

Ending Indifference: A Law to Exile Hunger?

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Can we agree in this country on a floor of human dignity below which we will not allow any human being to fall? No child, woman or man in this land will sleep hungry. No person shall be forced to sleep under the open sky. No parent shall send their child out to work instead of to school. And no one shall die because they cannot afford the cost of hospitals and medicine. Can we agree that whatever this costs, we will pay? A comprehensive National Food Security Act will be the first step in ensuring a hunger-free India.

The failure of governments and middle class people to acknowledge and strive to end hunger and destitution derives, I believe, from a denial of the intrinsic equal human worth of every human being. It fails to acknowledge that all women and men, boys and girls in this planet are all equally worthy, regardless of their gender, faith, caste, colour, wealth or physical abilities; of whether and what they produce and contribute; of their difference; of their departures from prevalent social norms; of their physiological and social diversity from the majority; of their disenfranchisement and powerlessness. The notion of an inalienable right to food of all is built on an ethical framework that affirms that every human being is an end in herself, of intrinsic and immutable value. No human being, weak or strong, similar or different, compliant or deviant, productive or unproductive, is of any less inherent significance than the next.

Until that day dawns – when this equal intrinsic human worth of every person is fully acknowledged and realised – in the long dark shadows of this land, the silent tragedy would continue to play out, of millions of women and men, boys and girls, who sleep hungry. They will continue to serve their life-sentence, as have generations before them – of chronic hunger; of intense yet avoidable suffering; of self-denial; of learning to live with far less than the body needs; of minds and bodies stymied in their growth; of unrealised potentials; of unpaid, arduous devalued work; of shame, humiliation and bondage; and of the agony of helplessly watching one's loved ones – most heartbreakingly children – in hopeless torment.

In free India, famines – in which the lives of tens of thousands of people were snuffed out in brief dense moments of dark tragedy – have passed into history. But there are many ways in which obdurate

and desperate hunger endures in this land. Individual men, women and children – and sometimes entire tribal or dalit communities – are compelled to subsist for long periods without sufficient food. They cut back on their food intakes, sometimes reduced to eating one meal a day; or to beg for food; or to eat tubers, grasses and mango kernels that fill their stomachs but provide no nutrition; or sometimes just to drink the starch water left over after cooking rice, which their neighbours give them in tight-fisted charity. There is little more desperate and shaming for a parent than to be unable to feed one's child. In many homes – hidden in the shadows of our newly accumulated wealth – men and women carry on their shoulders the burdens of suffering and mortification of this want, many days every year. They still have to labour strenuously to survive; they wilt and age rapidly, or often succumb to ordinary illnesses which better nourished people would easily survive.

Child Malnutrition

State granaries are full, grain rots, the economy is resurgent and many of the world's wealthiest people are Indians. Yet the paradox persists, that one in every two Indian children is unable to access enough food for her body and brain to develop to their full potential, and two out of three women are anaemic, because even within families, women eat the least and only after all others have been fed. Countries which are much poorer than India – in our neighbourhood as well as in the poorest regions of Africa – have fared far better in battling hunger and malnourishment. Governments in India procure and distribute millions of tonnes of subsidised food, run feeding centres for children, and feed a 140 million students daily in schools. Yet they fail to stem the wasting of the bodies – and spirit – of millions of our people. Official surveys admit that in nearly a decade, the percentage of malnourished children has reduced by just one percentage point, from 47 to 46%.

Experts battle each other endlessly about ways to measure poverty and count the hungry, and policymakers use minimalist assumptions to claim the decline of poverty, and rationalise cut-backs in public

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expenditure. Often their assumptions are not just unrealistic, but inequitable. Current official poverty lines condemn the poor to eat cheap, monotonous food, with little left over for health services, education, housing and recreation, and then deem these levels as satisfactory to pull them out of poverty and justify the retreat of the State.

Such high levels of hunger and malnutrition are a paradox, because they stubbornly survive galloping economic growth, and agricultural production (which outpaces the growth of population although agriculture in India has worryingly stagnated in recent years); and some of the largest and most ambitious state-run food schemes in the world. The persistence of widespread hunger is the cumulative outcome of public policies that produce and reproduce impoverishment; of failures to invest in agriculture especially in poorer regions and for rain-fed and small farmers; of unacknowledged and unaddressed destitution; of embedded gender, caste, tribe, disability and stigma which construct tall social barriers to accessing food; but in the last analysis it is the result of a profound collapse of governance.

The colonial famine codes continue to cast a long shadow over responses of the State to hunger, even though both the nature of famine and the political economy of the State have been completely transformed in free India. As with these codes, state responses continue to regard starvation as a temporary aberration caused by rainfall failures rather than an element of daily lives. Destitution is invisible to our governments. The effort remains to craft minimalist responses, to spend as little public money as is absolutely necessary to keep people threatened with food shortages alive. And the duties of state officials are not legally binding, in ways that they cannot be punished for letting citizens live with and die of hunger.

Legally Enforceable Rights

States can be held more accountable only if social and economic rights like those to food, work, shelter, healthcare, education and social security are legally enforceable as fundamental rights, no differently from civil and political rights. People cannot be forced to choose between rice and freedom; each loses meaning without the other. In India, through a fortuitous

combination of judicial and civic activism, in what has come to be known as the right to food case, the Supreme Court has converted various government programmes with a bearing on food security into entitlements, which the State cannot abridge or withhold on the plea that it lacks resources. Before the intervention of the Supreme Court in 2001, they ran many food schemes, but these were not guarantees: they could be withdrawn or reduced, and there was no obligation on the State that these schemes must cover all needy people. The Supreme Court changed this, by directing that governments could not withdraw any food schemes; and that all children in schools be given hot cooked school meals, all children under six years as well as nursing and expectant mothers supplementary feeding through the Integrated Child Development Services (ICDS), and all vulnerable groups ration cards. But through the right to food act, the State has an opportunity to seize the initiative from the courts, and instead comprehensively legislate itself to make governments responsible to reach food to all.

The courts have shown the way for the right to food to become a judicial legal entitlement, binding on every government. In a nation in which mammoth wealth and intense destitution have co-existed for millennia, a law that would bind governments to guarantee that no man, woman or child sleeps hungry could be momentous. Such a law, if enforced by sustained democratic non-violent people's resistance, can enable the beginning of the end of the enormous human suffering, indignity, economic and social cost and enduring injustice associated with entirely preventable food denials and malnutrition, and the banishing of hunger from every home in the country.

Such a law would bind governments to make it possible that no man, woman or child sleeps hungry. If passed, it can become – with the Right to Information Act and the National Rural Employment Guarantee Act – the most significant contribution of this government to humane and accountable governance. It is such a right to food law that the union government in India in 2009 has promised to its people. A debate about the contours of such a law began thereafter within and

outside government, and continues even as government finalises its bill.

There are many within government who would like to see a minimalist formulation of the State's obligations under this law. Soon after the president of India announced that legislating a Right to Food Act was among her new government's highest priorities,¹ the ministry of food and civil supplies circulated a proposal which tried to restrict the legal obligations of governments under the proposed law to supplying 25 kg a month of rice and wheat at Rs 3 a kg. This too was only for a small segment of the population which the government deemed to be "poor". There was a hushed clamour that even this would cast too heavy a burden on the State treasury. But shortly after, the chairperson of the United Progressive Alliance, Sonia Gandhi, wrote her first letter to the prime minister since the installation of this government, proposing a bill that would much more comprehensively guarantee adequate food to people who live with hunger. Many people who are chronically denied food have been specifically detailed in the draft she recommended: such as single women, disabled and aged people, street children, bonded workers, people in casual low paid employment including agricultural labour and rag-picking, the urban homeless, and others.

Brazilian Initiative

In this initiative were echoes of the luminous words of Lula da Silva, former president of Brazil, when his government launched a similar national food guarantee, called Hunger Zero. He had pledged, "We will make it possible for people in our country to eat three square meals a day, every day, with no need for handouts from anyone. Brazil cannot go on living with so much inequity. We must overcome hunger, extreme poverty and social exclusion. Our war is not to kill anyone. It is to save lives." The subtitle of "Brazil's Food Security Policy" was equally iridescent: "Brazilians who eat helping those who don't".²

It is precisely these ethical and political convictions that India's right to food law must draw upon if it is to rewrite history: that the first claim over the country's resources must be of men and women, girls and boys who are the most deprived; that

a right to food must impose binding obligations on the governments and people of India to exile hunger from every home; that this would involve redistribution of resources from those with privilege and means to those who are dispossessed; that necessary resources to reach food to every mouth therefore exist; and ultimately that the State must care.

The food that this law would guarantee to every person in this country must be nutritious and sufficient for an active and healthy life. It must also be assured: people should no longer have to live with agonising uncertainty of whether their loved ones or they will be able to eat tomorrow. And it should be food that they can access with dignity. A bonded worker, a child searching in rubbish heaps, and a disabled or aged man who stretches out his limbs for alms, possibly may have a full stomach, but without the dignity that every single human being is entitled to.

The law must also contain penalties against public authorities who fail to reach food to hungry people. Public authorities can be punished if it proved that they killed a man in their custody. But if a child dies because state functionaries failed in their duties, none face penalties. The law would be toothless unless it changes this.

There are many ways in which governments under this law would have to reach food to people who are threatened with hunger. For able bodied men and women, it may be sufficient for governments to guarantee employment at decent wages in both the countryside and cities; to subsidise rice and wheat but also pulses and oilseeds; to encourage agricultural production of these foods and to procure these at reasonable prices from all farmers; and to reach food to scarcity areas. But children additionally need nutrition, through breast feeding, in ICDS centres and schools. For children who lack adult protection, like street children, a large network of government hostels alone can secure their food. Women require maternity benefits, and nutrition support to single women. Aged people need adequate pensions, and access to free cooked food in feeding centres. And for urban migrants and homeless people, community kitchens which offer affordable nutritious food are imperative in thousands in every city.

This law can help end the suffering of watching one's loved ones wilt, waste and die because they cannot afford healthy food. It can enable the people and governments to redeem their pledge to reach true freedom to all, by exiling hunger from every home. Several decades before Lula made his resounding moral appeal to his people in Brazil, Gandhi too had offered us a talisman, to remind us that only those public policies are legitimate which make life better for those who are the most vulnerable and dispossessed. This law provides a chance at last to heed his counsel.

It is often said far too lightly that one decision can sometimes change the course of history. But this is indeed one such decision. For people who have for centuries been condemned to live with the hopeless suffering of hunger, a comprehensive food security bill – which creates detailed obligations for governments to secure food and nutrition for people who live most with want and deprivation, whose lives still remain frozen in time as the rest of us race ahead – can indeed alter the destinies of the most wretched of our earth.

Debates on Right to Food

While crafting this legislation, the first major debate was what should be the scope and objectives of such a law, which aims to create a situation in which economic and social access to adequate food with dignity, would be assured for all persons in the country, at all times, in pursuance of their fundamental right to be free from hunger, malnutrition and other deprivations associated with the lack of food.

Influential elements in government who initially wanted an extremely minimalist law with time conceded expanding the monthly entitlement to 35 kg, and the coverage of households to 46% of the rural and 28% of the urban households (corresponding to the revised estimates of poverty by the Tendulkar Committee in 2010).

The political Left rejects any law which does not cover all households in the country with a universal guarantee of subsidised foodgrain through the public distribution system (PDS). The National Advisory Council (NAC) agrees that a right to food law must provide for a greatly expanded, if not

universal PDS, but adds that it must also include universal food guarantees for infants and children, maternal entitlements, and special guarantees for vulnerable groups such as those living with starvation, the destitute, persons affected by natural and human-made disasters, and migrants.

The Right to Food Campaign³ maintains that a food security law should not only ensure state provisioning of food, but also sufficient and sustainable availability of food. Therefore the law must contain a range of guarantees for food growers, including of sustainable agricultural technologies, income protection and remunerative prices, soft credit, promotion of pulses, oilseeds and millets, and prevention from diversion of lands involved in food production away from agriculture. And nutrition requires far more than availability and access to food. The law should contain guarantees also for universal healthcare, universal access to clean drinking water, and universal sanitation.

There is no dispute that each of these is imperative, if malnutrition is to be fought. But how much can you load on to a single law? It should not collapse under its own weight. The NAC draft law incorporates all these elements as “enabling provisions”, which are enjoined upon governments for progressive realisation, but not enforceable in a court of law in the way various food guarantees under the law are.

Enforceable Duties

We believe that a rights-based law should create enforceable duties of the State. Accordingly, we at the NAC saw this potentially historic legislation as one to create duties of *public provisioning of food* to persons who are food-deprived or vulnerable. This food would be supplied in three major ways: the first as subsidised foodgrain (through the PDS); the second as cooked food, for small children in ICDS centres, schools and destitute feeding centres and urban community kitchens, as well as free dry rations; and the third as maternity cash entitlements. The food entitlements created by this Act would cover state duties to provision food during the entire life cycle of a human being, starting with overcoming maternal and foetal under-nutrition resulting in low birth weight babies, and extending up to old and infirm persons.

An equally heated debate surrounds the question of whether PDS under this law should be universal, or in other words available to any household in the country which seeks, or should it be restricted to families identified by governments to be poor. Left wing political parties, economists, commentators, and the Right to Food Campaign all believe that if the law falls short of guaranteeing a universal PDS, it is without worth.

Universal Programme

Their first argument is of principle. At a basic level, the purpose of the proposed Act is to provide a *universal* guarantee of adequate nutrition. The right to food, as an aspect of the right to life under Article 21 (interpreted by the Supreme Court as a right to live with dignity), is a fundamental right of all citizens. The Directive Principles of State Policy in the Constitution should never be compromised or undermined; instead they need to be realised, strengthened and taken further forward *for all*. Food for all, health for all, education for all, work for all – these should be taken as the bottom line. Basic rights like to food, education, social security and healthcare must be guaranteed by governments to all citizens, as universally state-supplied and common entitlements. The food law should under no circumstances dilute these principles. In no way should it be used to exclude people from their basic rights and needs. It should be the choice of citizens whether or not they wish to use these public services, but none should be excluded by law.

Protagonists of universalisation also fear, not without justification, that the real underlying objective of targeting subsidised foodgrains is to progressively reduce fiscal expenditures on food subsidies, by first linking these subsidies to below poverty line (BPL) families, and then to establish that the percentage and numbers of poor families have fallen. They believe that targeting is the thin edge of the wedge, to lay the ground for gradual but eventual state withdrawal from the supply of public services.

Their further argument is more practical, that the politics of middle class stakes would ensure that quality is maintained in PDS. The poor are relatively powerless to demand and secure quality services from

the State. Programmes for the very poor therefore tend to be very poor programmes. For instance, since the middle classes stopped using public hospitals, government schools and city public transport, the quality and accountability of these services have severely declined.

The Government of India has currently restricted the allocation of subsidised foodgrain to a specific number of households using the poverty percentage of 1993-94. Studies establish that there are more people consuming less than required calories than there are people identified as living under “official” poverty line, even if this is enhanced to the levels proposed by Tendulkar, and other evidence of food and nutritional status of people in India also corroborates this.⁴ Therefore there is a strong case for bringing many more, if not all, people within the reach of subsidised food through the PDS than those identified to be “below (the) poverty line” by governments.

Errors in Targeting

Votaries of universalisation suggest that targeting for subsidised foodgrain inevitably fuels greater corruption, and the most powerless consumers are most likely to be excluded from these services. Official targeting is chronically ridden with problems of exclusion and wrongful inclusion. Available evidence suggests that the BPL methods of identifying the poor have indeed resulted in the frequent and widespread exclusion of the most deserving. For instance, a recent study by Planning Commission’s Programme Evaluation Office (PEO) reveals that more than half of the poor either have no card or have been given above the poverty line (APL) cards, and are thus excluded from the BPL benefits. On the other hand, almost 60% of the BPL or Antyodaya cards have been given to households belonging to the non-poor category.⁵ This indeed is corroborated by the finding of at least three national surveys.⁶ In other words, if you are really poor, there is a greater chance that you will be left out of the BPL survey, than included within it! It could be presumed that the excluded will comprise largely of poor tribal groups, women headed households, and people living in remote hamlets where the reach of public services is poor.

Such problems of inclusion and exclusion can be avoided only if the service is universally available to all.

These are powerful arguments for a universal PDS. I reject outright the arguments of those who oppose universalisation mainly because they wish to restrict public spending, for what they regard to be “fiscal discipline” and “efficiency”. I believe it is the duty of states to provision basic public goods like food, education, healthcare and social security to all citizens, and claims of absolute fiscal constraints are for me hollow and difficult to sustain.

Ethical Grounds of Opposition

But others oppose universalising the PDS on more significant ethical grounds of affirmative action. People vary hugely in their ability to access sufficient food. There is enormous difference in food denials and vulnerability between households, based on divergent conditions of wealth, gender, caste, community, age, disability, and a range of other factors – and this entire book is testimony to this. What is the justification to give you and me, and for that matter a rich rural landlord subsidised grain, and that too at the same levels and price, as a destitute rural landless widow, or a homeless disabled beggar? A rich person opts out of a notionally universal public health system or schooling system, because they access high quality alternatives. There is no problem with making the right to work under Mahatma Gandhi National Rural Employment Guarantee Act universal, because wealthy upper caste persons would be unwilling to labour on a public works site with their hands. But these barriers would not apply necessarily for a universal right to food. It is speculated that the wealthy may still draw the subsidised food for their domestic help, or even to feed their pets! Why should large populations who live with chronic hunger get the same share as those who can easily afford to access their food requirements?

Further, opponents of universalisation fear that a universal system would spread the State’s food subsidy too thin. Even if both food procurement and cash subsidies are greatly enhanced above present levels, as they must be, the quantity of food available for distribution is still finite, and so ultimately are budgetary resources. If

currently available foodgrains were to be distributed equally to all households, it is calculated that each household would get around 15 kg a month. (We need to work out the calculations of current food procurement divided by total number of households at the rate of 4.5 persons per household.) There are also inevitable trade-offs: spending more on a universal PDS would mean spending less for something else. And if “universal” does not mean “uniform”, or in other words, if universalists wish to provide subsidised food to all, but not at the same price or quantity, then we are back to the requirement even within the framework of universalisation, of finding better ways of identifying those most in need – and therefore one of the main arguments which favour universalisation (that it precludes the need to identify the poorest, a process fraught with failures) breaks down. They argue that the claims of affirmative action inevitably require governments to look for better ways to identify the disadvantaged. There is no getting away from identifying those who require state food support, and if states are able to do this, then it is best to focus all available foodgrains and the food subsidy to better ensure the food security of individuals and households whose food rights are most threatened and denied.

NAC's Middle Path

The NAC has attempted a middle path in this debate, which admittedly has not fully satisfied any side. It accepts that much larger numbers of households should be covered with subsidised foodgrains, both because the numbers of food-insecure households and malnourished individuals is far higher than government estimates of the poor; and because larger coverage would reduce the risk of vulnerable and powerless persons being edged out of their entitlements. It initially suggested that PDS is universalised to start within 150 poorest districts, and then expanded gradually as foodgrains became available. It then went on to recommend instead that 90% rural and 50% urban households should be given subsidised foodgrains. But only nearly 50% rural and 30% urban households (corresponding to Tendulkar poverty estimates) would receive monthly quotas of 35 kg at Rs 3 for rice, Rs 2 for

wheat, and Re 1 for millets (which is virtually free). These are called “priority” households. The remaining “general” households would receive a minimum of 20 kg a month, and at a higher price. This administratively complicated formula attempts to partially accommodate the arguments of universalists, with the imperatives of affirmative action: by offering subsidised grain to very many more households, but still retaining higher entitlements for social and economic categories that are the most vulnerable. But is this truly a golden mean, or one that of less sterling mettle, is still wide open to debate.

Nature of Entitlements

The next set of debates when drafting the food law was what entitlements to food the law should guarantee beyond the PDS. Since India has unacceptably high levels of malnutrition with almost one in two children being underweight, it was clear firstly that cast-iron and wide-ranging guarantees for child nutrition should be at the heart of the proposed law. The first three years of life are most critical for nutritional well-being, and damage done by inadequate nourishment or healthcare at early stages of life is very hard to reverse later on, therefore the law should provide for nutrition counselling and support for optimal breastfeeding – including through crèches. Besides preventing malnutrition, it is equally important to *treat* children who are severely malnourished, as this condition alone accounts for almost half of all child deaths. Further, once a child is malnourished she is prone to infections, and this leads to a vicious cycle of malnutrition and infection. We therefore recommended that all malnourished children who require treatment should have access to appropriate care, including regular growth monitoring; enhanced supplementary nutrition and therapeutic food if required as part of the treatment protocol; nutrition counselling for improved locally appropriate feeding and care; health checkups and referral services and special care at a Nutrition Rehabilitation Centre or in the community as appropriate.

We also recommended that the current provisions for guaranteeing at least one cooked nutritious meal to children in the pre-school and elementary school

age-groups should be consolidated and brought under the ambit of the law. The many benefits of school mid-day meals in ending classroom hunger, encouraging enrolment and attendance, making the school environment more child-friendly, helping break social barriers among schoolchildren, and providing employment to large numbers of underprivileged rural women are well established. Though school meals are already mandatory under Supreme Court orders, we felt that we should make them permanent entitlements under the new law. Like the Supreme Court, we wished that the law bars penetration of commercial interests in food, given the global experience of its perils, and also provide for diverse local foods and not “ready to eat” packaged foods.

Even if all of this is in place, there is still the danger of the most vulnerable children falling through the cracks, such as out of schoolchildren. Our law proposes that no child below the age of 14 years should be turned away from receiving a freshly cooked nutritious meal by any feeding facility such as anganwadi centre, school, or destitute feeding centre.

Nutrition for Expectant Mothers

Given the grave levels of maternal deaths and malnutrition, the proposed law also contains guarantees for supplementary feeding of expectant and nursing mothers, and maternity entitlements of Rs 1,000 per month for six months. We sought to cover all women who do not receive maternity entitlements of the same level. We also opposed the government's suggestions of laying down conditions for such benefits, such as that the woman must undergo various health services, institutional delivery and keep the family size small, because this would exclude the poorest women and those in remote regions, who face many hurdles in obtaining services and ensuring compliance.

There are many important provisions for women in the proposed law. The head of household is defined as “the person acknowledged as taking the main responsibility for the survival and nutritional well-being of the household members...this shall generally be a woman unless there is no adult woman in the household.” We already referred to the automatic inclusion

of female-headed households in official lists of the poor. Most food services, such as the management of shops or the production of supplementary food, are recommended for women's collectives.

Provisions for the Destitute

An important part of the proposed law is special protections for those other segments of the population who are most vulnerable to hunger and food insecurity. The law would guarantee one nutritious cooked meal daily free of charge to all destitute people who seek it as a vital last defence against starvation for those who are most vulnerable to it. Destitute people are those who lack the economic or social means required for dignified survival. Studies confirm that there are large numbers of highly food insecure urban homeless persons, and single migrant workers, who require subsidised and affordable cooked meals in cities. We recommend for them a programme of community canteens. Such canteens, called soup kitchens, form a major element of food security entitlements in countries like Brazil. The proposed law mandates that arrangements should be made to ensure that migrant workers and their families can claim their food entitlements wherever they are, because presently they are excluded from most public services in places to which they migrate. For instance, the children of migrant workers should have access to the local *anganwadi*, and migrant workers should be able to access their PDS rations at their current place of work. We also recommended that inclusion of guarantees of social security pensions for the aged, single women and disabled persons should be incorporated in an alternative legislation for social security.

A major component of the proposed law would guarantee all persons protection from starvation, and prescribe a legally binding protocol for those individuals, households or communities which may be threatened by starvation. We observed that Famine Codes from colonial times prescribe state actions in the event of large-scale famines, but there are no such binding duties in the event of individual starvation. We believe that the law should try to remedy this major gap in state accountability, by prescribing duties of governments at various levels to prevent, investigate and

respond to starvation. Likewise, all disasters, natural or human-made, place affected populations at risk of food insecurity and starvation. We therefore prescribe that such populations at risk should be entitled to subsidised foodgrains on the same terms as designated "priority groups" and be guaranteed special ration cards for at least one year after the disaster.

A Cost That Must Be Borne

As far as the price-tag of the range of food entitlements proposed by the law are concerned, it is never our claim that food security for all would come cheap, and that too in a country of a billion plus 20 million people, and desperately high levels of hunger and malnutrition.

The battle, I believe, is not about a few million metric tonnes of grain more or less, or of whether millions of rupees of budgetary resources more or less should be invested in the food and livelihoods of the poor. The battle in the end is between two visions for India. One vision is founded on the belief that the best hope for all people, including the disadvantaged millions, is for governments to efficiently promote and facilitate markets. A resurgent private sector in a globalised economy would create wealth and jobs, and all would be better off in the long run. The other vision for the country rejects growth which excludes millions of our people and condemns them to sink deeper into their dubious historical legacy of centuries of want, hunger, debt, caste and communal discrimination, and patriarchy. It demands a more compassionate economics, one in which "people matter".⁷ It believes that the State's highest duty is not to promote markets, but to invest in a better life for its disadvantaged citizens.

For those who transact only the language of growth, such investments in people's bodies and minds would further compound the benefits of India's demographic dividend, with young workers are healthier and better fed, and their minds more developed, better equipped to compete in the contemporary global knowledge economy. Progressive economists also remind us that there are alternative growth paths to the dominant economic paradigm of profit-led growth. Fitter workers and more money in their hands could also spur what they call wage-led growth.

But the paramount argument for a comprehensive right to food law is not economic, or even political (that it will generate more votes). The imperative is ethical. Elie Wiesel, Holocaust survivor and Nobel Laureate, observed with wisdom that was both grave and weighed down with sadness: "The opposite of love is not hate. It is indifference." In a country which for too long is scarred by its absence of outrage about and suffering with desperate inequality, the greatest imperative for a right to food law is to breach our collective indifference. There is a great gaping hole in our collective souls, which we must mend. The people of this ancient land must push into history the enormous silent hopeless agony of generations, over centuries, of the inability to feed one's loved ones and oneself.

Can we agree in this country on a floor of human dignity below which we will not allow any human being to fall? No child, woman or man in this land will sleep hungry. No person shall be forced to sleep under the open sky. No parent shall send their child out to work instead of to school. And no one shall die because they cannot afford the cost of hospitals and medicine. Can we agree that whatever this costs, we will pay? If accomplishing this requires the need to tax you and me more, so be it. Because not just those who suffer oppression and want, but you and I have a stake, a common stake in leaving to our children and grandchildren a more humane and egalitarian land.

Can we together – you and I and our governments – so resolve?

NOTES

- 1 President of India Pratibha Patil's address to Joint Session of the 15th Lok Sabha, 21 February 2011. Available at: <http://www.hinduonnet.com/nic/president/jointsession.htm>
- 2 "Brazil's Food Security Policy", available at: www.fomezero.gov.br.
- 3 http://www.righttofoodindia.org/right_to_food_act_campaign_docs.html
- 4 Saxena, N C (2009), "Report of the Expert Group to Advise the Ministry of Rural Development on the Methodology for Conducting the Below Poverty Line (BPL) Census for the 11th Five-Year Plan", New Delhi: Ministry of Rural Development.
- 5 Planning Commission (2007), "Eleventh Five-Year Plan 2007-12" – Volume 2, Chapter 4, p 149, accessible at http://planningcommission.nic.in/plans/planrel/fiveyr/11th/11_v2/11th_vol2.pdf.
- 6 NSS Survey 55th Round (1999-2000), 61st Round (2004-05), 63rd "thin" Round (2006-07).
- 7 Schumacher, E F (1973), "Small Is Beautiful: Economics as If People Mattered", Blond & Briggs Publishers.