

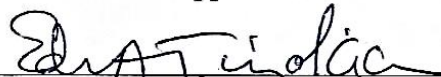
Food for Impoverished Americans: A Right or a Gift?

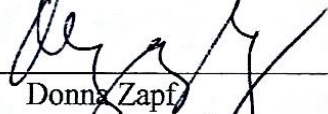
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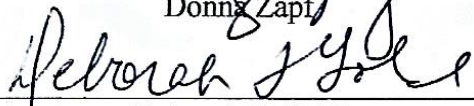
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Chapter One: Introduction

In the United States, one of the wealthiest countries in the world, an estimated 49 million people, including 15.9 million children, live in households where they face difficulty getting enough food to eat (Coleman-Jensen, Nord & Singh, 2013, p. 6). Yet in the same country, a prisoner in a federal penitentiary is given three meals a day. It's a paradox that points directly to American ambivalence over how to deal with the problem of domestic hunger. Is food for impoverished Americans a right to be ensured by the government or a gift of charity? A right is something to which an individual has a just claim, an entitlement. A gift is something provided at the good will or discretion of the giver. Someone whose rights are not honored has reason to complain; someone who does not receive a gift does not.

Americans generally agree that no one should go hungry, but we don't always agree on how to address the problem. Attitudes reflect a range of opinions on who or what is to blame for the issue of hunger, how much and what kind of help should be provided, and who is responsible for providing it. The federal government invests substantially in nutrition assistance programs with an annual budget of over \$109 billion (United States Department of Agriculture Food and Nutrition Service (USDA FNS), 2013b, Table 1). Today, one in seven Americans is supported in part through the Supplemental Nutrition Assistance Program (SNAP), formerly known as food stamps (Food Research and Action Center, 2014). At the same time, however, it's clearly not enough to keep impoverished Americans sufficiently fed because tens of thousands of privately run soup kitchens, food pantries, shelters and food banks work daily to combat real and urgent needs in their communities (Mabli, Cohen, Potter & Zhao, 2010, pp. 3-4).

Beyond the moral questions implied by the contrast of a hungry child and a well-fed criminal, there are practical questions as well. Hunger in and of itself has a cost. In the United States,

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lack of sufficient food has been shown to be associated with a range of physical and mental health conditions, leading to increased health care costs and decreased productivity. For example: children in households with insufficient food are more likely to be hospitalized, more likely to be reported in fair or poor health, more likely to have iron deficiency anemia and more likely to be at risk for developmental delays (Chilton, 2013, p. 24). Poor nutrition is associated with depression and anxiety among adolescents and adults (Chilton, 2009, p. 1203) and increased risk for obesity (Adams, Grummer-Strawn & Chavez, 2003), as well as a host of other mental, physical and social impacts (Brown, Shepard, Martin & Orwat, 2007, Chapter 4). Including direct and indirect expenses, a 2007 study calculated the domestic cost burden of hunger – that is, the cost of *not* addressing hunger – at \$90 billion or more per year in the United States (Brown et al., 2007, p. 4).

In this paper, I look at the past, the present and the potential future of hunger in the United States. I examine how the United States has responded to the problem of domestic hunger over the past 50 years and then use that historical backdrop to understand the weaknesses of the current support structure. From there, I evaluate a new approach to dealing with hunger that is gaining traction in the international community, that of applying a human rights framework to ensure access to adequate food.

As I show, the current approach we take on domestic hunger is one that addresses the symptoms but not the causes. Although the idea of treating access to adequate food as a human right will be unfamiliar to many Americans, it has its basis in the Universal Declaration of Human Rights (United Nations, 1948), and the idea of using a human rights framework to address the problem of hunger has gained substantial credibility internationally since the World

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Food Summit in Rome in 1996. The use of a human rights framework is aimed primarily at changing the conditions that allow hunger to exist and focuses on providing food only as necessary. I argue that the approach of using a human rights framework to address domestic hunger brings elements of prioritization and accountability that are missing in our current approach and therefore offers an opportunity to make significant strides in reducing domestic hunger.

This paper proceeds as follows: After providing a level-set for the reader in this chapter on the scope and measurement of domestic hunger, in Chapter 2, I explore how hunger came to be recognized as a social problem in the United States in the 1960s, how a public safety net was created to support impoverished Americans in the late 1960s and 1970s, and how that support has eroded in the decades since and been partially replaced by an explosion of private food assistance organizations.

With the historical background in place, in Chapter 3, I take an in-depth look at what public and private supports exist for hungry Americans today, as well as the deficiencies of the current approach. In Chapter 4, I examine the growing legitimacy in the international community of the idea of using a human rights framework to attack the problem of hunger, why the United States has traditionally not supported the idea, and how the U.S. position in the international community is gradually changing. I wrap up Chapter 4 with a discussion of the arguments for and against the right to food in the United States. In Chapter 5, I close with my views on the potential benefits that application of a human rights framework offers for making significant and sustained gains against the problem of domestic hunger in the United States.

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What hunger looks like in the United States

Current statistics show that 17.6 million American households (14.5%) don't have enough to eat (Coleman-Jensen et al., 2013, p. 6). What does that mean? What exactly does the problem of hunger in the United States look like? Clearly, it is not a case of widespread starvation. Whereas *hunger* in a developing country like Ethiopia might translate to number of famine deaths, such is not the case in the United States.¹ In the United States, fortunately, few people are on the verge of starvation.

Part of the difficulty in terminology is that *hunger* is an ambiguous term. We use it to mean anything from the discomfort of a missed meal to chronic undernourishment. It describes a physiological symptom that is hard to measure. For those reasons, the problem of insufficient food in the United States is measured in terms of *food insecurity* or its inverse, *food security*.

The federal agency responsible for measuring the problem of food insecurity and for administering most of the nutrition assistance programs is the United States Department of Agriculture (USDA). Working with the U.S. Census Bureau, the USDA administers an annual survey to measure household ability to access sufficient food (Coleman-Jensen et al., 2013, p. 2). Each December, the Census Bureau's monthly Current Population Survey is augmented to include the Food Security Supplement which includes 10 questions about household ability to access sufficient food in the previous year (Coleman-Jensen et al., 2013, p. 2). If the household includes children under the age of 18, an additional eight questions are asked. Questions range from least severe to most severe, from concerns about not having enough food to actual occurrence of insufficient food. For example, the first question asks whether in the last 12 months the respondent was often, sometimes or never worried that food would run out before

¹In earlier classwork, I examined the causes and consequences of famine in Ethiopia. In 1984-1985, a famine occurred impacting 7.9 million people with an estimated 600,000 deaths. Clearly, hunger has a different meaning and a different scope in a developing country than it does in the United States.

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there was money to buy more. The last two questions ask whether anyone in the household missed eating for an entire day due to lack of money for food and, if so, how frequently it occurred (Coleman-Jensen et al., 2013, p. 3).

Using the responses from these questions, the USDA Economic Research Service (USDA ERS, 2013a) assigns each household a status of *high food security*, *marginal food security*, *low food security* or *very low food security*, defined as follows:

- **High food security**—Households had no problems, or anxiety about, consistently accessing adequate food.
- **Marginal food security**—Households had problems at times, or anxiety about, accessing adequate food, but the quality, variety, and quantity of their food intake were not substantially reduced.
- **Low food security**—Households reduced the quality, variety, and desirability of their diets, but the quantity of food intake and normal eating patterns were not substantially disrupted.
- **Very low food security**—At times during the year, eating patterns of one or more household members were disrupted and food intake reduced because the household lacked money and other resources for food.

Households having low food security or very low food security are considered *food insecure* (USDA ERS, 2013a). In contrast, food secure households are defined as having “the ready availability of nutritionally adequate food” and the “assured ability to acquire acceptable foods in socially acceptable ways (that is, without resorting to emergency food supplies, scavenging, stealing or other coping strategies” (USDA ERS, 2013c). Food secure households may receive

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government assistance but do not need to resort to food pantries.

In 2012, 17.6 million households (14.5%) were not able to meet this criteria. As shown in *Figure 1: U.S. households by food security status, 2012*, 10.7 million households (8.8%) were classified as having low food security, and 6.9 million households (5.7%) were classified as having very low food security (Coleman-Jensen et al., 2013, p. 6). Households with children experience food insecurity at rates higher than the general population (20.0% compared to 14.5%) (Coleman-Jensen et al., 2013, p. 8).

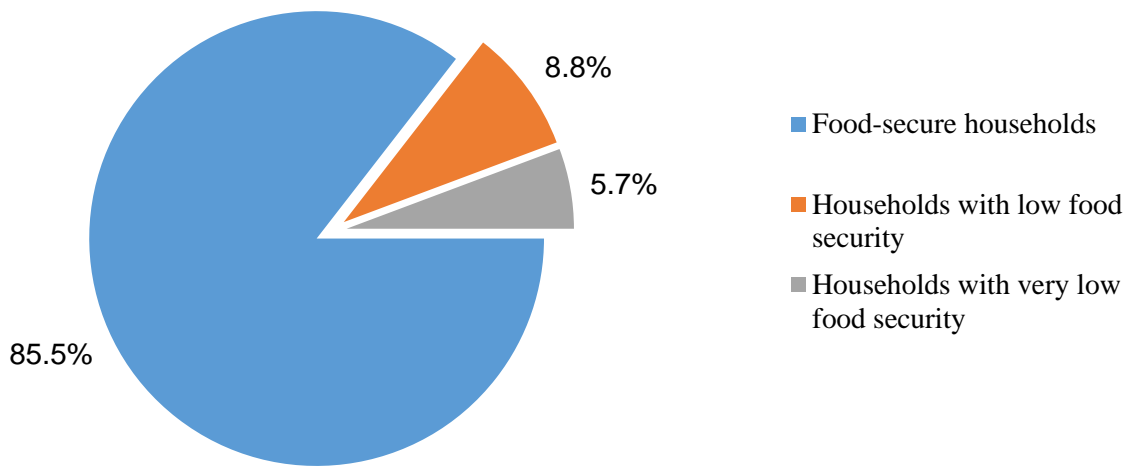


Figure 1: U.S. households by food security status, 2012 (Coleman-Jensen et al., 2013)

In the United States, food insecurity is not a problem of supply. There is more than enough food available for everyone in the United States. It is a problem of economic access. As such, the demographics of food insecurity map closely to the demographics of poverty. In the 2012 survey, households with incomes below 185% of the federal poverty line experienced food insecurity at a rate of 34.3%, compared with the national average of 14.5% (Coleman-Jensen et al., 2013, p. 12). Food insecurity was also higher than average in households with children (20.0%), especially those headed by a single female (35.4%). Black and Hispanic households

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experience food insecurity at rates of 24.6% and 23.3%, respectively. Rates were also higher than the national average for those living in metropolitan areas (16.9%) and in the South (16.0%) (Coleman-Jensen et al., 2013, pp. 12-14).

Hunger in the United States today means negative physical and mental health outcomes, developmental delays in children, and associated negative economic impacts, but it rarely means people are starving. As I show in the next chapter, the consequences of hunger were even more severe in the United States 50 years ago.

Chapter Two: Hunger in the United States Over the Last 50 Years

Social ills and inequity always exist, but the frame through which we view them changes. In a comprehensive history of hunger in the British Empire, author James Vernon (2007) describes how British attitudes toward the hungry changed over a period of several hundred years. The hungry have, at various times, been ignored as being simply part of the human condition, blamed as “immoral architects of their own misery,” or empathized with as victims of social, economic, and political forces (Vernon, 2007, pp. 10-13).

While it is probable that all of these views of the hungry still exist to varying degrees in the United States today, different attitudes have prevailed in different decades. In this chapter, I show that there was growing recognition of hunger as a social problem in the 1960s, with increasing expectations that the government could and should work to ameliorate the situation. As a result, there was a gradual build-up of the social safety net during the 1960s and 1970s and growing emphasis on providing support for hungry Americans in an equitable way. American treatment of food as a right to be ensured by the government peaked in the late 1970s.

By the 1980s, however, with unemployment and inflation both increasing, fiscally conservative politics became more popular. Conservatives advocated solving social problems through charity and volunteerism. Liberals didn't necessarily agree but felt that something had to be done to help in the face of eroding government support. As a result, anti-hunger advocates – liberal and conservative alike – responded in the 1980s, 1990s and beyond by creating a broad-based private food assistance network as a partial replacement for the declining public support.

Growing awareness of hunger as a social problem in the 1960s

Sociologist Janet Poppendieck (1998, pp. 84-5) explains that, of the many social ills that

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objectively exist at any time, we have resources – time, money and attention – to focus on only a subset. What we select and label as a social issue is influenced by triggering events and by “claims-makers,” such as the media, celebrities, powerful people and well-financed advocacy groups (Poppendieck, 1998, p. 85).

In the 1960s, a series of successful claims-makers effectively defined hunger as a social problem in the United States. Early in the decade, hunger was not widely identified as an American problem. After the Great Depression of the 1930s and World War II, the United States enjoyed a period of widespread economic prosperity (U.S. Department of State, n.d.). Although Americans were aware of hunger as a problem in foreign countries, thanks in part to the Marshall Plan to help rebuild Europe after World War II, it was not widely perceived to be a problem at home. During the 1960s, however, a variety of claims-makers, including Presidents John F. Kennedy and Lyndon B. Johnson, author Michael Harrington, Senator Robert F. Kennedy and CBS News, all drew attention to hunger as an American problem.

John F. Kennedy presidential campaign of 1960

While no single event marks the dawn of recognition of hunger as a social problem in the United States, one commonly referenced influence was the presidential campaign of John F. Kennedy in 1960. Campaigning in West Virginia, he witnessed the deep poverty of Appalachia, and he soon began championing the needs of American's poorest citizens in his speeches. His advocacy for the hungry was motivated by a mix of both empathy and political calculation. Biographer Michael O'Brien (2005, p. 452) writes, “As he started campaigning in West Virginia, the high unemployment and the number of people living on federal food packages appalled him. 'Imagine, just imagine, kids who never drank milk,' he said privately one night.”

Kennedy's focus on the issue of hunger was also strategic. Batting concerns that a Catholic

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couldn't win the Presidency, Kennedy needed a victory in the primary election to win the Democratic party nomination (O'Brien, 2005, p. 448). A win in West Virginia, where only 5% of the population was Catholic, would send a strong signal of electability (John F. Kennedy Presidential Library, n.d.). At the time, the state was struggling economically due to high unemployment brought by changes in the coal industry, and in the hardest hit counties, as many as one in six was surviving on food issued as part of the government surplus commodity food program (O'Brien, 2005, p. 448). Kennedy hoped that, in pledging to address issues of primary importance to West Virginians, their support for his platform would outweigh their concerns about his religion. It worked; he beat leading contender Hubert Humphrey in the primary and went on to win the party nomination (O'Brien, 2005, p. 455).

Kennedy continued to champion the hungry of West Virginia in the general election. In his opening statement of the first televised debate against Republican candidate Richard Nixon, Kennedy cited the hunger he'd seen in West Virginia and the paucity of government support:

Now I've seen a good many hundreds of thousands of people who are not adequately fed. You can't tell me that a surplus food distribution of five cents per person - and that nearly six million Americans receiving that - is adequate... I believe that we should not compare what our figures may be to India or some other country that has serious problems but to remember that we are the most prosperous country in the world and that these people are not getting adequate food (Presidential Candidate Debates, 1960).

When Kennedy took office in January 1961, his first official act as President, Executive Order 10914, "Providing for an Expanded Food Distribution to Needy Families," expanded the quantity and variety of foods provided via the government surplus food program (John F. Kennedy: "Executive Order 10914," 1960). In February 1961, he directed the Secretary of Agriculture to initiate a food stamp pilot program (Berry, 1984, p. 25).

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Michael Harrington's The Other America

In 1962, *The Other America* by Michael Harrington was published. In his book, Harrington (1969, p. 190) claimed that as many as 50 million Americans – 25% of the U.S. population at the time – were living in poverty in the country that offered the highest standard of living in the world. Harrington (1969, p. 1) openly challenged the commonplace perceptions that poverty was something that existed only in other countries and that everyone in America had sufficient food, clothing and shelter. Instead, he argued, poverty was both more pervasive and persistent than widely believed (Isserman, 2009).

Although Kennedy had raised the issue of hunger in his campaigning and early days of his administration, poverty and issues related to it were not really a focal point of the early years of Kennedy's administration (Brauer, 1982, p. 102). However, President Kennedy read Harrington's book after reading a review of it in the January 1963 issue of *The New Yorker* by Dwight MacDonald (Brauer, 1982, p. 103). At the time, there were few if any objective measurements of poverty produced by the federal government (Harrington, 1969, p. xiii). Kennedy asked the chairman of the Council of Economic Advisors, Walter Heller, to investigate whether or not poverty was as widespread as Harrington claimed (Brauer, 1982, p. 102). The Kennedy administration was actively considering an anti-poverty effort when Kennedy was assassinated in November 1963 (Brauer, 1982, p. 113).

Harrington's book sold 70,000 copies in the first year and is widely credited as a catalyst in the build-up of some of the social safety net programs in the 1960s (Isserman, 2009). In 1999, Time magazine included *The Other America* as one of the ten most influential nonfiction books of the 20th century (Isserman, 2009).

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Lyndon B. Johnson's War on Poverty

Whether or not Kennedy ultimately would have pursued an anti-poverty program is unknown, but, as his successor, Lyndon B. Johnson took up the issue (Brauer, 1982, p. 113). It was one that both aligned well with Johnson's views on the role of government and also served him well politically. Historian Carl M. Brauer (1982, p. 115) quotes Johnson, expressing his views on Barbara Ward's book *The Rich Nations and the Poor Nations*, as saying “This is what it's all about – this is what the whole government effort is all about. It's right here in one sentence – the mission of our times is to eradicate the three enemies of mankind –poverty, disease and ignorance.”

The issue of poverty also served Johnson well politically. After Kennedy's assassination, Johnson sought to demonstrate to the Kennedy administration that he was continuing Kennedy's policies, yet to the nation at large, he needed to make his own mark. Pursuing the poverty issue – one that was under discussion by Kennedy but not yet publicized – allowed Johnson to do both (Brauer, 1982, p. 115). Furthermore, it allowed Johnson to obliquely address the concerns of the civil rights movement, which Johnson saw as being primarily economic in nature, without directly addressing the question of race (Brauer, 1982, p. 116).

In his State of the Union address to Congress in January 1964, Johnson (1964) called for an “unconditional war on poverty.” In his speech, he urged distributing “more food to the needy through a broader food stamp plan,” but the overall emphasis was “not only to relieve the symptom of poverty, but to cure it” through better educational and employment opportunities (Johnson, 1964).

Robert F. Kennedy's tour of Mississippi Delta

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Despite these early efforts drawing attention to the problem of hunger, the momentum making hunger a significant social issue really accelerated only after Senator Robert F. (“Bobby”) Kennedy took up the issue, according to John Berry (1984, p. 43), author of a comprehensive history of the Food Stamp program, *Feeding Hungry People*. New York Senator Robert F. Kennedy, brother of former president John F. Kennedy, participated on the Senate Subcommittee on Employment, Manpower and Poverty, which was investigating the effectiveness of War on Poverty programs in consideration of re-authorization of the Economic Opportunity Act of 1964 (Edelman, 2012, p. 7). In April 1967, Senator Kennedy, along with Senator Joseph Clark of Pennsylvania, toured the Mississippi Delta to study the Head Start program there (Berg, 2008, p. 66). What Kennedy saw, however, shocked him. According to biographer Peter Edelman (2012, p. 7), then assistant to Senator Kennedy, they encountered “children, thousands of them, hungry to a point very near starvation.” As the senators had been accompanied by CBS journalist Daniel Schorr, American viewers of the nightly news were treated to the same images: “children with swollen bellies and running sores on their arms and legs that did not heal” (Edelman, 2012, p. 7). Returning to Washington, Kennedy went the next day to urge Secretary of Agriculture Orville Freeman to “get some food down there” (Edelman, 2012, p. 9).

At Kennedy's suggestion, the Field Foundation sent a team of physicians to the Mississippi Delta (Edelman, 2012, p. 9). Led by Dr. Robert Coles of Harvard University's School of Public Health, the physicians examined hundreds of children, finding numerous indications of widespread malnutrition and near starvation, including diseases such as marasmus, kwashiorkor and rickets (Berry, 1984, p. 44; Edelman, 2012, p. 9). Testifying before the Senate subcommittee in July 1967, the physicians reported children “living under such primitive conditions that we found it hard to believe we were examining American children of the

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twentieth century” (as quoted by Berry, 1984, p. 44). The authority of the physicians' report was hard to ignore. Berry (1984, p. 45) writes, “The Coles group was so clear in its findings and so strong in its presentation that the charges of widespread hunger were now incontrovertible. Skeptics could no longer dismiss what Kennedy and Clark had 'discovered' as political grandstanding.”

Kennedy and his team continued their investigation, planning trips to different parts of the country. In February 1968, they visited eastern Kentucky, where thousands of residents had lost their jobs as a result of the closing of the coal mines (Edelman, 2012, pp. 9-10). Kennedy's trip was well-publicized by the media, in part due to speculation of his candidacy for President, and American viewers again saw images of near starvation (Edelman, 2012, pp. 9-10). However, Senator Kennedy was assassinated in June 1968 while campaigning for president, leaving Senator George McGovern to pick up leadership in the fight against hunger.

CBS documentary: Hunger in America

On May 21, 1968, the problems of malnourished and starving Americans were again put in front of American viewers as CBS aired a special report called “Hunger in America” (Carr, 1968). In a one-hour broadcast, narrator Charles Kuralt described in graphic detail the problems faced by underfed Americans in four parts of the country: Mexican-American citizens in San Antonio, Texas; white tenant farmers in Loudon County, Virginia; native Americans on a Navajo reservation, and black sharecroppers in Hale County, Alabama (Carr, 1968). With stark, sensational camera footage, including hospitalized children with sunken cheeks and stick-thin limbs, a baby who died on camera and an 11 year-old girl who turned to prostitution to earn money for food, Kuralt told the story of the plight of 30 million Americans living below the

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poverty line, set then at an annual income level of \$3000.

At the time of the broadcast, as told in the documentary (Carr, 1968), counties could elect to participate in the food stamp program, the surplus commodities program, or neither. The surplus commodity program provided agricultural surplus products – whatever was available – to low-income Americans with no attempt to make up a nutritionally adequate diet. As a result, according to the broadcast, Mexican-Americans in San Antonio lived largely on tortillas and beans, while Navajo Indians were surviving on fried bread, lard and coffee. On the reservation, some recipients had to walk 25 miles to pick up the surplus foods once a month, often in quantities too large to be easily transported home. Hale County, Alabama, opted for the food stamp program instead of the surplus commodity program. People eligible for the food stamp program were required to purchase food stamps, which could be redeemed for food purchase greater than the price of the stamps. However, stamps had to be purchased in either 2- or 4-week increments, making it difficult for the very poor to accumulate enough cash to take advantage of the program. In Loudon County, Virginia, neither the food stamp program nor the surplus commodity program was available.

Creation of the social safety net in the 1960s and 1970s

The attention drawn to the problem of hunger in America by Presidents Kennedy and Johnson, by Senator Kennedy, and media such as Harrington's book and the CBS documentary helped build public support for providing nutritional assistance to poor Americans, claiming it as a role for the federal government. During the 1960s and 1970s, the Food Stamp Program gradually replaced the surplus commodity program, greatly expanding the safety net provided to hungry Americans. The evolution marked a gradual change in attitude from food as a bonus or

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gift to food as an entitlement or right. In this section, I describe that evolution.

Surplus commodity distribution program

The USDA first became involved in feeding needy families under New Deal legislation during the Great Depression that was intended to support farmers, not hungry people (USDA FNS, 2013c). In a period of bumper crops and reduced demand, the USDA sought to boost crop prices by purchasing surplus crops and exporting them or donating them domestically to schools, needy families or other recipients outside the normal sales channels (USDA FNS, 2013c). Congress made the program permanent under the Agricultural Act of 1949 (USDA FNS, 2013c).

While the program was successful in supporting agriculture, it left much to be desired in terms of feeding the hungry. In the 1950s, state and county governments could decide whether or not to participate in the program. Where it was offered, eligibility rules for recipients varied widely from county to county, and the food packages people received contained whatever was surplus foods the county opted to offer, with no expectation that the food packages were sufficient in terms of either quantity or nutritional quality (Berry, 1984, p. 24). In 1959, Berry reports, the program wasn't available at all in 11 states. In seven states where it was offered, it served less than 10% of citizens on public assistance. By 1960, the program offered monthly packages worth only \$2.20, consisting of only rice, flour, lard, butter and cheese (Berry, 1984, p. 24). The mining communities John F. Kennedy visited in 1960 while campaigning in West Virginia were among the counties that participated in the commodity distribution program. As Kennedy complained in the first presidential debate against Richard M. Nixon, hungry Americans received food packages worth only five cents per person per day (Presidential Candidate Debates, 1960). As a nutrition assistance program, it clearly wasn't enough.

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Beginning of the Food Stamp program

The primary support system put in place in the 1960s to address hunger, however, was the food stamp program. In February 1961, President Kennedy directed Secretary of Agriculture Orville Freeman to implement a food stamp pilot program (Berry, 1984, p. 25). The program had been authorized by Congress in 1959 under an amendment to an agriculture bill which allowed, but did not require, the creation of a food stamp program (Berry, 1984, p. 23).

President Dwight D. Eisenhower and his conservative Secretary of Agriculture Ezra Taft Benson had opted not to implement it (Berry, 1984, p. 23). Less than a month after taking the oath of office, as part of fulfilling his promises to West Virginians, President Kennedy did (Landers, 2007, p. 1947).

In doing so, President Kennedy was reviving another Depression-era program. The first food stamp program had been created in 1939 under the administration of President Franklin D. Roosevelt with the dual purpose of helping farmers as well as needy families (Berry, 1984, p. 21). Like the commodity distribution program, it was intended to match the abundance of crop surpluses to the needs of hungry people (Berry, 1984, p. 21).

Under the original food stamp program, families on the government relief program could purchase orange stamps, which could be redeemed for an equivalent value of food on any item at the grocery store. In addition, for every dollar of orange stamps, the purchaser received blue stamps worth \$.50. The blue stamps could be spent only on items designated as surplus agricultural commodities (Berry, 1984, p. 22). The intent of the stamp system was to ensure that money families normally spent on food was not spent on other things (Landers, 2007, p. 1946). Widely considered a success, the program reached over 4 million people at its peak, but it was phased out by 1943 when, due to World War II, crop surpluses and unemployment were no

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longer problems (Berry, 1984, p. 22).

Under President Kennedy's order, a pilot food stamp program was begun again, initially serving eight counties, including several poor mining communities (Berry, 1984, p. 28). The pilot program was similar to the original one in that purchase of the stamps was rewarded with bonus food stamps, but there was no longer a requirement that the bonus stamps be used to purchase agricultural surplus products (Landers, 2007, p. 1947). The pilot program eventually reached 40 counties, serving 380,000 participants (USDA FNS, 2013a).

In 1964, as part of his War on Poverty, President Johnson asked Congress to make the pilot program permanent, which it did with the Food Stamp Act of 1964 (Food Stamp Timeline, 2010). As was true of the Depression-era program, the official purposes of the food stamp program were both strengthening the agricultural economy and supporting the nutritional needs of low-income families (USDA FNS, 2013a).

Over the next decade, the food stamp program was refined and strengthened as a nutrition assistance program. In 1971, Congress set national eligibility criteria, so that the same rules for determining who received benefits were used in every state (USDA FNS, 2013a). Previously, eligibility had been determined according to the eligibility for Aid to Families with Dependent Children, which each state defined individually. In the same reforms, the program was beefed up to provide more food purchasing power to recipients through increased allotments and decreased purchase price for the stamps (Berry, 1984, p. 63). For the first time, the size of the allotment was now tied to the cost of a nutritionally adequate diet (Berry, 1984, p. 68).

In 1973, Congress mandated that the program be made available in every jurisdiction. Previously, counties could choose whether to offer the commodities distribution program, the food stamp program, or neither (USDA FNS, 2013a). By July 1, 1974, when food stamps were

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available nationwide to eligible recipients, program participation reached 14 million people (USDA FNS, 2013a).

The last significant enhancement to the food stamp program came under the Food Stamp Act of 1977 with the elimination of the purchase requirement (USDA FNS, 2013a). Throughout the program's history, low participation rates had been an issue, with the number of people served by the program coming in at 30 to 60% less than the participants in the commodity distribution program before a county switched from one program to the other (Berry, 1984, p. 41). Although the food stamp program typically had tighter eligibility criteria than the commodities distribution program, the criteria alone were insufficient to explain the participation decline. Studies showed that it was the purchase price on food stamps that was the barrier to participation, as poor people were unable to collect enough cash to purchase the monthly or semi-monthly allotments (Berry, 1984, p. 42). With the 1977 law, benefits were adjusted so families received equivalent support but without having to buy-in to get the benefits of the food stamp program (Berry, 1984, p. 95). When the elimination of the purchase requirement became effective on January 1, 1979, one and a half million additional people signed up. By the end of 1979, 20 million people were participating in the food stamp program (Landers, 2007, p. 1947).

The 1977 law represented the last major victory of the anti-hunger movement in the food stamp program and the closest the United States has come to treating food as a right. By the time the law was implemented, there were uniform eligibility criteria across the states, the program was available in all geographic locations across the country, the level of benefits provided was sufficient to support a nutritionally adequate diet, and the program was economically viable for even the poorest families.

In the late 1970s, however, the tide of public opinion began turning against the food stamp

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program. Throughout its formative years, the program had been subject to numerous debates in Congress on who should receive help, how much help they should receive, and what work requirements were expected of able-bodied recipients, but the public had generally been supportive (Berry, 1984, p. 63). By 1975, participation in the program had reached 19.4 million, due to a combination of the geographic expansion of the program to all jurisdictions and a recession from November 1973 to May 1975 during which unemployment reached 9% (Berry, 1984, p. 82; Labonte & Makinen, 2002). Program costs had also sky-rocketed, particularly with inflation of food prices reaching 18% in 1973 (Berry, 1984, p. 82). By the time California Governor Ronald Reagan campaigned for President in 1980 on a platform of welfare reform, the cost of the food stamp program had reached \$10 billion, another recession was underway, and the nation was reconsidering the extent of the government's role in addressing hunger (USDA FNS, 2014, Labonte & Makinen, 2002).

Erosion of the social safety net since 1980

The 1980s brought both economic and political changes that started a long erosion of the public safety net. After a period of prolonged economic growth following World War II, the United States experienced four economic recessions in the 13-year period from the start of 1970 to the end of 1982 (Labonte & Makinen, 2002). Concerns about the budget deficits stemming from the Vietnam War drove an 11-month recession from December 1969 to November 1970. A longer, more severe recession ran from November 1973 through May 1975, driven primarily by the OPEC oil crisis and a stock market crash in 1973-1974. Unemployment hit 9.0% and inflation was rising, leading to a period of “stagflation.” A brief recession from January 1980 to July 1980 proved to be the first part of a double-dip recession, with a second one running from July 1981 through November 1982. Oil prices were again a factor, as the Iranian revolution

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drove another increase in worldwide oil prices. In the 1981-1982 recession, unemployment peaked at 10.8% (Labonte & Makinen, 2002).

Although the food stamp program had always been subject to Congressional debate, the trend through the 1960s and 1970s was generally one of support and enhancement, with increasingly generous benefits reaching a broader range of recipients. In 1981, with President Ronald Reagan in the White House and Republicans in control of the Senate, however, fiscal conservatives had the reigns. Together, they pushed through the Omnibus Budget and Reconciliation Act of 1981, which included reductions in a broad range of social support programs including Medicaid, unemployment compensation, housing assistance and nutrition assistance (Poppendieck, 1998, p. 82). Between the 1981 cuts and similar cuts in the 1982 budget, the Congressional Budget Office calculated the cuts in human services funding at \$110 billion for the fiscal years of 1982-1985 (Poppendieck, 1998, p. 82). The 1981-1982 changes to food stamps tightened eligibility and reduced benefits; changes included introducing a new cap on household gross income, counting retirement assets as resources, adjusting the allotments annually instead of semi-annually, and increasing disqualification periods for recipients who voluntarily quit their jobs (USDA FNS, 2013a).

While the late 1980s and early 1990s again saw some expansion of benefits and beneficiaries, the most significant cuts to the food stamp program came under the administration of President Bill Clinton with welfare reform under the Personal Responsibility and Work Opportunities Reconciliation Act of 1996, also known as “welfare to work.” The 1996 legislation replaced the federal entitlement program, Aid to Families with Dependent Children with block grants to states under the Temporary Assistance to Needy Families (TANF) program (USDA FNS, 2013a). Block grants are intended to allow states flexibility in designing programs that best fit the needs

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of their populations, but for this flexibility, they trade off guaranteed funding from the federal government as needs increase (Waller, 2005). In addition, block grants are easier targets for reduction in the federal budgets, so opponents argue that changing entitlement programs to block grants generally erodes the level of support provided via the programs, as later proved true with welfare reform (Waller, 2005). The 1996 welfare reform law also included significant changes to the food stamp program, including reducing the maximum allotment, and making most legal immigrants ineligible for food stamps and restricting eligibility of food stamps for able-bodied adults without dependents who are not working at least 20 hours a week or participating in a work program to three out of 36 months (USDA FNS, 2013a).

Rise of the private food assistance network

Seeing the decline in public support for low-income families and greater numbers of people seeking help, anti-hunger advocates responded in the 1980s by building up a private emergency food assistance network, one that works in parallel with the public support network. Today, neither *emergency* nor *private* are terms wholly appropriate for the support structure that exists, as sociologist Janet Poppendieck explains in her book, *Sweet Charity? Emergency Food and the End of Entitlement*. For many of the Americans who make use of soup kitchens and food pantries, food insecurity is a chronic problem, not an isolated short-term emergency, and the food they receive is not provided strictly by private donors but through a combination of private and public support (Poppendieck, 1998).² This mix of private and public support in the current food assistance landscape exemplifies American ambivalence over the question of whether food is a

²As discussed below, roughly 17% of the food now provided through the network of food pantries, food banks and soup kitchens supported by the Feeding America network comes from the federal government's Emergency Food Assistance Program (TEFAP) (Feeding America, n.d.)

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right or a gift. In this section, I explore the rise of the so-called private food assistance network.

Attempting to quantify the growth in private food support during the 1980s and 1990s, Poppendieck found no nationwide statistics on the number of food pantries or soup kitchens before 1980. Instead, she used New York City as a proxy for examining nationwide trends. She determined that in New York City, there were 30 emergency food providers known to the Food and Hunger Hotline before 1980, and that by 1991, the hotline listed 730, representing a 24-fold increase in just over a decade (Poppendieck, 1998, p. 8). Similarly dramatic growth rates in the number of soup kitchens, food pantries and food banks occurred across the country. By 1993, Poppendieck (1998, p. 8) reports, there were more than 36,000 organizations receiving food from the anti-hunger organization America's Second Harvest. By 2012, the organization, by then known as Feeding America, reported supporting over 61,000 member food providers (Feeding America, 2013).

The most obvious explanation for the explosive growth in the number of emergency food providers was, of course, an increased number of people seeking food. Economic conditions of the early 1980s certainly contributed to the growing need. The United States entered a period of economic recession from July 1981 to November 1982, the second downturn in a “double dip” recession (Labonte & Makinen, 2002). Unemployment climbed, in fits and starts, from a low of 3.4% in 1969 to over 10% by September 1982, and it remained over 10% for the next ten months (Bureau of Labor Statistics, 2014). Long-term trends towards globalization of the marketplace resulted in manufacturing jobs moving overseas (Harrington, 1984, p. xx); in fact, numerous food pantries in the northeastern states of the Rust Belt were originally opened in communities to address the impact of plant closings (Poppendieck, 1998 pp. 55-6). The poverty rate, which hit a

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record low of 11.1 % in 1973 (Edelman, 2012, Introduction) had climbed back up to 15.2% ten years later in 1983 (infoplease, 2014). Coupled with the federal budget cutbacks in spending on the social safety net under Reagan in 1981 and 1982, the need for food was greater than had been seen since the Great Depression.

Beyond the immediate economic conditions of the early 1980s, however, actions of the federal government helped drive the demand for food and create the institutionalized structure of today's private food assistance network from the handfuls of independent, ad-hoc charities working in the 1970s to address hunger.

Changes in the food stamp program provided incentives for low-income people to seek out free food from charitable sources, argue Daponte and Bade (2006, pp. 674-5). Under the Food Stamp Act of 1977, the food stamp purchase requirement was eliminated, meaning that recipients no longer had to buy in with their own cash to receive the nutritional assistance. The legislative change was intended to help the poorest families who had difficulties accumulating enough cash to purchase the stamps – the families most likely to be in need of assistance – to participate in the food stamp program. However, Daponte and Bade (2006, pp. 674-5) point out, removing the purchase requirement for all households meant that, if food stamp recipients were able to obtain food elsewhere, they were now free to reallocate their cash towards other things – shelter, utilities or anything else. Eliminating the purchase requirement did knock down the barriers to participation in the food stamp program, but it also had the more subtle, unintended consequence of driving demand for food from charitable sources.

Had the trends of the 1960s and 1970s continued, the tough economic times of the early 1980s could have resulted in even more public support for low-income families, but the prevailing political attitudes had shifted towards more conservative ideologies: reduced

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government spending, fear of fostering dependency, concerns of program abuse and solving social problems through volunteerism. Daponte and Bade (2006, p. 675) write, “President Reagan's election in 1980 represented a decrease in political support for and leadership on public responses to hunger.”

Anti-hunger advocates came to see the Reagan administration as openly hostile toward their efforts. In response to their claims that the poor were suffering due the federal budget cuts of 1981 and 1982, the Reagan administration responded that the “truly needy” were being protected (Pear, 1984). As indications to the contrary grew from mayors, churches, and even the federal government's own General Accounting Office, President Reagan responded by establishing the President's Task Force on Food Assistance to investigate the problem, but even before the task force met, critics complained that it was staffed with people disinclined to see hunger as a U.S. problem (Poppendieck, 1998, p. 104). The controversy worsened when presidential advisor Edwin Meese, a member of the task force, claimed there was no real evidence that hunger was a problem in the United States and suggested that people going to soup kitchens weren't really hungry but went only because the food was free (McFadden, 1983). Anti-hunger advocates, knowing they would receive little support from Washington, turned towards bolstering private sources of support (Daponte & Bade, 2006, p. 669).

Institutionalization of the private food assistance network

Another factor that contributed to the build-up of the private food assistance network and ultimately its formalization as a permanent part of the support infrastructure was the revival of the Depression-era idea of matching agricultural surplus to the needs of low-income families. In late 1981, news media reports revealed that large quantities of dairy surplus products, purchased

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by the USDA under agricultural price support programs, were in danger of rotting in government warehouses (Poppendieck, 1998, p. 88). Furthermore, it was costing U.S. taxpayers \$36 million a year to store the surplus products (Poppendieck, 1998, p. 89). Meanwhile, the country's economy was in recession, and the unemployment rate was 8% and rising (Bureau of Labor Statistics, 2014). The image of so much waste while people were going hungry caused a public outcry, to which the Reagan administration responded by agreeing to make surplus cheese available to the poor as a one-time event under the Special Dairy Distribution program (Daponte & Bade, 2006, p. 676). Through the program, the federal government distributed the cheese to state governments, which provided it to local non-profit organizations to give to low-income families (Daponte & Bade, 2006, p. 676).

Despite some problems in the distribution, the Reagan administration perceived the program to be a success, seeing it as a solution for addressing hunger that was both lower in cost and more in tune with its ideologies than bolstering the food stamp program (Daponte & Bade, 2006, p. 677). In 1983, the use of surplus foods to feed the hungry was authorized on an ongoing basis under the Temporary Emergency Food Assistance Program (TEFAP) (Poppendieck, 1998, p. 102).

Importantly, the TEFAP legislation included funding to be provided to the states and non-profit organizations to help address the expense of administering the program (Daponte & Bade, 2006, p. 678). Many of the organizations that had assisted in the dairy distribution were small entities run on shoestring budgets and volunteer hours, so, while they had welcomed the supply of food to feed their clients, they had incurred significant additional expenses for storing and distributing the surplus food (Poppendieck, 1998, p. 99). The government funding provided by TEFAP, writes Poppendieck, helped *institutionalize* the private food assistance network (1998, p.

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106). With reliable funding and a steady source of food, small ad-hoc pantries were able to build up infrastructure, such as cold storage, and hire office staff, moving them from small entities in danger of folding due to lack of funding or food, to reliable, predictable parts of the community (Daponte & Bade, 2006, p. 677; Poppendieck, 1998, p. 121).

A second stabilizing factor in the evolution of the private food assistance network was the creation of umbrella organizations. America's Second Harvest, formed as a network of food banks in 1979, offered advantages of scale not feasible with smaller organizations. America's Second Harvest was able to solicit donations from food corporations and ensure that large, possibly perishable contributions would not go to waste (Daponte & Bade, 2006, p. 682; Poppendieck, 1998, p. 125). It could offer training to charity groups in the processes of running food banks and assurances to corporate donors that food would be handled safely and given to the “needy not the greedy” (Poppendieck, 1998, pp. 125-6, 116). In 2001, America's Second Harvest merged with Food Chain, a nationwide prepared food rescue network, and in 2008, changed its name to Feeding America (Knott, 2013, p. 139).

TEFAP, the federal program, is still active today, although it was renamed from the Temporary Emergency Food Assistance Program to The Emergency Food Assistance Program in 1990, reflecting its more permanent status (USDA FNS, n.d.-f). In 1988, when there were insufficient agricultural surplus products to keep the program active strictly through surplus, Congress allowed the purchase of additional commodities through the Hunger Prevention Act of 1988 (Daponte & Bade, 2006, p. 678) in a move that signaled the growing importance of the USDA's mission for hunger relief, as well as supporting agriculture.

In the years since John F. Kennedy was campaigning for president, prevailing American

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attitudes on the role of government in ensuring everyone has enough to eat have shifted.

Growing recognition of hunger as an American problem meant the 1960s and 1970s saw the creation of a federal safety net which provided its strongest support for the hungry in the late 1970s with the Food Stamp Act of 1977. President Ronald Reagan's election in 1980s marked a long-term trend towards less government support and increased private support. While Democrats are generally more supportive of social programs and Republicans are generally more fiscally conservative, it's nonetheless important to note that political affiliations of the President and leading parties in Congress are insufficient to explain the changes. In fact, President Richard Nixon turned out to be one of the strongest anti-hunger Presidents while President Bill Clinton, under whose administration the “welfare to work” legislation was passed, was one of the weakest. American ambivalence over the role of government in supporting the hungry continues today, as I describe in the next chapter.

Chapter Three: Hunger in the United States Today

Today the support network that provides nutrition assistance for impoverished Americans is a mix of publicly-funded programs provided through federal, state and local government organizations, privately-funded support through charitable organizations, and even publicly-funded programs through charitable organizations. In this section, I summarize the support that is available and then discuss the deficiencies of the current infrastructure for supporting food-insecure Americans.

Public support through federal organizations

The federal government administers 17 major nutrition assistance programs, differing in the target populations they support and the kind of assistance provided. The bulk of the programs, 13 of 17, are administered by the USDA Food and Nutrition Service at a cost of \$109 billion for fiscal year 2013 (Aussenberg & Colello, 2013; USDA FNS, 2013b). The remaining four are run by the Department of Health and Human Services Administration on Aging (Aussenberg & Colello, 2013).

Of the 17 programs, by far the largest is the Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp Program. In fiscal year 2013, the government spent \$79.9 billion dollars to support 47 million people (USDA FNS, 2013b). Through the program, monetary assistance is provided to low-income households via an electronic benefit transfer card, which recipients use as a debit card at participating retailers to purchase a wide variety of food items (USDA FNS, n.d.-e). Eligibility for benefits depends primarily on household income, assets and expenses, but participation in work or work training is also required for able-bodied adults (USDA FNS, n.d.-e). Immigration status is also factored in, with generally no benefits to

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illegal immigrants or to legal immigrants with less than five years of residency (USDA FNS, 2013d). SNAP is an entitlement program, meaning that the federal government is obligated to provide support to all who meet the eligibility rules, regardless of overall program cost.

Two other entitlement programs, the National School Lunch Program and the School Breakfast Program, provide free and reduced-price meals at schools. These programs make up the second and fourth largest nutrition assistance programs, funded at \$12.2 billion and \$3.5 billion, respectively, in fiscal year 2013 (Aussenberg & Colello, 2013; USDA FNS, 2013b). Children from households with incomes at or below 130% of the federal poverty line are eligible for free meals, while children from households with incomes between 130% and 185% of the federal poverty line may purchase meals at reduced prices (Aussenberg & Colello, 2013). Funding is provided from the federal government as cash assistance to the schools (Aussenberg & Colello, 2013). At eligible schools, all children who meet the criteria may participate in these programs (USDA FNS, n.d.-b; USDA FNS, n.d.-c).

At \$6.5 billion for fiscal year 2013, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) makes up the third largest of the 17 programs (Aussenberg & Colello, 2013; USDA FNS, 2013b). WIC supports pregnant or breast-feeding women and their infants and children up to age five with vouchers for nutrient-rich foods, nutrition assistance and breast-feeding support (Aussenberg & Colello, 2013). Participants must reside in households with incomes at or below 185% of the federal poverty line and be individually determined to be at risk nutritionally (Aussenberg & Colello, 2013). Unlike SNAP, the National School Lunch Program, and the School Breakfast Program, WIC is not an entitlement program but instead a federal grant to the states (USDA FNS, n.d.-d). As a grant program, the federal government is not obligated to fund it for all eligible participants, and the program can more easily be affected

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by budget debates. For example, during the federal government shutdown in October 2013, the state of North Carolina temporarily ceased issuing WIC vouchers (Christensen R. & Kenney, A., 2013).

Other federal programs support different populations or provide nutrition support in different ways. For example, the Child and Adult Care Food Program provides subsidies for children and elderly adults in day-care programs much like the National School Lunch Program (Aussenberg & Colello, 2013). The Home Delivered Nutrition Program provides meals directly to homebound adults (Aussenberg & Colello, 2013). Still others promote healthy eating. The Fresh Fruit and Vegetable Program provides grants to schools to purchase fruits and vegetables for school meals, and the Senior Farmers Market Nutrition Program and WIC Farmers Market Nutrition Program provide vouchers to eligible participants to extend purchasing power at farmers markets (Aussenberg & Colello, 2013).

Two other programs, discussed in Chapter 2, likewise combine the USDA's roles of supporting agriculture as well as providing nutrition assistance. The USDA's Commodity Supplemental Food Program and The Emergency Food Assistance Program (TEFAP) purchase agricultural commodities for provision to low-income people (Aussenberg & Colello, 2013). Both are unusual in their partnership between federal and state governments and private local organizations. Through them, the USDA distributes commodity foods to the states, which in turn make them available to food banks, which redistribute them further via soup kitchens and food pantries, all private, non-profit entities (USDA FNS, n.d.-a).

Private support through non-profit organizations

Augmenting the support of the federal safety net is a broad-reaching private food assistance

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network that involves tens of thousands of organizations working daily to feed the hungry in their respective communities. With participating organizations ranging in size and stability from a newly opened soup kitchen in a church basement to a food bank that has been in existence for nearly 40 years, the private food assistance network is an amorphous, ever-changing collection of non-profit organizations. Complete data on the total number of agencies involved, clients served and dollars invested are essentially impossible to collect, but given that a substantial percentage of hunger assistance organizations work with local food banks, the best estimate comes from Feeding America. Feeding America, formerly known as America's Second Harvest, is the nation's largest hunger-relief organization, a network of more than 200 food banks that supports partner agencies which work directly with clients in both emergency and non-emergency programs (Feeding America, 2013).

Every four years, Feeding America commissions the *Hunger in America* report (Mabli et al., 2010). In the most recent report, the 205 food banks in the Feeding America network supported over 61,000 organizations and programs. Of that total, over half (54%) were emergency food providers, such as food pantries, soup kitchens and temporary shelters, while the remaining portion (46%) were non-emergency programs such as child and adult care programs and summer camps (Mabli et al., 2010, p. 234). According to the report (2010, p. 293), food pantries receive an average of 75.5% of their food from food banks, while soup kitchens and shelter programs receive less than half from food banks (49.6% and 41.1%, respectively). So, while Feeding America makes a substantial contribution to the support of these programs – \$1.8 billion in in-kind contributions in 2013 – it is only part of the total picture of support for these privately run hunger-relief programs (Feeding America, 2013, p. 41).

Other sources of food include charitable contributions from churches, civic organizations and

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local merchants as well as government-supplied food and funding from the Commodity Supplemental Food Program and TEFAP (Mabli et al., 2010, p. 293). Public support through these private organizations is significant. Feeding America estimates that TEFAP accounts for about 17.3% of the food moving through the national food assistance network (Feeding America, n.d.).

Additional statistics from the *Hunger in America* report estimate the reach of the Feeding America network. According to the report, the network serves an estimated 37 million individuals each year, with an average of 1 in 50 Americans receiving emergency food in any given week (Mabli et al., 2010, p. 1). Both numbers showed substantial increases (46% and 27%, respectively) from the previous report in 2005 (Mabli et al., 2010, p. 1).

What's wrong with the current support structure?

With billions of dollars from both public and private sources spent annually on nutrition assistance for hungry Americans, what is wrong with our current support infrastructure? Anti-hunger advocates cite a range of problems with both the private and public support.

Problems with the private food assistance network

The private food assistance network plays a significant role in the lives of individuals and communities across the country. Anti-hunger advocates decry the need for the network, while at the same time working countless hours to support it in order to meet the needs they see upon their doorsteps. Despite applauding the generosity of spirit that keeps the private food assistance network functioning, anti-hunger advocates identify a number of concerns.

Sociologist Janet Poppendieck's book, *Sweet Charity? Emergency Food and the End of*

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Entitlement, is well-recognized as a significant contribution to this conversation, upon which numerous scholars have built. In her book, she outlined “the seven deadly 'ins' of emergency food”: insufficiency, inappropriateness, nutritional inadequacy, instability, inefficiency, inaccessibility, and indignity (Poppendieck, 1998, pp. 210-255). Her critiques speak to the quality and quantity of food provided via the private food assistance network, the efficiency and effectiveness of the network itself, and the manner in which food is provided to those in need.

Support through the private food assistance network is inherently inequitable, an idea partially encompassed in Poppendieck's critique of inaccessibility (1998, pp 221-8). To start with, different agencies have vastly different levels of resources, so the amount of support an agency can provide to its clients varies greatly as well. A food pantry in a prosperous mid-sized city could receive more support than a similar agency in an isolated, rural area. Likewise, the need to be met could be significantly different between communities, depending on the population and the economic conditions in those communities.

Another aspect of inequity is that there are no uniform criteria or coordination between agencies for who receives help, how much help is received or how frequently clients may receive it. Although some critics of the government nutrition programs such as SNAP charge that those programs are abused by people not needing them,³ in fact, it is likely that the private food assistance network is more susceptible to such abuse. Charitable organizations may apply less rigorous criteria for which clients they support, and there is little or no coordination between agencies to attempt to validate that clients are not accessing multiple sources of food.

³The introduction of electronic benefits transfer cards as a replacement for actual food stamps has helped control the incidence of fraud in the food stamp program. According to a *New York Times* article addressing allegations of fraud, “the black market accounts for just over 1 percent of the total food stamp program, which is far less than fraud in other government programs like Medicare and Medicaid” (Severson, 2013).

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A second area of concerns relates to the quantity and quality of food provided. Giving food as charity means there are no expectations that the amount of food provided to a client is sufficient to meet his needs. Many food pantries provide households with a supply intended to feed the family for only a few days, even when the family has few other resources to draw upon. Nor is there any guarantee the type of food provided will meet the family's nutritional needs or cultural preferences. Food provided depends on what has been donated or purchased with donated funds. The emphasis is often on providing greater quantities of food, so cheap food may be favored over nutritionally rich foods. In addition, Anderson (2013, p. 115) argues that charitable organizations are reluctant to complain about the quality of food they receive. She writes,

Some of the largest anti-hunger organizations are in close and potentially counter-productive relationships with large food manufacturers that provide donations (with tax write-offs) to food banks. This may lead anti-hunger organizations to limit their critical examination of food manufacturers from whom they receive support, and constrain their ability to support or oppose policies that could impact the quality of food available to food-insecure people.

Another concern raised about the private food assistance network is that it provides just enough support so that there is no social outcry over the fact that millions of Americans don't consistently have enough to eat (Anderson, 2013, p. 115). People donating a can of soup to a food bank may feel like they're helping to address hunger without appreciating that fact that the problem is far bigger than a food drive can address. Without vocal public support, Congress will have little incentive to work to improve the situation. In fact, funding provided for nutrition assistance under SNAP in the 2013 Farm Bill was ultimately cut by \$8 billion (O'Keefe, 2014).

Finally, critics of providing support for hungry Americans via a private food assistance network point to the social stigmatization of the recipients (Anderson, 2013, p. 115;

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Poppendieck, 1998, pp. 228-35). In a culture that prizes self-sufficiency and independence, having to accept food may be viewed as a personal failure. The process of determining eligibility can be onerous and humiliating for recipients. While the same can be said of applying for government assistance, it is particularly true for in-kind donations, where, despite the best intentions of charitable organizations, it is difficult to provide direct aid in the form of a meal or a bag of food in a way that does not accentuate the lines between the haves and have-nots.

Problems with the public food assistance network

Of course, the current public support infrastructure for nutrition assistance is not without its flaws either. As described above, funding for nutrition assistance programs is subject to Congressional approval (Anderson, 2013, p. 114). Although SNAP is funded as an entitlement program, Congress can change the eligibility criteria or the benefit allotments to manipulate the overall program cost. Debates over the 2013 Farm Bill also suggested changing the program from an entitlement program to a block grant program, a move that over time typically results in an erosion of support for program recipients (Samuels, D., 2013; Waller, 2005).

Also problematic is the sometimes imperfect alignment of goals under the USDA. The USDA is, of course, responsible for supporting agriculture but it is also the governing agency for most of the federal nutrition programs. Programs that support farmers aren't always in the best interest of public nutrition. For example, grains used to make cheap snack foods are subsidized at a far greater level than fruits and vegetables. "Over one hundred crops are covered, but in 2008 just four crops – corn, cotton, soybeans and wheat – accounted for more than two-thirds of the total acres enrolled in crop insurance and for the vast majority of subsidies through the commodity programs" (Cook, 2013, p. 70-1).

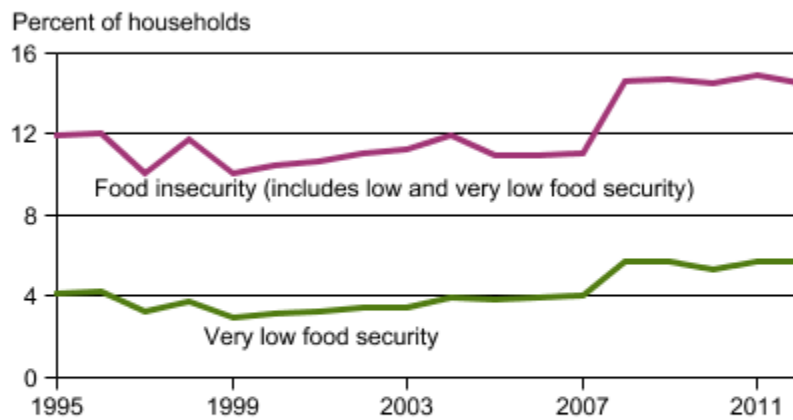
The crux of the problem

While those criticisms of the current support infrastructure are all valid, the most obvious and significant problems are these: despite all the public and private support, 17.6 million American households (14.5%) are food-insecure, the situation is not improving, and it's costing more and more to keep it from getting worse.

Two charts tell the story. First, in *Figure 2, Trends in prevalence rates of food insecurity and very low food security in U.S. households, 1995-2012*, data from the USDA's Economic Research Service show that food insecurity rates have ranged between 10% and 14.5% between 1995 and 2012. The impacts of the recession of the Great Recession that began in December 2007 clearly contributed to a spike in food insecurity, but rates have flattened off at the elevated level since then.

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Trends in prevalence rates of food insecurity and very low food security in U.S. households, 1995-2012



Prevalence rates for 1996 and 1997 were adjusted for the estimated effects of differences in data collection screening protocols used in those years.

Source: Calculated by ERS based on Current Population Survey Food Security Supplement data.

Figure 2: Trends in prevalence rates of food insecurity and very low food security in U.S. households, 1995-2012 (USDA ERS, 2013b)

In addition, the cost to simply sustain the food insecurity rate at these high levels has climbed dramatically. As shown in *Figure 3, Food Stamp Usage in 1000's of People*, the number of people relying on food stamps benefits, now known as SNAP, rose from 26 million to 47 million between 2007 and 2012. One in seven Americans is now on food stamps (Food Research and Action Center, 2014). Not surprisingly, the cost of federal support is likewise increasing. In 2013, the federal government spent \$109.6 billion on all food and nutritional assistance programs, up from \$60.5 billion in 2008 (Office of Management and Budget, 2014).

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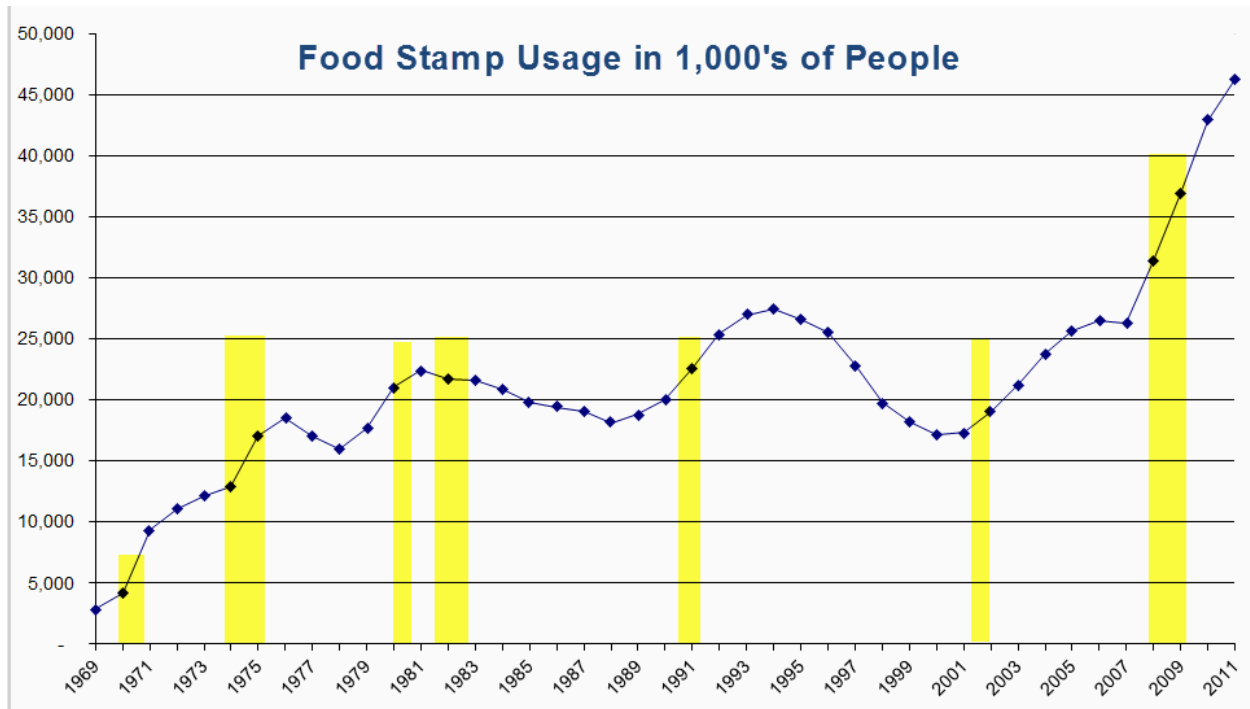


Figure 3: Food Stamp Usage in 1000's of People (Shedlock, 2011). Note: Yellow bars denote periods of economic recession.

At the core of these numbers is the basic problem with the current mix of public and private support: while the support is enough to keep people from starving and is substantially better than what was available to low-income Americans in the early 1960s, the method of responding to food insecurity in the United States is a band-aid solution that addresses the symptoms without addressing the root causes. In the next chapter, I look at an alternative approach.

Chapter Four: Evaluating a New Approach: Right to Food

For more than 50 years, we have been trying to address the problem of domestic hunger in the United States. During that same time period, the international community has likewise struggled to alleviate malnutrition and starvation, often in the face of even more pervasive and urgent need. Over the last five decades, the prevailing thinking on both the problem and the solution have shifted markedly, with the focus today in the international community on addressing hunger by ensuring individual access to food as a human right. In this section, I examine how the international community has moved to this thinking, the growing legitimacy of the idea, and why the application of a human rights framework to the problem of hunger is thought to be a potential solution. I then discuss the position of the United States on right to food,⁴ as well as arguments for and against applying a human rights framework to the problem of domestic hunger in the United States.

Changing views on addressing global hunger

In the 1960s and early 1970s, hunger in the world was perceived largely as a problem of supply, with insufficient food produced to feed the planet's billions of residents. Thus the solution was to produce more food. Advances in agricultural technologies brought by the Green Revolution did, in fact, assist with significant increases in agricultural outputs, especially in Asia in the late 1960s (De Schutter, 2009, 40). The general response, then, was to take these new technologies to more places, such as famine-stricken Africa. While not universally successful, the production of food increased. Between 1975 and 1985, world production of corn, wheat and

⁴In this paper, I use the term *right to food* as shorthand for *human right to adequate food*. The full context of the human right to adequate food incorporates a more comprehensive understanding than I deal with here, one that incorporates the ideas of food that is safe, nutritionally complete, culturally appropriate, produced in a manner that does not harm the environment and accessed by the individual in a way that preserves human dignity.

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rice grew at a rate twice as fast as population growth, leading to surpluses and gluts on the world market (Thurow and Kilman, 2009, p. 23). Nonetheless hunger persisted.

In 1981, Amartya Sen's *Poverty and Famines: An Essay on Entitlement and Deprivation* redefined the problem of hunger, clearly articulating it as one not of supply but of access. “Starvation,” he writes, “is the characteristic of some people not *having* enough food to eat. It is not the characteristic of there *being* not enough food to eat.” (Sen, 1982, p. 1). Sen's groundbreaking work in welfare economics, for which he won the Nobel Prize in Economics in 1998, helped drive a shift in thinking about the solution to hunger as one of ensuring equity in access (Mechlem, 2004, p. 634). At the same time, it helped change the focus on food security from the national level to the household and individual levels, driving a change in response to the problem, as well. For example, when the concern in the 1970s was having adequate worldwide food supply, one response was to encourage nations to store grain surpluses from times of plenty to help stabilize supply and prices in the less productive years (Mechlem, 2004, p. 634). Now, with the focus at the household and individual levels, the response in the international community is to work toward ensuring access to adequate food as a human right. In this line of thinking, as I describe in a later section, the United States lags noticeably behind the international community.

Increasing legitimacy for the right to food

The idea of adequate food as a legally enforceable human right has been slowly gaining legitimacy around the world. In the post World War II period, members of the newly-formed United Nations first articulated the moral imperative of addressing hunger in 1948 by including the right to adequate food and other basic necessities in Article 25 of the Universal Declaration

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of Human Rights (United Nations, n.d.; United Nations, 1948). The declaration, however, is a non-binding agreement, making it more a statement of principles than a legally enforceable document.

In 1966, the international community worked to codify human rights into international law through two covenants: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (United Nations General Assembly, 1966). Article 11 of the International Covenant on Economic, Social and Cultural Rights again articulates the right to adequate food as a human right by stating that signers of the covenant “recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing” (United Nations General Assembly, 1966, Article 11).

Despite the legal foundation from the covenant, the emphasis on food as a *right* did not gain traction until after Amartya Sen's work redefining hunger as a problem of access at the individual and household levels, according to Kerstin Mechlem, Legal Officer for the Food and Agricultural Organization of the United Nations (2004). Sen's work focused on vulnerable populations, showing that even in times of high yields, some go without food due to lack of economic access to food or inability to produce it themselves (De Schutter, 2010, 1).

Treating access to food as a human right has been gaining legitimacy since then. The 1996 World Food Summit in Rome is considered a turning point because attendees first drew attention to the idea that the application of a human rights framework could be useful in addressing the problem of hunger. The *Plan of Action* from the World Food Summit included a request to the United Nations High Commissioner for Human Rights to clarify the rights of Article 11 of the covenant and suggest ways to progressively implement them (Kent, 2010, p. 3; United Nations

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Food and Agriculture Organization (UN FAO), 1996, Objective 7.4.). In 1999, the United Nations Committee on Economic Social and Cultural Rights fulfilled this request by issuing General Comment 12, which articulated the obligations of States to their populations, as discussed in further detail below (Kent, 2010, p. 3; United Nations Committee on Economic, Social and Cultural Rights (UN CESCR), 1999).

Numerous other examples demonstrate the growing legitimacy of right to food abroad. Member states at the World Food Summit in 1996 defined a goal of reducing the number of hungry by half by 2015, a goal which was reaffirmed as one of the Millennium Development Goals (Mechlem, 2004, p. 631-2). Right to food has also been recognized in the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and the Convention on the Rights of Persons with Disabilities (Duger & Davis, 2012, p. 203). As discussed below, right to food is being worked into the laws and even constitutions of numerous countries.

How use of a human rights framework can help address hunger

Of course, documents by themselves do not feed hungry people. The import of these documents is that recognizing a human right to adequate food provides a framework to be used in tackling the problems of hunger and malnutrition. This framework identifies roles and responsibilities. It sets expectations and priorities. It makes access to food a legally enforceable right.

Roles in a rights framework, explains George Kent (2010, 2), include those of rights holders, duty bearers and agents of accountability. To understand the rights framework, we need to know: who are the rights holders and what is the nature of their rights; who are the duty bearers and

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what are their obligations; who or what entities are the agents of accountability and what are the procedures to be used if the duty bearers are not fulfilling their obligations to the rights holders (Kent, 2010, p. 2).

For the human right to adequate food, General Comment 12 on Article 11 of the International Covenant on Economic, Social and Cultural Rights helps articulate the roles and obligations, providing operational detail to assist signatories of the covenant in moving from the high level aspirations of Article 11 to more specific, actionable items. In point 6 of General Comment 12, the right to adequate food is defined as follows:

The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement. (UN CESCR, 1999, point 6).

General Comment 12 then articulates the obligations of the State. First, it makes it clear that the right to adequate food is one that may take time to achieve, but signatories are obligated to keep working to make forward progress. Point 14 states, “The principal obligation is to take steps to achieve *progressively* the full realization of the right to adequate food” (UN CESCR, 1999, point 14).

It further defines the obligations of the State: to respect, to protect and to fulfill the right to adequate food. (UN CESCR, 1999, point 15). *To respect* means the State must not itself prevent access to food. *To protect* means that the State must not allow other individuals or groups to interfere with access to food. *To fulfill* the right to food has two parts: to facilitate and to provide (UN CESCR, 1999, point 15). *To facilitate* means the State “must pro-actively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security” (UN CESCR, 1999, point 15). Only in the case where an individual is unable to obtain access to food himself, for reasons beyond his control, is

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the State expected *to provide* this right directly (UN CESCR, 1999, point 15).

Olivier De Schutter, United Nations Special Rapporteur on the Right to Food, stresses that the goal is to facilitate people's ability to provide for themselves. He writes, “The right to food is not primarily the right to be fed after an emergency. It is the right, for all, to have legal frameworks and strategies in place that further the realization of the right to adequate food” (De Schutter, 2010, p. 1).

In 2004, the Food and Agriculture Organization of the United Nations provided even more detailed recommendations on steps States could take to further implement the right to food when it published the *Voluntary Guidelines to support the progressive realization of the right to food in the context of national food security* (United Nations Food and Agriculture Organization (UN FAO), 2005). Nineteen guidelines cover a range of suggestions, including establishing a legal framework for right to food within the nation, improving access to markets, setting economic development priorities, and ensuring rights holders are educated on their rights.

The power of the right to food approach to addressing hunger is that it requires countries to measure the problem, identify vulnerable groups, and create action plans to improve the situation. It is a policy tool that favors systemic improvements over short-term emergency solutions. It helps drive national priorities. It communicates to rights holders that they can expect the support of the State, and by making right to food legally enforceable, the States can be held accountable for failure to progress.

International progress on right to food

Today, 160 countries have signed the International Covenant on Economic, Social and Cultural Rights, making them legally bound to uphold the right to adequate food (United Nations

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Treaty Collection, 2014). Actual implementation of the right is still in its early years, but indications are encouraging. In a 2010 briefing note, De Schutter (2010, p. 1) reported on implementation of right to food of member States, citing “significant progress in implementing right to food at national scale in Africa, Latin America and South Asia.” As of 2010, 24 countries had included right to food in their constitutions (De Schutter, 2010, p. 5). Numerous others had incorporated right to food in national laws and used right to food to drive national policies (De Schutter, 2010, pp. 7-10). In India, Nepal, Brazil and South Africa, successful court cases have upheld the right to food (De Schutter, 2010, pp. 10-12).

One of the most celebrated examples of the use of right to food to drive national policies and priorities is that of Brazil's Fome Zero (Zero Hungry) strategy started in 2003. The strategy includes 53 initiatives aimed at hunger reduction, including emergency food assistance, a national school-feeding program and cash transfers to poor families. In addition to addressing the symptoms of hunger, it works to address the root causes of hunger. For example, 30% of the food purchased under the school-feeding program is purchased from small family farms as a way to support the local economies (De Schutter, 2010, p 8). Cash transfers to poor families are conditional based on child attendance rates at school and regular visits to health clinics, in an attempt to improve the prospects of future generations (Rocha, 2009, p. 55). Although not without problems, the Fome Zero program has been credited with significant reductions in levels of malnutrition, poverty and child mortality rates (De Schutter, 2010, p. 8).

U.S. Position on Right to Food

Historically, the United States has not officially acknowledged right to food as a human right, but it has recently begun moving in that direction on the international level. After having been

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the only dissenting vote on a United Nations General Assembly resolution on right to food in 2008 while 184 countries voted in favor of it, the United States first “join(ed) consensus” on a right to food resolution in 2009, albeit with an explanation of position statement that limited its support (Duger & Davis, 2012, p. 204; Mission of the United States, 2012; RightingFood, 2013).

In the human rights arena, there has been a historical divide between countries which give primacy to civil and political rights and those which give primacy to economic, social and cultural rights. When the United Nations was working to codify human rights in legally binding documents in 1966, the divide was so significant that two separate documents were drafted: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Signatories of the first tended to be Western countries aligned with the United States while signatories of the later tended to be Soviet-bloc countries (RightingFood, 2013). The United States has ratified the covenant on civil rights but has not ratified the one for economic and social rights, which includes the right to adequate food.

Today, the United Nations holds that human rights are interdependent and indivisible; that is, it is impossible to truly have civil and political rights without also having economic, social and cultural rights (and vice versa) (United Nations Human Rights, n.d.). In having ratified only one of the covenants, De Schutter explains, the United States is “in a peculiar position; almost all other countries have approached the two sets of rights together” (Lappé, 2011). In his view, the position stems from our constitutional tradition that treats rights as *negative rights*, that is, protection of citizens from actions of the State (Lappé, 2011). For example, the right to free speech means the government may not punish a citizen simply for what he says. Less familiar to Americans is the concept of *positive rights*, actions the State is expected to take on behalf of its citizens. Right to adequate food is a positive right, in that the State is expected to ensure its

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citizens have enough to eat.

In a partial retreat from its increasingly isolated position on the right to food, the United States joined consensus on a resolution at the 19th session of the United Nations Human Rights Council but qualified its support with a statement of position (Mission of the United States, 2012). While acknowledging the right to food in principle and stating its support for the goal of increasing worldwide food security, it also expressed disagreement with the resolution in the area of trade negotiations, which it viewed as beyond the scope and expertise of the Human Rights Council, and promoted its view that protection of intellectual property rights serves as an avenue towards greater food security (Mission of the United States, 2012). Furthermore, it expressly pointed out that the United States had not signed the International Covenant on Economic, Social and Cultural Rights and was therefore not acknowledging right to food as an enforceable obligation (Mission of the United States, 2012).

Concerns expressed in the position statement were focused on how the resolution might place expectations on or prohibit actions by the United States in their relations with the rest of the world. For example, despite its role as the world's largest food aid donor, the position stated, “we do not concur with any reading of this resolution that would suggest that states have particular extraterritorial obligations arising from a right to food” (Mission of the United States, 2012). Concerns expressed in the position statement did not address any issues with the implications of the resolution in a domestic context, but the United States does not recognize food as a legally enforceable right either at home or abroad.

Arguments for and against right to food in the United States

Right to food has not been debated as frequently in the domestic context, but when it has

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been, the debate has labored under several common misunderstandings about what right to food is and what it is intended to accomplish. Chilton and Rose (2009, pp. 1206-7) cite two common misperceptions. First is the idea that right to food requires supplying food to everyone. Right to food *does* require that the State provide food in the case where individuals are unable to provide for themselves through no fault of their own, such as in time of natural emergencies. However, the emphasis of right to food and the use of the human rights framework as a mechanism for addressing hunger is instead focused on creating the conditions in which people can provide food for themselves (UN CESCR, 1999, points 6 & 15). The second misperception is that government “must instantly solve all social ills related to poverty and deprivation” (Chilton & Rose, 2009, p. 1207). In fact, General Comment 12 clearly acknowledges that the process will take time and instead defines the State's obligation as “tak(ing) steps to achieve *progressively* the full realization of the right to adequate food” (UN CESCR, 1999, point 14). Right to food then is primarily about working to improve the ability of people to provide food for themselves.

One argument sometimes cited against the idea of right to food is that it is not protected by the U.S. Constitution. Of course, right to food is not explicitly recognized, a fact that is not surprising given De Schutter's explanation of the American tradition of viewing rights as negative rights rather than positive rights (Lappé, 2011). Proponents of the right to food argue, though, that right to food is advanced implicitly under the protection of the right to life (Messer & Cohen, 2009).

Two other arguments against right to food are that it goes against the American value of self-reliance and, in fact, would create further dependency (Messer & Cohen, 2009). These concerns are essentially equivalent to those raised by fiscal conservatives in the debates over appropriations for federal nutrition assistance programs. While right to food does require the

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State to provide food to those individuals who, through no fault of their own, are unable to achieve access to adequate food, that is essentially the intent of the already-existing Supplemental Nutrition Assistance Program (SNAP), as well.

Finally, opponents of right to food argue that it would simply be too expensive (Messer & Cohen, 2009, citing Representative Steve King, of Iowa, 2007). Proponents counter that a careful evaluation of the cost of right to food would need to consider not only the cost of government outlays in the form of nutrition assistance programs but equally important, the domestic cost burden of *not* addressing hunger, a figure estimated in 2007 at \$90 billion per year in the United States for both direct costs such as increased medical expenses and indirect costs such as lost productivity resulting from undernourished children and adults (Brown et al., 2007, p. 4). In the long-run, advocates say, a successful implementation of right to food, one which better enabled today's food-insecure population to achieve economic access for themselves, should result in lower overall costs (Messer & Cohen, 2009).

Several other arguments further support the use of the human rights framework in dealing with the problem of domestic hunger. Some proponents of the right to food claim it as a moral response to a social injustice, while others advocates simply advance the pragmatic approach. The use of a human rights framework to address domestic hunger may work where efforts to date have failed. Chilton and Rose (2009, p. 1204) cite the successful application of a human rights framework to the worldwide prevention and treatment of HIV/AIDS, and De Schutter's briefing note included promising signs that use of a human rights framework was bringing tangible advances in the fight against hunger (2010).

Although the right to food approach is better recognized at the international level, it is gaining

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some legitimacy at the domestic level as well. The International Human Rights Clinic of New York University's School of Law advanced the idea in a 2013 report, *Nourishing Change: Fulfilling the Right to Food in the United States* (International Human Rights Clinic). As another example, MAZON, a Jewish anti-hunger organization, presented the idea at a break-out session at a national Anti-Hunger Policy Conference I attended in Washington, D.C. in March 2014 (Liebman & Hubbard).

Chapter Five: Conclusions

Compared with 50 years ago, when Senators Kennedy and Clark encountered “children, thousands of them, hungry to a point very near starvation” on their tour of Mississippi (Edelman, 2012, p. 7), the United States has made real and sustained progress in the fight against domestic hunger. The implementation of the food stamp program, now SNAP, has provided a level of entitlement that puts the United States well down the road to treating food as a right, as something that should be ensured by the government to everyone within its borders. That said, we have more work to do. Our progress is not yet enough to keep 17.6 million households from experiencing food insecurity, and the current tangent of ever-increasing food stamp participation is not economically sustainable.

Our current approach to addressing food insecurity is a band-aid solution that focuses on short-term needs without addressing the root cause of hunger: poverty. While the growth of the private food assistance network is laudable as evidence that many people care deeply about impoverished members of their communities, charity can at most try to address the immediate needs. Only the government has the scope and the mandate to attack the underlying problem. Use of a human rights framework in support of the right to adequate food provides two elements missing from our current approach: prioritization and accountability.

When a country acknowledges right to food as a fundamental human right, it is making a statement of priority. It is claiming it as a core value that people should not go hungry through no fault of their own. Twenty four countries have chosen to add right to food to their constitutions, but many others are more gradually accepting right to food in their policies and laws (De Schutter, 2010, 5-7). Accepting right to food means it will get placed higher on the priority list when tough choices have to be made, so that, for example, nutrition assistance programs don't get cut during economic downturns when people need them most.

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However, the emphasis of right to food is more about creating the conditions that enable people to feed themselves than it is about providing food. In the United States, the USDA has been measuring household food insecurity since 1995, but there is no accountability. No action plans or targets are put in place to drive down the food insecurity rates. Applying a rights-based approach to food would force in-depth examination of who is hungry, why they are hungry, and what policies would help. It would require the USDA to work in conjunction with agencies responsible for setting economic policy and for providing human services in a broad-reaching effort to enhance economic access to food. Government regulations, policies and programs would need to be assessed for their impacts on food security. By setting targets, impact on food security becomes part of the conversation when discussing, for example, raising the minimum wage, doing away with the earned income tax credit, establishing job training programs or debating budget cuts.

Accountability also means that people whose rights are not being met have legal recourse. Today, a person denied eligibility for food stamps may go through an appeals process to have a more in-depth examination of his case. Right to food would add further protection through the courts. While right to food does not require that the government immediately address all of the underlying conditions of poverty, it does require making progress, and the legal system can be effective in driving action.

Treating food as a human right is an idea that has gained substantial credibility in the international community since the World Food Summit of 1996. Countries are adding right to food to their constitutions, laws and policies, and court systems are beginning to uphold the right in legal battles (de Schutter, 2010).

In the next 50 years, the United States must move more firmly in the direction of supporting

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food as a human right. As the cost of supporting impoverished people with direct nutrition assistance continues to grow, we will be forced to re-evaluate our approach to addressing domestic hunger. We will have to choose between spreading limited resources more thinly or rethinking how we invest in hunger prevention. With continued acceptance and success of the right to food approach in the international community, the United States will be encouraged to see right to food as both a moral and practical way forward.

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