

Food Security, the World Trade Organization, and the Social State

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Food security has re-emerged as a major problem over the past decade. As many commentators have noted, the capacity to access adequate food is strikingly unevenly distributed, both within states and between states. Yet there is little agreement amongst scholars and policy-makers as to the reasons for that uneven distribution of hunger and undernourishment in the world today. This lecture is part of a broader project exploring the conditions of law and policy that have enabled the consolidation over the past two centuries of an international economic order that enables individuals and corporations to profit from human dependence upon food while growing numbers of people globally are undernourished.

The broader project is structured around four concepts and techniques that have contributed to the constitution of transnational food regimes since the late eighteenth century – free trade, investment, population control, and intervention. All four concepts have been enshrined and debated in legal texts over the past two hundred years, and all four are intimately related. While debates about free trade and investment often have an abstract and rationally persuasive quality to them, the schemes they propose are dependent upon controlling people and territory. The question of what to do with ‘surplus’, ‘redundant’, or internally displaced populations is a question that has haunted attempts to constitute a market-oriented agricultural order since the nineteenth century, as has the question of how to secure foreign investments and ensure the free movement of goods and people necessary to enable profits to be made. In the broader project I explore the interrelationship, movement, and transformation of these four concepts, as they travel from intellectual treatises, campaigning speeches, political rhetoric, official reports, treaties, commission reports, and legislative reforms in the nineteenth century, to collaborative projects developed by international lawyers, economists, sociologists, and historians turning their minds to how the colonial system might peacefully change during the inter-war period, and on to their institutionalisation post-1945 in separate international regimes dealing with free trade and investment, population control, and intervention.

This lecture focuses on the first of those principles, that of free trade. It argues that attending to the legal framework that underpins the project of global economic integration can help in the process of understanding and responding to the uneven distribution of food insecurity, but that this will require a deep engagement with the history and politics of the free trade project. The lecture will explore the relationship between free trade and access to food in three key periods. The first is the period from the late eighteenth century through to the end of nineteenth century, when the principle of free trade was invoked in debates about the proper role of governments in regulating the export and import of food, providing famine relief in times of agricultural distress, and encouraging agricultural investment. Famine and starvation provided a test of political commitment to the principles of free trade – a test that colonial administrators would pass with flying colours in Ireland and India. Second, the lecture will explore the appeal to free trade principles in debates about economic

integration and restructuring during the inter-war period and through to the end of World War 2, when international lawyers and economists debated the legal and institutional forms that were necessary to create a new liberal international order. At the heart of these debates were questions about the proper role of the state in relation to the market, and whether new forms of international order should be designed to further collectivism and state planning or individualism and the free market. The third moment in this story is the successful negotiation of the WTO agreements during the 1980s and 1990s, which is the high point of success for a particular vision of the free trade state. I will focus in particular on the way that food security has been addressed within WTO agreements and negotiations – both in terms of the role that WTO agreements play in shaping the production, distribution, safety, and availability of food, and in terms of the vision of how food security should be realised that has shaped the interpretation of those agreements. As the impasse over the current agricultural negotiations as part of the Doha Round has revealed, the political view of the role of the state embodied in WTO agreements is coming under increasing challenge. At stake are core questions about the obligation of states to protect the welfare of their own populations, the forms of political action needed to preserve democracy in the face of rural distress and dispossession, and the means available to societies seeking to preserve traditional or communal relationships to land. The lecture will suggest that the core WTO Agreements as currently interpreted offer a historically contested answer to those important questions of law and politics.

The aim of the lecture is thus to offer a new history of the free trade project as one aimed centrally at restructuring the state. It will conclude that in light of that history, the current concern with access to food and land that registers in the debate about food insecurity can be understood as a symptom of a broader problem. That broader problem is the crisis of the free trade state and the global market economy constituted by international law over the past two centuries. Famine and hunger haunt the commitment to political economy and free trade. This lecture will suggest that this is no accident. The free trade debate over the Corn Laws in England, the economic response to famine in Ireland and India, the debate over the Common Agricultural Policy in Europe, and the riots and political instability that accompanied rising food prices in over thirty countries between 2006 and 2008 are all markers of something that liberal economic ordering cannot (yet) fully manage and control. What is at stake in debates over food security and free trade is a battle for the state – who or what will the state represent in the twenty-first century, and who will decide?