as a fundamental right of every Nepali citizen.

Specifically, food sovereignty was mentioned in three instances (Interim Constitution of Nepal 2007):

1. In Part 3 (Fundamental Rights), under the “Right regarding Employment and Social Security”, it stated, “Every citizen shall have the right to food sovereignty as provided for in the law” (p. 8),

2. In Part 4 (Responsibilities, Directive Principles and Policies of the State), under “Responsibilities of the State”, it specified that the State shall have the responsibility to “pursue a policy of establishing the rights of all citizens to education, health, housing, employment and food sovereignty” (p. 13), and

3. In Part 4 again, under “State Policies”, it stated, “The State shall pursue a policy which will help to promote the interest of the marginalized communities and the peasants and labourers living below poverty line, including economically and socially backward indigenous tribes, Madhesis, Dalits, by making reservation for a certain period of time with regard to education, health, housing, food sovereignty and employment” (p. 16).

Food sovereignty, explicitly, was not on the agenda of the political movement of the time. The main agenda of the movement was to overthrow the monarchy as autocratic monarchy was considered the main barrier to Nepali people’s aspirations of democracy, peace,
prosperity, social advancement and an independent sovereign Nepal.\textsuperscript{46} After the success of the movement, the Comprehensive Peace Agreement was signed between the Government of Nepal and CPN (Maoist) on 21 November 2006. The preamble of the Agreement stated the necessity of carrying out a forward-looking restructuring of the state by resolving the prevailing problems related to class, ethnicity, regional and gender differences. Among others, it stipulated the formulation of policies to implement a scientific land reform programme by doing away with the feudal land ownership practice, and establishing the rights of all citizens to education, health, shelter, employment and food security. Further, as regards the right to food security, it stated that the political parties were committed to respecting and guaranteeing such rights of all the people, and ensuring that there would be no interference in the use, transportation and distribution of food items, food products and food grains.\textsuperscript{47}

Food sovereignty was never mentioned in the written agreements between the political parties. The agreement among them to ensure the right to food security was replaced by the right to food sovereignty in the Interim Constitution and left undefined. The Interim Constitution did not elaborate on what the right to food sovereignty, alongside the right to education, health, housing and so on entailed, and what it meant to provide “reservation” on food sovereignty. Food sovereignty was not a well-thought-out and rigorously debated idea (Tilzey 2018).\textsuperscript{48} Therefore, how and why it made its way into the Interim Constitution is an

\textsuperscript{46} Twelve-point understanding reached between the seven political parties and CPN (Maoist), Ministry of Peace and Reconstruction, Government of Nepal, \url{http://www.peace.gov.np/uploads/files/1_GoV.pdf}, viewed 20 December 2016.


\textsuperscript{48} Also substantiated through interviews with i) an advocate who was an advisor to the parliament’s Natural Resources Committee, ii) a senior civil society leader, and iii) a senior agricultural policy analyst and activist.
important question. Food sovereignty was also incorporated subsequently into other major planning and policy documents related to agriculture, and in the new Constitution.

8.3 Food sovereignty in the new Constitution

Eight years after the Interim Constitution was promulgated, Nepal got its first Constitution, written by a Constituent Assembly on 20 September 2015. The new Constitution is supposed to set Nepal on the path to prosperity, guaranteeing the socio-economic and political rights of every Nepali citizen.

The new Constitution has envisaged making Nepal’s economy independent, self-reliant and progressive, oriented towards socialism, with the participation of the public, private and cooperative sectors (The Constitution of Nepal 2015, p. 30). There is a general sense in Nepal that the country’s adoption of liberal and market-oriented economic policies since the 1990s benefited only a few at the cost of the majority of the population. It is alleged that privatisation of several public enterprises since the 1990s, and the adoption of liberal economic policies, have been the main reasons for Nepal’s increasing economic dependence on the outside world, which is manifested in continuously rising imports and youths’ migration abroad for foreign employment due to the lack of employment at home (Upreti, Ghimire & Ghale 2013). The idea of ensuring the participation of public and cooperative sectors along with the private sector in the economy, making the economy independent and self-reliant, and having an orientation towards socialism, can be seen in this light, although there is a lot of ambiguity in the idea of economic independence, self-reliance and socialism among the political parties.

As the most important sector for the economy and society, it is obvious that the ideas of independence and self-reliance would relate closely to agriculture. The massively increasing trade deficit in food and agriculture would strongly support that idea. The choice of the idea of food sovereignty, for one, could be seen in that context. However, the contestations in
translating the idea of food sovereignty into specific policy proposals had been visible from
the time food sovereignty was incorporated in the Interim Constitution until the ADS was
prepared. Yet, the new Constitution incorporated food sovereignty as a fundamental right in a
similar manner as it was included in the Interim Constitution.

Article 36 in Part 3 (Fundamental Rights and Duties) of the Constitution of Nepal is “Right
relating to food”. It states (The Constitution of Nepal 2015, pp. 23-4),

1. Every citizen shall have the right relating to food,
2. Every citizen shall have the right to be safe from the state of being in danger of life
   from the scarcity of food, and
3. Every citizen shall have the right to food sovereignty in accordance with law.

The framing of Article 36 illustrates the vagueness in adopting the idea of food sovereignty.
It is not “the right to food”, but “the right relating to food” that has been used to give it a
broader meaning so that the right to food sovereignty would form a part of it. If the “right
relating to food” is itself broad enough, and the first sub-Article (1) of Article 36 guarantees
the right relating to food, why would sub-Articles (2) and (3) be necessary? Moreover, there
is no explanation of what the “right relating to food” entails. It is only sub-Article (2) that
gives a sense of what this right is about. In addition, it has been stipulated that only the right
to food sovereignty would be in accordance with the law. It is interesting to note that the
Constitution has conspicuously chosen not to use the well-established terms “food security”
and “the right to food” throughout the document.

In the Constitution, related to food sovereignty is another fundamental right on social justice,
according to which every farmer is guaranteed the right to have access to land and the right to
protect local seeds and agricultural species that have been used and pursued traditionally, in
accordance with the law. As discussed in the previous chapter, the issue of land reforms and
access to land is not new in Nepal. But this is the first time it has been included as a
fundamental right in the Constitution. The importance given to agriculture and land reforms
by the new Constitution is also illustrated by the specific policies related to agriculture and land reforms that the Constitution has stipulated (Box 8.2).

**Box 8.2: Policies related to agriculture and land reforms in Nepal’s Constitution 2015**

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<table>
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<tr>
<td>1.</td>
<td>To make scientific land reforms having regard to the interests of farmers, while ending the dual ownership existing in the lands.</td>
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<tr>
<td>2.</td>
<td>To enhance production and productivity by carrying out land pooling, while discouraging inactive land ownership.</td>
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<tr>
<td>3.</td>
<td>To make land management and commercialisation, industrialisation, diversification and modernisation of agriculture, by pursuing land-use policies to enhance agricultural production and productivity, while protecting and promoting the rights and interests of farmers.</td>
</tr>
<tr>
<td>4.</td>
<td>To make proper use of land, while regulating and managing lands on the basis of, <em>inter alia</em>, productivity, nature of land and ecological balance.</td>
</tr>
<tr>
<td>5.</td>
<td>To provide for farmers’ access to agricultural inputs, agro-products at fair price and market.</td>
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Although the idea of food sovereignty is generally associated with the rights of small farmers and peasants, and is questioned for overlooking the needs and rights of consumers (Edelman 2014), Nepal’s new Constitution has also referred to the idea of food sovereignty in the context of a policy related to the basic needs of citizens. It states that enhancing investment in agriculture and encouraging food production according to climate and soil conditions to ensure sustainable production, supplies, storage, security, and easy and effective distribution of food would be in tune with the concept of food sovereignty. On the face of it, this policy seems to have widened the scope of food sovereignty, but it does not suggest why the suggested policy aligns with the concept of food sovereignty. Moreover, it brings forth the question of who the sovereign in food sovereignty is and how they would exercise their sovereignty. As argued in Chapter 5, considering every citizen the sovereign in food sovereignty is not helpful as it is difficult to align their needs and interests.
In summary, since the writing of the Interim Constitution, food sovereignty has been given great importance in Nepal. However, it has not been defined and explained well, which has made it difficult to state precisely why Nepal has adopted the idea of food sovereignty. Nevertheless, since the promulgation of the Interim Constitution, a few related legal cases have been brought to Nepal’s courts. An insight into the dealing of those cases by the judiciary could provide some clues.

8.4 Interpretation of food sovereignty by Nepal’s judiciary

In 2007, a group of Nepali farmers filed a legal case against the Government of Nepal for not providing compensation for the loss of sugarcane crops damaged by animals belonging to a wildlife conservation area. The sugarcane plantation was on private land close to the conservation area. Because the walls and barriers surrounding the conservation area were broken, animals living in the area would enter private lands and damage crops. The petitioners had stated in the writ petition that surveys carried out by local government offices had acknowledged the damage done to the crops by the wild animals, but there was no progress in providing compensation. Hence, they had requested that the Court issue an order to the government to provide the necessary compensation.

Interestingly, in its ruling in this case, the Supreme Court invoked Article 18(3) of the Interim Constitution on the fundamental right to food sovereignty. Since the Interim Constitution had stated that the right to food sovereignty would be implemented in accordance with the law, but the law had not been prepared, the Court provided its interpretation of the right to food sovereignty. It defined the right to food sovereignty as citizens’ right to food security or the right to be free from hunger. In its decision, the Court made reference to Article 18(3) on food sovereignty extensively, but its interpretation of food sovereignty aligned mainly with the concept of the right to food. The Court’s inability to distinguish between the right to food...

and food sovereignty is evident in its invoking of Article 18(3), by stating that when crops are damaged by wild animals, it affects the income of the victims, hence jeopardising their right to food and right to life.

The decision stated that in order to enable citizens to enjoy the right to food sovereignty as stipulated in the Constitution, the state would have the following obligations:

1. Create an environment where citizens can produce enough food for themselves and become self-reliant,
2. Keep enough food in stock and make adequate food available in the market so as to protect citizens from food scarcity,
3. Help citizens in food production, marketing and conservation, and
4. Create the situation and environment wherein all citizens would have easy access to food.

In its ruling, the court has envisaged a very strong and important role for the state in making food available to its citizens by keeping adequate food stock, and also imports if necessary. In addition, the state should make agricultural inputs and infrastructure available to guarantee the right to food sovereignty of its people. If accepted this way, the idea of food sovereignty would not be an alternative idea. It would only be a radical and appealing name given to food security and the right to food because the suggested measures fall very well within the scope of these existing concepts. In its ruling, the Court has only reminded the state of its responsibilities towards its citizens. The inclusion of the right to food sovereignty in the Constitution might have provided a stronger basis for the Court to make such a decision. However, even if the provision in the constitution stated the right to food and not food sovereignty, the Court’s decision might still not be different.

In fact, the Court chose to use the term “food sovereignty” only because the Interim Constitution had expressed it that way. This is evident in several places in the Court’s

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50 Food security being a policy concept, which could be legally realised with the right to food, the right to food would be the appropriate term to be used in the Constitution to give it legal meaning.
decision statement. For instance, the decision statement referred to Article 11(2) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966 as guaranteeing food sovereignty, whereas Article 11(2) of the ICESCR is about “recognising the fundamental right of everyone to be free from hunger” (UN-OHCHR 1966). One could argue that food sovereignty covers the fundamental right to be free from hunger and therefore the Court’s decision to refer to Article 11(2) in the context of food sovereignty should not be disputed. This could be partially true, but food sovereignty proponents might not find it appropriate to identify food sovereignty with such a narrow understanding. Moreover, Article 11(2) talks about food imports and exports and “equitable distribution of world food supplies in relation to need”, which might not sit well with the idea of food sovereignty as it basically argues for food self-sufficiency. If Article 11(2) of the ICESCR written in 1966 can be interpreted as “food sovereignty”, then why has there been so much debate about this new idea?

Ambiguous interpretation of food sovereignty is visible also in another legal case in Nepal. In 2008, public interest litigation was filed in Nepal’s Supreme Court accusing the Government of Nepal of not fully honouring the fundamental rights of its citizens as per the Interim Constitution. The writ petition referred to Article 12 of the Interim Constitution, which had guaranteed citizens’ right to live with dignity that would cover the right to have adequate food and the right to be free from hunger. It also referred to Article 18(3) of the Interim Constitution, which had guaranteed the right to food sovereignty. The writ petition had been lodged accusing the government of not effectively addressing the situation of food inadequacy in 32 of the then-75 districts of Nepal, of which 16 districts were facing acute food shortages. The petitioners had argued that guaranteeing people’s access to food is the

51 Decision of the Supreme Court of Nepal in the case Prakash Mani Sharma and others on behalf of Forum for Protection of Public Interest (Pro Public) v. Office of the Prime Minister and Council of Ministers and others, Writ Petition No. 0149/065, Decision of 19 May 2010.
responsibility of the government since the Interim Constitution had guaranteed citizens’ fundamental right to food sovereignty.

In its ruling, the Court stated that food sovereignty had already been interpreted by the Supreme Court in an earlier case and had set a precedent. Accordingly, in this case too, the Court used the terms “food sovereignty” and “the right to food” synonymously. It stated that although the Interim Constitution did not explicitly mention “the right to food”, it explained that the right to live with dignity automatically covers people’s right to food. It further stated that no country in the world would provide direct meals to its people, even less so in a country such as Nepal that has adopted a mixed and liberal economic policy. The state’s responsibility is to ensure that people have means and resources, and that food is available and accessible. Means and resources could be ensured either through people’s direct access to means of production such as land and agricultural inputs, or through employment for the abled and social security for the less-abled. It interpreted Article 18 of the Interim Constitution accordingly. It said that to realise the right to food through Article 18(1) (the right to employment) and Article 18(2) (the right to social security), the right to food sovereignty had been stipulated in Article 18(3). More importantly, it stressed the necessity of making food available and accessible, including through imports if necessary. In addition, although the Interim Constitution had refrained from using the term “food security”, the court’s ruling in this case related food sovereignty to food security as it stated,

For the right in sub-Article (3) of Article 18, the state has to make provisions for seeds, fertiliser, irrigation, market, price, etc., and also provide food security by making available adequate food.

The Court also acknowledged the difficult geography and poor transportation networks in the country posing challenges in ensuring the right to food. It took note of the institutional and policy-related interventions that the government had made to address the food insecurity situation in concerned districts. However, it argued that people in any part of the country
should not be losing their lives due to the lack of food. If the state does not provide food on
time and citizens meet untimely deaths due to hunger, then the state should take
responsibility for such deaths. It also stated that especially during natural disasters such as
drought, which was the main reason for the lack of adequate food in the 32 districts that the
case had referred to, the state would have to put in extra effort and find alternative means to
ensure that people do not die due to the lack of food.

By adopting the idea of food sovereignty, which is considered a new and alternative idea,
Nepal looks to have taken a new approach in the realm of food and agriculture. Inclusion of
the term “food sovereignty” but not the terms “the right to food” and “food security” in the
country’s Constitution suggests the radical approach that Nepal might have taken. But as the
two legal cases discussed above illustrate, food sovereignty has not resulted in any radical
departure from the status quo. Food sovereignty seems to be only a new name given to food
security and the right to food.

This again begs the same question that I posed earlier. If the idea of food sovereignty is
ambiguous and does not have a precise operational framework agreeable to all stakeholders,
how did it get institutionalised? Is it because the idea of food sovereignty possesses the
attributes of a coalition magnet? I investigate this question in the subsequent sections.

8.5 Food sovereignty as a coalition magnet?

In Chapter 2, we saw that ideas that can be classified as coalition magnets have three
attributes: 1) there are policy entrepreneurs who manipulate and promote the idea; 2) key
actors embrace the idea; and 3) actors who seemed to be at odds with each other come
together. Therefore, to examine whether the idea of food sovereignty was used as a coalition
magnet in the Nepali case, I analyse 1) whether there were policy entrepreneurs who
manipulated and promoted the idea of food sovereignty, 2) whether key political actors
embraced the idea of food sovereignty, and 3) whether the idea of food sovereignty brought
together actors who seemed to be at odds with each other previously. Before I engage in this analysis, I explain the formation of the National Peasants’ Coalition because this coalition seems to be at the centre-stage of food sovereignty promotion in Nepal.

8.5.1 Formation of the National Peasants’ Coalition
When Nepal’s mainstream political parties and the then-underground CPN (Maoist) formed an alliance to revolt against the monarchy in 2005, they each asked all their affiliated organisations to form coalitions and mobilise their respective masses in the political struggle. Accordingly, peasant organisations affiliated with the political parties came together.\(^\text{52}\) The three major peasant organisations in this endeavour were the All Nepal Peasants’ Federation (ANPFa), affiliated with the CPN (UML); the Nepal Peasants’ Association (NPA), affiliated with the Nepali Congress; and the All Nepal Peasants’ Federation Revolutionary (ANPFa-R),\(^\text{53}\) affiliated with the CPN (Maoist). It was a loose coalition and was named the “National Peasants’ Coalition”.

After the success of the political movement, the National Peasants’ Coalition realised that their success in jointly mobilising the peasants for political regime change was not enough. It was imperative that they continue to work together to advocate for agrarian reforms and peasants’ rights in the new political context.\(^\text{54}\) Accordingly, they agreed that they would continue to work together and have a common voice on issues of common interest. If they differed on any issue, they would act independently. In due course, 10 other associations also joined the Coalition.\(^\text{55}\) Food sovereignty was one idea that the Coalition members accepted

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\(^{52}\) Personal interviews with leaders of farmer organisations of three major political parties.

\(^{53}\) ANPFa-R provided only moral support in the beginning because it was underground along with its parent party until the political movement concluded. It joined the coalition after the conclusion of the movement.

\(^{54}\) Personal interviews with leaders of farmer organisations of three major political parties.

and agreed to promote together. Subsequently, they were successful in getting other major state and non-state actors on board to accept the idea of food sovereignty.

8.5.2 Examining the institutionalisation of food sovereignty in Nepal from the perspective of the three attributes of a coalition magnet

8.5.2.1 Attribute 1: Policy entrepreneurs and idea’s manipulation

The All Nepal Peasants’ Association (ANPA), which later became ANPFa, took the lead in making the call for food sovereignty in Nepal.\(^{56}\) Its leaders were the main policy entrepreneurs who propagated the idea of food sovereignty and convinced the others in accepting and promoting it. They were successful in doing so by manipulating the idea of food sovereignty as the idea itself is ambiguous at the transnational level.

ANPA became affiliated with La Vía Campesina in 1994. But, as stated by its former General Secretary, it was not actively engaged in the global peasants’ movement from the outset.\(^ {57}\) After a few years’ membership, ANPA started becoming an active member and has remained so to this day. ANPFa is also an active member of the Asian Peasant Coalition, and co-ordinator of the South Asian Peasant Coalition.\(^ {58}\) Active engagements of ANPFa at the global and regional levels with organisations that are advocates of food sovereignty enabled ANPFa to take the lead in the call for food sovereignty in Nepal. As ANPFa’s General Secretary stated during the interview,

> We are in the policy formulation team on food sovereignty at the international level. We participated in the parallel people’s summit in Rome in 2002. We were also for

\(^{56}\) In the early 2000s, ANPA was restructured into ANPFa by bringing together 23 commodity-specific producer organisations under its umbrella. It claims to be an umbrella organisation of Nepali peasants that has been fighting against feudalism, imperialism and neoliberalism since its inception six decades ago. It has also been active in mobilising the masses, especially peasants, in democratic movements time and again. See http://anpfa.org.np/index.php/about-anpfa/who-we-are, viewed 12 January 2017.

\(^{57}\) Personal interview.

the International Planning Committee for Food Sovereignty. Thus, we are much aware about food sovereignty issues.\textsuperscript{59}

ANPFa’s entrepreneurship in promoting food sovereignty in Nepal is also evident from the NPA Chairman’s statement,

\begin{quote}
We were not much aware about food sovereignty. [ANPFa’s then General Secretary] explained to us about it. He was pursuing his PhD also on the same subject, and so we got to learn from him about food sovereignty.\textsuperscript{60}
\end{quote}

A vice-president of CPN (UML), who is a former Deputy Prime Minister of Nepal, is the president of ANPFa. Similarly, one of ANPFa’s members was appointed Minister of Agriculture, and ANPFa’s former General Secretary was politically appointed as a member of the country’s National Planning Commission. Because of its huge peasant base, ANPFa enjoys strong support from its parent party, which is one of the most influential political parties in Nepal.

Likewise, the idea of food sovereignty was promoted by ANPFa-R. A senior leader of ANPFa-R, who became an advisor to the Minister of Agriculture, also had been affiliated with La Vía Campesina. He too had been vigorously pursuing the right to food sovereignty in Nepal. Thus, the actors who promoted food sovereignty in Nepal enjoyed considerable political clout and had influential roles in decision-making.

These actors promoted the idea of food sovereignty in Nepal by defining it in politically appealing but ambiguous ways. Given that there is a strong anti-WTO sentiment among some groups of people in many developing countries, including Nepal, ANPA sought to frame the argument for food sovereignty in Nepal as a struggle against the WTO, mirroring the transnational food sovereignty movement. In 2006, ANPA published a booklet in Nepali with

\begin{flushright}
\textsuperscript{59} Personal interview.  \\
\textsuperscript{60} Personal interview.
\end{flushright}
information about food sovereignty. Titled *About people’s food sovereignty*, its preface states that the objective of publishing the booklet is to inform the people about what the WTO is, what the effects of WTO policies on agricultural countries such as Nepal are, and what the state should do to counteract those effects (ANPA 2006). The entire preface of the booklet is in line with La Via Campesina’s call for food sovereignty as a fight against the WTO and neoliberal ideas in the food and agriculture sector propagated by organisations such as the World Bank and the International Monetary Fund (IMF). But the content of the booklet does not focus on these issues. In the section on the WTO, it only briefly discusses the possible negative effects of the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs) on agriculture. Moreover, the discussion is at a general level, and not specific to Nepal. There is no discussion of how Nepal’s WTO membership could be considered detrimental to the country’s agriculture sector. This could be because, as discussed in the previous chapter, Nepal’s WTO membership has not had any major impact on Nepal’s agriculture.

But leading advocates of food sovereignty in Nepal oppose the WTO without providing any specific reason, especially in the context of its alleged ill-effects on Nepal’s agriculture (see Dangal 2013). General claims by farmer leaders of major political parties that the WTO has given monopoly rights to multinational seed companies and that multinational companies prioritise food security illustrate why they oppose multinational companies and the free market economy. But they do not clearly explain their aversion towards a free market economy and multinational companies in the Nepali context. Despite opposing the WTO in general, in Nepal’s case they consider internal problems in the country’s agriculture sector to be more important than external ones. A statement by one of the farmer leaders illustrates this

61 Author’s translation of the Nepali title *Janatako khadhya samprabhuta baré.*
62 Personal interviews with General Secretary of ANPFa and Chairman of NPA.
when he states, “Thirty-five to forty percent of our land in the hills is fallow. That is neither because of the WTO, nor because of the conditions of international financial institutions”.

Ambiguity in the propagation of food sovereignty in Nepal is evident in the different ways it has been understood. First and foremost, such ambiguity is evident in the interpretation of food sovereignty as a broad framework versus a specific programme. An advocate who favours food sovereignty, and who was an advisor to the Natural Resources Committee of the Parliament, explains food sovereignty as a framework. He argues,

> Food sovereignty should not have been included as a fundamental right in the Constitution. It should have been kept in policy documents. Food sovereignty is a process to achieve the right to food.

Civil society leaders who have long advocated for food sovereignty also share somewhat similar views as they stated that food sovereignty provides an overarching framework that food security and the right to food will operationalise.

ANPFa-R also holds the view that food sovereignty can encompass both food security and the right to food. These actors who understand food sovereignty as being a broad framework argue that food sovereignty encompasses several elements such as land rights, indigenous production systems, the right to access over resources, choice of inputs, governance, policy, and so on. But for ANPFa, food sovereignty is an implementable programme and can be realised as a right. It is considered an alternative to food security because, in the words of the General Secretary of ANPFa, “while food security is about giving fish to the hungry, food sovereignty is about teaching how to fish.” He sees food sovereignty as being

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63 Personal interview with the Secretary of ANPFa-R, who was also an advisor to a former Minister of Agriculture.

64 Personal interview.

65 Personal interviews with civil society leaders who have long been advocating for food sovereignty.

66 Personal interview.
implementable because it is about providing farmers land and access to resources as the country cannot be food-secure unless farmers have access to land and water.

The polysemous or multi-vocal character of food sovereignty is evident in food sovereignty proponents’ varied approaches to agricultural and food trade. Most advocates of food sovereignty do not oppose agricultural and food trade, *per se*. They say they promote self-sufficiency in food but are not against “all forms of trade”. They argue for “free and fair trade”.

In contrast, some agriculture and food policy experts, who promote food sovereignty, find such an explanation rather vague as they argue that even the WTO states it promotes fair trade. Their contention is that food sovereignty and trade are contradictory as trade is more capitalistic in its essence. Trade talks about global markets whereas food sovereignty is a localised concept.

There are also opposing views on whether agriculture commercialisation and food sovereignty could co-exist. Every major political party in Nepal has pitched for agriculture commercialisation. Accordingly, as discussed in detail in earlier chapters, Nepal’s major plans, policies and strategic documents also envision a modern and commercial agriculture sector in Nepal. For some adherents to the idea of food sovereignty, such as an agriculture expert and the Chairperson of the National Farmer Group Federation Nepal (NFGFN), achieving food sovereignty through commercialisation is contradictory.

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67 Personal interview with General Secretary of ANPFa.
68 Personal interview with a senior agricultural policy analyst and activist.
70 Personal interviews with a senior agricultural policy analyst and activist, and the Chairperson of the National Farmer Group Federation Nepal, possibly the only non-political Nepali farmer organisation, which is a member of the National Peasants’ Coalition.
Chairperson of NFGFN, agriculture commercialisation in Nepal is not possible because, in his own words,

Nepal has 150,000 pieces of land. Our geography is such that we cannot consolidate this fragmented land. I have not understood what commercialisation is and how that is possible. Every political party-affiliated farmers’ organisation talks about agriculture commercialisation, and I just do not understand. About 80 percent of the Nepali people are engaged in agriculture in one way or the other. If only we could have policies to make them self-sufficient, then that 80 percent can feed itself. Why do we have to think about exports? We need to be self-sufficient first. But the ANPFa-R’s Secretary argues that commercialisation in Nepal should not be understood in the general sense and synonymously with corporatisation. It should be understood as progressing from a low-return agricultural system to a high-return agricultural system, adopting agricultural methods that give high productivity and production, and producing not only for self-consumption but also for creating surplus to sell in the market. His contention is that, in subsistence agriculture, farming is practised only for subsistence, but in commercial agriculture, farming is practised to address broader livelihood concerns. He argues that it is possible to commercialise agriculture by adopting local, traditional agricultural practices.

Similarly, divergent views exist in the understanding of food sovereignty in relation to land reforms. Some farmer leaders and agriculture policy analysts and activists continue to support the agenda of land distribution to provide land ownership to the tillers. This provision is included in the new Constitution too. But in the views of a civil society activist who has been working on land rights issues for decades in Nepal, given the lack of enough agricultural land and its increasing fragmentation, it would be more beneficial to consolidate small pieces of

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71 Personal interview.
72 Personal interview.
73 Personal interviews with the Chairman of NPA, and a senior agricultural policy analyst and activist.
land and provide it to tillers on long-term leases of 30 to 50 years. A more radical view held by some strong food sovereignty advocates is that the state should take back control of all private land and provide it on lease to the tillers.

Another area where ambiguity exists in the understanding of food sovereignty is, as discussed in Chapter 5, the level where such sovereignty could be exercised—whether at the individual, household, community, or national level. The Constitution has provided the right to food sovereignty to every Nepali citizen, i.e., at the individual level. But a civil society actor does not see the possibility of exercising food sovereignty at the individual level; rather, it is to be exercised at the national level. Similarly, a senior agriculture economist opines that a country could achieve food sovereignty if it could produce enough of its own food and not depend on food imports. On the contrary, in the views of a right to food advocate,

Food sovereignty has to be decentralised at the local level, which means being self-sufficient at the local level, designing programmes to ensure rights of farmers at the local level, farmers’ self-determination on how to achieve their own food security, and so on.

Thus, a few policy entrepreneurs have promoted the idea of food sovereignty in Nepal, but there are varied understandings of what it means and how it could be implemented. Food sovereignty as an idea is not opposed by many actors, but they have accepted it based on their own interpretation.

8.5.2.2 Attribute 2: Embracing or promotion of the idea by key actors

Food sovereignty brought together leaders of farmer organisations affiliated with various political parties, leaders of an independent farmer organisation, members of various

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74 Personal interview.
75 Personal interviews with Secretary of ANPFa-R and General Secretary of ANPFa.
76 Personal interview with a leading civil society actor and an advocate who has fought public interest litigation cases on the right to food in Nepal.
77 Personal interview with a senior agricultural economist and expert on Nepal’s agricultural issues.
78 Personal interview with an advocate who works on issues related to human rights in general.
commodity organisations, and civil society actors on a common platform. There were ambiguities in the understanding of food sovereignty, but none rejected the idea outright. More importantly, institutionalisation of food sovereignty might not have been possible had the senior political leaders, policymakers and planners not embraced the idea. As we will see below, besides the senior-most leaders of all major political parties, all three key institutions of the state—the legislature, the executive and the judiciary—have also embraced the idea of food sovereignty in Nepal.

Members of the National Peasants’ Coalition affiliated with the political parties advocated for and persuaded their leaders to accept food sovereignty explaining it in their own ways. In one of the political parties, despite some “contrary views by certain leaders”, the Party did not oppose food sovereignty and the senior-most leaders embraced the idea because it was understood as being akin to political sovereignty.79 Moreover, as a senior leader of one of the three largest political parties of the country, ANPFa’s president had an influential role in the political movement of 2005–06 and developments thereafter. According to ANPFa officials, during negotiations among senior leaders of the political parties on the country’s social, economic and political course after the regime change, ANPFa’s president constantly pushed for food sovereignty and was successful in persuading his seniors (the main negotiators) to agree on the Interim Constitution only if it contained a fundamental right to food sovereignty.80 Leaders of peasant organisations were also successful in persuading parliamentarians of their respective parties to embrace food sovereignty. ANPFa’s president being in the coalition as well as being an influential parliamentarian helped in such persuasion.81

79 Personal interview with Chairman of NPA.
80 Personal interviews with the current and a former General Secretary of ANPFa.
81 Personal interview with Chairman of NPA.
Food sovereignty was also embraced by the country’s planners, although unwillingly. As a former vice-chairman of the National Planning Commission stated,

Food sovereignty is a political term. It is not an economic term. We would have referred only to food security in the Plans documents, but since [the political leaders] chose the term food sovereignty in the Constitution, we also had to accept food sovereignty.\textsuperscript{82}

When the first draft of the ADS\textsuperscript{83} was complete, it was sent to the Agriculture and Water Resources Committee of the Parliament for feedback. The Committee was chaired by an extremely popular and influential youth leader.\textsuperscript{84} The Committee embraced the idea of food sovereignty, as is evident in its suggestions on the draft ADS. In its analysis of the draft, the Committee stated that agriculture development is not only the backbone of the country’s development but also the foundation of food sovereignty and the right to food (see MoAD 2015a, Appendix 6). It suggested including food sovereignty as a “vision” in the ADS, and to clearly define the three concepts of food security, the right to food and food sovereignty. It also asked to clarify which of these three would provide the theoretical underpinning of the ADS. Additionally, it suggested including some additional aims, plans and programmes from a food sovereignty perspective, but did not provide any specifics as to what those aims, plans and programmes would look like. Thus, the Committee itself seemed to have lacked clarity on the issue, and yet it favoured the inclusion of food sovereignty in the document.

The embracing of the idea of food sovereignty by Nepal’s judiciary has been elaborated in an earlier section. The judiciary embraced the idea of food sovereignty, but its interpretation of

\textsuperscript{82} Personal interview. A former member of the National Planning Commission also stated the same reason for including food sovereignty in plan documents.

\textsuperscript{83} I will elaborate on the ADS in the next chapter while discussing the implementation aspect of food sovereignty.

\textsuperscript{84} He later became the Health Minister although his desire was to become the Minister for Agriculture or the Minister for Energy (See, \url{https://www.youtube.com/watch?v=0U0VqrAJRKo}, viewed 10 December 2016).
food sovereignty did not differ from the understandings on food security and the right to food.

Thus, despite its ambiguity, the idea of food sovereignty was not challenged by major actors in Nepal. Rather, they embraced the idea, and some promoted it, but in a variety of ways reflecting their different understandings.

8.5.2.3 Attribute 3: Coming together of actors who were at odds with each other previously

Obviously, given their ideological differences, the political parties were at odds with each other. Accordingly, their farmer organisations also had differences. The cause for political regime change initially united the political parties and their affiliated farmer organisations. Later, food sovereignty became an important element that continued to bind the farmer organisations together. Their joint promotion of food sovereignty made it more convincing for political party leaders to accept the idea.

The differences the political parties had amongst them on agricultural issues are evident from the policies they adopted and the support they enjoyed from the different classes of people. As Hachhethu (2007b) observes, the Nepali Congress Party had adopted a policy of a mixed but open economy, and had focused on overall economic growth, with its agriculture policy also being growth-oriented. He states that after 1991, the Party abandoned its earlier goal of providing protection to the tillers. The Party was considered to have its electoral base among the urban middle and upper classes (Ishiyama & Batta 2011), and amongst well-off farmers. The communist parties, on the other hand, represented the proletariat and the working class (Hachhethu 2007b). The CPN (UML)’s emphasis on agriculture after the restoration of multi-party democracy in 1990 was on land reforms aimed at ending feudal and dual land ownerships, and ensuring tillers’ rights. The CPN (Maoist) had started the People’s War opposing the policies of the government of the time, including those related to agriculture.
After the success of the political movement of 2005–06, differences between the political parties and their associated farmer organisations resurfaced. As the Secretary of ANPFa-R stated,

When we were at war, Nepali Congress was in government for most of the time. So for us, Nepali Congress was the main opposition. Also, during the war, farmers had seized land from many elites, and many of them were close to the Nepali Congress. Land seizures had not taken place at the behest of any political party. People had been exploited by landowners and so they had rebelled. But due to such instances, NPA did not find it comfortable to sit together with us in the coalition initially.\footnote{Personal interview.}

An important reason for the idea of food sovereignty to have brought different political parties together is that the idea provided them an appealing tool to persuade the Nepali people that they would undertake radical reforms in the food and agriculture sector. The new appealing idea provided them the means to cover their earlier failures.\footnote{Personal interview with a senior agricultural policy analyst and activist.}

The political parties had advanced some agricultural reforms as per their stated policies when in government, and had called for pursuing their recommended policies when in opposition. Today, compared to the past, Nepal’s agriculture has seen improvements on several fronts, but they have been “too little and changes have been too slow” (MoAD 2015a, p. 2). Despite devoting the country’s most cultivated area to cereals, there is a growing food trade deficit and high malnutrition.

On land issues, Wily, Chapagain and Sharma (2009) note that initiatives for land reforms that were taken as far back as the 1950s have been partially successful, with the removal of land authority from local overlords and land allocations to some of the ultra-poor. But, they argue, the fundamental task of classical land reform, which is to ensure secure, sufficient and equitable access to land to the tillers, has not been achieved in the past six decades. There are
land ceilings that specify the amount of land a person can own, and yet land distribution is not significantly less skewed than in 1950, and at least half of the rural population either have no land or do not have enough to feed themselves. Thus, in the words of a senior agricultural policy analyst and activist, “The political leaders’ promises have turned into rhetoric, and they are under pressure to fulfil their promises”. He argues that food sovereignty has brought them together, and has provided them with an alternative means to continue with their promises, claiming that what they could not achieve in the past could now be achieved by adopting this new idea.

According to experts, with an exponential rise in food imports, the ever-increasing trade deficit of agricultural and food products has been an area of concern for almost every individual in Nepal irrespective of the person’s political and economic orientation. But there are differences among them in the approaches that need to be taken to address this challenge. One of the approaches advocates embracing the idea of food sovereignty with the understanding that it will push for food self-sufficiency. The alternative approach is to accept food sovereignty in the sense of food self-reliance. More importantly, the general acceptability of food sovereignty by those who were at odds with each other previously has been the political appeal of the idea. As the Chairman of the NPA stated, “I am a democrat and I am always for all kinds of sovereignty. I am inspired by the understanding that we should be sovereign on food matters too.”

Thus, food sovereignty brought together actors who were at odds with each other previously. It has provided the peasant organisations and political parties an avenue to continue with their

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87 Personal interview.
88 Personal interview.
promises of land reforms, farmers’ access to resources, protection of their traditional skills and knowledge, and so on, in an even more appealing way.\textsuperscript{89}

8.6 Conclusion
Institutionalisation of food sovereignty in Nepal has not been a result of a well-thought-out, well-deliberated and clear idea about the concept. The poor performance of the agriculture sector for decades and an exponentially rising trade deficit of food and agricultural products have posed uncertainty in the sector. As discussed earlier, some major actors, who were exposed to the idea of food sovereignty through the transnational social movement La Vía Campesina, saw in the new idea solutions to Nepal’s agricultural woes, although they were not sure themselves what the solutions could be. Nevertheless, they found the idea appealing and so adopted it.

These actors were the policy entrepreneurs in propagating the idea of food sovereignty in Nepal. Food sovereignty was not just another idea. As we have seen, the idea of food sovereignty possessed the attributes of a coalition magnet. Hence, it enabled the convergence of actors in Nepal claiming to have been struggling for agricultural reforms and farmers’ rights. That contributed to setting the agenda on food sovereignty. But how viable would such institutionalisation based on a coalition magnet be? I explore this question, looking at the implementation of food sovereignty, in the next chapter. I will also provide additional evidence to the claim that, in Nepal, the idea of food sovereignty was not adopted with particular objectives related to food and agriculture that might not otherwise have been possible to fulfil within the concepts of food security and the right to food.

\textsuperscript{89} Personal interview with a senior agricultural policy analyst and activist.
Chapter 9
Implementing food sovereignty in Nepal

9.1 Introduction
We saw in Chapter 8 how food sovereignty made its way into the Interim Constitution and later into the Constitution in Nepal. Possessing the attributes of a coalition magnet made agenda setting on food sovereignty possible. However, how viable are coalition magnets in the implementation phase? As we have seen, there are varieties of notions of food sovereignty among relevant actors who have accepted the idea. Therefore, whether and how this new idea is being implemented in Nepal is an important matter to investigate. Such investigation will provide insights into the question of whether or not “food sovereignty” is different from “food security” and “the right to food”, and how the idea of food sovereignty could be operationalised. It will also provide insights into the viability of coalition magnets beyond agenda setting in general. Hence, this chapter examines the implementation aspect of food sovereignty in Nepal.

Since the incorporation of food sovereignty in the Interim Constitution as being every citizen’s fundamental right, food sovereignty has been incorporated in Nepal’s various plans, policies and strategies in a number of forms—in some places as a vision and in some places as a goal. There are also different notions of food sovereignty in the different documents, including whether food sovereignty is about national or individual sovereignty. As discussed in the previous chapter, the new Constitution has also established every citizen’s right to food sovereignty in a similar manner as the Interim Constitution. That was because Nepal’s political actors accepted “food sovereignty” almost unanimously and chose the term over “food security” and “the right to food”. But as evidence in earlier chapters has shown, there is lack of clarity on precisely what food sovereignty means and how to implement it. According
to Adhikari, J (2014), despite the acceptance of food sovereignty by a majority of actors in Nepal, the focus has still been on food security.

Given such a state of affairs, in this chapter, I delve into the implementation of food sovereignty in Nepal. I discuss how food sovereignty has been incorporated in the various planning and policy documents, and whether and how the new plans, policies and programmes differ from earlier ones to reflect the guaranteeing of the right to food sovereignty. The purpose of the chapter is not only to provide insights into the implementation of food sovereignty, but also to investigate the viability of ideas that are coalition magnets beyond agenda setting.

9.2 Food and agricultural policies, strategies and programmes after the Interim Constitution

To analyse whether the Government of Nepal has brought about significant changes in its outlook towards the food and agriculture sector after adopting the idea of food sovereignty, I examine the periodic plans and policy documents on food and agriculture, the Agriculture Development Strategy and the formation of the National Farmers’ Commission. While the periodic plans and policy documents prepared after the Interim Constitution help analyse the government’s priorities in the food and agriculture sector compared to the past, the Agriculture Development Strategy is the Government of Nepal’s main guide for the country’s agricultural development. Similarly, the formation of the National Farmers’ Commission is the first of its kind in Nepal, and could provide insights into whether and how the idea of food sovereignty is being implemented in Nepal.

9.2.1 Periodic plans

After the political regime change in 2007, the National Planning Commission prepared a Three Year Interim Plan (TYIP) for the period 2007–08 to 2009–10 to guide the country’s development during the transition period until a new constitution could be written. As the TYIP stated, for the first time in the history of plan formulation in Nepal, the TYIP was
prepared through direct observations of local conditions and interactions with the general public in 70 Village Development Committees (VDCs) in different parts of Nepal (NPC 2007). This was a break from the tradition of following a top-down process in plan formulation, and was due to the historic political change that had been successful based on the promise of bringing about socio-economic transformation in the lives of ordinary citizens. In a country where rural occupations are still predominantly agricultural, but also where more food insecurity exists in the rural sector, interactions with the public in the VDCs should have provided important insights into the problems facing Nepal’s agriculture sector, and also ideas to address those problems.

A close reading of the TYIP as well as the subsequent periodic plans suggests that the problems identified in relation to food and agriculture, and suggested solution measures, were not significantly different compared to those of the past. The major problems concerning land were the continued existence of feudal land ownership, small landholdings, land fragmentation, dual ownership, inadequate protection of tenancy rights, anachronistic land record systems, and so on. Similarly, suggested policies and programmes to address these problems included, *inter alia*, ending feudal land ownership, revisiting and implementing land ceilings, providing access to land to the landless, making arrangements to address land fragmentation, ending dual land ownership, and modernising land record systems through the use of modern technologies. Therefore, land reform was supposed to be a continuation of what it was in the past, but now, in accordance with the Interim Constitution, it was termed “scientific land reform” instead of the common term “land reform”. How scientific land reform would be different from general land reform was not clear.

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The Interim Constitution stated that a responsibility of the state would be to “pursue a policy of adopting scientific land reform programs by gradually ending feudalistic land ownership” (*Interim Constitution of Nepal* 2007, p. 13).
The coalition government formed after the reinstatement of the Parliament in 2006 had continued the policy of providing a 20 percent rebate in land registration fees to women (MoF 2006). It had also made that facility available to the Dalit\textsuperscript{91} community. The TYIP proposed increasing the rate of that rebate to 50 percent, and also extending it to persons with disability, elderly citizens, people belonging to deprived classes and dependent family members of martyrs of the People’s Movement (NPC 2007). The proposal was made to encourage land ownership by women, Dalits, and the suggested other groups of people through providing more incentives. However, the government accepted the proposal only partially. In the budget speech for the fiscal year 2007–08, the earlier rate of rebate of 20 percent and providing the facility to women and the Dalits were kept intact. A rebate of 100 percent was provided in all kinds of registration fees and duties in the transferring of ownership titles to immediate family members (wives, sons and daughters) of martyrs who lost their lives during the People’s Movement.

The policy of providing rebates on land registration fees to women and to people of the deprived class was to enhance social inclusion, and the policy did have an impact, especially on women’s land ownership. Over the fiscal years 2006–07 and 2007–08, land registration in women’s names nearly doubled in 50 districts (Dhital 2008). In the fiscal year 2007–08, about 43 percent of all transactions relating to houses and land were registered in the names of women.

To address the major contentious issues of land such as feudal land ownership, land concentration and land fragmentation, the TYIP proposed constituting a High Level Land Commission. Accordingly, in December 2008, the Maoist-led government formed a High Level Land Commission under the chairpersonship of one of the Constituent Assembly members from the Maoist Party (Sharma, Upreti & Müller-Böker 2014). But after the abrupt

\textsuperscript{91} Dalits are oppressed and marginalised community.
resignation of the Prime Minister and the formation of another coalition government led by the CPN (UML), which did not include the Maoists, the members of the High Level Land Commission, including the chairperson, were replaced by a new set of members. The latter Commission, known as the “Basnet Commission”, presented its recommendations to the government. Not surprisingly, the recommendations aligned with the recommendations of the 1995 Badal Commission, which also had been formed by the government led by the CPN (UML). For example, the land ceilings proposed by both Commissions were not very different (Sharma, Upreti & Müller-Böker 2014).

A major contentious issue in implementing land ceilings has been the issue of compensation to landowners for the land beyond the approved ceilings that the government would acquire from them (Ekantipur 2011). The Commission formed by the Maoist-led government and the Basnet Commission had different views on whether and how to compensate the land owners.

Other policies that the TYIP stipulated included developing a legal framework for contract and cooperative farming and encouraging the private sector and non-governmental organisations (NGOs) to pursue contract and cooperative farming, and making legal arrangements to discourage land from being left barren, among others.

Subsequent plans and policies more or less echoed the same problems and challenges regarding land reforms, and suggested similar policy solutions. The main reason for land reforms not being effective enough was that there was no strong political will to make that happen. An assumption of the TYIP in having an effective land reform was that there would be political commitment to it because land reform in Nepal has been highly politicised, which has barred effective land reform management (NPC 2007, 2013; Sharma, Upreti & Müller-Böker 2014). Having the political will and consensus among the major political parties is required for land reforms in Nepal. It was not the lack of a particular idea such as food
sovereignty that had barred Nepal’s political actors and policy-makers from undertaking the necessary land reform programmes.

Until the TYIP, “food security” or “the right to food” were not included, per se, in planning documents. For the first time, the TYIP included food security as a separate item in the chapter on “Social Justice and Inclusion”. Referring to the right to food sovereignty as stipulated in the Interim Constitution, the TYIP mentioned ensuring this right through the enactment of a *Food Sovereignty Act*. It did not elaborate on food sovereignty further, and its vision statement in the food security section lacked clarity. It stated that ensuring “food sovereignty rights of every individual by strengthening in a coordinated way all aspects of food and nutritional security” would be its long-term vision on food security (NPC 2007, p. 88). The Plan used the terms “food security” and “food sovereignty” interchangeably. It referred to food sovereignty drawing from the Interim Constitution, but adopted the idea of food security with its four pillars of availability, access, utilisation and stability. Moreover, the stipulated objective of the TYIP to maintain food sovereignty by ensuring food security, and to improve national food sovereignty by increasing national self-reliance in basic food products against the Interim Constitution’s provision of guaranteeing individual food sovereignty illustrated the lack of clarity in understanding the ideas behind food sovereignty and food security.

The Twelfth Plan also picked up on the idea of food sovereignty in a similar manner. In its introduction to the section on food security, it stated (NPC 2010, p. 96),

> In the context of Nepal’s Interim Constitution, 2007 having accepted food sovereignty as a fundamental human right, the focus of this Plan will be in ensuring food security of every citizen.\(^{92}\)

\(^{92}\) Translated from the original Nepali language in the Plan.
The Plan adopted the idea of food sovereignty as ensuring a well-managed supply of basic necessities. The section on “Supply Management” in the Plan started as follows (NPC 2010, p. 121):

Nepal’s interim constitution has guaranteed people’s right to food sovereignty. The State’s responsibility is to regularly make available to ordinary people consumption goods and services of daily necessities of good quality and at competitive price. On the one hand the State has to manage the supply system based on competitive and healthy market mechanism in accordance with the State’s adoption of open and liberal economy. On the other hand, it has to create an environment of easy access to economic, social and necessary consumer goods. The government is committed to protect and promote the wellbeing and rights of ordinary consumers.  

This statement on the state’s responsibility of ensuring a smooth and well-managed supply system does not explain how this would be different after adopting a food sovereignty approach. Every government around the world has this responsibility, and Nepal has been doing the same for years. There could have been gaps in the proper functioning of the supply management system, but would food sovereignty mean simply closing those gaps? Moreover, the acceptance of an open and liberal market economy as in the above statement would be against the ideals of food sovereignty from the point of view of the global food sovereignty movement.

There were some provisions in the TYIP and other Plan documents that aligned with some of the elements of food sovereignty. For instance, the TYIP called for the protection of farmers’ traditional knowledge and skills, promoting research on the use of technology and practices on traditional and local food and agricultural genetic resource management, and protecting farmers’ rights. Similarly, the government would continue supplying food in remote areas. The TYIP and subsequent plans also encouraged the production and consumption of local agricultural products in remote areas to reduce the dependence of people living in those areas.

93 Translated from the original Nepali language in the Plan.
on externally supplied food grains. However, as stipulated in the TYIP, increasing local food production in Karnali—the remotest and most food-insecure part of the country—was to be carried out in close coordination with the Ministry of Agricultural Development (MoAD) “through the medium of commercial farming under the entrepreneurship of the private sector” (NPC 2007, p. 240).

Such an emphasis on commercial agriculture under the entrepreneurship of the private sector even to produce local food in a remote part of the country shows the Government of Nepal’s fondness for agriculture commercialisation. In fact, agriculture commercialisation has been a mantra for decades in Nepal. It is the reason that, despite referring to food sovereignty, the TYIP underscored the importance of the Agriculture Perspective Plan (APP), which had promoted a green-revolution-type agriculture development. In accordance with the APP, the TYIP focused on agriculture modernisation and increased production and productivity through the use of appropriate technology. Similarly, continued emphasis on transforming subsistence agriculture into commercial agriculture featured in all Plan documents.

According to Wily, Chapagain and Sharma (2009), the new term given to land reform, i.e., “scientific land reform”, seemingly reflected the importance given to agriculture commercialisation.

9.2.2 Policy priorities
Broadly, the policy priorities for agriculture and food security were not very different from the past. The main focus of the policies was on modernising and commercialising agriculture, maintaining and building agricultural infrastructure such as rural roads and irrigation, promoting the use of modern technology in agriculture, ensuring easy access to rural credit, and provisioning timely and quality agricultural inputs such as chemical fertiliser and improved seed varieties. Underpinned by the state’s adoption of an open and liberal market economy, governments placed emphasis on the importance of markets and the role of the
private sector in agricultural trade and commercialisation, and in the regular supply of food products in accessible areas of the country.

In July 2010, the Ministry of Agriculture and Cooperatives prepared the “National Agriculture Sector Development Priority (NASDP)” as a framework for the medium term (2010–11 to 2014–15) to undertake activities for agriculture sector development and food security based on the identified priorities. The document was prepared with technical assistance provided by the Food and Agriculture Organization of the United Nations (FAO). The formulation process was guided by an inter-ministerial task force, and involved a review of plans and policies on food and agriculture, and consultation among relevant government entities, NGOs, research institutions and development partners (MoAC 2010). The NASDP identified a two-pronged strategy to address food and nutrition insecurity in Nepal: raising agricultural production and productivity on the one hand, and improving the food distribution system in remote parts of the country on the other. To achieve these, it identified the following priority areas by “reconciling the complementarities between Government’s priorities and the possible areas of support that the development partners may wish to extend” (emphasis added, MoAC 2010, p. 31):

- Enhancing food and nutrition security and safety,
- Enhancing application of “getting better” technologies and tools,
- Promoting enabling environment,
- Promoting market-orientation and competitiveness,
- Sustaining natural resource conservation and utilisation,
- Developing infrastructure support facilities,
- Enhancing integration of gender in agriculture, and
- Managing the effects of migration of agricultural labour.

It is noteworthy that the priorities were based also on development partners’ interests, but farming communities were not consulted in the process. This was counter to an approach of the TYIP that had envisaged the formation of village agriculture committees at the VDC level.
to ensure farmers’ participation in agriculture-related activities and decision-making processes on plan formulation, implementation and project monitoring. This calls into question the operationalisation of the food sovereignty idea at all levels: individual, community and national.

Similarly, the “Nepal Agriculture and Food Security Country Investment Plan” followed the Twelfth periodic plan and the NASDP (GAFSP 2010). It identified 10 priority programmes for agriculture development and food security with estimated investment needs to be met through development partners’ assistance. Moreover, the government was committed to focusing on several aspects related to agriculture development by taking into consideration, among other things, Nepal’s international commitments (NPC 2013). Guaranteeing citizens’ fundamental right to food sovereignty on the one hand, and adopting these kinds of policies for agriculture development on the other, do not seem to align well.

9.2.3 The Agriculture Development Strategy
The APP, since its formulation in 1995, became the basis of subsequent agriculture- and food security-related plans and policies in Nepal. The APP was due to expire in 2015. To provide a long-term strategy for agriculture development after 2015, the Government of Nepal initiated the preparation of the Agriculture Development Strategy (ADS) in 2011. The first step in that endeavour was the preparation of an inception report by a team of domestic and international consultants led by Francesco Goletti of Agrifood Consulting International, Inc., with major technical support from the Asian Development Bank (ADB) (ADB 2011). The ADS would guide Nepal’s agriculture development for 20 years from 2015 until 2035. As stated in the Thirteenth Plan (2013–2016), Nepal’s forthcoming plans on agriculture would also be based on the ADS (NPC 2013). This shows the importance of the ADS for Nepal’s agriculture.

The final report of the ADS states, at the outset, that it is prepared by the MoAD in consultation with the National Peasants’ Coalition. It further states (MoAD 2015a, p. 21),
This final report is built on the report prepared under the Technical Assistance (TA) 7762 NEP funded by Government of Nepal (GON) with support by Asian Development Bank (ADB), International Fund for Agricultural Development (IFAD), European Union (EU), Food and Agriculture Organization (FAO), Swiss Agency for Development and Cooperation (SDC), Japan International Cooperation Agency (JICA), Denmark Agency for International Development (DANIDA), World Food Program (WFP), United States Agency for International Development (USAID), Department for International Development (DfID), the World Bank, the Australia Agency for International Development (AusAID), and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women).

Moreover, during the course of report formulation, consultations were held at the national and regional levels with various stakeholders, including farmer organisations, civil society, media and experts. About 4,000 interviews were also conducted with stakeholders, and 20 focus group discussions were carried out at the village level.

After the preparation of the first draft of the ADS, the Agriculture and Water Resources Committee of the Legislature Parliament (AWRC-LP) and the National Planning Commission (NPC) also showed ownership and interest in the ADS. Therefore, the final report was shared with them for their feedback. The AWRC-LP held several consultations with government actors and agencies, farmers’ representatives, experts and development partners to collect feedback on the report. Both the AWRC-LP and the NPC provided their feedback on the report to the MoAD, which included them as Appendices in the report, and states that it has addressed most of the suggestions (MoAD 2015a).

This suggests that the ADS was prepared through a wide and extensive consultation process involving many relevant stakeholders ranging from the local to the national level, and hence, it should have broad-based ownership. However, not all who participated closely in preparing the ADS, and some who remained outside but watched the preparation process closely, agree that the substance of the ADS is a result of the broad-based consultation.
The National Peasants’ Coalition members accuse the MoAD of not following a consultative process right from the start as it did not include them from the very beginning, and when they were included in the Steering Committee, most of the work had already been completed.\(^{94}\) One of the Coalition members even stated that at one point the Prime Minister had to intervene to assure the inclusion of farmers’ representatives, i.e., some Coalition members, in the ADS team.\(^{95}\) A representative of the MoAD, who fully participated in ADS preparation, states that their inability to include the National Peasants’ Coalition in the Steering Committee initially was due to the fact that they had only one space for a farmers’ representative, but there were many farmer organisations affiliated with the political parties. It was not possible to include all of them, and including only one of them would not be appropriate either. That would invite a backlash from the rest. After the formation of the Coalition, it was assumed that this would be resolved. However, despite the formation of the Coalition, the Coalition members wanted representation from every political party-affiliated farmer organisation in the Steering Committee.\(^{96}\) Ultimately, this had to be agreed upon, and five members from the Coalition were included as members in the Committee, with the Chair of the Coalition given the role of the co-Chair of the Steering Committee (MoAD 2015a). Nevertheless, according to a senior agriculture policy analyst, the preparation of the ADS was mainly driven by the team leader and international consultants, who did not wholeheartedly accept the idea of food sovereignty. Therefore, the ADS does not fully demonstrate Nepal’s agricultural realities.\(^{97}\)

The ADS envisions Nepal’s agriculture sector to be self-reliant, sustainable, competitive and inclusive, such that it drives economic growth and contributes to improved livelihoods and

\(^{94}\) Personal interview with former General Secretary of All Nepal Peasants’ Federation (ANPFa).

\(^{95}\) Personal interview with General Secretary of ANPFa.

\(^{96}\) Personal interview.

\(^{97}\) Personal interview.
food and nutrition security *leading to food sovereignty* (MoAD 2015a). Self-reliance, sustainability, competitiveness, inclusion, economic growth, improved livelihoods, and food and nutrition security have been identified as the key elements of the vision and are explained immediately after the vision statement, leaving aside “food sovereignty”. This is reflective of the lack of a common understanding and consensus among the ADS preparation team members on the idea of “food sovereignty” as the ultimate goal of the ADS.

In fact, food sovereignty was not included in the initial ADS documents such as the inception report (see ADB 2011). However, it was included in the final report due to pressures from Coalition members.98 According to the MoAD official in the ADS team, the lack of understanding of what food sovereignty entailed was the reason that it was merely mentioned but not elaborated upon.99 Accordingly, the ADS drafting team could not include indicators to measure food sovereignty to assess the ADS’s progress over the years.

The ADS has taken a cautious approach in including food sovereignty in the document. For instance, to allay the possible fear that having “self-reliance” and “food sovereignty” in the vision statement could be interpreted as Nepal moving towards self-sufficiency, the ADS has explained (MoAD 2015a, p. 51),

> Self-reliance relates to the capacity of the country to produce sufficient food to feed its own population. Currently, not only the food and agricultural trade balance of Nepal is in deficit, but also its major food staples are in deficit, including rice, wheat, and maize. Self-reliance is based on the aspiration that Nepal should not be dependent on imports for its food staples. This is an achievable target since even moderate increases in cereal productivity in Nepal can result in foodgrains self-sufficiency. The concept does not imply that for each and every commodity Nepal should be self-sufficient. Nepal should be self-reliant overall for food and agricultural products; for

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98 Personal interview with former General Secretary of ANPFa.

99 Personal interview with a senior official of the Ministry of Agriculture who was in the ADS preparation team.
several individual food and agricultural products Nepal might continue to import based on its comparative advantage.

Nepal has adopted liberal economic policies in general, and the ADS categorically states that the vision of achieving self-reliance in food should not preclude international trade of food and agricultural products. However, the indicator it has chosen to measure self-reliance is “self-sufficiency in foodgrains”, the target for which is no trade deficit in food grains in the short term (five years of ADS implementation) and 0 to 5 percent trade surplus in food grains in the medium and long term—10 years and 20 years, respectively.

The ADS has used the terms “self-reliance” and “self-sufficiency” interchangeably throughout the document, although food self-reliance and food self-sufficiency are not the same concepts. The former is about domestic availability of food, for which imports can be a source, whereas the latter is about complete food supply through domestic production (see, for example, Panagariya 2002; Pingali & Rosegrant 1995). The ADS envisions a self-reliant agriculture sector, and explains self-reliance as the ability to rely on one’s own resources, and as being resilient to economic, social and environmental shocks and changes. The ADS’s explanation does not mean self-reliance to be understood as self-sufficiency, but its use of the two terms interchangeably is due to the conflicting views in terms of understanding food sovereignty as self-reliance or self-sufficiency in food.\footnote{Personal interview with an economist who is a leading trade expert of the country and is a former member of the National Planning Commission. He also participated in the preparation of the ADS as an expert.}

An important acknowledgement in the ADS from a food sovereignty perspective is that the success of the strategies for agriculture development depends on, among other things, farmers’ access and control over the means of production, primarily land. Yet, the ADS has not considered land distribution an important element of farmers’ access to land despite acknowledging that 18 percent of Nepal’s rural population comprises small commercial farmers with 1 to 5 hectares of land, 17 percent subsistence farmers with 0.5 to 1 hectare of
land, and 65 percent landless and near landless with less than 0.25 hectares of land. It states that during the course of the ADS, “tenancy, fragmentation, degradation, land use planning” are the critical land issues that need to be resolved (MoAD 2015a, p. 6).

The emphasis on these four land issues is reflective of the focus on agriculture commercialisation against the food sovereignty movement’s call for farmers’ access to land. The ADS implicitly acknowledges that its focus is mainly on those farmers who have the potential to become commercial as it states that different approaches have to be taken for subsistence farmers. Moreover, the benefits to landless rural households due to the strategies stipulated in the ADS, as stated in the document, are indirect in the form of “food and nutrition security interventions, the employment opportunities expanded in the rural non-farm sector, and the growth of agriculture-based enterprises” as a result of the ADS’s focus on agriculture commercialisation (MoAD 2015a, p. 7). The ADS does not contemplate providing land to the landless farmers, which is the most important call of the food sovereignty movement.

In large part, the focus of the ADS for Nepal’s agriculture development—agriculture modernisation and commercialisation—is a continuation of the past. But it also differs from earlier agriculture development strategies on some counts, one of which is the participation of farmers in the strategy formulation stage and their continued involvement in implementation, monitoring, evaluation and periodic reviews. The ADS has recognised farmers and their organisations such as the National Peasants’ Coalition, among others, as the leading stakeholders in the ADS. It has also promoted the establishment of a high-level, fully authorised and permanent Farmers’ Commission to help advance farmers’ rights.

These are important developments. If farmers themselves could make decisions concerning agriculture, it would be an important aspect of implementing food sovereignty as called for by the global food sovereignty movement. But given the way the ADS was prepared, and the
lack of representation of farmers in important policy- and decision-making platforms, there is doubt as to whether farmers, especially small farmers and peasants, are indeed actually placed in the driving seat.

9.2.4 National Farmers’ Commission
The Government of Nepal formed the National Farmers’ Commission through an executive order on 19 January 2017. The Commission was established in response to a long-standing demand for such a body by farmers, and to meet one of the provisions stipulated in the ADS to recognise farmers’ rights. While farmer groups have welcomed the formation of the Commission, they have been demanding that the commission be given constitutional status similar to the Election Commission, Women’s Commission, and so on. Meanwhile, the Commission has requested that the government prepare the National Farmers’ Commission Act.

The Commission is chaired by a former chairperson of the National Peasants’ Coalition. Other office bearers are also mainly farmers’ representatives from different farmer organisations. The aim of the Commission is to adopt principles and values in relation to farmers’ rights being practised globally, and to provide independent, impartial and trustworthy leadership to promote farmers’ rights in Nepal. Thus, the Commission intends to work to promote and establish farmers’ rights in the country. One of its objectives is also to support the implementation of the ADS.

In the first year of its establishment, the major work undertaken by the Commission was to organise a few workshops in and out of Kathmandu to identify some of the major barriers in Nepal’s agriculture development and Nepali farmers’ poor social conditions (NFC 2017). Most of the participants in those workshops were farmers. The issues they raised regarding Nepal’s agricultural problems were not very different from the ones identified earlier in

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various plans and policies. They included internal problems such as unavailability of timely agricultural inputs, limited agricultural subsidies that, too, were availed mainly by better-off farmers, lack of irrigation facilities, inability of farmers to get reasonable returns due to middlemen bagging the profits, the social outlook towards farming as a not-so-respected profession, lack of social safety nets such as pensions and insurance for farmers, migration of youths from rural areas, fallowing of agricultural lands, and so on. One of the highlights of the workshops was the need to transform Nepal’s subsistence agriculture into a modern, commercial sector.

A few participants also raised the issue of constantly rising agricultural imports and the need to address this problem. However, Nepal’s agricultural problems in the context of its trade relationships were not highlighted. Rather, there were suggestions that Nepal needs to amend and prepare laws related to agriculture and farmers’ rights to comply with the country’s international commitments.

One of the forums organised by the Commission was on foreign direct investment (FDI) in agriculture. The discussion revolved around the issue of whether Nepal should invite FDI in the agriculture sector. It was a high-level forum attended by a former Prime Minister and Chairman of CPN (Maoist), Pushpa Kamal Dahal “Prachanda”, and General Secretary of the Nepali Congress Party, Sashank Koirala, among others. A few participants in the forum completely opposed FDI in the agriculture sector in Nepal, but the majority view, including that of the senior party leaders, was that the country should take a cautious approach. The Maoist chairman cautioned that if FDI were to be invited in the agriculture sector without adequate attention, then it might result in Nepali farmers’ status being transformed to that of farm labourers as was the case in Mexico and other Latin American countries. Reconciling the different perspectives of the participants, the Commission, in its report and suggestion to the MoAD, stated that FDI should not be open in the primary sector of agricultural production so as to safeguard small farmers. By putting in place adequate regulations, it can
be invited in building agricultural infrastructure such as irrigation, dams, agricultural roads and agro-processing facilities.

As discussed in Chapter 7, Nepal has opened FDI in the agriculture sector except in a few primary sectors. Yet, the country has not seen massive FDI in the agriculture sector. As the Maoist Chairman also mentioned, FDI in Nepal in agriculture is not similar to that in Latin America. Therefore, the issues raised by stakeholders through the Commission do not provide insights into the adoption of the idea of food sovereignty in Nepal.

The National Farmers’ Commission, which has been established to safeguard and promote the rights and interests of farmers, has stipulated the need to ensure food sovereignty of farmers. The foregoing discussion does not illustrate what this new idea actually entails. The identified problems have been in place for decades, and no person or none of the existing concepts would be opposed to addressing them. The establishment of the Commission might certainly help farmers raise their concerns in a consolidated and formal manner, but the assumption that the Commission is a result of adopting the idea of food sovereignty cannot be substantiated.

9.3 Food and agricultural policies and programmes after the new Constitution

The Interim Constitution, as the name suggests, was meant for an interim period until a permanent Constitution could be written by a Constituent Assembly. As explained in the previous chapter, after the Interim Constitution was promulgated, it took eight years to promulgate the permanent Constitution in September 2015. In the sections above, I analysed the Government of Nepal’s policy priorities in the food and agriculture sector, from the perspective of the idea of food sovereignty, in those eight years between the Interim Constitution and the new Constitution. In this section I analyse the implementation aspect of food sovereignty after the promulgation of the new Constitution.
In March 2016, the National Planning Commission organised an international seminar to discuss ideas for developing a long-term development strategy for Nepal to graduate from least-developed country (LDC) status by 2022, to achieve the Sustainable Development Goals, and become a middle-income country by 2030 (NPC 2016a). One of the sessions of the seminar was dedicated to discussing agriculture development and was titled, “Transforming agriculture into a high-value competitive industry”. The title reflected well Nepal’s approach to agriculture development for many decades, i.e., transforming Nepal’s agriculture sector from subsistence to a commercial industry.

The NPC had invited a retired World Bank official who had worked at the Bank for 29 years to be the main presenter of the agriculture session. His definition of agriculture transformation was, “A process by which small subsistence farms shift to specialized commercialized production” (NPC 2016a, p. 27). One of the ways to commercialise Nepal’s agriculture sector was identified as motivating farmers to switch from cultivating rice to high-value crops. This was reinstating the earlier focus on cash crops, which had been considered a major factor in Nepal’s increasing dependence on imports of cereal crops.102

In the seminar, experts discussed South Korea’s development experience, including in the agriculture sector, as an important lesson for Nepal. Korea’s success in increasing agricultural productivity was due to the green revolution, irrigation, land consolidation, farm mechanisation, training and technical assistance, and use of new varieties of rice crops brought from the United States. Nepal’s attempt to develop agriculture had focused on most of these aspects since the mid-1950s. In the context of the adoption of food sovereignty as a right, continued focus on agriculture commercialisation, high-value crops, and aspects of the green revolution might not make much sense. But the design of the agriculture session and the ideas that came up during the discussion were no different than they were in the past.

102 Personal interview with a senior agricultural economist and expert on Nepal’s agricultural issues.
Having adopted the idea of food sovereignty, it might have made more sense to invite representatives from countries that have also adopted the idea of food sovereignty so that Nepal could learn from their experience.

The Fourteenth Plan (2016–17 to 2018–19) is the first periodic plan after Nepal promulgated the new Constitution. With the vision of guaranteeing food sovereignty and food and nutrition security in the country, the Fourteenth Plan recognised the ADS as providing the blueprint for Nepal’s agriculture development (NPC 2016b). The Plan’s goal has been to make the country’s agriculture sector competitive and move it towards becoming self-reliant through sustainable and commercial development. To achieve this, most of its policies and programmes have again been the continuation of past policies and programmes. But it has also categorically identified the need to provide subsidies, based on investment participation, on production inputs, chemical fertiliser, organic fertiliser, improved seeds, irrigation, agricultural machinery and tools, biological and chemical pesticides, and insurance premiums. It has also encouraged the mechanisation of agriculture to address the problem of increasingly female-dependent agriculture due to male outmigration, and for agriculture commercialisation.

The government’s vision for agriculture development is best illustrated in a major agricultural project, “Prime Minister Agriculture Modernisation Project” (PMAMP), which has been launched recently. The Government of Nepal, Council of Ministers, approved the project on 10 January 2017. The project document states at the outset that the 10-year project has been designed to help implement the ADS (MoAD 2016). The goal of the project is to transform Nepal’s agriculture from subsistence to modern though agriculture commercialisation. The project has taken the following strategies to achieve its goal:

1. Scientific land use,
2. Adoption of modern agricultural technologies,
3. Mechanisation of agriculture,
4. Infrastructure development for processing and marketing of agricultural products,
5. Strong coordination and modernisation of agricultural research-education-extension system,
6. Adoption of incentive system based on output,
7. Enhancement of quality control and food hygiene, and
8. Adoption of agricultural system adapted to climate change.

More than 75 percent (in terms of area) and more than 90 percent (in terms of number) of land holdings in Nepal are below 2 hectares (CBS 2013). Moreover, about 32 percent of the total land holdings consist of more than four parcels of land, and about 45 percent consist of two to three parcels of land, which shows the severity of land fragmentation. Therefore, the strategy of “scientific land use” in the PMAMP is to consolidate land based on cooperative farming, contract farming and lease farming. Landowners’ participation in land consolidation is made voluntary (MoAD 2016).

The project has envisaged dividing some special agricultural areas into clusters called pockets, blocks, zones and super-zones. The size of these clusters would be at least, respectively, 10 hectares, 100 hectares, 500 hectares and 1,000 hectares. The project has planned to increase the number of these clusters gradually over the project period, and at the end of the 10-year period, it has planned to have at least 15,000 pockets, 1,500 blocks, 300 zones and 21 super-zones throughout the country. This clearly shows the idea of developing agriculture in a big way through the development of large agricultural farms. Would this be in the interest of small farmers and peasants? Maybe not, as the only non-political farmer organisation views it.103 Moreover, land consolidation of this sort is not possible in the hills and mountains due to the country’s geography. Implementing a project of this nature might be akin to defining food sovereignty as the state when nations are self-sufficient, which is

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103 Personal interview with Chairperson of National Farmer Group Federation Nepal, the only non-political farmer federation, which is a member of the National Peasants’ Coalition.
how it has been perceived in Indonesia and the Philippines (Neilson & Wright 2017; Wiedemann 2015). But it might not address the “rights of people” aspect of food sovereignty.

The strategy taken in the PMAMP includes only the farmers having at least some land. What happens to the 65 percent of the rural population that is either landless or near landless (i.e., owning less than 0.25 ha of land)? According to the ADS, commercialisation of agriculture would open up several employment opportunities in the farm as well as non-farm sectors and the landless and near landless people would benefit from those enhanced rural activities and employment (MoAD 2015a). This is almost taking a market-oriented approach, and appears to be against the ideal of food sovereignty.

In the context of Nepal’s major food and agriculture-related policies and programmes not seeming to have considered well enough the question as to how to implement food sovereignty, I now turn to analysing the content of Nepal’s food sovereignty Act.

9.4 **Right to food and food sovereignty Act**

To comply with the constitutional provision that the fundamental right to food sovereignty of every citizen would be guaranteed in accordance with the law, Nepal has recently enacted the *Khadhya Adhikar Tatha Khadya Samprabhuta Sambandhi Ain* (Right to Food and Food Sovereignty Act). Although the Constitution has categorically stated that food sovereignty would be implemented according to the law, the preamble of the Act states that it has been prepared to implement the constitutionally guaranteed citizens’ fundamental right to food, food security and food sovereignty.

The Act has defined food security as physical and economic access to food *by every person* to lead an active and healthy life. This is similar to the FAO’s definition of food security, except that the FAO’s definition states that such access should be “at all times and in all circumstances” whereas the definition in the Act excludes this aspect. Similarly, the Act has
defined food sovereignty as the following four rights that farmers should enjoy in the food production and distribution system:

1. The right to participate in food-related policy formulation process,
2. The right to choose any profession related to food production or distribution system,
3. The right to choose agricultural land, labour, seeds, technology and tools, and
4. The right to be free from the adverse effects of globalisation and commercialisation of agriculture.

Associating food security with “every person” and food sovereignty with “every farmer”, the Act has suggested a distinction between the concepts of food security and food sovereignty. It has purported to give some clarity to the “sovereignty” of food sovereignty by associating food sovereignty only with farmers, although this does not align with the constitutional provision of food sovereignty as the fundamental right of every citizen. The definition of food sovereignty as the above-stated four rights of farmers also aligns broadly with the concept of food sovereignty promoted by the transnational peasants’ movement.

According to the Act, protection and promotion of the right to food sovereignty will be ensured through the protection of farming as a profession, and promotion of farmers’ living standards. This can be done through, *inter alia*, increasing investments in agriculture and food production, fixing prices of non-perishable agricultural products as identified, promoting sustainable farming systems based on biodiversity, providing compensation to farmers in the event of loss from agricultural production, and providing agriculture-dependent female farmers and landless families priority access to agricultural land and inputs. These are good measures, but the lack of adopting the idea of food sovereignty had not barred Nepal from instituting and undertaking them.

The Act also stipulates giving special emphasis to cash crops and exportable agricultural products, and commercialising, industrialising and modernising agriculture through the use of improved technologies, different varieties of seeds and pesticides as some other means to
implement food sovereignty. While these provisions are not in accordance with the promotion of food sovereignty by the social movements on food sovereignty, they are also contradictory to other provisions in the Act itself. For instance, along with these provisions, the Act also emphasises the promotion of biodiversity-based local and sustainable agriculture and protecting farmers from the adverse effects of pesticide use. Similarly, the Act has not stipulated banning outright the use of chemicals and genetically modified organisms (GMOs), which is a major element of food sovereignty promoted by social movements. It only suggests taking measures to protect farmers from the adverse effects of chemicals, pesticides and GMOs. Another notable aspect of the Act is, although the right to be free from the adverse effects of globalisation and commercialisation of agriculture has been stated as part of the food sovereignty definition, what this means and how this will be implemented has not been elaborated upon. The Act neither mentions Nepal’s current trade relationships, nor states whether and how globalisation has affected Nepal’s food and agriculture sector and Nepali farmers.

Hence, the Act has covered issues related to food and agriculture holistically from production to distribution to access, relating mainly production with the concept of food sovereignty of farmers, and distribution and access with the concepts of food security and the right to food of all people. It has envisaged that decisions related to food and agriculture, mainly on production and distribution, will be taken with the effective participation of farmers.

The Act has tended to provide some clarity in the implementation of food security, the right to food and food sovereignty by delineating whose rights these are. It contains most of the mechanisms already in place in relation to food and agriculture, but has given them legal meaning and protection. Unlike the case of plans and policies that have envisaged food sovereignty as sovereignty of the nation that can be met through national food self-sufficiency, the Act has envisaged food sovereignty as farmers’ rights. However, as discussed
above, there are contradictions and lack of clarity. This suggests there could be challenges in implementing the Act.

Another exercise to examine the implementation aspect of the idea of food sovereignty is analysing whether there have been changes in Nepal’s perceptions and approaches in trade negotiations with other countries in relation to food and agriculture. I perform this analysis in the section below.

9.5 Nepal’s position in trade negotiations related to food and agriculture
As discussed in earlier chapters, the proponents of the idea of food sovereignty do not perceive free trade agreements favourably. They vehemently oppose the World Trade Organization (WTO). Therefore, in analysing the institutionalisation of the idea of food sovereignty by Nepal, it is important to analyse Nepal’s position in relevant trade negotiations at the multilateral, regional and bilateral levels after it incorporated food sovereignty in the Interim Constitution.

None of the periodic plans since 2007 have stated that Nepal has been adversely affected by the bilateral, regional and multilateral trade agreements it has signed. Rather, they have viewed the trade agreements as opportunities since they have helped expand the market and provided more choice to Nepali consumers, and also provided opportunities to achieve maximum benefits from agricultural research programmes (NPC 2010, 2013). Benefiting from agricultural trade has been one of the strategies of the periodic plans.

The expected outcomes of the Twelfth Plan in relation to agricultural trade included adopting WTO standards on export and import of food products, and increasing foreign exchange earnings through exports of agricultural products (NPC 2010). Similarly, a working policy of the Thirteenth Plan was to promote crops and agricultural products having export potential
and identified by the Nepal Trade Integration Strategy. The development priority of agriculture was still oriented towards exports.

The ADS has also taken a trade-friendly approach for agriculture development. The government has considered reducing agricultural imports and expanding agricultural exports as one of its major development strategies. To achieve this, as discussed earlier, the major thrust has been on modernising and commercialising agriculture. Accordingly, several domestic strategies have been planned. However, when it comes to trade, it is not only the domestic measures that matter. The specifics of trade agreements with trade partners are important, too. In the context of adopting the idea of food sovereignty by Nepal, I will discuss Nepal’s positions in trade negotiations after the adoption of the idea of food sovereignty. I perform this analysis based on Nepal’s bilateral (Nepal-India), regional (SAFTA) and multilateral (WTO) trade relations.

9.5.1 Position on trade with India
Nepal’s latest trade treaty with India was signed in 2009, and was automatically renewed for seven years, without changes, in October 2016. When the current treaty in place was signed in 2009, it made some changes regarding primary goods. It expanded the list of products that were eligible for duty-free and quota-free market access in either country, although the first item in the list, “agriculture, horticulture, floriculture and forest produce”, itself is broad enough to cover almost everything. Other than that, the treaty did not make changes related to food and agriculture.

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104 The Nepal Trade Integration Strategy was launched by the government in 2010. It identified 19 goods and services in which Nepal had a comparative advantage and therefore were a priority for exports. Of them, seven were agro-food products and included cardamom, ginger, honey, lentils, tea, noodles and medicinal herbs and essential oils. Additionally, five goods and services were identified as “other potential export sectors”, which contained sugar and dairy products from the agro-food group (MoCS 2010).
Nepal and India hold Inter-governmental Committee (IGC) meetings at the Secretary level to discuss each other’s concerns on trade-related issues between the two countries. A reading of the minutes of the IGC meetings\textsuperscript{105} demonstrates that Nepal’s major concerns in agricultural trade are the problems Nepal faces at the borders while exporting agricultural goods to India. They include ambiguities in product classification and tariffs, a multitude of non-tariff barriers, allegations of non-compliance with sanitary and phytosanitary standards, and so on. Nepal has never raised the agenda of the harm that the reciprocal duty-free and quota-free market access provision on primary products has inflicted on Nepal’s agriculture.

Rather, in the IGC meeting in 2011, India requested that Nepal abolish even the five percent agriculture reform fee that Nepal had been imposing on agricultural imports from India. Nepal responded that it would have to abolish the fee by 2013 to comply with its WTO commitment and, therefore, it would abolish it later. On the face of it, this could be considered fair given Nepal’s WTO commitment. However, according to a trade economist\textsuperscript{106} who was a leading member of Nepal’s team that negotiated the country’s WTO membership, as an LDC member, Nepal would not have to comply with the commitment outright. If it could demonstrate that waiving the fee would be detrimental to its agriculture sector, it could be given a waiver. Therefore, Nepal’s response to India that it would abolish the agriculture reform fee by the due date of its WTO commitment was surprising, more so in the context of Nepal’s guaranteed fundamental right to food sovereignty of its citizens. Nevertheless, even after 2013, Nepal has continued to impose the agriculture reform fee.

Overall, the bilateral trade treaty between Nepal and India is not favourable to Nepal in the case of primary goods. Providing duty-free market access to highly subsidised Indian agricultural products does not create a level playing field for Nepali farmers. But Nepali

\textsuperscript{105} The minutes are available at http://commerce.gov.in/InnerContent.aspx?Type=InternationalTrademenu&Id=34, viewed 24 November 2017.

\textsuperscript{106} Personal interview.
consumers, in general, have been benefiting from India’s subsidised agricultural imports. Lately, the need to revise the provisions on primary products in the trade treaty has been called for (Pandey 2016), but surprisingly, food sovereignty proponents have not raised this issue strongly enough. Ensuring food sovereignty as a fundamental right in the Constitution, but not seeking to address the inequality present in bilateral trade relations, does not look meaningful.

9.5.2 State of trade under SAFTA
To effectively implement the trade liberalisation programme, the Agreement on South Asian Free Trade Area (SAFTA) stipulated that the sensitive lists would be pruned gradually over time (SAWTEE 2012a). Effective from 1 January 2012, all member countries except Bhutan removed at least 20 percent of the items from their sensitive lists. Nepal removed 20 percent of the total items from the list. The items thus removed included 72 percent of agricultural and food items that were on the original list (Sharma 2012). This was a big step for Nepal in terms of liberalising agricultural and food imports. However, this has not resulted in any substantial increase in agricultural and food imports into Nepal from member countries of the South Asian Association for Regional Cooperation other than India. A rise in the trade deficit with India has not occurred under the SAFTA framework, but under the bilateral trade treaty with India. Therefore, liberalising agricultural and food trade within SAFTA’s framework has not had a significant impact on Nepal.

However, constitutionally guaranteeing food sovereignty on the one hand, and lifting the protection provided to the agriculture sector by removing agricultural products from the sensitive list on the other hand, do not seem to go well together. Pruning the sensitive list in this manner might not have had an impact at present. But eliminating most of the food and agricultural products from the SAFTA sensitive list would foreclose any possibility of re-negotiating tariffs on such products with India. Surprisingly, this issue has not been given
prominence in policy debates in Nepal. Even strong advocates of food sovereignty have not raised this issue in any forum.

9.5.3 Position in the WTO
As discussed in Chapter 4, since the establishment of the WTO, agriculture has remained one of the most contentious issues in WTO negotiations, and it continues to remain so today. Various WTO members have different positions—some offensive and some defensive—on agriculture negotiations in the WTO. Nepal has not demonstrated any explicit position in the negotiations. This could be due to two main reasons, one on the defensive side and the other on the offensive side.

On the defensive side, Nepal can provide enough protection to its agriculture sector despite its WTO membership, and therefore, it might not have any major defensive interest. On the offensive side, Nepal might not yet have seen the prospects of exporting its food and agricultural products to far-off countries, and therefore, it might not have an offensive interest in calling for the reduction of tariffs on food and agricultural products in potential export markets. Moreover, as a net-food-importing developing country, Nepal might not have felt the need to call for the reduction of agricultural subsidies out of fear that reduction of subsidies could lead to a rise in food prices.

Since the incorporation of food sovereignty as a fundamental right in Nepal’s Interim Constitution, five WTO ministerial conferences have been held. As we saw in Chapter 4, since the WTO Ministerial in Bali in 2013, the issue of subsidies related to public stockholding of food products, raised by India, has remained one of the most important issues in WTO negotiations. It was one of the major issues that caused the failure of the WTO Ministerial in Buenos Aires (ICTSD 2017). Nepal could face some challenges due to India’s enlarged public stockholding programme, but has not raised any concerns regarding the same during WTO negotiations. This, as well as Nepal’s lack of a specific position on other aspects of agriculture trade negotiations in the WTO, could be due to Nepal’s bilateral relationship
with India in general, and because the bilateral trade relationship is governed by the bilateral trade treaty between the two countries in particular.

Thus, Nepal’s institutionalisation of food sovereignty has not had any impact on the country’s outlook towards the multilateral trade of food and agricultural products.

9.6 Conclusion

Despite the enshrining of the fundamental right to food sovereignty in Nepal’s Constitution, and major plans and policies embracing the idea of food sovereignty, there is a lack of clarity in its operationalisation. Food sovereignty is an ambiguous idea, and there could be varied interpretations regarding its implementation. However, there are a few clear and basic elements of food sovereignty that its proponents have emphasised since the introduction of the concept. These can be divided into two parts: external and internal. The external aspect relates to a state’s sovereignty on food and agriculture, that is, being autonomous in devising its food and agricultural policies without any external aggression. The global food sovereignty movement’s call to discard the WTO, and oppose trade liberalisation and the corporatisation of food and agriculture, belong to this aspect of food sovereignty. The internal aspect of food sovereignty relates to providing small-scale food producers access to major means of production such as land and agricultural inputs, and providing them autonomy in deciding agricultural and food policies. The external and internal aspects of food sovereignty are closely related, and reconciling the two is not easy.

Nepal’s Constitution has adopted the internal aspect of food sovereignty, and not limited it only to food producers. It has provided every citizen the right to food sovereignty. The other planning and policy documents have considered the “state sovereignty” aspect by incorporating the idea of being self-sufficient or self-reliant in food and agricultural products, although it is not very clear and straightforward. The emphasis on agriculture modernisation and commercialisation can be understood as representing Nepal’s goal of achieving self-
sufficiency or self-reliance in food. However, this is not a new idea. Developing modern and commercial agriculture has been a goal of every Nepali government over the past six decades or so.

The most important internal aspect of food sovereignty, that is, providing small farmers and peasants access to land and autonomy in decision-making, is absent from implementation. Again, land reform in Nepal is at least a six-decade old agenda, but there has not been adequate progress. Adoption of the idea of food sovereignty should have at least translated the agenda of land reforms into actual implementation, but that has not been the case. Heavy emphasis on agriculture modernisation and commercialisation has sidelined the actual concerns of small farmers and peasants, which are visible in the ADS and the PMAMP.

Also, on the external front, Nepal’s external trade relations have been progressing as usual. There are no major deviations in its negotiations related to food and agriculture at the bilateral, regional and the multilateral levels.

Hence, as we saw in the previous chapter, having the attributes of a coalition magnet enabled food sovereignty’s institutionalisation in Nepal. There were policy entrepreneurs who propagated this idea, and other actors also found it appealing, more so because they could interpret and accept it in their own particular ways. But the coalition magnet character of food sovereignty has not helped in its implementation. In fact, there is lack of clarity on how to implement food sovereignty. Thus, this chapter provides further evidence to the claim that Nepal’s adoption of food sovereignty was not based on specific objectives in relation to food and agriculture that had not been possible to achieve within the concepts of food security and the right to food. This may suggest that coalition magnets are helpful in the agenda-setting phase of the policy process. But they are not viable when it comes to implementation.
Chapter 10
Conclusion

10.1 Discussion and key findings
The idea of food sovereignty is ambiguous. It lacks clarity and precision. Therefore, exploring the process of institutionalisation of the idea of food sovereignty by some countries, to the extent of guaranteeing it as a constitutional fundamental right in the way Nepal has done, is a useful research endeavour. Hence, this research project started with two main research questions: 1) When food sovereignty is ambiguous and lacks precision, how does it get institutionalised? and 2) What are the consequences for policy-making when an ambiguous idea such as food sovereignty is institutionalised? In other words, if the idea of food sovereignty is imprecise and lacks clarity, how did it get adopted when there already existed the concepts of food security and the right to food? Moreover, if food sovereignty is a contested idea, how is it being implemented?

As we saw in earlier chapters, there is a vast amount of literature on the precariousness of food and agriculture in the world today in relation to land grabs and dispossession of the peasantry of their lands. There is literature that claims that there has been an increasing emphasis on industrial agriculture and thus the corporatisation of food and agricultural systems. Emphasis on industrial agriculture and corporatisation of agriculture have resulted in mono-cropping practices, massive use of chemicals in the forms of insecticides and pesticides, promotion and propagation of genetically modified organisms (GMOs), and loss of agricultural biodiversity, among other things.

We also saw that there is literature that claims that the current global trading system favours the corporate food and agricultural regime to the detriment of small-scale farmers and their traditional, environment-friendly agricultural practices. The literature further argues that
epistemic organisations such as the World Trade Organization (WTO), the International Monetary Fund (IMF) and the World Bank promote the current global trading system and the corporatisation of food and agriculture.

The stated problems in the food and agriculture sector have existed within the concepts of food security and the right to food. Hence, an implicit claim is that the mentioned problems cannot be addressed within these existing concepts. Thus, the idea of food sovereignty was born out of a search for solutions to the challenges present in the food and agriculture sector. Mainly peasants from several countries around the world formed a transnational peasants’ movement, La Via Campesina, and have been promoting food sovereignty as the solution to existing challenges in the realm of food and agriculture.

Hence, we see a double movement at play. On the one hand there is movement for the further liberalisation of the food and agriculture sector, for industrial agriculture, and for the corporatisation of food and agriculture. This movement, it is claimed, is for food and agriculture commodification. On the other hand, there is the countermovement against the commodification of food and agriculture, which is the food sovereignty movement.

This narrative aligns well with the double movement thesis propounded by Polanyi (2001[1944]) that I discussed in Chapter 2. Therefore, the double movement thesis helps understand the emergence of social movements promoting food sovereignty. However, the idea of food sovereignty is not only confined to social movements. It is also being adopted and formalised by some countries around the world. Demands put forth by social movements do not get institutionalised automatically, more so when the idea presented by such movements lacks precision in relation to the policy measures to be undertaken. Hence, viewing food sovereignty only from the perspective of the double movement thesis does not explain the institutionalisation of food sovereignty by states.
Development of the idea of food sovereignty entails that the concepts of food security and the right to food are either inappropriate or inadequate. Food sovereignty proponents claim that the existing concepts of food security and the right to food do not challenge the liberalised, corporate food regime and are not against the commodification of food and agriculture. As discussed in Chapter 4, these might not be well-founded claims. It is up to the states to decide how they want to ensure food security and the right to food of their peoples. Would the states want to adopt industrial forms of agriculture or peasant-focused agriculture? Would they want to adopt chemical-intensive modern farming technology, including the use of GMOs, or encourage traditional agricultural systems? Would they want to follow principles of “agriculture normalism” or “agriculture exceptionalism” (Chapter 4)? The existing food paradigms do not suggest one system over the other as long as the chosen system ensures food security and the right to food.

A major argument of food sovereignty proponents is that trade liberalisation and the corporatisation of food and agriculture have undermined small-scale agriculture and peasants’ livelihoods. And because food security and the right to food are ambivalent towards such liberalisation and corporatisation, these concepts do not openly support small-scale peasant agriculture. Thus, the idea of food sovereignty was developed as a counter-reaction to neoliberal policies adopted in the food and agriculture sector. It was born out of a social movement with the objective of localising and democratising agricultural and food systems. But what do localisation and democratisation of agricultural and food systems mean? How can these concepts be operationalised? There are no clear answers.

Countries that have relatively longer histories of food sovereignty movements, and that have also institutionalised this new idea, do not demonstrate the recognition and importance given to small-scale traditional agriculture. They also do not provide clarity on localisation and democratisation of agricultural and food systems (Chapter 6). Food and agricultural policies
and practices in these countries after the institutionalisation of the idea of food sovereignty do not show a significant deviation from the past.

Moreover, as elaborated upon in Chapter 5, the idea of food sovereignty is not clear in its meaning and scope. There is a lack of a single, consistent and coherent definition of food sovereignty. The various definitions of food sovereignty over the years, the diverse stakeholders, the idea encompasses, and the multitude of issues it purports to address, have made food sovereignty an ambiguous idea. Thus far, the food sovereignty movement has not been able to clarify whether food sovereignty is a programme, or a process, or a right, or something else.

Another issue, and a major one, is related to the “sovereignty” aspect of food sovereignty. What does the “sovereignty” of food sovereignty mean, and whose sovereignty does it call for? As discussed in Chapter 5, this is an unresolved question. Some efforts made on this front by advancing the idea of multiple sovereignties have not been helpful. As we saw in the case of Latin American countries (Chapter 6) and also in Nepal (Chapters 8–9), the “sovereignty” in food sovereignty has not been given adequate consideration. The idea of food sovereignty as being the sovereignty of the state as well as individuals seems to have further mystified food sovereignty. Even if one is to accept food sovereignty as only the sovereignty of an individual, ambiguities still persist. Who are the individuals who claim food sovereignty, and how? How is the state to reconcile the interests of food producers versus consumers, of big farmers versus peasants, of indigenous people versus the rest of the population? There could be normative assumptions of how food sovereignty could be exercised by every individual, and also the state, but in practice, this looks difficult.

Given such ambiguity and lack of precision regarding the idea of food sovereignty, exploring the process that led to the adoption and institutionalisation of the idea by some countries would be a fruitful exercise. Existing studies of food sovereignty in Latin American countries
purport to explain the institutionalisation of this idea in those countries mainly in terms of the double movement. But as we saw in Chapter 6, the double movement thesis can explain the promotion of food sovereignty by social movements in Latin American countries; it does not explain the adoption of food sovereignty by states.

Similarly, the double movement thesis does not explain the institutionalisation of food sovereignty by the Nepali state. As elaborated upon in Chapter 7, Nepal’s adoption of liberal economic policies since the early 1990s, which covered the food and agriculture sector, is considered a movement towards an open, market-based economic system. We also saw that the adoption of liberal economic policies by Nepal has been criticised by some critics with the allegation that such policies negatively affected the country’s food and agriculture sector. This, it has been argued, resulted in a countermovement against the undertaking of liberal economic policies in general, and against the liberalisation of the food and agriculture sector in particular. Also, although there is no direct presence of multinational agri-companies in Nepal, there have been efforts by such companies to enter the Nepali market, as discussed in Chapter 7. This has resulted in some civil society resistance. This shows the presence of a double movement in a limited way; the countermovement being undertaken by social groups. Food sovereignty proponents might attribute the institutionalisation of food sovereignty by Nepal to such countermovements.

There is some shortcoming in this argument, however. So far, there is no presence of the corporate sector directly controlling Nepal’s food and agricultural systems in ways that the transnational food sovereignty movement is against. There had been efforts by Monsanto (now Bayer) to formally enter Nepal, but it was through a formal agreement with the Government of Nepal, and after “food sovereignty” had been incorporated into the Interim Constitution. Regarding the adoption of liberal policies in the food and agriculture sector in Nepal, as discussed in Chapter 7, Nepal’s signing of regional and multilateral trade agreements have not been detrimental to its food and agriculture sector. There are issues
regarding Nepal’s trade relations with India, which is covered by the bilateral trade treaty between the two countries. However, given that the issues are part of broader bilateral relations between Nepal and India, they are not vigorously debated. The Government of Nepal has not considered negotiating issues related to food and agriculture with India in light of the adoption of the idea of food sovereignty.

This is not to say, however, that Nepal’s food and agriculture sector is free of problems and challenges. There are lots of them, but they are not related to the adoption of one concept over the other. The problems and challenges are more domestic than external. The most pressing is the issue of landlessness and functional landlessness of a large number of people dependent on agriculture, and hence the need for land reform (Chapter 7). The others relate to access to credit, timely provision of good quality agricultural inputs, provision of markets, and so on. These issues are more political and operational than systemic. For example, land reform is a political issue. Land distribution in Nepal is not as highly unequal as it is in many Latin American and African countries. There is some land inequality in Nepal, but the major problem is with the availability of only limited agricultural land. Given the limited availability of agricultural land, what would be the appropriate land ceilings? How can the land ceiling be enforced without any backlash? How can the challenge related to land fragmentation be addressed? What is the optimal land size necessary to undertake commercial agriculture that all the political parties in Nepal have promoted over the years? These are the kinds of questions related to the land issue. It is not the absence of a particular concept that has hindered implementing land reform programmes in Nepal.

Similarly, the unavailability of credit and timely provision of good-quality agricultural inputs are mainly due to managerial and operational inefficiencies. These issues have fermented discontent among the farming population. The concepts of food security and the right to food do not keep states from addressing such problems. Moreover, even if food sovereignty is seen as a response to these challenges (even if only partly), two related questions emerge: 1) How
would food sovereignty provide states the conditions to address these problems? Why was it not possible without adopting the idea of food sovereignty? and 2) How have states been addressing the challenges present in Nepal’s food and agriculture sector after the adoption of the idea of food sovereignty? As we saw in Chapter 9, Nepal’s experience shows that merely adopting the idea of food sovereignty would not help solve these problems. Despite adopting the idea of food sovereignty, there has been no significant change in Nepal’s food and agricultural plans, policies and programmes in ways that would not have been possible within the concepts of food security and the right to food.

As stated earlier, the double movement thesis provides a useful window to understand the food sovereignty movement undertaken by social groups, but not the formal institutionalisation of food sovereignty by states. A possible explanation for Nepal’s adoption of the idea of food sovereignty could be that it was adopted for symbolic reasons. However, as we saw in Chapters 8 and 9, the idea of food sovereignty did not remain symbolically in Nepal’s Constitution. The idea was translated into related policy and planning documents. An Act to implement the right to food sovereignty was also put in place. Had the idea been accepted only for symbolic purposes, it might have remained only in the Constitution and not been pursued further.

Another possible explanation for the adoption of the idea of food sovereignty by Nepal could be that the adoption of the idea of food sovereignty was a result of Nepal’s political parties’ competition to attract a large electorate since around two-thirds of Nepal’s population is still dependent on the agriculture sector. However, in Nepal, all the major political parties had a consensus in adopting the idea of food sovereignty. We do not see party politics or competition at play in accepting the idea of food sovereignty.

Therefore, we can safely reject the popular explanation that the idea of food sovereignty was accepted due to the social movement. We can also reject the possible explanations that the
idea was adopted for symbolic purposes or due to party competition. Rejections of these possible explanations substantially strengthen the proposition of this thesis, which is based on the coalition magnet literature. However, to confirm this proposition, further tests were necessary.

We saw in Chapter 2 how ideational theories help explain policy and institutional change. Further, the recent contribution by Béland and Cox (2016) that the coalition magnet character of some ideas might explain their institutionalisation is useful. Thus, this research used the theoretical frame of the “coalition magnet” to examine the institutionalisation of food sovereignty in Nepal.

To reiterate, coalition magnet is “the capacity of an idea to appeal to a diversity of individuals and groups, and to be used strategically by policy entrepreneurs (i.e., individual or collective actors who promote certain policy solutions) to frame interests, mobilize supporters and build coalitions” (Béland & Cox 2016, p. 429). For an idea to become a coalition magnet, three things are essential: 1) effective manipulation of the idea by policy entrepreneurs, 2) embracing or promotion of the idea by key actors in the policy process, and 3) coming together of actors who were at odds with each other previously, or mobilisation of actors who were not previously engaged with the particular issue.

As we saw in Chapter 8, in Nepal’s case, food sovereignty has all these three attributes and can be called a coalition magnet. There are policy entrepreneurs who propagated and promoted the idea of food sovereignty in Nepal. They are leaders of farmers’ organisations affiliated with political parties, who have influential positions in Nepal’s politics and in policy- and decision-making processes. They are the ones who supposedly lead the farmers’ movement in Nepal. These policy entrepreneurs learnt about food sovereignty from the transnational peasants’ movement La Vía Campesina and brought the idea to Nepal. Being at the forefront to push for reform agendas in the food and agriculture sector, the policy
entrepreneurs claim to have found an alternative in the politically appealing idea of food sovereignty. In addition, they must have felt that the ambiguous but politically appealing idea of food sovereignty would attract a diverse range of stakeholders. These policy entrepreneurs were successful in explaining food sovereignty to stakeholders from various quarters in an appealing way, which increased the number of food sovereignty proponents in the country. Thus, they were able to form a majority coalition, mainly of non-state actors, that was in favour of food sovereignty in Nepal.

The existence of problems in the food and agriculture sector in Nepal, and the exposure of some non-state actors to the idea of food sovereignty, might explain the promotion of the idea of food sovereignty by some non-state actors in Nepal. However, that would not be sufficient to translate the idea of food sovereignty as a fundamental right in the country’s Constitution since there would be other non-state and state actors who might oppose the idea. Moreover, for the state to have accepted the idea of food sovereignty due to the countermovement, it would have to make radical changes in the food and agriculture sector, which otherwise might not have been possible within the concepts of food security and the right to food. We do not see this to be the case in Nepal. If this is the case, why was the idea of food sovereignty embraced by the major actors?

Since the 1950s, the focus of every political party and government in Nepal has been on agricultural reforms, including transforming Nepal’s subsistence agriculture into a modern and commercial sector, developing it as an industry. But it has remained a mere political slogan for over six decades. Political parties are under the pressure of their own promises of bringing about significant reforms in the food and agriculture sector. They cannot ignore this important sector that has significant linkages with various socio-economic and political issues. The idea of modern, commercial and industrial agriculture does not seem to sit well with the idea of food sovereignty, but the idea is politically appealing. It could be interpreted in different ways. As Nepal’s judiciary did, food sovereignty could also be interpreted as food...
security and/or the right to food (Chapter 8). Hence, the top leaders of almost all the political parties, and also all three organs of the state—the legislature, the executive and the judiciary—embraced the idea of food sovereignty.

Moreover, despite being called an agricultural country, Nepal has been experiencing a massive rise in its food and agricultural trade deficit. This could be attributed, in part, to political parties’ past mistakes and failures, which included both political and operational aspects that were discussed in Chapters 7 to 9. In the idea of food sovereignty, the political parties must have found the means to cover up their past mistakes and failures. They could legitimise their earlier actions as being taken within the concepts of food security and the right to food, and hence not being able to do enough. They might be able to convince their respective electorates that food sovereignty could provide them the avenue to advance and implement radical agricultural reforms. Hence, the major political parties that were (are) at odds with each other had a consensus in accepting the idea of food sovereignty.

Thus, learning from policy entrepreneurs at the transnational level, a few policy entrepreneurs at the national level in Nepal promoted the idea of food sovereignty in an appealing way, providing ample space for the varied interpretations of the idea’s meaning and scope. Consequently, major political and policy actors embraced the idea of food sovereignty in line with their own understandings and interpretations. The idea brought together actors who were at odds with each other previously, and developed a strong collective voice leading to the institutionalisation of food sovereignty in Nepal.

Therefore, the coalition magnet thesis explains the institutionalisation of food sovereignty in Nepal. However, because food sovereignty has been institutionalised without a common understanding of how it can be realised, whether and how the idea of food sovereignty would be operationalised is an important question from two perspectives: 1) whether the coalition
magnet thesis helps explain only agenda setting or also implementation of the agenda, and 2) what food sovereignty would look like in practice.

In Nepal, the operationalisation of food sovereignty is scarcely observed despite the enshrining of this idea in the country’s Constitution and major planning and policy documents (Chapter 9). Although food sovereignty is an ambiguous idea, providing scope for varied interpretations regarding its implementation, there are a few basic elements of food sovereignty that its proponents have emphasised since the introduction of the concept. For example, the global food sovereignty movement is against the WTO and wants agriculture to be out of the WTO. It also opposes trade liberalisation and the corporatisation of food and agriculture. The movement demands small-scale food producers’ access to major means of production such as land and agricultural inputs, and their autonomy in deciding food and agricultural policies. Broadly, these are external and internal aspects of food sovereignty. The external aspect relates to a state’s sovereignty on food and agriculture, that is, being autonomous in devising its food and agricultural policies without any external constraints. The internal aspect relates to farmers’, particularly small-scale food producers’, autonomy. The discussion in Chapter 9 shows that reconciling the external and internal aspects of food sovereignty is not easy.

Nepal has adopted the internal aspect of food sovereignty, but in an ambiguous manner. The country’s Constitution has guaranteed every citizen’s fundamental right to food sovereignty, whereas the Act on food sovereignty has stipulated food sovereignty as the right of farmers. Also, Nepal has a goal of becoming self-sufficient/self-reliant in food and agricultural products through large-scale agriculture, with emphasis on agriculture modernisation and commercialisation. The idea of large-scale modern and commercial agriculture might not be compatible with the idea of food sovereignty. Moreover, Nepal’s focus on commercialising agriculture for national self-sufficiency/self-reliance in food products cannot be attributed to
its adoption of the idea of food sovereignty. Developing modern and commercial agriculture has been a goal of every Nepali government over the past six decades or so.

With the state’s adoption of the idea of food sovereignty, one might expect to see that small farmers and peasants are provided access to adequate land, and also autonomy in making decisions related to food and agriculture. In Nepal, this has not been the case. Again, land reform in Nepal is at least a six-decade-old agenda, but there has not been adequate progress. Adoption of the idea of food sovereignty should have at least translated the agenda of land reform into actual implementation. There is heavy emphasis on agriculture modernisation and commercialisation, which might have been the reason that the actual concerns of small farmers and peasants have not been given adequate consideration as food sovereignty proponents might expect.

In relation to the external aspects of food sovereignty, Nepal’s trade relations with its trading partners have been progressing as usual, with no changes in the trade agreements. There have been no major deviations in its negotiations related to food and agricultural trade at the bilateral, regional or multilateral levels.

Thus, these provide evidence for the acceptance of my main proposition. Having the attributes of a coalition magnet enabled food sovereignty’s institutionalisation in Nepal. There were policy entrepreneurs who propagated this idea, and other actors also found it appealing, more so because they could interpret and accept the idea of food sovereignty in their own particular ways. But the coalition magnet character of food sovereignty has not helped in its implementation. In fact, there is lack of clarity as to how to implement food sovereignty. This could suggest that coalition magnets are helpful in the agenda-setting phase of the policy process. But they are not viable when it comes to implementation of the agenda.
10.2 Significance of the research

This research is based on a single case of Nepal; hence, its conclusions might not be generalisable universally. Nevertheless, the study provides an analytic generalisation (Yin 2010, 2018) in examining the formal adoption of the idea of food sovereignty through the lens of the coalition magnet. Hence, the study could be replicated in the case of countries that have formally adopted the idea of food sovereignty, and which might adopt it in the future, to see if the findings of this study hold true in those cases as well.

An important contribution this research has made is that, through an empirical case, the study has contributed to testing the recently propounded thesis of the coalition magnet. There have not been many empirical studies on the coalition magnet; hence there is lack of adequate evidence to either support or reject the coalition magnet thesis. This research suggests that ideas such as food sovereignty have the attributes of a coalition magnet, and thus the coalition magnet thesis holds true. However, going beyond testing the coalition magnet thesis, the research also highlights a limitation of the coalition magnet thesis, which is a scholarly contribution this study has made. The study reveals that the coalition magnet thesis is useful to understand agenda setting in the policy process, but it does not explain what happens to the ideas that are coalition magnets once they are accepted. That is, in relation to the policy process, this research suggests that the coalition magnet thesis is not viable beyond agenda setting. The coalition magnet thesis could help explain how ideas such as food sovereignty might enter the policy agenda, but this does not say much as to what happens next in terms of policy formulation, decision-making, implementation and evaluation (Howlett, Ramesh & Perl 2009). There is the prospect of expanding the coalition magnet thesis beyond explaining agenda setting. As this research finds, institutionalisation of ambiguous ideas might not translate into clear and operational policies. The coalition magnet thesis might be expanded to examine policy outcomes, also explaining how policies are crafted when an ambiguous idea is institutionalised.
The second important contribution of this research, unlike many existing scholarships on food sovereignty, is its scholarly engagement with the food sovereignty debate from a policy perspective. The study questions the usefulness of the idea of food sovereignty for food and agricultural policies, demonstrating the ambiguity in implementing the idea of food sovereignty. The study shows that merely adopting the idea of food sovereignty by states is not meaningful if the policies and programmes related to food and agriculture follow the status quo; in this way any policy on food and agriculture could be interpreted as operationalising food sovereignty.

These findings might lead to a question: is there no prospect of operationalising food sovereignty? The answer could be: it depends. The idea of food sovereignty needs to be simplified, for instance by focusing solely on peasants and small-scale food producers. Food sovereignty could just be a call to protect peasants’ and small-scale food producers’ rights in relation to access to land and agricultural resources, autonomy in decision-making related to food and agriculture, practising sustainable agriculture, and the like. It might be beneficial not to have a historically contested concept like “sovereignty” attached to the idea. In fact, the idea could be given a different name to suggest peasants’ rights, so that it is more specific, clear, and hence implementable. Once the idea of food sovereignty is clarified, its operationalisation could then depend on whether or not states accept the idea in the first place. But as long as food sovereignty remains an ambiguous idea, more states might be inclined to accept it because of, somewhat counterintuitively, the idea’s ambiguity. This single case study provides this analytical generalisation, which perhaps can be tested in other contexts where relevant.

This study has suggested that the concept of coalition magnet can help explain how an ambiguous idea is adopted as a policy principle. Based on the case study of Nepal, I found empirical support for this proposition. This finding can form the basis for a similar theoretical and analytical approach to study the politics of food sovereignty in other countries.
Appendix

40-point demand made by the then United People’s Front Nepal (the Communist Party of Nepal-Maoist)

Concerning nationality

- All discriminatory treaties, including the 1950 Nepal-India Treaty, should be abrogated.
- The so-called Integrated Mahakali Treaty concluded on 29 January, 1996 should be repealed immediately, as it is designed to conceal the disastrous Tanakpur Treaty and allows Indian imperialist monopoly over Nepal’s water resources.
- The open border between Nepal and India should be regulated, controlled and systematised. All vehicles with Indian licence plates should be banned from Nepal.
- The Gurkha/Gorkha Recruitment Centres should be closed. Nepali citizens should be provided dignified employment in the country.
- Nepali workers should be given priority in different sectors. A “work permit” system should be strictly implemented if foreign workers are required in the country.
- The domination of foreign capital in Nepali industries, business and finance should be stopped.
- An appropriate customs policy should be devised and implemented so that economic development helps the nation become self-reliant.
- The invasion of imperialist and colonial culture should be banned. Vulgar Hindi films, videos and magazines should be immediately outlawed.
- The invasion of colonial and imperial elements in the name of NGOs and INGOs should be stopped.

Concerning people’s democracy

- A new constitution should be drafted by representatives elected for the establishment of a people’s democratic system.
- All special privileges of the king and the royal family should be abolished.
- The army, the police and the bureaucracy should be completely under people’s control.
- All repressive acts, including the Security Act, should be repealed.
• Everyone arrested extra-judicially for political reasons or revenge in Rukum, Rolpa, Jajarkot, Gorkha, Khabre, Sindhupalchowk. Sindhuli, Dhanusa, Ramechhap, and so on, should be immediately released. All false cases should be immediately withdrawn.
• The operation of armed police, repression and state-sponsored terror should be immediately stopped.
• The whereabouts of citizens who disappeared in police custody at different times, namely Dilip Chaudhary, Bhuwan Thapa Magar, Prabhakar Subedi and others, should be investigated and those responsible brought to justice. The families of victims should be duly compensated.
• All those killed during the People’s Movement should be declared martyrs. The families of the martyrs and those injured and deformed should be duly compensated, and the murderers brought to justice.
• Nepal should be declared a secular nation.
• Patriarchal exploitation and discrimination against women should be stopped. Daughters should be allowed access to paternal property.
• All racial exploitation and suppression should be stopped. Where ethnic communities are in the majority, they should be allowed to form their own autonomous governments.
• Discrimination against downtrodden and backward people should be stopped. The system of untouchability should be eliminated.
• All languages and dialects should be given equal opportunities to prosper. The right to education in the mother tongue up to higher levels should be guaranteed.
• The right to expression and freedom of press and publication should be guaranteed. The government mass media should be completely autonomous.
• Academic and professional freedom of scholars, writers, artists and cultural workers should be guaranteed.
• Regional discrimination between the hills and the Terai should be eliminated. Backward areas should be given regional autonomy. Rural and urban areas should be treated at par.
• Local bodies should be empowered and appropriately equipped.

Concerning livelihood

• Land should be belong to “tenants”. Land under the control of the feudal system should be confiscated and distributed to the landless and the homeless.
• The property of middlemen and comprador capitalists should be confiscated and nationalised. Capital lying unproductive should be invested to promote industrialisation.

• Employment should be guaranteed for all. Until such time as employment can be arranged, an unemployment allowance should be provided.

• A minimum wage for workers in industries, agriculture and so on should be fixed and strictly implemented.

• The homeless should be rehabilitated. No one should be relocated until alternative infrastructure is guaranteed.

• Poor farmers should be exempt from loan repayments. Loans taken by small farmers from the Agricultural Development Bank should be written off. Appropriate provisions should be made to provide loans for small farmers.

• Fertiliser and seeds should be easily available and at a cheap rate. Farmers should be provided with appropriate prices and markets for their produce.

• People in flood and drought-affected areas should be provided with appropriate relief materials.

• Free and scientific health services and education should be available to all. The commercialisation of education should be stopped.

• Inflation should be checked. Wages should be increased proportionate to inflation. Essential goods should be cheaply and easily available to everyone.

• Drinking water, roads and electricity should be provided to all villagers.

• Domestic and cottage industries should be protected and promoted.

• Corruption, smuggling, black marketing, bribery, and the practices of middlemen and so on should be eliminated.

• Orphans, the disabled, the elderly and children should be duly honoured and protected.

Source: Thapa (2003), cited in ICM (n.d.).
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