Food insecurity is a serious public health problem associated with poor cognitive and emotional development in children and with depression and poor health in adults. Despite sizable continued investments in federal food assistance, food insecurity still affects 11.1% of US households—almost the same rate as in 1995, when annual measurement began. As a fresh approach to solving the problem of food insecurity, we suggest adoption of a human rights framework. This approach could actively engage those affected and would ensure that food security monitoring would be compared to benchmarks in national action plans. We describe key elements of a right-to-food approach, review challenges to implementing it, and suggest actions to foster its adoption. (Am J Public Health. 2009;99:1203–1211. doi:10.2105/AJPH.2007.130229)

Ask most Americans to name a food problem in this country and obesity is likely to be the first response. However, food insecurity—the lack of access to enough quality food for an active and healthy life—is also an urgent public health problem in the United States, affecting 11.1% of the population in 2007. The problem is of special concern for women and children. Female-headed households had a food insecurity prevalence rate of 30.2%, or almost 3 times the national average, and more than 12.4 million children experienced food insecurity in 2007. After controls for low income and educational status, food insecurity has been associated with poor health status in children and adults, depression and anxiety among adolescents and adults, and adolescent suicidal ideation. Even the mildest form of food insecurity is associated with risk of poor cognitive, social, and emotional development of children younger than 3 years.}

Currently, the United States spends more than $50 billion per year on nutrition assistance programs for the US population. These include the Supplemental Nutrition Assistance Program (formerly known as the Food Stamp Program); the National School Lunch Program; the Special Supplemental Nutrition Program for Women, Infants, and Children; and others. Despite this comprehensive network of assistance, the United States has made no advancement toward the Healthy People 2010 goal of reducing food insecurity by half—to 6%. In fact, there has been little change in overall rates since annual measurement of household food insecurity began in 1995.

The persistence of food insecurity rates is more than just a health problem. With more than 12 million children living in households that are food insecure, sizable segments of the population are at risk for poor development and impaired performance in school, an outcome that can diminish national productivity. Food insecurity costs about $90 billion per year in increased medical care costs, lost educational attainment and worker productivity, and investment burden into the emergency food system. However, for many observers issues of economic competitiveness may be secondary. The existence of widespread food insecurity in a country with the world’s largest economy—one that produces a cornucopia of food even to the point of grand-scale exports of surplus commodities—is morally reprehensible.

We suggest that the United States adopt a new approach to address food insecurity that openly and explicitly engages a human rights framework. A human rights framework repositions our understanding of food insecurity to acknowledge and actively address its social and economic determinants. It provides a venue for public participation in the food and nutrition discourse from people most affected by food insecurity. Perhaps most importantly, it provides a mechanism through which the general public can hold the US government accountable for making progress in ending food insecurity.

The human rights framework itself, of course, is not new. More than 3 generations ago, President Roosevelt emphasized the need to protect basic human freedoms—including “freedom from want.” It was his administration that launched development of the Charter of the United Nations, and, ultimately, the Universal Declaration of Human Rights. More than 60 years later, however, the United States is the only nation besides Australia that refuses to embrace the right to food, perhaps the most basic form of freedom from want. Other investigators have asked why this is so from an historical perspective, suggesting that United Nations representatives from the US government assume such a right contradicts constitutional law. Other interpretations are that poor understanding of concepts regarding rights prohibit the general acceptance of social and cultural rights, and that Congress lacks the political will to integrate the human right to food into its national agenda.

The United States already has a strong record of documenting food insecurity. Adopting key elements of the human rights framework is the obvious next step in improving human nutrition and well-being. The common definitions of food security and the right to food lend themselves to common strategies for implementation. We describe a rights-based approach to food and its key elements, consider barriers to adopting this approach, and suggest strategies to foster the adoption of a human rights framework to address food insecurity in the United States.

What Is a Human Rights Framework?

A human rights framework is a system of ideas based on the Universal Declaration of Human Rights, adopted by the United Nations in 1948, and its associated treaties and legal covenants. Although the human rights framework is not new to the United States, much of the language that surrounds the framework—including discourse regarding the need to respect, protect, and fulfill human rights—may be unfamiliar to many Americans. To respect the right to food is to not interfere with one’s ability to acquire food. To protect the right to food is to...
The absence of food security implies a state of food insecurity. Food insecurity can strike at multiple levels—individual, household, community, and nationwide—and has multiple impacts ranging from a protein or micronutrient deficiency that has severe health consequences to milder forms that affect attention and cognitive ability. Food insecurity is considered an outcome of social and economic processes that lead to lack of access to food. These are: lack of adequate education and living wages, lack of access to health care and health information, and exposure to unsafe living conditions such as unsafe water, poor housing, and dangerous neighborhood environments. Each of these is recognized to be integrally associated with poverty.

Definitions of food insecurity and hunger have been debated for several decades. The work of Jean Drèze and Nobel Laureate Amartya Sen is widely cited in the international community. They assert that hunger is not simply a manifestation of an involuntary lack of food, but rather, that hunger is a result of “entitlement failure.” In other words, access to adequate nutrition depends upon political and legal systems that allow one to meet basic needs. Moreover, entitlement includes access to social support systems to assist individuals—such as small children, the elderly, and the infirm—who cannot meet their own needs.

The US Department of Agriculture’s (USDA’s) definition of food security is similar to the United Nations’. In the United States, food security is “access by all people to enough food for an active and healthy life.” In 1990, when the USDA formally established and endorsed this definition, it included 2 domains: (1) ready availability of nutritionally adequate and safe foods, and (2) an ability to acquire acceptable foods in socially acceptable ways.

Evidence of the closeness of the United States’ understanding of food security and the United Nations’ concept of the right to food lies in their respective definitions (Table 1). Although one is a right that implies government obligation to uphold a state of being among individuals and the other defines a condition with no implicit governmental obligation, they include parallel domains that address the importance of health, accessibility, and quality of food, and social acceptability of available foods. In addition, both have been shown to influence other states of well-being such as physical and mental health, safe housing, and educational attainment. Both the right to food and food security have received official government recognition and widespread translation into practice. The similarity in the US definition of food security and the international definition of the right to food suggests that by promoting the right to food, the United States can make better progress in resolving domestic food insecurity.

**KEY ELEMENTS OF A RIGHT-TO-FOOD APPROACH**

Adopting the human rights framework for addressing food insecurity seems a natural extension of the progress already made in the health and human rights movement—for example, in the prevention and treatment of HIV/AIDS and other diseases worldwide. Those advancing a human rights framework in public health have had success in promoting health, well-being, and dignity through attention to several key elements, including (1) government accountability, (2) public participation, (3) an analytic framework that accounts for vulnerability and discrimination, and (4) stronger connections between policies and health outcomes.

**Promote Government Accountability**

The human rights framework is premised on the concept of accountability. Every year, the US government collects data on food insecurity in the US population and publishes a report on the findings. Since 1995, rates of food insecurity have changed very little. There is no apparent linkage of the report’s findings to any action plan to reduce rates. Measurement is a key component of tracking the magnitude of food insecurity, but accountability implies clear targets for reducing food insecurity. This includes ensuring that there are governmental actors charged with establishing these reference goals with clear timeframes for implementation of action plans to achieve them.

In 1990, the Interagency Board for National Nutrition Monitoring and Related Research was instituted under a 10-year legislative mandate. This board was responsible for ensuring that the public had timely access to up-to-date information collected by 22 different government agencies involved in nutrition monitoring. This mandate was not renewed in 2000, leaving no similar mandate for leadership in the
TABLE 1—Similarities Between the International Right to Food and US Definition of Food Security

<table>
<thead>
<tr>
<th>Similarity</th>
<th>Right to Food—International</th>
<th>Food Security—US Domestic</th>
</tr>
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<tbody>
<tr>
<td>Domains</td>
<td>“<a href="20">The right to have 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 ensure a physical and mental, individual and collective, fulfilling and dignified life free of fear.”</a></td>
<td>Access by all people at all times to enough food for an active, healthy life, and includes, at a minimum: (1) the ready availability of nutritionally adequate and safe foods and (2) an ability to acquire acceptable foods in socially acceptable ways (e.g., without resorting to emergency food supplies, scavenging, stealing, or other coping strategies).([31])</td>
</tr>
<tr>
<td>Consistent access</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quality and quantity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health and well-being</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dignity and acceptability</td>
<td></td>
<td></td>
</tr>
<tr>
<td>How utilized:</td>
<td>Related to all other human rights, especially right to health, water, social services, education.</td>
<td>Provides reliable, validated population measure; it has been associated with overall health, child development, academic performance, mental health.</td>
</tr>
<tr>
<td>interrelated with health and well-being</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Official endorsement</td>
<td>International legal apparatus and accepted international norms.</td>
<td>Endorsed and utilized by US governmental agencies (US Department of Agriculture, Centers for Disease Control and Prevention).</td>
</tr>
</tbody>
</table>

Increase Public Participation by Clarifying Terminology

A human rights approach is predicated on the idea that people have the right and the duty to participate in civic life, including the development, implementation, and evaluation of policies and programs.([20],[49],[50]) To facilitate and ensure participation, there must be administrative commitment to establish and maintain open avenues to legitimate forms of participation by people with all types of backgrounds.([19],[51]) This is an area in which those advocating a human rights approach to health problems have yet to succeed.([44]) Sharing information and encouraging education through direct, easy-to-understand language, clear venues for feedback and public participation, and reference to clear benchmarks and targets for food security would facilitate participation.

Transparency is vital to increasing participation of the public. One clear improvement could come in the very definition of food insecurity. The US Household Food Security Survey Module, first fielded in 1995, is an 18-item survey that has been used to monitor food insecurity at national, regional, and state levels through an annual implementation in the Current Population Survey.([52]) Although the terminology used in this report should be easily understood by all concerned, the report is often misunderstood by the American public and by the media.([53]) Of greater concern are changes to the definition of food insecurity (e.g., eliminating the word hunger from the most severe form of food insecurity) made by the US Government in 2006 without public participation. Lack of broadly accepted definitions makes it difficult for the public to demand accountability and complicates the flow of information and education about the importance of hunger and food insecurity to national well-being. This limits the public participation and transparency that are essential to the human rights framework.

Address Vulnerability and Discrimination

Certain groups, by nature of socioeconomic conditions or previous discrimination, are more vulnerable to food insecurity than others. A human rights approach entails focusing on those who are most vulnerable, understanding what causes this vulnerability or susceptibility to adverse outcomes, and changing conditions.
to improve their situation. For example, female-headed households have a high prevalence of household food insecurity—30.2% compared with 11.1% in the general population. A low-income female head of household may be vulnerable to food insecurity because she may have lower income and less childcare support compared with women who are married. Her low income may be related to having less education, fewer skills, less access to higher paying jobs, and, thus, more stress and anxiety about affording food. These processes may lead her to be more vulnerable to food insecurity and poor health.

The more food-insecure a woman is, the more risks she may take to get food on the table, such as taking low-wage jobs requiring long hours that may jeopardize her health8; paying less for childcare and, thus, putting her children in higher-risk environments; or, at an extreme, trading sexual intercourse for money and thereby increasing her exposure to sexually transmitted diseases and violence. Among homeless or poorly housed women in Massachusetts, posttraumatic stress disorder because of adverse childhood experiences was associated with a 2-fold increase in the odds of household food insecurity.56

These examples show how vulnerability can lead to food insecurity. However, food insecurity itself can exacerbate already-existing vulnerability. Food-insecure women have described experiences of alienation and anxiety coupled with worries about family strife or losing their children. In a nationally representative sample in Canada, individuals from food-insecure households reported higher odds of depression and stress. Among African American women who chronically utilize food pantries, anxiety, violence, and stress were strongly associated with the experience of hunger. Food-insecure households have documented lower nutrient intakes, poor child development, poor health, and forced trade-offs between paying for basic needs such as housing and medical care. Each trade-off situation increases vulnerability.

The vulnerability of women to hunger and food insecurity has long been recognized in the human rights documents of the United Nations. One of the greatest concerns is the intergenerational transmission of malnutrition—that is, pregnant women that are malnourished are more likely to have low-birthweight babies. As a result, their children are more susceptible to undernutrition and poor cognitive development, which in turn affects the children’s ability to earn enough money to support themselves and their families when they become adults. Because women and children are especially vulnerable to food insecurity and to socioeconomic processes that cause it, ensuring women’s rights is an important correlate of the right to food.

A rights-based approach would investigate how US policies and programs might create or maintain vulnerability for some groups and not others, and, thus, have inequitable and negative effects on health and well-being. Such an investigation would require that data be disaggregated whenever possible. Highlighting the trends in racial/ethnic and gender disparities in national datasets helps monitor changes in disparities over time. Since 1998, disparities in food insecurity rates have not changed, and African American and Latino households continue to have 2 to 3 times the prevalence of household food insecurity compared with White households. It has been well documented that geographic disparities also exist in access to healthy foods. A human rights approach focuses on who and what might be accountable for these continuing disparities.

### Link Policies to Outcomes

A human rights framework applied to the right to food can interpret how food-related policies affect one’s ability to purchase food and how such policies affect health and well-being. For instance, research demonstrates that changes in food stamp laws are associated with altered health and well-being of families and children. Other research shows that the odds of food insecurity for those cut off from food stamp benefits were 2 times higher than for families who had no change in food stamps. The same study showed that the loss of food stamps was also associated with a 40% increase in the odds of fair or poor health. A rights analysis would include an assessment of the ill health and greater vulnerability that sanction policies—i.e., those that disallow families to participate in federal programs such as food stamps, TANF, and Medicaid—might create.

Recently, USDA’s Food and Nutrition Service has developed historic changes to the Special Supplemental Nutrition Program for Women, Infants, and Children’s food packages. These changes, the first comprehensive ones since 1980, were developed in part to make the food packages more consistent with current nutritional guidelines and in part to address the increasing prevalence of overweight and obesity among low-income children and adults. This is a positive example of government action and “fulfills” the right to food by facilitating an environment that fosters human development.

### Challenges to Adopting a Rights-Based Approach

Why is the United States one of the only countries that has not endorsed the right to food? There are 2 general misperceptions regarding human rights and the right to food. Finding ways to address them can create new opportunities for the adoption of a rights-based approach to food insecurity.

### A Misperception of Economic, Social, and Cultural Rights

Since the passage of the Civil Rights Act in 1964, the United States has had a formidable record of formally seeking to protect civil and political rights. The United States has ratified the International Covenant of Civil and Political Rights and the Convention on the Elimination of Discrimination Based on Race and Ethnicity. On the other hand, the United States is slow to accept social, economic, and cultural rights generally referred to as “positive rights” or “basic rights.” These social and economic rights include the right to a minimum standard of living, to health and well-being, to education, to housing, and to food. Such rights are integrated into the Universal Declaration of Human Rights without distinction, but they are largely covered in the International Covenant of Economic, Social and Cultural Rights, which the United States has signed (meaning they agree with the tenets) but has not ratified (meaning they are not willing to hold themselves legally accountable for implementation).

The lack of acceptance of social and economic rights is related to a common misperception that they indicate direct provision of services and food for everyone. But this is not the primary intention of these rights. Economic, social, and cultural rights are rights that Henry Shue defines as “subsistence rights.” They are predicated on the idea that social,
economic, and political structures should tangibly support populations and individuals in providing for themselves. In more precise terms, the right to food means the right to expect reasonably accessible access to food. This is true both at the household level and within a national context. A needs-based approach emphasizes that people who lack access to food are passive recipients in need of direct assistance. Programs and policy efforts that use this approach tend to provide assistance without expectation of action from the recipient, without obligation and without legal protections.

A rights-based approach does not require informed legislation, political will, and coordinated action. But a rights-based approach creates enabling environments that support people in nourishing themselves while providing a structure for legal recourse. A rights-based approach focuses on ways in which conditions and environments can be altered so that people take an active role in procuring food. It incorporates the idea that good nutrition is not something based solely on benevolence or charity but is, rather, the duty and obligation of a country to its people.

Further action on the part of local communities as well as academic and health professionals is required to shift the emphasis from a needs-based to a rights-based approach. Food security and good nutrition must be established as central aspects of the fundamental entitlement to a minimum standard of living. These groups can encourage the United States to take legislative, administrative, and regulatory action to ensure that all households have enough food for a healthy life. This can be done not only by providing food assistance, but also through ensuring that people have skills, education, health care, income, and other supports to procure healthy foods for themselves.

ADOPTING A HUMAN RIGHTS APPROACH

The US government could revisit the opportunity to ratify the International Covenant of Economic, Social and Cultural Rights. This will require strong support in the Congress and a clear presidential mandate. In the meantime, there are other ways to begin to implement the rights-based approach.

National Plan to End Hunger

Following the recommendations of the Committee on Economic, Social and Cultural Rights (General Comment 12), there should be a national strategy to implement the right to food. To implement the right to food means to put the structural processes in place whereby agencies, organizations, and citizens are working toward the common goal of actively respecting, protecting, and promoting the right to food.

The first step in any strategy should be to map the prevalence of food insecurity for different groups and regions within the country, taking into account the differences that exist on the basis of gender and race/ethnicity and between rural and urban areas. Such mapping is necessary to identify those most at risk for food insecurity and to develop appropriate, targeted responses to food insecurity.

According to the Special Rapporteur on the Right to Food, a national strategy should establish the appropriate mechanisms that (1) utilize monitoring systems to identify emerging threats to the right to adequate food, (2) improve coordination between relevant agencies at the national, state, and local level, (3) improve accountability, with a clear allocation of responsibilities and timeframes for progressive implementation of the right to food, and (4) ensure the adequate public participation that includes the most food-insecure segments of the population.

In addition to a national plan, there should be a clear delineation of US obligations in each domain of the rights framework: respect, protect, facilitate, and provide. In Table 2 we provide examples for each domain of US obligations (respect, protect, and fulfill), some of which the United States is already doing; others, the United States might do if it adopted a rights-based approach to food insecurity.

Other Related Strategies

Aside from establishing a national plan to end hunger, other, more immediate steps can be taken. First, we recommend that there be open debate on the current food insecurity and hunger measures to ensure broad-based agreement
<table>
<thead>
<tr>
<th>Domain of Responsibility</th>
<th>Respect</th>
<th>Protect</th>
<th>Facilitate</th>
<th>Provide</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definition</td>
<td>Noninterference</td>
<td>Protect people from others doing harm</td>
<td>Develop policy environment that enables economic and food security</td>
<td>When fulfillment of other obligations have failed, or in circumstances beyond people’s control—i.e., emergency situations, vulnerable children, the destitute</td>
</tr>
<tr>
<td>Individual: protect against individual vulnerability</td>
<td>Do not deny qualifying citizens and legal immigrants access to nutrition assistance.</td>
<td>Ensure all public assistance staff are properly trained about all programs. Reduce vulnerability by ensuring access to all supports available. Ensure that food quality is monitored and considered just as important as accessibility.</td>
<td>Increase minimum wage. Promote access of all children to quality education, health care, and housing. Consider “comprehensive eligibility.” For instance, if a mother is eligible for WIC, then she could be entitled to other assistance programs without having to apply for each program separately.</td>
<td>For very low-income children, grant free school breakfasts and lunches, and meals during the summer months.¹</td>
</tr>
<tr>
<td>Household: ensure supportive environment for families, especially women and children</td>
<td>Do not enforce a “family cap” limit on number of children when calculating food stamp allotment amounts.²</td>
<td>Protect against predatory lenders. Improve targeting for nutrition programs so those eligible receive them.³</td>
<td>Consider comprehensive eligibility (i.e., if a child qualifies for health insurance through Medicaid, the family should automatically qualify for food stamps). Promote job training and job placement services.⁴</td>
<td>Provide nutritious food or adequate food stamps on a temporary basis to families who experience personal emergency, i.e., household fire or broad-scale natural disaster.⁵</td>
</tr>
<tr>
<td>Community: protect against community vulnerability</td>
<td>Do not change food insecurity definitions without public debate and participation.</td>
<td>Investigate or revise zoning laws that ensure nutritious food retail options. Reassess measures of poverty to account for housing and child care costs. Establish national monitoring or leadership role on nutrition. Hold agencies accountable for actively addressing disparities in food insecurity.</td>
<td>Provide tax breaks for supermarkets and food retailers to locate in low-income neighborhoods. Legislate for safe neighborhoods (safe housing, places for exercise and play, generous lighting). Fund research in food insecurity interventions. Provide meaningful venues for participation in dialogue, policies, and programs regarding food security and right to food.</td>
<td>Directly provide opportunities to purchase nutritious foods in communities that otherwise have limited access to nutritious foods. Have rapid, organized, and sustained response in disaster situations.⁶</td>
</tr>
</tbody>
</table>

Notes. WIC = Special Supplemental Nutrition Program for Women, Infants, and Children. Not a comprehensive list. For related strategies, see US Action Plan on Food Security: Solutions to Hunger.⁷

¹The US Government is already engaged in these approaches.
²Some states do not enforce the family cap.
on a consensus definition. This endeavor should involve scientific experts, legislators, advocates, members of the media, and representatives of the poor who have experienced food insecurity firsthand. A national conference with representatives from these stakeholder groups, along with international experts, would help to establish a definition and measurement approach that could last for decades. With agreed-upon terminology, benchmarks, and targets, cross-agency accountability for reaching those targets can be more clearly articulated.

Second, position statements on food as a fundamental human right from the American Public Health Association, the American Society for Nutrition, the American Dietetic Association, the American Academy of Pediatrics, and others would help to inform scientists, advocates, and legislators about the negative health and developmental effects of food insecurity.

Third, these statements can also call on the USDA and other governmental agencies to integrate an accountability component into their food security reporting. Current food insecurity rates could be released with reference to progress toward national goals.

Finally, these activities should have a venue for encouraging participation of key community leaders who have experienced food insecurity firsthand. Examples of such participation would be invitations for commentary on results of food insecurity reports, collaboration with local people regarding intervention programs to prevent food insecurity, and establishment of local forums where national nutrition experts meet with and learn from local people who are food insecure about their needs and perceived effectiveness of interventions.

CONCLUSIONS

Given the recent change in administration and a reevaluation of our domestic agenda, food insecurity and hunger ought to be one of the first health issues our nation addresses. We have attempted to demonstrate how a human rights framework can be used to address food insecurity in the United States. From the examples presented here, it is clear that such a framework is not foreign to the cultural and political climate of the United States and that many advances have been made in the nutrition landscape. However, since the USDA started measuring food insecurity, there has been either increase or stagnation in these food insecurity rates. The rights framework is a fresh approach with a concrete methodology to advance the US government’s leadership in improving the well-being of its vulnerable populations.

Dominant US cultural beliefs express strong values for ways that the US system unleashes the spirit, energies, and ingenuities of the individual. This resonates with the rights-based approach that seeks to create enabling environments for people to procure their own food. By convincing others that the right to food is about creating enabling environments and conditions for people to feed themselves; by insisting that nutritious food is not simply a basic need, but a fundamental human right; and by having a clear and convincing definition of food insecurity and hunger, it will be possible to advance a human rights approach. We have presented concrete examples of activities and policies so that no matter what our expertise—research, policy analysis, advocacy, or education—we can all follow through on our obligation to promote well-being and enhance basic human dignity.

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