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The Problematic of Defining the Concept of Food Security and the Dialectic of Its Relation to the Right to Food

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Abstract

The issue of defining the concept of food security is one of the vital topics in light of current economic and environmental challenges, due to its close connection with the human right to food. Food security is not limited to the availability of food only, but includes access to it regularly, its safety, and its alignment with the nutritional and cultural needs of the population. The right to food is considered a fundamental human right, enshrined in international law, and achieving food security is one of the primary means of ensuring this right. The relationship between them is complementary; the absence of food security leads to a violation of the right to food, and vice versa. Therefore, accurately defining the concept contributes to developing effective policies that ensure human dignity and combat poverty, malnutrition, and hunger, which in turn enhances social stability and sustainable development.

Keywords: Food security, the right to food, complementary relationship, human rights, sustainable development

Introduction:

Food security is one of the central issues that has preoccupied the international community for decades, due to its strong connection to human life and dignity, and its role in achieving sustainable development and social and economic stability. Despite the multiplicity of

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definitions and approaches to the concept of food security, discrepancies in understanding and application among countries and international institutions still persist, posing a real challenge in defining this concept accurately and uniformly. The concept of food security continues to suffer from a degree of ambiguity and variation in interpretation, whether in terms of its content or the parties responsible for achieving it. While some approaches focus on the quantitative dimension of food supply, others emphasize equitable distribution or the individual's ability to access sufficient and nutritious food with dignity. This multiplicity of understandings raises a fundamental issue related to how this concept can be legally and rightfully defined, and the extent to which it aligns and integrates with the right to food as an inalienable human right. The increasing challenges—such as climate change, armed conflicts, economic crises, and the COVID-19 pandemic—have revealed multiple manifestations of food insecurity, increasing the need to develop a clear and comprehensive conceptual framework for food security that takes into account legal and rights-based considerations and enhances the guarantee of the right to food for every human being, without discrimination.

Research Problem:

The central issue of this study is framed by the following question:

How can the concept of "food security" be defined accurately and uniformly to ensure the consolidation of its relationship with the right to food within international law and contemporary objective standards?

This main question includes several sub-questions, such as:

- What is meant by both food security and the right to food?
- What is the difference between food security and the right to food?
- What are the challenges that hinder the unification or integration of these concepts?
- To what extent can food security be considered a prerequisite for achieving the right to food, or vice versa?
- How do international conventions address the relationship between food security and the right to food?

Significance of the Study:

The importance of this study emerges from several aspects:

1. Theoretical Importance:

It aims to contribute to the scholarly discussion around the overlapping concepts of food security and the right to food through a critical and analytical reading of concepts and international references.

2. Practical Importance:

It helps guide national public policies toward integrating a rights-based approach in food security plans and supports the efforts of civil society organizations and international institutions in protecting human rights.

It also offers a theoretical foundation that can be used to formulate more effective national and international policies and strategies to combat hunger.

3. Timely Importance:

The importance of this study increases in light of escalating global crises affecting global food supply chains, which calls for a comprehensive review of food policies from a human and rights-based perspective.

The study is also important in supporting the efforts of the international community to achieve the Sustainable Development Goals, particularly the second goal related to ending hunger.

Study Objectives:

This study aims to:

- Analyze and deconstruct the concept of food security and compare it to the concept of the right to food.
- Examine the international legal framework regulating the right to food and link it to states' responsibilities in achieving food security.
- Propose a comprehensive conceptual framework linking food security and the right to food from a human rights perspective.
- Explore the challenges that hinder the effective integration of the two concepts.
- Raise awareness of the importance of adopting rights-based approaches in food policies.

Methodology:

A multi-dimensional methodology was adopted to achieve the main objectives of this research, combining the descriptive-analytical method, the legal method, and the comparative method. The descriptive-analytical method was used to study theoretical concepts related to food security and the right to food, analyzing the conceptual and reference frameworks that govern this topic by describing the reality and analyzing the problems posed by the relationship between food security and the right to food, especially in national and international contexts. The legal method was employed to analyze legal texts and relevant international agreements. The comparative method was used to compare the two concepts and highlight similarities and differences between them.

Study Outline:

In response to the questions posed, the study will follow this outline:

Chapter One: The Problematic of Defining the Concept of Food Security

- First: The linguistic definition of food security
- Second: The terminological definition of food security
- Third: The legal definition of food security and its dimensions

Chapter Two: The Relationship Between Food Security and the Right to Food

- First: Definition of the right to food and its legal basis
- Second: Conceptual and functional interrelation between food security and the right to food
- Third: Challenges hindering the balance between food security and the right to food

Chapter One: The Problematic of Defining the Concept of Food Security and Its Dimensions

Food security is one of the most prominent challenges facing contemporary societies due to its close link with economic and social stability. Despite the widespread use of the term, its precise definition remains a subject of debate and discussion. Multiple dimensions intersect in its definition, such as availability, access, quality, and sustainability. This multiplicity complicates the process of precisely and uniformly defining the concept. Hence, the challenge lies in reconciling the different perspectives to arrive at a comprehensive and clear definition of food security.

Below, we attempt to address the various definitions given to the term "food security," and ultimately propose a comprehensive definition.

First: The Linguistic Definition of Food Security

In language, *security* stems from the root letters " , meaning safety and peace. *Āmana* means he was safe, and *amnu* is security; one who is safe is *āmin*, and *amīn* means trustworthy. "Amantu" (I gave you security) means "you are safe".² "Amina al-balad" (the town is secure) means its people live in peace and safety. From it also comes "salima" (he was unharmed). As in the verse: (Anfal: 11) - "*When He overwhelmed you with drowsiness [giving] security...*"³ And the verse: (Quraish: 4) - "*Who has fed them against hunger and secured them against fear*".⁴ "And:" (At-Tin: 1-3) - "*By the fig and the olive, and Mount Sinai, and this secure city*".⁵ "*Amina fulanun 'ala kada* means he trusted him with something, or made him its custodian. As in: (Yusuf: 64) - "*Should I trust you with him as I trusted you with his brother before? But Allah is the best guardian...and He is the Most Merciful of the merciful*".⁶

² Butros Al-Bustani, *Qatr al-Muheet: A Simplified Linguistic Dictionary*, Library of Lebanon Publishers, 2nd Edition, 1995, p. 13.

³ Surat Al-Anfal, verse 11

⁴ Surat Quraysh, verse 4

⁵ Surat At-Tin, verses 1-3

⁶ Surat Yusuf, verse 64

As for *food* in language, it has been given several definitions. According to the well-known dictionary *Petit Larousse*, it is everything related to nourishment. According to *Petit Robert*, it is any digestible substance. According to the Center for Research on the Right to Food at the Free University of Brussels, it is “all products or substances that a human consumes or purchases in order to meet nutritional needs and achieve the overall well-being of the population.”

Linguistically, food is what contributes to the growth and maintenance of the body. “Ghadaa” (with a *dal*) refers to the morning meal⁷, and “he had *ghadaa*” means he ate early in the day. Food is what is consumed, including both solid and liquid nourishment.⁸ One says “I nourished the child with milk,” meaning “I raised him.” It is not said “I nourished him” (*ghadhaytuhu*) in the light form, but “ghadhaytuhu” in the intensified form. Its plural is *aghthiyah*. In the Holy Qur’an, food is referred to using the term *ta’am*, which is a generic term for everything that is eaten. Its plural is *at’imah*.

“Linguistically, ‘ghidha’ (food) refers to that which nourishes and sustains the body. ‘Ghadaa’ (with a *dāl*) refers to the morning meal⁹, and ‘taghadda’ means to eat in the early part of the day. ‘Ghidha’ is anything consumed for nourishment, including food and drink. It is said: ‘ghadhawtu al-sabiy bil-laban’ meaning ‘I raised the child with milk.’ It is not said ‘ghudhītuhu’ (with a light dhāl), but rather ‘ghadhdhaytuhu’ (with emphasis), and the plural form is ‘aghthiyah’ (foods)¹⁰.”

In the Holy Qur’an, the term ‘ghidha’ is expressed using the word *ta’ām* (food), which is a general term encompassing all that is eaten, and its plural is *at’imah* (foods)

Second: The Terminological Definition of Food Security

There are numerous and diverse definitions of food security offered by scholars and researchers, due to its multifaceted nature and its relation to various economic, political, social, and cultural aspects. However, they converge on the presence of food, the ease of accessing it, and its usability at all times desired by individuals.

Dr. Sayed Mohamed El-Sariti defines it in his book *Food Security and Economic Development* as:

“The ability of a society to provide the basic nutritional needs of its members, and to ensure a minimum level of these needs on a regular basis. These needs may be met either by producing food goods locally or by generating sufficient export revenues that can be used to import what is needed to cover the shortfall in local production of such needs.”¹¹

This concept is characterized by the continuous availability of food commodities in the market during a given period. Achieving food security requires the existence of a strategic food

⁷ *Petit Larousse en Couleurs*, 1991, Paris, cited, p. 53.

⁸ *Pierre-Marie Vincent*, *The Right to Food*, 1st Edition, 1986, Presses Universitaires de France, 1996, L108 Paris, cited, p. 7.

⁹ *Butros Al-Bustani*, previously cited reference, p. 419.

¹⁰ *Dr. Mohamed Mohamed Abdo Imam*, *The Right to Safe Food from Pollution in Environmental Legislation: A Comparative Study in Administrative Law*, Dar Al-Jami’a Al-Jadida for Publishing, Alexandria, undated edition, 2004, p. 35.

¹¹ *Dr. El-Sayed Mohamed Al-Sureiti*, *Food Security and Economic Development*, Dar Al-Jami’a Al-Jadida for Publishing, Alexandria, undated edition, 2000, p. 14

reserve to face emergency risks, so that developing countries are not subject to political pressure from advanced countries dominating the food weapon.

He also states:

“Food security means that members of society obtain their nutritional needs as determined by nutrition science, from both animal and plant sources or a combination of the two, while ensuring the minimum quantity and quality necessary for their survival according to their available income.”¹²

This concept implies the availability of necessary food materials to meet individual needs, whether produced locally or imported. However, in reality, the availability of food in a given society does not necessarily mean that every individual obtains their required food needs, as there are segments of the population that are poorer and suffer from hunger and food shortages.

Dr. Mohamed El-Sayed Abdel Salam considers food security a vital issue for states that should not remain in different civilizational eras concerning it. He lists the surrounding factors, foremost of which are agricultural development, land, water, food production, and the increasing interdependence between countries in terms of trade in agricultural goods and technological exchange.

He views food security as dependent on accelerated agricultural development and links its concept to three core elements:

1. **Availability** – the presence of the food commodities needed by the population.
2. **Stability** – consistent availability at all times.
3. **Accessibility** – people’s income should be sufficient to enable them to purchase these food commodities.¹³

This definition has been criticized for focusing on the material pillars of food security, as it relates to achieving the availability of domestic production at competitive and sustained prices.

However, the positive aspect of this concept is its proximity and connection to another emerging concept aimed at achieving food security: *self-sufficiency*. Dr. Abdel Salam defines it as:

“The society’s ability to fully rely on itself, its resources, and its capacities to produce all of its food needs locally.”¹⁴

This concept emphasizes food self-sufficiency without reliance on others—i.e., the state depending solely on its own capabilities.

¹² Dr. El-Sayed Mohamed Al-Sureiti, same reference, p. 18.

¹³ Dr. Mohamed El-Sayed Abdel Salam, *Food Security in the Arab World*, ‘Alam Al-Ma’rifa Series, Issue No. 230, Kuwait, February 1998, p. 326

¹⁴ Mohamed Abdel Salam, previously cited reference, p. 72.

Professor Mohamed Ahmed Ali Al-Adawi defines food security as:

“That all people at all times have physical and economic access to essential food.”¹⁵

This definition highlights that food security is not merely the availability of food within a society, but rather the main problem lies in food distribution and individuals’ purchasing power.

Food security is also defined as:

“The ability of a society to provide for the basic nutritional needs of its individuals and people, and to ensure a minimum level of those needs on a regular basis, through local production.”¹⁶

This concept has evolved from focusing on self-sufficiency to meeting the essential needs of all individuals.¹⁷

Food security does not mean, as many claim, self-sufficiency or self-reliance. The concept of “food security” in its essential dimension does not go beyond a state's ability to maintain a stockpile of basic food needs for a sufficient period to renew that stock and avoid shortages. The duration required for the stock to be considered strategic and to ensure food security varies from one country to another, and from one food item to another, but generally ranges between two months and one year.¹⁸

Ultimately, despite the diversity of concepts and scholars’ opinions regarding food security, we notice the absence of the **legal dimension** in most of these definitions.

Thus, we will attempt in the following section to address the **legal definition** of food security.

Third: The Legal Definition of Food Security and Its Dimensions

International documents and organizations have shown great interest in food-related issues and in achieving food security, particularly in developing countries. They have contributed to the development of its concept and the definition of its dimensions, as it is considered a means to ensure the availability of sufficient food quantities and the stability of food supply chains.

We will now review the most significant definitions proposed by international organizations and documents, and conclude with an outline of its dimensions.

1. Definition by International Organizations

¹⁵ Hajar Khalafa, *Food Security Between the Problematic of Multiple Dimensions and the Growing Threats*, *Dafatir Al-Mutawassit* Journal, Vol. 02, Issue 01, p. 12.

¹⁶ Mohamed Abdel Salam, *Food Security in the Arab World*, ‘Alam Al-Ma’rifa, Kuwait, 1988, p. 76.

¹⁷ Hussein Al-Asraj, *Activating the Role of Joint Economic Projects in Achieving Arab Food Security*, Emirates Center for Strategic Studies and Research, Issue No. 18, First Edition, 2013, p. 26.

¹⁸ Soufiane Akroud, *Food Security: The Problematic of Defining the Concept and Dimensions*, *Ma’alim Journal for Media Studies*, Vol. 04, Issue 02, December 2022, p. 55.

The United Nations provided a definition of food security through the resolution of its Economic and Social Council No. 180/185, which states:

“The term ‘food security’ is used in its broadest sense to refer to the capacity of a given country to ... through production, trade, purchase, or barter. The method of combination varies according to the country’s resources and its comparative advantage in different types of food, fibers, and any other industrial production.”¹⁹

The **World Bank** defined food security in its 1986 report on poverty and hunger as:

“Access by all people at all times to enough food for an active, healthy life.”²⁰

At the **World Food Summit** in 1996, food security was defined as:

“Food security exists when all people, at all times, have physical and economic access to sufficient, safe, and nutritious food that meets their dietary needs and food preferences for an active and healthy life.”

This definition applies at the individual, household, national, regional, and global levels.

The **Arab Organization for Agricultural Development** adopted a definition of food security as: “Providing food in the necessary quantity and quality for vital activity on a continuous basis to all members of the nation, relying on local production and based on the comparative advantage in producing specific food commodities for each country, and making it available to all citizens at prices appropriate to their income and financial capacity.”²¹

According to this definition, each country must strive to produce the maximum amount of food in a way that reflects its comparative advantage in producing specific commodities based on its natural resources, enabling it to compete in external markets.

The **Food and Agriculture Organization (FAO)** has provided several definitions of food security, aiming to achieve food access, increase productivity, enhance quality, and ensure sustainable agricultural development. It defines food security as:

“Access by all people at all times—physically, socially, and economically—to sufficient, safe, and nutritious food that meets their dietary needs and food preferences for an active and healthy life.”²²

It also means:

¹⁹ **Ahmed Ben Nasser**, *The Right to Food within the Framework of Contemporary International Law*, Dissertation submitted for the Doctorate of State in International Law and International Relations, Faculty of Law, University of Algiers, 2001–2002, p. 169

²⁰ **Amel Haqnawi**, *A Study on the Reality of Sustainable Food Security in Algeria through Food Security and Sustainability Indicators*, *Economic Additions Journal*, Vol. 07, Issue 02, 2023, p. 14.

²¹ **Maryam Rahmani**, *The Role of Sustainable Agriculture in Achieving Sustainable Food Security – A Comparative Study Between Algeria and Morocco*, Dissertation submitted for the Doctorate in Economic Sciences, Setif University, 2021, pp. 48–49.

²² **Nadia Ahmed Omrani**, *The Legal System of Global Food Security Between Theory and Practice*, Dar Al-Thaqafa for Publishing and Distribution, Amman, First Edition, 2014, p. 40.

“The ability of individuals in society to access sufficient food at all times, as required for their health and activity.”

The content of this definition stems from a combination of multiple variables, foremost among them the predominance of food production efficiency and the availability of support and institutional systems that aid agricultural production²³, enabling segments of society to achieve sufficient nutrition—whether under normal conditions or in emergencies such as droughts, economic crises affecting local food economies, or rapid population growth outpacing food production.

It is also noted from the definition provided by the Food and Agriculture Organization that it does not merely require the availability of nutritional needs for all people at all times, but also demands that these needs be met with foods preferred by individuals based on their cultural, ethnic, and religious backgrounds, in a way that not only ensures a healthy life but also a natural, active, and vigorous one.

According to the recommendations of the Food and Agriculture Organization at its 1974 conference in Rome:

1. All governments must agree on a goal adopted by the international community to eliminate hunger and malnutrition affecting millions of people.

2. We must agree on a goal to be achieved within ten years: that no child goes to bed hungry, no family fears the absence of food in their home, and no individual suffers in health or energy due to malnutrition.

3. Establishing a food security system through the maintenance of a permanent stock of food commodities and the need for adjustments in agricultural patterns and the organization of international trade.²⁴

As for the United Nations, it provided a definition of food security in a resolution issued by its Economic and Social Council under Resolution No. 185/180.

2. Definitions in International Documents and National Laws of Food Security

International documents have given considerable attention to food security issues and contributed to the development of its concept. The *Declaration of the World Food Summit*, held in Rome in November 1996, defined food security as follows:

“Food security, at the individual, household, national, regional, and global levels, is achieved when all people, at all times, have physical and economic access to sufficient, safe, and nutritious food to meet their dietary needs and food preferences for an active and healthy life.”²⁵

This definition outlines the indicators of food security at multiple levels—globally, nationally, and at the household level. However, ultimately, food security concerns the

²³ Salem Tawfiq Al-Najafi, *Arab Food Security – Approaches to the Manufacture of Hunger*, Center for Arab Unity Studies, First Edition, 2009, p. 53.

²⁴ Assia Bensalah-Alaoui, *Global Food Security*, Librairie Générale de Droit et de Jurisprudence (L.G.D.J), Paris, 1989, p. 1.

²⁵ Amel Haqnawi, same reference as previously cited.

individual, and the primary factor determining it is the individual's right to access food, whether through production or purchasing.

Furthermore, the *Declaration of the World Food Summit* held in June 2002 in Rome emphasized the multi-dimensional nature of food security. Among the points mentioned in the declaration is paragraph 3:

“The responsibility of ensuring food security at the national level lies with the governments of countries, in cooperation with civil society, the private sector, and with support from the international community...”

And in paragraph 5:

“Promoting respect for all human rights and fundamental freedoms, including the right to development, democracy, the rule of law, good governance, sound economic policies, and equality of rights without discrimination based on sex, race, language, or religion; and finding solutions to conflicts in accordance with the UN Charter and respect for international humanitarian law and international cooperation to solve global economic, social, cultural, and humanitarian problems as a necessity for achieving food security.”

And in Article 11:

“We must enhance national and international actions for preparedness for unforeseen and emergency situations... integrating these actions into the efforts of all stakeholders in sustainable development to achieve sustainable food security.”

The concept of food security was also adopted in the documents of the *Special Programme for Food Security* approved by the 1994 World Food Summit. The main objective of the programme was defined as:

“To assist low-income food-deficit countries in improving their food security at the national and household levels by achieving rapid increases in food production and productivity, and by reducing fluctuations in production from year to year on a sustainable basis, both economically and environmentally, and by improving people's access to food and eliminating food insecurity.”

The special programme began its operations in late 1994, and as of March 31, 1999, the programme was active in 39 countries (23 in Africa, 10 in Asia and the Near East, 3 in Latin America, and 3 in Oceania) and was in various stages of formulation and preparation in 34 other countries. By 2001, the programme was implemented in 62 countries. The *Special Programme for Food Security* remains an effective tool for following up on the objectives of the World Summit Plan of Action and provides substantial opportunities for cooperation and joint action at the national level.

As for national laws, for example, the Algerian legislator defined food security in **Article 03 of Law 08-16 dated August 3, 2008**, as follows:

“Food security is the access of every person, easily and in an organized manner, to safe and adequate food that allows him to enjoy an active life.”²⁶

3. Dimensions of Food Security

The typical dimensions of food security are as follows:²⁷

A. Food Availability:

This refers to the presence of sufficient quantities of food through local production or imports.

Example: Egypt heavily relies on importing wheat to meet the population's needs due to insufficient local production.

B. Food Accessibility:

This refers to individuals' ability to obtain food through purchase or government support.

Example: Yemen suffers from low purchasing power due to war, preventing the population from accessing food even though it is available in markets.

C. Food Utilization:

This means the healthy use of food through a balanced diet, hygiene, and food safety.

Example: In some regions of Sudan, families suffer from malnutrition due to the lack of dietary diversity, even if calorie intake is sufficient.

D. Stability:

This refers to the continuous availability of food over the long term without interruption.

Example: Syria suffers from severe fluctuations in food security due to conflicts affecting agricultural production and supply chains.

Achieving food security requires a balance between these four dimensions, and any imbalance in one of them can lead to hunger or malnutrition. Therefore, countries work on developing national food security strategies to ensure food sustainability for their populations.

Chapter Two: The Relationship Between Food Security and the Right to Food

Food security constitutes one of the essential pillars for ensuring a dignified and stable human life. It goes beyond the mere availability of food to include the ability to access it in safe, healthy, and affordable ways. The significance of this concept lies in its close connection to the **right to food**, which is considered one of the fundamental human rights recognized internationally. When food security is achieved, the right to food becomes a tangible reality and

²⁶ Abbas Abdel Hafid, Saidi Mostafa, Chetouf Kheira, *The Reality of Food Security in North African Countries and the Means of Integration Among Them - An Analytical Comparison - for the Period 2015-2019*, *Dalater Journal*, Vol. 18, No. 2, 2022, p. 653.

²⁷ Maxwell, S. & Frankenberger, T.R., *Household Food Security: Concept, Indicators, Measurement*, UNICEF-IFAD, Rome, Italy, 1992, p. 55.

not merely a legal provision, thereby contributing to building more just and sustainable societies.

Below, we will first attempt to define the **right to food** and clarify its legal basis, in order to, in a second point, explore the **conceptual and functional overlap** between it and food security, before finally identifying the main obstacles hindering the achievement of balance between the two concepts—both theoretically and practically.

First: Definition of the Right to Food and Its Legal Basis

The right to food is defined as:

“The right that guarantees every human being, individually or collectively, access to adequate, nutritious, and safe food that meets their dietary needs for a healthy and active life, and is available on a continuous basis in terms of availability, accessibility, and sustainability, in a way that preserves human dignity.”²⁸

This right does not only mean freedom from hunger but also includes enabling individuals to access culturally appropriate, nutritionally safe, and economically and geographically accessible food, while respecting their dignity and choices.

The *United Nations Committee on Economic, Social and Cultural Rights* clarified this right in its **General Comment No. 12 (1999)**, stating:

“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.”²⁹

The *UN Special Rapporteur on the Right to Food* defined this right as:

“The right to regular, permanent, and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensures a physical and mental, individual and collective, fulfilling and dignified life free of fear.”³⁰

In Islamic jurisprudence, the right to food is linked to the **principle of sufficiency**, which obliges the state and society to meet the basic needs of every individual—foremost among them food. Food is one of the five necessities that Islam aims to preserve: religion, life, intellect, progeny, and wealth. Preserving life, which is realized through food provision, is one of the most important obligations.

Allah the Almighty said:

²⁸ **Mohamed Abdel Salam**, *Economic, Social, and Cultural Rights in Islam*, International Institute of Islamic Thought, 2004, p. 218.

²⁹ **United Nations Committee on Economic, Social and Cultural Rights**, *General Comment No. 12: The Right to Adequate Food (Article 11)*, 1999.

³⁰ **Jean Ziegler**, *Report of the Special Rapporteur on the Right to Food*, UN Doc. E/CN.4/2001/53.

“Who has fed them against hunger...”³¹

And also:

“Let man look at his food.”³²

This indicates the Sharia’s concern with providing and guaranteeing food. Scholars have affirmed that the state has a responsibility to feed the poor and the needy, as indicated by the saying of the Prophet Muhammad (peace be upon him):

“Any people among whom a man goes to bed hungry, the protection of Allah and His Messenger is lifted from them.” [Narrated by Ahmad]³³

As for the **legal foundation** of the right to food, it is based on a range of **international, regional, and national legal texts** that affirm that adequate food is a human right that states must guarantee.

International law is considered the primary source of recognition for the right to food. Among the most prominent legal texts are:

- **The Universal Declaration of Human Rights (1948):** Article 25, paragraph 1 states: *“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing...”*
- **The International Covenant on Economic, Social and Cultural Rights (1966):** Article 11 affirms that the State Parties recognize *“the right of everyone to an adequate standard of living for himself and his family, including adequate food...”* and its second paragraph confirms *“the fundamental right to be free from hunger.”*
- Additionally, *General Comment No. 12 (1999)* issued by the Committee on Economic, Social and Cultural Rights provides a detailed interpretation of the right to adequate food and the obligations of states.

As for **International Humanitarian Law**, it prohibits the use of starvation as a method of warfare and obligates parties to conflict to ensure food reaches civilians.

Regarding **regional charters**, they do not always explicitly mention the right to food, but often refer to it implicitly through the right to an adequate standard of living. Examples include:

- **The African Charter on Human and Peoples’ Rights (1981)**
- **The Arab Charter on Human Rights (2004)**, which states in Article 38: *“State parties recognize the right of every individual to an adequate standard of living for himself and his family, including adequate food, housing, clothing, and health care...”*

³¹ Surat Quraysh, verse 4

³² Surat Abasa, verse 24

³³ Wabbah Al-Zuhayli, *Islamic Jurisprudence and Its Proofs*, Dar Al-Fikr, Damascus, 2007,

In **national constitutions and laws**, many countries have explicitly incorporated the right to food into their constitutions. Examples include:

- **India:** Through the **National Food Security Act (2013)**, which entitles more than 75% of the population to subsidized food.
- **South Africa:** The constitution explicitly obligates the state to ensure the right to adequate food.³⁴
- **Brazil:** Incorporated the right to food into its constitution in 2010.

In the **Arab world**, some constitutions refer indirectly to food within economic rights, but often lack detailed provisions or effective enforcement mechanisms.

Second: Conceptual and Functional Overlap Between Food Security and the Right to Food

The concepts of “food security” and “the right to food” are intricately intertwined. The former is considered a prerequisite for achieving the latter. However, distinguishing between the two remains necessary to understand their legal and human rights dimensions. This section explores the relationship between these two concepts, highlighting their areas of convergence and divergence.

1. Areas of Convergence

A. Conceptual Proximity

- Both concepts emphasize the importance of food being safe, adequate, and sustainable.
- They share the assertion that hunger and food poverty are violations of human dignity.
- Food, as a right, is an essential component in achieving food security.

B. Shared Objectives

- Both aim to ensure individuals have access to sufficient and nutritious food, achieving health and well-being.
- Both reinforce human dignity in food access.

C. Overlapping Responsibilities

- States and international organizations share responsibility for fulfilling both concepts through policies and programs ensuring universal food access.

D. Implementation Synergy

³⁴ **Nadia Ahmed Omrani**, previously cited reference, p. 75.

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- Achieving food security requires implementing policies that secure food access—aligning with states' obligations to guarantee the right to food.

2. Areas of Divergence

A. Legal Dimension

- The right to food is a recognized international human right that requires legal measures to guarantee it.

- Food security, by contrast, is a technical concept related to food availability and access.

B. Legal Accountability

- States bear direct legal responsibility for ensuring the right to food.
- Achieving food security may involve multiple actors, making responsibility more complex.

C. Focus of Application

- The right to food emphasizes social, economic, and cultural dimensions.
- Food security focuses more on technical, logistical, and production-related aspects.

Third: Challenges Hindering the Balance Between Food Security and the Right to Food

Achieving both food security and the right to food presents a significant challenge for many countries around the world. The following are key barriers:

1. Poverty and Economic Inequality

- Poverty is defined as “a low standard of living that does not meet health and moral needs or the individual's sense of self-respect.”³⁵

- It is also defined as “the inability to attain a certain level of material well-being representing a minimum reasonable and acceptable standard in a given society during a specific period.”³⁶

- Poverty is one of the major obstacles to food security, as many people cannot afford adequate food. Economic inequality in wealth distribution leads to wide disparities in food access.

2. Armed Conflicts and Wars

³⁵ Atef Abath Mohamed, *Dictionary of Sociology*, Egyptian General Book Organization, Egypt, 1997, p. 342.

³⁶ Abdel Razzaq Al-Fares, *Poverty and Income Distribution in the Arab World*, Center for Arab Unity Studies, Beirut, 2001, p. 21.

- Conflicts destroy agricultural infrastructure, disrupt food supply chains, and reduce food access.

- They also cause population displacement, worsening food insecurity in refugee-hosting regions.³⁷

3. Climate Change and Natural Disasters

- Droughts, floods, and storms directly impact food production and contribute to price volatility.³⁸

4. Limited Agricultural Technology

- Despite technological advances, many developing countries still rely on traditional farming methods, which lowers productivity and increases poverty.

5. Political and Administrative Instability

- Weak governance and political instability hinder the implementation of effective food policies. Some governments also lack sufficient support for the agricultural sector.

6. Inadequate Infrastructure for Agriculture and Food Supply

- Poor transport and storage infrastructure leads to food waste and limits market access.

7. Disruptions in Distribution Systems and Agricultural Economics

- Food industries are concentrated in certain areas, while others suffer from limited access.

- International price fluctuations and rising production costs reduce food availability.

8. Legal and Political Rights Challenges

- Although the right to food is recognized in the Universal Declaration of Human Rights, many countries do not implement it effectively.

- In some countries, legal and political restrictions hinder people's ability to access food.

In conclusion, numerous obstacles hinder the realization of food security and the right to food, all of which are intricately linked to social, economic, political, and environmental challenges. To guarantee food security, comprehensive and sustainable policies are required—encompassing economic and social development, improved infrastructure, and the advancement of agricultural technologies.

³⁷ For more details on the subject, see: **Nadia Ahmed Omrani**, previously cited reference, pp. 108–109.

³⁸ **erraghni Bouzid** and **Boutabala Maamar**, *Climate Change as a Threat to Food Security in Africa*, paper presented at the national symposium titled "**Algeria and the Challenges of Climate Action**", held at the Faculty of Law, University of Constantine 1, on December 13, 2024, pp. 10–14.

Conclusion

After thoroughly studying the issue of defining food security and its relationship to the right to food, it becomes clear that this relationship is highly complex due to the overlap of conceptual, legal, economic, and political dimensions. Food security is not merely a physical condition related to food availability; rather, it is a comprehensive structure directly connected to **social justice, human dignity, and human rights**, foremost among them the right to adequate and sustainable food.

The following section presents the **key findings**, based on which a series of recommendations will be proposed.

First: Key Findings

1. Evolution of the Concept of Food Security:

The concept of food security has historically evolved from focusing solely on sufficient food production to a more holistic approach that encompasses **availability, accessibility, utilization, and stability**.

2. Divergence in Concepts and Definitions:

There is a **lack of a unified and binding definition** of food security at both academic and institutional levels, which negatively affects the effectiveness of policies and strategies related to it.

3. Overlap and Integration Between Concepts:

Although there is a clear **interconnection and complementarity** between "food security" and "the right to food," the **absence of a clear and binding legal framework** for food security undermines the effective implementation of the right to food.

4. Lack of Practical Linkage:

Many policies focus on the economic or agricultural availability of food without ensuring that such abundance **translates into actual enjoyment** of food rights for all individuals.

5. Implementation Gaps:

There remains a **gap between states' international obligations** regarding the right to food and the **actual domestic policies** in place, leading to continued hunger and malnutrition among vulnerable groups.

6. Legal Accountability vs. Policy Framework:

The legal nature of the right to food **enhances accountability mechanisms**, whereas food security often remains a part of **general policy discourse** with no enforceable legal obligations.

7. The Right to Food Is Broader in Scope:

The right to food requires **continuous and sustainable access** to adequate, nutritious, and safe food through **clear legal frameworks and effective practical measures**, exceeding the scope of food security alone.

Second: Recommendations

1. Unify Definitions and Terminology:

There is an urgent need to establish a **unified legal international framework** that clearly defines food security and the right to food to avoid conceptual overlap and confusion in implementation.

2. Develop a Comprehensive Definition of Food Security:

This definition should integrate **legal and social dimensions** and serve as a **reference point** for both international and national policy-making.

3. Incorporate the Right to Food in Constitutions and Legislation:

States should **explicitly and mandatorily recognize** the right to food in their constitutions and provide **judicial mechanisms** for individuals to claim their rights.

4. Integrate Food Security into Sustainable Development Plans:

Food security policies should be **harmonized with national development strategies**, especially those targeting **poverty reduction and social equity**.

5. Promote Interdisciplinary Research:

Encourage cross-disciplinary studies that explore the interrelation between food security and the right to food across **legal, economic, social, and environmental dimensions**.

6. Review and Update National Laws:

States should **review their national legal frameworks** to explicitly enshrine the right to food as a constitutional right that can be **legally enforced** in courts.

7. Establish Monitoring and Evaluation Mechanisms:

Create **periodic monitoring and accountability systems** to assess the realization of both food security and the right to food, ensuring transparency and legal responsibility.

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