

# The Assumption of Non-coerciveness and the Total Food Market

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**Abstract** — For the last 46 years, the countries of the world have tried to reduce the number of chronically hungry people. Despite all the efforts, the numbers have barely budged from the over 850 million people who were chronically hungry in 1974 until the 2007-2009 and 2010-2011 food price crises, when the numbers jumped to well over 1 billion. The blame for this situation has variously been put on bad governance, the lack of adequate market reforms, the market reforms that were imposed on developing nations, and globalization. Food, like other products, is allocated using the market system. One likely place to look for the reason why international institutions have been unable to eliminate hunger, while operating within the market system, is the assumption of non-coerciveness. This assumption asserts that the market transaction—in this case for food—is freely entered into by both the buyer and the seller and that either can refuse to enter into the transaction if it is not to their advantage. After looking at the traditional understanding of coerciveness in economics, this paper examines the argument of Frank Knight and agrees that non-coerciveness is an issue of ethics. Using the work of Michael Keeley, this paper concludes that broadly accepted human rights is the best possible criterion for determining whether or not the aggregate food market is non-coercive. If the human right to food is abridged, then it can be said that the aggregate food market is coercive and the assumption of non-coerciveness for the aggregate food market does not hold. With 1.02 billion people chronically hungry, 1/6 of humanity, it is clear that the right to food has been abridged and the aggregate food market is coercive. This conclusion has serious implications for economic and trade policy and the current world hunger crisis.

**Keywords** — Coerciveness, ethics, human rights, hunger, non-coerciveness, right to food.

## I. INTRODUCTION

The 2006-2008 surge in grain and oilseed prices resulted in an increase in the estimated number of chronically hungry people in the world to 1.02 billion—approximately one-sixth of the world's population [9]. The issue of chronic hunger has been a problem that has plagued world leaders in the post-WWII era. In 1974, world leaders gathered in Rome at the World Food Conference and pledged to eliminate hunger within 10 years [15]. The number of hungry in the world<sup>1</sup> at that time exceeded 850 million people [9]. Twenty-two years later world leaders

gathered again in Rome at the World Food Summit, 1996. “The World Food Summit, 1996 was called in response to the continued existence of widespread undernourishment and growing concern about the capacity of agriculture to meet future needs” and issued the Rome Declaration [15]. The number of hungry at that time was 825 million. That declaration called upon the nations of the world to halve the “number of chronically undernourished people on the Earth by 2015” [15]. Since then the number of chronically undernourished people in the world has steadily increased [9].

The challenge, thus, is one of explaining the persistence of chronic hunger in spite of massive amounts of food aid being given, the green revolution, market liberalization, increasing yields, and periods—1998-2001—when grains were said to be in surplus and thus were being sold at prices well below the cost of production. The blame has been laid on poor governance, corruption, inept actions of food donor groups, the lack of full market liberalization, and market liberalization. While there is little doubt that various of these issues were a factor in countries around the world, there is also the possibility that the problem of hunger, at its root, is systemic. One place to look is at the dominant economic system, based on neoclassical economic theory (NET), because that system governs the allocation of resources like food.

At its foundational level, the now dominant NET uses an axiomatic / hypothetico-deductive system [28] [43] [53] [33] of logic to describe the distribution of scarce resources, which have alternate uses. In various mathematized forms [53], NET also uses this system of logic to examine the workings of the economy and identify policies that optimize the politically determined objective function. Economists are quite willing to admit that the results that this reduced form/ideal type system provides depends upon the current allocation of goods and services [23][24][37][35][31].

Sociologists, on the other hand, see neoclassical economics as a variant of the theory underlying the capitalist economic system that began to take hold in fifteenth century in Western Europe and expanded from there, building what [52] calls the Capitalist World System. Some political economists [6] [18] [19] [27] [29] [34] [39] [52] examine this system, the ideology behind it, and the ways it has been used to expand its hegemony and justify the allocation of resources, goods, services, and ultimately power to the benefit of the dominant class.

While recognizing the various issues raised by sociologists and the various means economists use to analyze the economy, the concern of this paper is a portion of the axiomatic/hypothetico-deductive system on which NET is built. In a thought system or academic discipline that uses the deductive method of analysis, the applicability of any given set of results is dependent upon

<sup>1</sup> In the same publication the Food and Agricultural Organization variously uses the terms “hungry” and “undernourished” in conjunction with the same statistics. Others terms used to described the same condition are chronic hunger, food insufficiency, food deprivation, and undernutrition. These term also generally refer to those who earn less than \$1.00 per day in nominal terms. In its definition of “undernourishment or chronic hunger,” FAO states “The average minimum energy requirement per person is about 1800 kilocalories per day. The exact requirement is determined by a person's age, body size, activity level and physiological conditions such as illness, infection, pregnancy and lactation” [9].

the congruence between the original undefined terms, definitions, and assumptions of the system and the situation to which they are applied. If there is a lack of congruence between the assumptions and the situation to which they are applied, then the results of any analysis based on those original assumptions may be incorrect. In addition a change in a single assumption can result in significant changes in the theorems that are built using that assumption.

Economists make a number of assumptions concerning economic transactions. Among them are symmetry of information [37] [31], the presence of multiple buyers and sellers in the market so that no single actor can determine the price [37] [31], identical products ([37] [31], costless entry and exit from the market on the part of sellers [37] [31], market participants operate in their own self-interest [37], and are rational profit/utility maximizers [37], and non-coerciveness [37] [31]. While recognizing that each of these assumptions and others play a part in the nature of the economic transaction, this dissertation focuses on the assumption of non-coerciveness, an assumption that ultimately influences the policies that set the framework for the distribution of agricultural products, and more particularly food, among the world's population.

The assumption of non-coerciveness asserts that the transaction that takes place between the purchaser and seller of a good or service is voluntary if both the buyer and the seller are free to engage or not engage in the transaction. This kind of transaction is considered normative for a free market where free means that coercion is not present as evidenced by the freedom to engage or not engage in the transaction. By way of contrast, robbery is a coercive (and illegal) exchange of goods.

In the modern era, the concept of voluntary exchange has its roots in Adam Smith's [40] discussion of human nature in which he argues:

man has almost constant occasion for the help of his brethren, and it is in vain for him to expect it from their benevolence only. He will be more likely to prevail if he can interest their self-love in his favour, and show them that it is for their own advantage to do for him what he requires of them. Whoever offers to another a bargain of any kind, proposes to do this. Give me that which I want, and you shall have this which you want, is the meaning of every such offer; and it is in this manner that we obtain from one another the far greater part of those good offices which we stand in need of. It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own interest. [40, p. 14]

And so with these words he sets the stage for self-interested, voluntary exchange in which the needs of both the buyer and seller are met or no exchange takes place. Unlike some elements of exchange between lords and serfs in the earlier feudal period in England, Smith envisions an exchange without coercion.

Some 40 years ago, Milton Friedman [7] moved further capturing the essence of the concept of voluntary, non-

coercive exchange when he wrote:

The possibility of co-ordination through voluntary co-operation rests on the elementary - yet frequently denied - proposition that both parties to an economic transaction benefit from it, provided the transaction is bilaterally voluntary and informed.

Exchange can therefore bring about co-ordination *without coercion* (emphasis added). A working model of society organized through voluntary exchange is a free private enterprise exchange economy—what we have been calling competitive capitalism.

In its simplest form, such a society consists of a number of independent households—a collection of Robinson Crusoes, as it were. Each household uses the resources it controls to produce goods and services that it exchanges for goods and services produced by other households, on terms mutually acceptable to the two parties to the bargain. It is thereby enabled to satisfy its wants indirectly by producing goods and services for others, rather than directly by producing goods for its own immediate use. The incentive for adopting this indirect route is, of course, the increase made possible by the division of labor and specialization of function. Since the household always has the alternative of producing directly for itself, it need not enter into any exchange unless it benefits from it. Hence, no exchange will take place unless both parties benefit from it. Co-operation is thereby achieved without coercion. [7, p. 13]

In this description Friedman identifies several characteristics of this competitive or free market capitalism:

1. self-production as an alternative to exchange, and
2. the ability to walk away “unless both parties benefit from it.”

When these two conditions are met, Friedman asserts “co-operation is thereby achieved without coercion,” thus the ideal form of exchanges that take place in a free market are based upon the assumption of non-coerciveness.

In seeking to identify the systemic element in the economic system that has the potential to explain the problem of persistent, chronic hunger, this dissertation argues that food as a whole is not a free market good to be solely allocated by market mechanisms, but is a coercive good that requires that requires some non-market mechanisms to ensure that every man, woman, and child has access to an adequate nutritious diet.

This study uses several mechanisms to make the case that food as a whole is not a free market good. This study begins by examining the various transaction types—monopolies, governmental actions, and unions—that economists have labeled as coercive. Following that several approaches to the question of coerciveness in economic transactions will be examined. The first approach is to seek some clarity by examining the hypothetico-deductive system that economists themselves implicitly use in their mathematized field of study. The second approach is to examine, in detail, the argument of Frank H. Knight, considered to be the father of Chicago

School NET, that the answer to the question of various economic transactions are free or coercive is not to be found in the character of the exchange itself, but in ethics [23]. The paper then draws together the two methods of analysis by examining the argument of Michael Keeley [20] that the question of freedom is ultimately one of ethics, and broadly accepted principles of human rights provide a mechanism by which the ethical question can be examined. Coercion is the result of an abridgement of a broadly accepted human right. Thus the answer to the question of whether or not food as a whole is a coercive transaction ultimately rests on 1) whether or not the right to food is a broadly accepted human right and 2) whether or not it can be shown that this right has been abridged. After examining the right to food as a human right using General Comment 12 of the Committee on Economic, Social, and Cultural Rights [45], this paper concludes that the right to food meets criteria set forth by [20]. Having shown that the economic transaction for aggregate food is coercive, because a broadly accepted and properly specified human right has been abridged this paper asserts that non-market interventions are needed to overcome the coerciveness of the aggregate food market and protect the right to food for the most vulnerable populations.

## **II. TRADITIONAL UNDERSTANDING OF COERCIVENESS IN NEO-CLASSICAL ECONOMIC THEORY**

In NET, coerciveness and freedom are understood to be antonyms of which freedom is to be preferred and is the hallmark of a positive-market-exchange economic system [7]. While declaring itself to be value free, NET adheres to a set of values by evaluating various actions in terms of their contribution toward maximizing economic growth while utilizing resources with the greatest economic efficiency [37] [31] thus “helping to ensure that a greater ‘opportunity cost’ is not thereby lost” [33, p. 69]. The goal of maximizing growth is a value because there other things that could be maximized like the equitable distribution of economic resources or minimized like externalities in the process of producing goods and services. But because the ideal-type market system that is at the core of NET consists of multiple participants none of whom can affect price [37] [31], coercion is seen in terms of actors in this theoretical marketplace who can influence price. Traditionally, the primary coercive actors that NET has focused on are governmental bodies, monopolies, and trade unions [37] [31].

NET holds that governmental bodies can influence price through a variety of mechanisms that shift the supply, demand, or cost curves from their perfectly competitive or unfettered market locations leading to an economically inefficient use of resources. From the perspective of NET, government action attempts to substitute rules, regulations, taxes, and other non-market incentives for the discipline of the marketplace.

One clear example of this is the US farm program that for many years operated a supply management program for program crops, most notably corn, cotton, rice and

wheat. Major criticisms of the program included the charge that 1) the government was paying farmers not to farm, farmers were farming the program instead of responding to market signals, 2) input suppliers of chemicals, seeds, machinery, and services as well as the processors, marketers, and transporters of farm crop production were being adversely impacted when the government induced farmers to reduce the acreage under production, 3) consumers were being forced to pay an above the market price for foods produced from these farm products, 4) exports of program crops were adversely affected by higher prices giving advantage to producers in other countries, and 5) and the public was being forced to pay higher taxes to support this program. In 1995 and 1996 these criticisms came to a head during the legislative process of adopting a new farm bill. For a variety of reasons sufficient legislative support was achieved to make a radical change in farm programs in the attempt to make it more market oriented. These criticisms and changes were driven in a large part by economists trained in NET who believed that the market could more efficiently guide farm production decisions than bureaucrats at the USDA.

Other areas in which government regulations are seen to be both coercive and inferior to market forces include a wide variety of environmental regulations—for example: carbon emissions and global warming, the prophylactic use of antibiotics in the production of meat animals, the management of odors and effluent from large scale animal production operations, and mountain top removal as a part of coal mining operations. Each of these cases involves the creation of externalities that are not fully captured in the production cost equation. Participants in these industries argue against the imposition of regulations on their industry on the basis that they are coercive and create economic inefficiencies and instead support market-based solutions that they contend will achieve the stated goals in an economically efficient manner.

Following the 2008 collapse of the US economy due in part by excessive speculation and risk taking by major financial firms whose operations have been increasingly deregulated over the prior 25 years, calls for increased regulation of the financial services industry have been heard. Consistent with NET, opponents of re-regulation have argued that market participants have learned their lesson and that while some minimal rule changing may be necessary a larger scale re-regulation of the financial services industry and the products they sell would lead to less capital availability and lower economic growth levels.

Monopolies<sup>2</sup> have long been seen as market actors who have the ability to reduce freedom in the marketplace [40].

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<sup>2</sup>This discussion of monopolies (singular firms in a given market that have the economic power to affect the price of products they sell) also applies to monopsonies (singular firms in a given market that have the power to affect the price of products they purchase). To a lesser extent the discussion also has relevance for oligopolies (a small number of firms in a given market that have the economic power to affect the price of the products they sell, though to a lesser degree than monopolists) and oligopsonies (a small number of firms in a given market that have the economic power to affect the price of the products they purchase, though to a lesser degree than oligopolists).



In discussing those who live by profit, Smith writes:

The interest of the dealers, however, in any particular branch of trade or manufactures, is always in some respects different from, and even opposite to, that of the public. To widen the market and to narrow the competition, is always the interest of the dealers. To widen the market may frequently be agreeable enough to the interest of the public; but to narrow the competition must always be against it, and can serve only to enable the dealers, by raising their profits above what they naturally would be, to levy, for their own benefit, an absurd tax upon the rest of their fellow-citizens. [40, p. 250]

As Smith sees it, it is always in the interest of those who live by profit to narrow the competition so that they can charge monopoly prices. From Smith's perspective the amount charged above the free market price is a tax upon the populace.

Monopolies are able to reduce freedom in the marketplace because they have the ability to affect the price of the item(s) that they sell [37] [31]. In general monopolies are in industries that have economies of scale—they face downward-sloping demand curves—[37] [31], need large scale markets for brand establishment and marketing, need to spread risk, or are in a market with significant barriers to entry [37]. These barriers to entry can include cost of setting up a competing firm as well legal barriers which generally include patents, protective tariffs and quotas, and other favorable legislation which protects their markets [37] [31]. Firms often attempt to create a monopoly-like situation through product differentiation—Ford vs. General Motors vs. Toyotas vs. Maserati—which creates a distinct market in which they can exercise some degree of control over price.

Patents provide legal barriers that provide the patent holder with a monopoly situation for a given number of years. This monopoly status is provided in exchange for an advance in knowledge. It is argued that the lure of monopoly profits provides incentive for people to invest time and money in the invention process which has the potential to benefit society [37] [31].

The issue of coerciveness with regard to labor is two sided. James A. Miller made the classical argument that trade-unionism is coercive by looking at the Chicago building-trades conflict [30]. On the other hand, Robert Lee Hale held that labor employment markets, themselves, were coercive by forcing people to rent their labor to employers in order to survive [17]. NET has taken the first argument seriously while ignoring the second.

The argument for the coerciveness of labor unions focuses both on the worker's relationship with the employer as well as the impact of unions upon others in the labor market [30] [37]. The development of labor unions was resisted by employer who contended that they were a "conspiracy in the restraint of trade" [37, p. 637] and interfered with the employer's right to hire whomever they wanted at a wage and conditions to be negotiated directly between the two parties (worker and employer). Labor unions were viewed as an illegal combination and a limitation on the rights of the employer to determine the

use of their property—e.g. factory, office building, railroad—in any way that they wanted including the working conditions and how much they choose to pay those who worked on that property. When the Sherman Anti-Trust Act was adopted in 1890, the focus was on business activities including monopolies, cartels and trusts. But, in practice, the Sherman Anti-Trust Act was often used to break up labor unions, treating them as illegal cartels [37]. It was not until the Railway Labor Act of 1926 and the Wagner act of 1935 that labor unions were fully exempt from the provisions of the Sherman Anti-Trust Act and given the freedom to organize workers in the US [37] [41].

Despite their legality, labor unions have been seen as coercive of employers because they can force terms on the employer that the employer would not agree to if it were dealing with each worker as an individual [30] [37]. These contract terms can include wages, benefits, work conditions, job classifications, seniority rights, rules concerning work stoppage, and grievance procedures for workers, among others [30] [37]. The result often increases labor costs and restricts the activities of the employer.

Labor unions are also viewed as coercive of individual employees, interfering with their freedom of association, forcing non-union "employees covered by a collective bargaining agreement containing a union security clause, as a condition of employment, to pay an agency fee equal to normal union dues (and where applicable, initiation fees)" [4], restricting non-union employees from working on some job sites, limiting the scope of work they can perform, setting a minimum wage at which they can be employed even if they are willing to work for less, and determining the conditions and hours of employment [30]. In these issues, the collective decisions of the union takes precedence over individual preferences, forcing the dissenters to acquiesce to the will of the majority or seek employment in a non-union environment [30]. Depending upon the craft of the employee, it may be difficult to find nearby alternate employment if the union is strong in the area [30].

Robert Lee Hale uses the occasion of his review of Thomas Nixon Carver's *Principles of National Economy* to argue that despite the assertions of mainstream economists, with regard to the non-coercive nature of economic exchange in a *laissez-faire* system, the economic system is dependent upon various levels of coercion to make it work [17]. Carver's theoretical position, laid out in his *Principle of National Economy*<sup>3</sup>, was that of neoclassical orthodoxy assigning a limited role

<sup>3</sup> Though there is a distinct lack of discussion of the issue of coerciveness in contemporary economic literature, in 2003 Dalia Tusk, in asserting that "organizations, associations, and corporations [act] as [the] loci both of individual self-government and of coercive power cloaked by liberal legal thought as free contractual arrangements between individuals" [44, p. 1881] draws on Hale's 1923 article describing it as "the classic critique of the distinction between public and private power." This evaluation is borne out by the use of Hale's paper by Ronald Chen and Jon Hanson in their 2004 article in the *Michigan Law Review* titled "The Illusion of Law: The Legitimizing Schemas of Modern Policy and Corporate Law" and Paul M. Schwartz in his 2004 article in the *Harvard Law Review*, "Property, Privacy, and Personal Data."

for government and assuming that the competitive nature of the exchange system would guard against coercion, thus protecting the individual from coercion by either the government or other individuals [17] [36].

Hale was an institutionalist economist who rejected the individualized utility maximizing homo economicus of neoclassical economists in favor of a socialized economic actor operating within a historically and politically shaped system. Hale starts with Carver's view that one of the roles of government is the protection of the property rights of individuals and uses the issue of property rights to show that "the law of property secure[s] for the owners of factories their labor" [17, p. 473].

The argument for the non-coercive nature of labor rests on the alternative of producing one's own food. The economic argument is that if people can meet their various wants and needs with self-production then they are not coerced in any way in engaging in a market transaction [17] [37]. While that argument has a certain cachet when made by economists, the reality beginning in the late 19th century Africa was quite different. At the Berlin Conference (1884-1885), the interior of Africa was partitioned among seven European powers—England, France, Germany, Portugal, Spain, Italy, and Belgium [19] [5]. With the establishment of this agreement they could invade the interior of Africa without also going to war against each other [5]. The colonies that were established were expected to be net revenue producers, increasing the wealth of the European power that controlled it. For the most part the colonies were seen as cheap sources of raw materials and expatriate controlled companies sprung up to provide those resources. One of the challenges they faced was obtaining adequate labor to work in the colonial industries [5]. The local residents were disinclined to work for wages because they were able to provide for their needs by continuing in the pastoral and agriculturalist patterns they had established long before the advent of colonial rule. The colonial governments had two tools that they could use to provide a supply of labor to the expatriate owned enterprise [5]. The first involved brute force. They went into the villages and selected the number of able bodied men that they needed and forced them, at the point of a gun, to go work in the colonial enterprise. Those who resisted were tortured and killed as an example to the rest. This means of providing labor was inefficient and provided a low quality of labor [5]. The second means of providing labor was economic in nature. The colonial government established a tax that had to be paid for in currency which could only be obtained by working for the colonial enterprise—currency was not made available for use in the traditional markets where most items were bartered [5]. Thus, even though the local residents could provide for all their needs without engaging in wage work, they were coerced into such work in order to pay the tax [5]. The Robin Crusoe theory economists use to establish the voluntary nature of economic transactions fell down in the colonies where taxation was used to ensure an adequate and steady supply of labor for the expatriate owned colonial enterprises.

Bowie in "Fair Markets" [1] in writing about business

ethics notes that non-coerciveness is often defined in terms of equality of bargaining power. Later on in his article he also notes that inequality of knowledge in stock trading (insider trading) is also coercive. Bowie's discussion of coerciveness in the marketplace is one of the most extensive of the last quarter century as he wrestles with the "minimalist strategy in business ethics that maintains 'if it's legal, it's moral'" [1, p. 89]. At one point in his article Bowie defines unfairness under the law in terms of "transactions [that] are either coercive or involve inequality of bargaining position" [1, p. 90]. Later on, Bowie discusses unfairness of an economic transaction in terms of inequality of information. While at one level Bowie writes about coercion, inequality of power, and inequality of knowledge, at another he deals with them in such a way that would suggest that inequality of power and inequality of knowledge are elements of coercion. In doing so he adds some measure of substance to the term coercion. For Bowie, coercion is a matter of agency in which actor A forces actor B to engage in an act that B does not want to engage in and is not in B's perceived best interest. Bowie summarizes the issue of the nature of the marketplace writing, "Economists are fond of pointing out that the benefits of exchange require that exchanges be noncoercive and that parties to the exchange have perfect knowledge" [1, p. 97].

He comes close to the argument examined in this paper when he asks two questions:

Suppose you discover the cure for AIDS and demand compensation of \$1 million per AIDS victim. Is your demand for that compensation coercive? It certainly is. Suppose you own the only unpolluted well during a catastrophe and you demand payments of \$200 per gallon. Is that demand coercive? It seems so.

[1, p. 97]

Cohen [3] in writing on coercion in tender offers for stocks argues that stock owners feel compelled to act fearing a less desirable result if they do not act and the company is taken over and the value of their stock is less. This follows on Bowie's discussion of fair markets.

In each case—monopolies, governmental action, and unions—the determination rests upon the behavior of the principal actors in the economic transaction and the way that this behavior results in outcomes at variance with those achieved under individualized free market conditions. The greater the variance from the allocations of scarce resources provided under free market conditions, the greater the degree of coercion. That means, for instance, that oligopolies are seen to be less coercive than monopolies.

When it comes to food, the subject of examination is not the actors in the transaction but the object of the transaction itself—aggregate food. In this case a comparison with the results of the outcome achieved under free market conditions means nothing because it is the free market conditions themselves that are being questioned. That forces one to look at the meaning of freedom in the context of the ideal-type economic transaction and its opposite coercion. Frank Knight, "the most orthodox of orthodox economists," [22] provides a forceful

examination of the question of freedom with regard to the ideal-type economic transaction. But before looking at Knight, the logical underpinnings of the argument will be examined.

### **III. COERCIVENESS AS AN ISSUE OF LOGIC**

In a thought system or academic discipline that uses the deductive method of analysis, the applicability of any given set of results is dependent upon the congruence between the original undefined terms, definitions, and assumptions of the system and the situation to which they are applied. If there is a lack of congruence between the assumptions and the situation to which they are applied, then the results of any analysis based on those original assumptions may be incorrect. In addition a change in a single assumption can result in significant changes in the theorems that are built using that assumption.

Economists make a number of assumptions concerning economic transactions under a free enterprise, full competition system of markets. Among them are symmetry of information [37] [31], the presence of multiple buyers and sellers in the market so that no single actor can determine the price [37] [31], identical products [37] [31], costless entry and exit from the market on the part of sellers [37] [31], market participants operate in their own self-interest [37], and are rational profit/utility maximizers [37], and non-coerciveness [37] [31]. While recognizing that each of these assumptions and others play a part in the nature of the economic transaction, this dissertation focuses on the assumption of non-coerciveness, an assumption that ultimately influences the policies that set the framework for the distribution of agricultural products, and more particularly food, among the world's population.

The assumption of non-coerciveness asserts that the transaction that takes place between the purchaser and seller of a good or service is voluntary if both the buyer and the seller are free to engage or not engage in the transaction. This kind of transaction is considered normative for a free market where free means that coercion is not present as evidenced by the freedom to engage or not engage in the transaction. Like any assumption in a postulate system of logic, the assumption of non-coerciveness describes the relationship between terms that are accepted as true. Because the question of whether or not markets are coercive with regard to food involves an assumption it is not possible to use deductive logic prove whether or not food is coercive because the assumption is an antecedent to the proof itself. To then engage in a proof to attempt to determine whether or not food markets from the perspective of the consumer are coercive would be to engage in circular reasoning, a classical fallacy.

Thus it needs to be remembered that an assumption is by definition a generally accepted truth and so we have to look at the assumption itself. That there needs to be a significant degree of congruence between the idea contained in the assumption and what is observed in the world around us. It will be shown that while there is a

significant degree of congruence between the assumption of non-coerciveness and the market for some goods, congruence is lacking when it comes to aggregate food markets.

For instance, a buyer in the retail gold market<sup>4</sup> has the freedom to purchase from a number of dealers, or to not make a purchase at all, for whatever reason, and the impact of the decision of that single individual on the economic system is negligible. If the buyer and the seller cannot agree upon mutually acceptable conditions either one or both can walk away from the transaction. In this way economists emphasize the noncoercive nature of the free enterprise system of markets. In this case, the buyer, in all likelihood, does not have the option of self-production, but there is little consequence for the buyer as the result of this lack of self-production. The non-coerciveness of this lack of a transaction is made manifest in the ability of both parties to walk away from the sale. A person can live a whole lifetime with minimal consequences as the result of never making a purchase in the gold market.

The same is not true for food. While one can choose to purchase yams instead of white potatoes, or chicken instead of beef, one cannot choose not to purchase food in some form or other unless one has access to knowledge, land, water, seed, sunshine, climate, and time sufficient to produce an adequate amount of food. Often, even in peasant production systems, access to these production resources are limited. Food, like air and water, is a necessity of life. Without access to a sufficient amount of food on a regular basis people suffer serious health consequences or die.

In a fully competitive food market an individual buyer will have the opportunity to purchase from any number of sellers, none of which have sufficient market share to determine the price. The buyer also has the opportunity to choose from a wide variety of substitutes in selecting the desirable mix of grains, meats, vegetables, etc. But even if all of those market conditions are met, the purchase of food is a coercive act. If the price of food is too high, the purchaser cannot voluntarily stay out of the market and wait for the price to drop before reentering the marketplace. The purchaser of food is in a different position from the purchaser of gold. When a potential purchaser of gold or any other nonessential product is forced out of the market because of the lack of adequate financial resources, the consequences are negligible. After all, the use of price as a means of rationing out scarce resources is a fundamental tenet of mainstream economic thought [37] [31]. In this case it rations a scarce resource, gold, among alternate uses. However, when a potential purchaser of food is forced out of the food market because of the lack of adequate financial resources, the consequences are disastrous. Without an adequate intake of food on a regular basis, the potential food purchaser will die. It is the event of the birth of each human being

<sup>4</sup>This argument is not meant to minimize the reality that a significant amount of gold available to the retail market has been obtained over millennia through conquest, plunder, and forced, underpaid, or slave labor.



that sets in motion the sequence of minimum nutritional needs that must be met on a regular basis throughout its lifetime. Unlike other markets, in the absence of that person and or its household having “the alternative of producing for itself” [8, p. 13], stepping outside the aggregate food market is not an alternative.<sup>5</sup>

One of the arguments that has become common as a result of the demand for corn to produce ethanol is food vs. fuel, and particularly that ethanol demand for corn will lead to some people going hungry so that other people can drive their SUVs—ethanol demanders will outbid food demanders. Is that not the same problem that can be seen with corn-fed poultry, pork, and beef? Are not the animal protein producers outbidding those poor people who live on a grain based diet for corn and other grains?

Friedman [8] can assume that, in the absence of the buyer’s purchase of food in the marketplace, the buyer can engage in self-production. But in most cases this is not feasible for many people. In addition, unlike with gold, staying out of the aggregate food market for an extended (or even brief) period of time is not a viable option. Whether one is rich or poor, participating in the aggregate food, in the absence of the ability to self-produce an adequate amount of food to meet one’s full nutritional requirements, is compulsory. Unlike many other product sector markets, one is forced to participate in the aggregate food market on a regular basis. It does not make any difference whether prices are high or low, one must regularly participate in the aggregate food market in order to meet one’s nutritional needs. For those who must purchase their food in the marketplace and have limited monetary resources, they may find themselves unable to compete with cattle producers, ethanol plants, or high fructose corn syrup plants in the purchase of a sufficient amount of food to meet the nutritional needs of them and their families. The resource allocation function of the market works by reducing use by some users, which in the latest agricultural commodity price crises includes at least 1.02 billion people. Thus, it can readily be argued that there is a lack of congruence between the assumption of non-coerciveness when it comes to aggregate food purchases and the situation that faces people each and every day—food market participants cannot walk away without suffering from potentially dire consequences.

At the same time, it must be recognized that what is at stake is more than pointing out a flaw is a system of logic.

<sup>5</sup>By way of illustration, it can be noted that neoclassical economic theory as it is presented in the classroom teaches students that on the demand side the price of a product is a function of quantity demanded and that with normally priced goods the slope is negative—the greater the price the lower the quantity demanded. In aggregate food markets, the question now becomes, “What is the quantity of aggregate food demand a function of? Is it price?” This author would argue that the absolute quantity of aggregate food demand required, from a health and nutritional perspective, is 2,700 calories a day times the total population of the world. That would suggest that for the first 2,700 calories per person per day the demand curve with respect to price is absolutely vertical—it is price inelastic. Effective demand may have a slight slope to it as some people are priced out of the aggregate food market. In addition, above 2700 calories per person per day, aggregate food demand may be more elastic. The difference between absolute demand and effective demand in economics is a recognition of the reality that price is used to exclude people from the aggregate food market.

This issue has a human dimension because purchasers of aggregate food cannot walk away without suffering significant consequences. Being excluded from the aggregate food market because one does not have the price of entry has serious consequences in terms of full human physical and mental development of those excluded. In the end, the determination of whether or not there is significant congruence between the assumption of non-coerciveness and aggregate food markets comes down to an ethical determination of the acceptability of the consequences of the operation of aggregate food markets where people are denied access to food, not because the food is not available, but because they lack the money to participate in the market at all. Is stunted human physical and mental development an acceptable moral outcome of NET’s free markets at the operational level? The answer to that question requires an examination of the moral question.

#### **IV. FREEDOM AS AN ISSUE OF ETHICS**

Frank H. Knight, an economist at the University of Chicago and the teacher of many in the first generation Chicago School neoclassical economists, published “Freedom as Fact and Criterion” in 1929 as “reflections by an economist on utilitarianism and ethics” [23, p. 129]. The utilitarianism he describes is at the core of NET in holding that “good is individual, and the individual is the ultimate judge of it; what is good is that the individual shall get what he wants” [23, p. 30]. This avoids the ethical question of the decisions over what to produce and how to distribute that which is produced. All decision making is the sum of individual decisions to maximize their individual utility with the “goal of political action...[becoming] the essentialized ideal of *freedom*”, i.e., the ‘greatest good’ will be realized through ‘maximum freedom’ [23, p. 130]. Knight then argues that though the individual decision making is not necessarily “very good...it is better than that of an outside agency of control, practically speaking a political bureaucracy” [23, p. 131]. He writes that Spencer “gave the freedom theory its classical, quantitative expression as the right of each to the maximum freedom compatible with equal freedom for all others” [23, p. 131]. Knight characterizes the effects of this understanding of freedom as resulting in a situation in which “the field of group control is restricted to the prevention of relations other than those of competitive free exchange, specifically the protection of property and enforcement of contract” [23, p. 132].

Having thus defined the nature of the utilitarian economic system he wants to examine, Knight declares that “our purpose here is to show that the very notion of freedom as ‘criterion’ is illusory” [23, p. 132]. The result of such a theory he argues is to justify the current set of power and economic relationships. He comes to the conclusion that “advocates [of utilitarianism] overlook the fact that freedom to perform an act is meaningless unless the subject is in possession of the requisite means of action,

<sup>6</sup> Emphasis in the original.

and that the practical question is one of power rather than formal freedom" [23, p. 133]. Knight looks further at the issue of power, relating it to the "stock of values originally possessed" [23, p. 133]. Thus, the power one possesses in the exchange relationship is dependent upon the existing distribution of the stock of goods in society. The greater the imbalance in the stock of goods between two people involved in an exchange, the greater is the likelihood that the freedom of the one with a smaller stock of goods is compromised. By accepting the existing distribution as the starting point, NET economists "justif[y] the status quo. The result rests on an ethical judgment, and on an ethically indefensible one. Its ethic is in the first place the right to keep what one has. But it does not stop there...it also sets up the right to use what one has without limit" [23, pp. 133-134].

One of the ways economists seek to avoid this ethical dilemma is to make a distinction between science and ethics and then declare that they are simply "devoted to the description and explanation of things as they are in an actually existing social order" [23, p. 134]. Knight then declares that he is interested in examining the ethical question by "glanc[ing] at the workings of the system of 'free' exchange at the source of individual incomes" [23, p. 135]. He does this by successively examining the ethical implications of the economic power wielded by an individual as the result of 1) activities in the present, 2) activities in the immediate past, and 3) economic power built up over a longer period of time.

After looking at the stream of total production, the claim of the owners of the means of production to what is produced, and the monetization of everything,<sup>7</sup> Knight asserts that income that results from the current activity of individuals is based on the quantity of service provided and the scarcity one's skill or condition relative to demand. He argues that the quantitative difference in the amount of service provided by different individuals is "relatively insignificant" [23, p. 136]. In essence: everyone has the same 24 hours in a day and differences in output is insignificant as a factor in determining income when compared to differences in power, and when it comes to differences in power "it is mainly the scarcity that counts" [23, p. 136]. He then asks and answers.

How far does the principle of freedom go in justifying the differences between incomes? It goes just as far as people really are free, that is, as far as the rendering of (a) a larger amount of a given service, (b) a service more in demand or (c) a scarcer service, is a matter of voluntary choice. That is not far, and it calls for no argument that actual differences rest to an overwhelming extent on differences in power. The evaluation of the separate contributions of individuals to the social total is overwhelmingly a matter of force and not of right, and the inequalities tend overwhelmingly to reduce and not to increase "total satisfactions," [23, p. 137]

Having examined factors in the present that determine

differences in power and thus the degree of "freedom" one enjoys, Knight turns to the relatively immediate past asserting that "the amount and kind of economic power possessed by any person 'now' depends largely on the amount and kind he possessed 'last year'" [23, p. 138]. And furthermore because the goal of the economic system is to accumulate wealth, those who have it in the past use what they have to increase their wealth and thus power relative to other individuals in society.

In looking at activities further in the past that have an effect upon one's current economic power—and thus the degree of one's *freedom* in an economic exchange—Knight introduces two additional concepts: inheritance and uncertainty. One's current wealth and power is dependent not only upon what one earns in the present, but also upon the accident of what one does or not inherit from one's family. As Knight sees it, "It is not easy to see how any ethical significance can be attached to the receipt of income from inherited wealth (or training, social position, etc.) on grounds of 'equal freedom' or any sort of personal desert" [23, p. 138].

The second concept is uncertainty, the focus of Knight's doctoral dissertation and first book, *Risk, Uncertainty, and Profit*. In discussing uncertainty, he points out that "the results of productive operations over long periods of time are highly unpredictable." Thus the maintenance of one's wealth, whether earned or inherited, is "in no small degree a matter of *luck*" [23, p. 138].

Knight then brings his discussion of the accumulation of economic power in the present, the immediate past, and the more distant past by reviewing the three factors of production recognized by conventional economists: land, labor, and capital. He then drives his point home by making a play on words of a familiar Biblical quotation writing, "From an ethical point of view it would be more significant to analyze income into three sources of free choice or effort, inheritance, and luck. And the greatest of these is luck!"<sup>8</sup>[23, p. 139].

While utilitarianism or its contemporary manifestation, NET, is built upon the character of the exchange process itself (economic freedom or its synonym, non-coerciveness), Knight asserts that this kind of freedom

simply takes us nowhere in the solution of the problem of economic justice. Everything depends, not on the character of exchange, but on what individuals bring to the exchange, and this is ultimately a matter of fact and not of ethics. Historically viewed, the significance of the doctrine is to justify inequality, and the project is a failure. [23, p. 139]

Having declared that building of a "social order based on free exchange" [23, p. 139] a failure, Knight asserts that the distribution of economic resources according to a combination of effort and need would result in a process "in harmony with ordinary moral common-sense if the latter [common-sense] breaks away from mere convention [utilitarianism] and becomes reasonably critical" [23, p. 139]. More than anything else it is the lack of critical thinking that is at the heart of the failure of NET.

<sup>7</sup>The monetization of everything allows for the comparison of things that are qualitatively different like land, capital, and various forms of labor, creating a scale of relative equivalence.

<sup>8</sup>In I Corinthians 13:13, the Apostle Paul writes, "And now faith, hope, and love abide, these three; and the greatest of these is love." [32].



Not content to limit himself to analyzing freedom and coercion from the perspective of income, Knight moves into an examination of these two concepts from a psychological perspective arguing “that the coercive quality rests on an ethical condemnation, rather than the ethical condemnation on a factually established unfreedom; or perhaps it is more accurate to say that they are merely different names for the same thing” [23, p. 139]. People do not feel coercion when the limitations put on them are perceived to be either fair or reasonable, so people do not feel that their freedom is limited by the requirement that they drive on the right side of the road. With a bit of humor, Knight writes, “we simply do not have the feeling of coercion except in connection with one of ethical disapprobation. There is psychological truth in the famous story of the cowboy coroner who brought in a verdict of suicide by doubting the superiority of four deuces to a full-house” [23, p. 140]. From a psychological perspective, Knight sees freedom as being derived from moral approval and thus not an objective standard [23].

In talking about freedom and coercion, Knight writes, “our suggestion is that the fallacy comes in seeking an objective standard, or one which does not finally rest on a judgment of ethical approval and disapproval” [23, p. 142]. At the same time Knight understands the lure of an objective standard admitting that “the writer of the present argument feels the bias toward physical-mechanistic thought as strongly as anyone does or can.” [23, p. 146]. Despite his personal predilections, he writes,

The argument of the body of this paper has shown that an appeal to maximum freedom as a “standard” involves a fallacy. The result is dogmatic acceptance of an existing distribution of power, which is an ethical proposition, a value-judgment in disguise, and an ethically indefensible one. Moreover, it involves logical contradictions. Freedom means freedom to use power, and the only possible limitation on the use of power is intrinsically ethical. [23, p. 144]

Knight reprises the essence of this article 37 years later in the same journal in “Abstract Economics as Absolute Ethics” [24]. In both articles, Knight leads us to an understanding that the distinction between freedom and coercion cannot be found in the characteristics of the exchange relationship. Ultimately, the distinction is ethical in nature.

Using Knight’s analysis, the question of whether or not aggregate food is a coercive exchange is not of question of the mechanics of the transaction but one of ethics. And while Knight declares various aspects of the utilitarian concept of individualized exchange to be morally bankrupt, he does not provide any clear criteria by which he made that determination. Thus, if one is going to pursue the question of the exchange for food as a moral question, one needs to set forth some criteria by which the ethical question can be answered.

## **V. HUMAN RIGHTS AS A CRITERION FOR ETHICAL EVALUATION**

So far this paper has examined the twin issues of

freedom and coercion in the economic context from two perspectives: a) looking at the logical structure of the argument that underlies NET, and b) considering Knight’s analysis of the operational nature of the economic transaction.

In each case, using logic and examining the characteristics of the ideal type marketplace, the question of whether or not the assumption of non-coerciveness holds with regard to food cannot be answered without recognizing that the issue is one of ethics. Michael Keeley in his 1987 article, “Freedom in Organizations,” examines the “criteria for determining whether specific transactions are free or coerced” [20, p. 249]. While freedom is a nearly universally accepted value that has the ability to create political cohesion, particularly in times of war or external threat, its weakness as an analytical concept is that it means different things to different people. In both WWI and WWII, segregationist soldiers and African American soldiers fought in the name of freedom. The concept of freedom was a force that motivated both to risk their lives on foreign battlefields. When these same soldiers got back home, the segregationist soldiers expected the African Americans to stay in their place, making no connection between the concept of freedom and the subjugated role of African Americans in American society. African American soldiers, on the other hand, felt that having fought for the protection of American freedom on a foreign battlefield, they had earned the right to enjoy freedom from degrading conditions once they arrived back home. These differing concepts of freedom lead to racial tension both during the wars and back home after the soldiers were discharged. The concept of freedom in place at the time had the power to unite people in the face of an external threat, but lacked a commonly accepted criteria that could meet the heightened expectations and guide the behavior of soldiers and the general populace after the war.

In the economic sphere, the concept of freedom runs into the same problem. To libertarian economists, it means the absence of restraint by the government and other economic actors in the marketplace, while to many laborers in industrial plants it means governmental protection from the threats of management, so they can exercise their freedom to form a union. What is lacking is a criteria that can identify which “conditions count as genuine impediments to freedom and which constitute mere inability to act, choose or become” [20, p. 250]. In his examination of the question of freedom/coercion, Keeley identifies three different approaches to the question: “consequentialist, descriptive, and normative” [20, p. 249].

The consequentialist approach argues that “whether an agreement is voluntary or not...depends on its consequences and how it allocates benefits among the contracting parties” [20, p. 252]. Keeley notes that “the most compelling premise is that voluntary transactions should result in...longrun benefits [for] the disadvantaged party” [20, p. 253]. The consequentialist approach certainly is attractive when it comes to looking at whether or not the aggregate food transaction complies with the assumption of non-coerciveness. While human biological processes require all people to eat and thus acquire food

on a regular basis, the consequentialist approach would not view the food transaction as coercive for those with either the ability to produce or purchase food because the consequences for the individual is not detrimental. On the other hand for those without land and a means of earning enough money to purchase the requisite amount of food, the results can include, among other things, increased rates of infant, under 5 years of age, mortality, and maternal mortality; the lack of full physical and mental development, increased susceptibility to disease, and death. Those consequences are certainly not to the long-run benefit of the disadvantaged party.

At the same time the consequentialist approach has no means of distinguishing between the food case and seriously mentally ill persons who are forced into treatment “for their own good” when they believe that nothing is wrong with them. Clearly even temporarily locking up mentally ill persons is a coercive act even if it allows them to get treatment and improve their mental stability. Similarly, we live in a society in which we have a social contract that involves the paying of taxes. Does the fact that one person believes in the concept of social responsibility and willingly pays the taxes due make the tax any less coercive for that person than it is for the rugged individualist who does not believe in taxes and only pays them to stay out of jail? The taxes may pay for programs that benefit society as a whole and provide services for the poor, but do those long-run benefits to the disadvantaged in society who may pay no taxes at all make the act of tax collection any less coercive?

Likewise, there were those during the housing bubble of the last decade who knowingly took out an adjustable rate mortgage (ARM) on more expensive house than they could afford in the belief that interest rates would be lower and the value of the house would be higher in the future. They were banking on this confluence of events so that they could refinance the house at a lower interest rate before the ARM was due to reset. Otherwise they could sell the house at an appreciated value and take some cash out to buy a less expensive house. When the bubble burst and interest rates reset, many found that they were unable to make the monthly payment and the house was worth less than what they paid for it. Setting aside those who were tricked into deals they could not afford and the issue of complex financial instruments of collateralized debt obligations and credit default swaps, does the negative outcome make the transaction coercive for those who looked at all of the options and consequences and knowingly took the risk? In this case is foolishness to be made synonymous to coerciveness?

The weakness of the consequentialist concept of freedom is that while it offers “a rough rule of justice...[it does not] offer a means of determining the voluntariness of a specific transaction” [20, p. 253]. While the outcome is an important factor to consider in evaluating the voluntariness of a social transaction, in and of itself an examination of only the consequence can lead to a determination of coerciveness in a case in which the action was clearly voluntary and a determination of freedom in cases where people are clearly coerced into paying taxes

that benefit the disadvantaged of society.

The descriptive method that Keeley identifies is generally approached from one of two directions: describe freedom with the result that coercive is that which is not freedom or describe coerciveness and freedom in a transaction is that which is not coercive. Historically economists have preferred the first approach by describing the characteristics of a free market. It is just this approach that Knight criticized in his 1929 and 1966 articles [23] [24]. As has been shown, Knight criticizes the descriptive approach which defines freedom by focusing on the characteristics of the exchange relationship because it ignores the power that individuals bring to the exchange itself. Knight argues that the power an individual brings to the transaction depends, in part, on the current distribution of resources as the starting point of analysis. He takes it as an obvious fact of life that current distribution of resources among people is not equal and thus the power they bring to the exchange relationship is unequal and therefore not free. After looking at the problem from of coming up with an objective standard by which freedom can be defined, he concluded that such activity will come to naught [23]. Given the futility of defining freedom, it becomes clear that the search for a definition of coerciveness will be equally futile because that search too is oriented toward finding an objective standard. As Knight writes, “our suggestion is that the fallacy comes in seeking an objective standard, or one which does not finally rest on a judgment of ethical approval or disapproval” [23, p. 142].

Having shown that the first two approaches that have been used to specify criteria for identifying the freedom and coerciveness “produce[s] very counterintuitive judgments,” [20, p. 257] Keeley moves on to a discussion of using normative concepts in this task. Generally speaking, the normative approach looks to broadly accepted social norms as a means of identifying the presence of freedom and coercion in human activities including economic ones. The normative concepts have both descriptive and consequential elements, but “they cannot be completely specified in empirical terms” [20, p. 256]. With normative and consequentialist concepts, ethical judgments come into play. The question is the basis of those ethical judgments.

Keeley and Knight both point out that making an equivalence between “freedom” and “good”, and “coercion” and “bad” tends to lead to unwanted counterintuitive results. Restraining one person from killing another is generally seen as a good act and yet it involves coercion. Likewise, making decisions such as riding down a dirt road on a motorcycle at 100 mph may be an exercise in freedom, but that does not make it good. What is needed is a criteria that is more subtle in evaluating the extent of freedom/coerciveness involved in a given transaction. Keeley writes that one of the approaches has been to look at “the language of individual moral rights” [20, p. 256]. Coercion then results when an individual engages in an act, with respect to another individual, that is not within their right to do. Because individuals often prioritize rights differently it is still possible to have disagreements as to whether or not a

given act is coercive. Keeley uses the example of minimum wage legislation:

Consider disagreements over the effect of minimum-wage legislation on freedom of contract. If an employer in the U.S. were able, legally, to hire an unskilled worker at \$1 per hour, would this transaction be coercive? Some liberals would think so, believing that a worker's consent to such a low wage must arise from desperation and be less than voluntary. Some libertarians would think otherwise. Is a similar transaction at \$3.35 per hour (the current legally-prescribed minimum) coercive? Some libertarians would think so, believing that an employer's consent to a state-imposed rate above what the parties could reach on their own must be less than voluntary. Some liberals would think otherwise. At bottom, one's stand on the issue will depend on what moral rights persons are presumed to have—and on the assumed priority of those rights. If one grants priority to property rights, the fixing of wages at \$3.35 by legislators will tend to be seen as a coercive restriction on the use of capital. If one gives priority to welfare rights, the fixing of wages at \$1 by employers (alone or jointly in markets) will tend to be seen as a coercive restriction on personal wellbeing [20, p. 257].

While individual moral rights bring us part of the way toward identifying a criterion by which freedom can be distinguished from coercion without leading to unwanted counterintuitive results, the perception of these rights vary enough from individual to individual so as to require “some more basic moral rights” [20, p. 257].

For Keeley, broadly accepted human rights have the potential to fulfill that requirement. By using human rights as the criterion, coercion is an infringement on these human rights [20]. In addition to their broad acceptance, these human rights need to be universally applicable and inalienable. The more specifically they are defined the more analytically useful they are. In addition they must be subject to ongoing critical analysis.

Different religious, ethnic, and national groups have defined the rights of their members in a number of different ways with the result that a discussion of rights is often a contested space. The requirement for broad acceptance of a set of human rights provides a counterbalance that guards against allowing them to simply be a reflection of the values of a dominant group. Broad acceptance alone, however does not rule out the potential for bias and the infringement of the rights of a minority by a sizeable proportion of the world's population. To overcome that problem we acknowledge that “the more plausible human rights are rights that virtually any human beings would claim for themselves, regardless of their personal tastes or motives” [20, p. 260]. By framing an understanding of human rights this way, Keeley avoids the problems that occur when individuals seek to define the human rights of others—clergy for laity, men for women, whites for blacks, Nazis for Jews, Israelis for Palestinians. This reflexive principle—the rights of “the other” are the rights one claims for oneself—overcomes a major hurdle that has resulted in the problem

of the asymmetric application of human rights. In the past, the presumed superiority of men over women and the provision of lesser rights for women was universally accepted by those in power, but these lesser rights would not qualify as human rights because they do not meet the criterion of reflexivity. Only by giving women the same rights that men claim for themselves can a set of rights come close to being accepted as broadly recognized human rights. By requiring reflexivity, the issue of power over others is turned on its head.

Reflexivity also ensures that the human rights being defined apply to all people inasmuch as the “other” leaves no room for exclusion—they are applicable to all people, at all times, without regard to social status, religion, ethnic identity, or any category that can divide humanity between ‘us’ and ‘them.’ Human rights are universal and need to be applied to all persons, even those who cannot speak for themselves.

In addition to reflexivity and universality, human rights are inalienable [20]. As Keeley explains:

terms like...inalienable are meant to convey that human rights are somehow *permanent* (emphasis in original) entitlements, not subject to cancellation or sale, not contingent on one's social status, role, etc. These terms need not, however, mean that human rights are absolute, that they are unlimited in application. Indeed few, if any rights could be exceptionless. One's right to life, for instance, might conflict with another's right to live, and thus even this right may be liable to limitations. [20, p. 258]

The question then becomes one of how to handle the exceptions. Certainly they cannot be utilitarian concerns. Rather the use of human rights as an ethical criteria can only be preserved if the only way a given human right can only be overridden is by another human right [20.] Keeley uses the analogy of trumps in pinocle to make clear that human rights are like trumps, but even then some trumps can override another trump. In the case of human rights, the overriding of one human right by another, no matter how justifiable, represents a tragic outcome that must not be taken lightly. Serial killers may need to be incarcerated not only because of what they did but because they present an ongoing threat to the right to life of other citizens, nonetheless the incarceration is not a matter to be taken lightly. Though incarceration may be justified it is still an infringement on human rights; it is coercive.

To be useful, human rights need to be defined very specifically. As was shown earlier, the concept of freedom may provide for social cohesion, but without specificity, both the segregationist and the African American soldiers mean different things when they talk about it. Appealing to “life, liberty, and the pursuit of happiness” may fire up a revolution and give a set of ideals to a nation, but they are open to a wide variety of interpretations. “We can increase our confidence in human rights by becoming...more precise in their specification” [20, p. 260].

When it comes to the central task of this dissertation—the identification of a criterion by which one can determine whether or not the aggregate food market is coercive—human rights have much to offer. They provide



some specificity to the recognition both by Knight and an examination of the logical underpinnings of the assumption of non-coerciveness that the issue is not one of logic or the characteristics of the exchange, but one of ethics. Broadly accepted human rights provide the substance that can be used to look at ethical questions in general and the assumption of non-coerciveness in particular.

Before proceeding further it is necessary to engage in a bit of critical analysis. To start with it must be admitted that human rights—even broadly accepted human rights that are universal, inalienable, reflexive, and specifically described—are identified by human beings and subject to all the foibles of humanity. Some may stand the test of time, while others will fall by the wayside overly influenced by the power of conventional wisdom. Certainly the belief that blacks and other groups were a lesser form of humanity allowed many ethicists in the past to deny them the same rights that were granted to proper Europeans. The ‘dregs’ of European society were also seen as less than human—even for Adam Smith, common workers were of a different race [40, p. 68]—and women were granted fewer rights still. Statisticians must always guard against omitted variable bias; they must be on the lookout for that which they do not readily see. Similarly, ethicists must guard against that which they do not see. Certainly the poor and the hungry of the world fall into this category. Using the quote from Jesus, “For you always have the poor with you” [32, Mark 14:7a], the problems of poverty has often been relegated to the ashcan. During the last fifty years, we have seen a radical change in our understanding of human rights as socially described racial groups, women, homosexuals, and ethnic and religious minorities claimed their place among the “we” who have human rights. This has happened because people have engaged in critical reflection upon various aspects of human rights and identified some of those who have been left out and fought to ensure that they are drawn in to the camp of that word “broadly.” As James Lowell wrote in his criticism of the Mexican-American War, “New occasions teach new duties, time makes ancient good uncouth, They must upward still and onward, who would keep abreast of truth” [26]. Even Lowell’s poem, which was made into a Christian hymn, has not fully stood the test of time, for it begins “Once to every man and nation, comes the moment to decide.” From this end of the time perspective it is easy to argue that the moment to decide comes to women as well. And that is the function of critical theory and a critical view of human rights. One has to have some place to stand, and human rights is a good place. At the same time, one can critically examine those rights, seeing if we fully understand their impact.

Are human rights the best place from which to examine the twin issues of coercion and freedom? Given the criteria set forth above, the answer of this author is yes. Are they perfect? To that the answer is no, but they are the best that we have at the moment and that is where we will have to stand until we make them better.

## **VI. THE RIGHT TO FOOD**

Within the context of this dissertation, the most relevant human right would be a right to food. In the presence of a right to food, the aggregate food transaction would be coercive if that basic human right were to be abridged. This section begins by looking at the development of the right to food including various international declarations that include this right and an early predecessor of that concept. To meet the criteria established in the previous section, it will be shown that this right is broadly accepted, universally applicable, inalienable, and reflexive. In addition significant work has been done to specify what is and is not included in the right to food and what concepts are used to measure the degree to which the right to food is being fulfilled. Using those tools it will be determined whether or not the right to food has been abridged and for whom and how many.

While not positing a right to food, Adam Smith [40], in his *Wealth of Nations*, does recognize the importance of a minimum standard of living for even the lowest level of workers when he writes:

“A man must always live by his work, and his wages must at least be sufficient to maintain him. They must even upon most occasions be somewhat more; otherwise it would be impossible for him to bring up a family, and the race of such workmen could not last beyond the first generation. Mr. Cantillon seems upon this account, to suppose that the lowest species (sic) of common labourers must every where earn at least double their own maintenance, in order that one with another they may be enabled to bring up two children; the labour of the wife, on account of her necessary attendance on the children, being supposed no more than sufficient to provide for herself. But one-half the children born, it is computed, die before the age of manhood. The poorest labourers, therefore, according to this account, must, one with another, attempt to rear at least four children, in order that two have an equal chance of living to that age. But the necessary labour of four children, it is supposed, may be nearly equal to that of one man....Thus far at least seems certain, that, in order to bring up a family, the labour of the husband and wife together must, even in the lowest species of common labor, be able to earn something more than what is precisely necessary for their own maintenance. [40, p. 68]

While Smith’s reasoning may not be the most noble, he repeats the argument of economist Richard Cantillon that the wages of the lowest of laborers must be at least equal to what it would cost to raise up a replacement worker in order to keep up with the demand for labor. In this passage, while Smith does not deal with the ill, the old, or those unable to find work, he does recognize that there are certain minimums the worker needs to live. Later on in his discussion of taxes, Smith makes a distinction between two different types of consumable commodities that people may have occasion to purchase: “necessaries ” and luxuries:

By necessities I understand, not only the commodities

which are indispensably necessary for the support of life, but whatever the custom of the country renders it indecent for creditable people, even of the lowest order to be without.... All other things I call luxuries.

[40, pp. 821-822]

When Smith writes that necessities are the “commodities which are indispensably necessary for the support of life” [40, p. 821], he is acknowledging the importance of these things for daily living. Food, undoubtedly, is one of these necessities, coming in ahead of linen shirts, leather shoes, and coal to heat their houses. Smith’s distinction has become embedded in modern economics in the recognition that there is a difference in the economic characteristics of necessities and luxuries. The recognition of this difference however does not extend to considering the possibility that necessities might not conform to the assumption of non-coerciveness.

Over 170 years later in the wake of WWII, the newly formed United Nations General Assembly, on December 10, 1948, adopted the Universal Declaration of Human Rights (UNDHR) [46] which in Article 25 (1) spells out a broad set of rights including the right to food:

Everyone has the right to a standard of living adequate for the health and well-being of himself (sic) and of his family, *including food* (emphasis added), clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. [48]

The UNDHR Preamble [48] recognizes that the rights included therein are “the equal and inalienable rights of all members of the human family.”

In 1966, the United Nations General Assembly strengthened the UNDHR with the adoption of the International Covenant on Economic, Social, and Cultural Rights (ICESCR) [47]

recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights. [47]

This UN resolution required ratification by member states and entered into force nearly a decade later on January 3, 1976. In article 11, the ICESCR moves beyond the declaration of food as a human right, listing a set of responsibilities that states party to the ICESCR are to take including making improvements in crop research, conservation, and the distribution of food. States are also to disseminate nutritional information and engage in the reform of “agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources” [47]. Participating states are also “to ensure an equitable distribution of world food supplies in relation to need” [47].

Between the adoption of the ICESCR and its ratification, the United Nations Food and Agricultural Organization (FAO) convened the 1974 World Food Conference which set the “goal of eradicating hunger,

food insecurity and malnutrition ‘within a decade’” [51]. At the time, the number of undernourished persons in the world was over 850 million [10]. Twenty-two years later, the number of undernourished persons stood at 850 million and the FAO sponsored 1996 World Food Summit set the goal of halving the number of undernourished by 2015 [12]. By 2009, the estimate of undernourishment in the world had risen to 1.02 billion persons, the highest level since records began in 1970 [10].

In the years since the ratification of ICESCR, numerous international fora have mentioned or reaffirmed the right to food including: the Universal Declaration in the Eradication of Hunger and Malnutrition, 1974 [14]; Declaration on the Protection of Women and Children in Emergency and Armed Conflict, 1974 [48]; Convention on the Rights of the Child, 1990 [49]; World Declaration on Nutrition, 1992 [13]; Rome Declaration on World Food Security, 1996 [15]; Plan of Action of the World Food Summit, 1996 [16]; and the United Nations Millennium Declaration, 2000 [50]. In addition to reaffirming the right to food, international agencies and advocacy groups have worked to specify the right to food in detail in order to make it operational and enforceable.

One of the groups working on specifying human rights including the right to food has been the Committee on Economic, Social, and Cultural Rights (CESCR) established under the Economic and Social Council of the United Nations [45]. The committee has issued a set of general comments of which number 12, *The Right to Adequate Food*, was issued in 1999. General Comment 12 begins by reviewing the underlying premises for the right to adequate food as it is spelled out in Article 11 of the ICESCR noting that “only a few States have provided information sufficient enough and precise enough to enable to Committee to determine the prevailing situation in the countries concerned with respect to this right [to food] and to identify obstacles to its realization” [45]. It follows with a set of paragraphs that provide definitions of key terms that will provide the precision needed to identify the degree of compliance with the right to food by member states. Having made the substance of the right to food clear, General Comment 12 addresses tools required for the “implementation at the national level” followed by a similar set of “international obligations” [45].

General Comment 12 then introduces five terms that are to be used to determine whether or not the right to food is being adhered to by states and the international community: availability, accessibility, adequacy, security, and sustainability. These terms overlap, to some extent, in their meaning because they are simply various aspects of the what is required to ensure the possibility of the implementation of the right to food.

- ❖ **Availability:** The concept of the availability of food involves issues of production and distribution. The availability of food means that there is sufficient food—physical availability at the household, community, state and/or international levels to provide food for everyone [45] [21]. For the majority of the hungry in the world, self-production

or production within their community is the primary means of ensuring the physical availability of food for them and their families [45] [25]. For others in the world availability involves the distribution of food and food products to humanitarian or retail outlets within their community.

- ❖ **Accessibility:** “The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and *economic access* (emphasis added) at all times to adequate food or means for its procurement” [45]. For those producing their own food, accessibility includes an adequate resource base and the appropriate tools and resources to engage in food production [45] [25]. Accessibility also includes the physical ability to provide the labor needed to farm. For those not engaged in their own food production, accessibility means the ability to earn enough to participate in the retail market for food [45] [21] [25]. Accessibility can also be provided by social security provided by family members for those too old or weak to earn a living or produce their own food. For some accessibility involves obtaining food from aid agencies [45]. Famine can arise in the midst of a surfeit of food as was true in Bengal in 1943, Ethiopia in 1974, and India in 2001 [45] [21]. “Fundamentally, the roots of the problem of hunger and malnutrition are not lack of food but lack of *access* (emphasis in the original) to available food, inter alia because of poverty, by large segments of the world’s population” [45]. Hunger is a problem of markets and the lack of market access.
- ❖ **Adequacy:** Adequacy involves issues of quantity, quality, and cultural acceptability [45] [21]. Food needs to be available and accessible in a sufficient quantity to alleviate hunger. The quality of the food must be able to meet the appropriate nutritional requirements for full physical and mental development of each individual. Caloric sufficiency alone may alleviate hunger but still leave the individual susceptible to malnutrition. In addition the food must be free from contamination by either physical, chemical, or biological contaminants that would adversely affect those eating it [45]. The food made available by either market or non-market sources must be “acceptable within a given culture” [45]. “Adequate food is more than a package of calories and nutrients, and more than just a commodity. Adequate food is culture. Cultural and minority rights related to food have to be respected, protected and fulfilled”[25].
- ❖ **Security:** Comment 12 says food security implies “food being accessible for both present and future generations” [45]. One component of food security involves the holding of adequate reserves, at the household, community, state, and international levels to ensure food availability, given the vagaries of weather and other production-related problems. Adequate reserves, properly managed, reduce the need for food embargoes as was seen during the

sudden increase in food prices in 2008.

- ❖ **Sustainability:** Sustainability is measured in terms of long-term availability and accessibility (UNESCO 1999). A humanitarian food relief program may meet immediate needs but unless it involves changing conditions so that individuals, families, and communities are able either to produce their food or earn enough to ensure economic access to food over the long-term, it is not sustainable. Sustainable production practices do not deplete the soil or other natural resources, particularly water and oil.

Having defined criteria that can be used to measure progress toward the fulfillment of the right to food, General Comment 12 then defines the responsibilities of states in ensuring that fulfillment.

The right to adequate food, like any other human right, imposes three types or levels of obligations on States parties: the obligations to *respect*, to *protect* and to *fulfill*. In turn, the obligation to *fulfill* incorporates both an obligation to *facilitate* and an obligation to *provide*. The obligation to respect existing access to adequate food requires States parties not to take any measures that result in preventing such access. The obligation to protect requires measures by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. The obligation to *fulfill (facilitate)* means the State must pro-actively engage in activities intended to strengthen people’s access to and utilization of resources and means to ensure their livelihood, including food security. Finally, whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to *fulfill (provide)* that right directly. This obligation also applies for persons who are victims of natural or other disasters. [45]

The specification and the enforcement mechanisms are moving targets that are in a constant state of revision because specific means to implement the right to food are resisted by both state powers and commercial interests who benefit from the current state of affairs. It is the constant critical examination of the right to food and descriptive and enforcement mechanisms that continue to clarify the issues involved and find ways forward which will reduce the number of hungry in the world. The goal of this dissertation is to contribute to that critical analysis.

## **VII. ANALYSIS**

Using Keeley’s analysis, this paper has shown that the best criterion for distinguishing freedom from coercion can be provided neither by a descriptive nor by a consequentialist approach to the issue. Instead, it has been shown that the ethical approach, advocated by both Knight and Keeley, overcomes the inconsistencies that arise when using the two other approaches. In addition, this author agrees with Keeley that broadly accepted human rights provide the best criteria for providing a means by which



freedom can be distinguished from coercion. To be useful, the human rights need to be broadly accepted, universal, reflexive, inalienable, clearly specified, and subject to ongoing critical analysis. With these conditions in place, coercion results from an abridgment of human rights.

The right to food has been broadly accepted in major international fora that have promulgated numerous of declarations that address the right to food, including, among others, the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights. These rights of which the right to food is a part have been declared to be universal—and thus reflexive—and inalienable. In addition, the Committee on Economic, Social, and Cultural Rights through its general comments process has issued General Comment 12 which both specifies the right to food in measurable terms and recognizes the need for an ongoing process of improving the specification. Thus the right to food meets the criteria for a human right whose abridgement results in coercion.

For those with the ability to produce/access their own food or have access to enough money through inheritance, work, investments, retirement, and/or transfer payments to purchase their own food, the right to food has not been abridged as long as they have access to nutritionally complete, culturally appropriate food within their own community. This last distinction is important for some inner city urban, some dispersed suburban, and some isolated rural communities where nutritionally complete food may not be available to those who lack access to transportation to and from the grocery store. For these groups the right to food is abridged in the absence of adequate transportation.

For the 1.02 billion people—approximately 1/6 of the world's population—identified by the Food and Agricultural Organization for whom access to food has chronically been denied—because of poverty, “natural disasters, the increasing incidence of wars in some regions and the use of food as a political weapon” [45]—the right to food has been abridged. As noted earlier, poverty and thus the lack of economic access to the products offered in the aggregate food market is the primary problem. Many of these people are dominated by a group that is more politically powerful and as a result have seen their land and resources expropriated for the benefit of a few. People are also forced to work for others rather than producing their own food.

The aggregate food market is protected by the zealous enforcement of property rights. As Amartya Sen writes, “market forces can be seen as operating through a system of legal relations (ownership rights, contractual obligations, legal exchanges, etc.). The law stands between food availability and food entitlement. Starvation deaths can reflect legality with a vengeance” [38, p. 166]. “In a market economy, people who are too poor to exercise effective demand will not have food (unless they produce food for themselves, or receive food through transfers)” [25]. At the heart of the market economy is the assumption of non-coerciveness and for 800 million to 1.02 billion people the market for food is coercive because their right to food has been abridged. They lack the price of entry

into the market because the amount of money that they can acquire is insufficient to provide them and their family with the supply of food necessary for their full physical and mental development. Other users outbid them for the available supply of aggregate food items.

Using a normative standard based on one of the broadly accepted human rights, the right to food, it can be said that the assumption of non-coerciveness with regard to aggregate food does not hold for those without access to food, even though at the same time holding for those who do have access. It should be noted that with the run-up in commodity prices in the 2007-2009 and 2010-2011 periods, a minimum of 200 million people have been added to the total of those whose right to food has been abridged because they lack the price of entry into the market system. The line between those for whom aggregate food is a coercive market and those for whom it is not is variable, depending upon circumstances.

Thus, it has been shown that for a significant portion of the world's population the assumption of non-coerciveness for aggregate food does not hold. It turns out that for those who have read *The Wealth of Nations* this should not be a particularly surprising result. In justifying self-interest, Adam Smith writes, “by pursuing his own interest he frequently promotes that of society more effectually than when he really does intend to promote it” [40, p. 423]. Frequently, that is for up to 5/6 of society, the pursuit of self-interest under the assumption of non-coerciveness works reasonably well in providing for their aggregate food needs. For the rest, it does not and for them the aggregate food supply is coercive. Unfortunately, the aggregate supply and demand equations used by economists and shown obeisance by politicians do not take into account the subtlety contained in Smith's text. The result is a set of national and international economic policies that allow 1.02 billion people to be at least partially excluded from the aggregate food market because they lack the price of entry; they do not provide effective demand. As Sen says, “Starvation deaths can reflect [the] legality [of the marketplace] with a vengeance” [38, p. 166].

It is important to note that NET operates on the basis that the assumption of non-coerciveness holds as long as the mechanics of the economic transaction between meets various criteria. But, it is not enough for the assumption to hold for the aggregate food transactions for 5/6 of the world's population. If it does not hold for all aggregate food transactions, then it must be said that the assumption of non-coerciveness does not hold in the case of aggregate food and thus policies need to be implemented to ensure that the right to food is not abridged. These policies need to ensure the availability, accessibility, adequacy, security, and sustainability of the food supply is protected for all people, but especially for the most vulnerable populations.

## REFERENCES

- [1] Bowie, Norman E. 1988. “Fair Markets,” *Journal of Business Ethics*, 7:1/2, 89-98.
- [2] Carver, Thomas Nixon. 1921 *Principles of National Economy*. New York: Ginn and Company.

- [3] Cohen, Lloyd R. 1990. "Why Tender Offers? The Efficient Market Hypothesis, the Supply of Stock, and Signaling," *The Journal of Legal Studies*, 19:1. 113-143.
- [4] Communications Workers of America. 2010. "Notice Regarding Union Security Agreements and Agency Fee Objections," CWA News. Jan/Feb/March 2010, p. 7.
- [5] Davidson, Basil. 1994. *Modern Africa: A Social and Political History*. Third Edition. London: Longman.
- [6] Frank, Andre Gunder. 1967. *Capitalism and Underdevelopment in Latin America*. New York: Monthly Review Press.
- [7] Friedman, Milton. 1953. *Essays in Positive Economics*. Chicago: University of Chicago Press (First Phoenix Edition, 1966).
- [8] Friedman, Milton. 1962. *Capitalism and Freedom*. Chicago: University of Chicago Press. M. Young, *The Technical Writers Handbook*. Mill Valley, CA: University Science, 1989.
- [9] FAO (Food and Agricultural Organization). 2009. The State of Food Insecurity in the World: Economic crises — impacts and lessons learned. <http://ftp.fao.org/docrep/fao/012/i0876e/i0876e.pdf>. Last accessed Feb. 17, 2010.
- [10] FAO. 2010. "Hunger." <http://www.fao.org/hunger/en/>. Last accessed: June 10, 2010.
- [11] FAO. 2010. "Hunger: Basic Definitions." <http://www.fao.org/hunger/basic-definitions/en/>. Last accessed: Feb. 17, 2010.
- [12] FAO. 2010. "Hunger: Frequently Asked Questions (FAQs)." <http://www.fao.org/hunger/faqs-on-hunger/en/>. Last accessed July 10, 2010.
- [13] FAO International Conference on Nutrition. 1992. "World Declaration on Nutrition." <http://www.fao.org/ag/agn/nutrition/icn/icndec.htm>. Last accessed June 11, 2010.
- [14] FAO World Food Conference. 1974. "Universal Declaration on the Eradication of Hunger and Malnutrition." <http://www2.ohchr.org/english/law/malnutrition.htm>. Last accessed: June 11, 2010.
- [15] FAO World Food Summit. 1996. "Monitoring Progress Since the World Food Summit." [www.fao.org/wfs/main\\_en.htm](http://www.fao.org/wfs/main_en.htm). Last accessed Feb. 17, 2010.
- [16] FAO World Food Summit. 1996. "Rome Declaration on World Food Security and World Food Summit Plan of Action." <http://www.fao.org/docrep/003/w3613e/w3613e00.HTM>. Last accessed June 11, 2010.
- [17] Hale, Robert L. 1923. "Coercion and Distribution in a Supposedly Non-Coercive State," *Political Science Quarterly*. 38:3, 470-494.
- [18] Jalata, Asafa. 2001. *Fighting against the Injustice of the State and Globalization: Comparing the African American and Oromo Movements*. New York: Palgrave
- [19] Jalata, Asafa. 2005. *Oromia and Ethiopia: State Formation and Ethnonational Conflict, 1868-2004*. Trenton: Red Sea Press.
- [20] Keeley, Michael. 1987. "Freedom in Organizations," *Journal of Business Ethics*. 6:4, 249-263.
- [21] Kent, George. 2002. The Human Right to Food in India. <http://www.earthwindow.com/grc2/foodrights/HumanRightToFoodinIndia.pdf>. Last Accessed: June 12, 2010.
- [22] Kern, William S. 1997. "The Heterodox Economics of 'The Most Orthodox of Orthodox Economists,'" *American Journal of Economics and Sociology*, 56:3, 319-330.
- [23] Knight, Frank H. 1929. "Freedom as Fact and Criterion," *International Journal of Ethics*. 39:2, 129-147.
- [24] Knight, Frank H. 1966. "Abstract Economics as Absolute Ethics," *Ethics: An International Journal of Social, Political, and Legal Philosophy*, 76:3, 163-177.
- [25] Kunemann, Rolf. 2000. "The Right to Adequate Food," in Circle of Rights Economic, Social & Cultural Rights Activism: A Training Resource, Section 5: Module 12. <http://www1.umn.edu/humanrts/edumat/IHRIP/circle/modules/module12.htm>. Last accessed: June 12, 2010.
- [26] Lowell, James R. 1845. "Once to every man and nation" <http://www.cyberhymnal.org/htm/o/n/oncetoelv.htm>. Accessed June 9, 2010.
- [27] Mander, Jerry and Edward Goldsmith Eds. 1996. *The Case against the Global Economy: And for a Turn toward the Local*. San Francisco: Sierra Club Books.
- [28] McCloskey, Donald N. 1985. *The Rhetoric of Economics*. Madison: University of Wisconsin Press.
- [29] Marx, Karl. 1887. Capital, *Volume One*. in *The Marx-Engels Reader*, second edition, Robert C. Tucker, Ed. 1972. New York: W.W. Norton.
- [30] Miller, James A. 1901. "Coercive Trade-Unionism as Illustrated by the Chicago Building-Trades Conflict," *The Journal of Political Economy*, 9:3, 321-350.
- [31] Nicholson, Walter. 2001. *Microeconomic Theory: Basic Principles and Extensions*, eighth edition. Mason: Thompson South-Western.
- [32] National Council of Churches of Christ in the United States of America, Division of Christian Education. 1989. *The Holy Bible Containing the Old and New Testaments*, New Revised Standard Version. Iowa Falls: Word.
- [33] Nelson, Robert H. 2001. *Economics as Religion from Samuelson to Chicago and Beyond*. University Park, Pennsylvania: University Press.
- [34] Robinson, William I. 2004. *A Theory of Global Capitalism: Production, Class and State in a Transnational World*. Baltimore: Johns Hopkins University Press.
- [35] Rolf, William D. 2002. *Introduction to Economic Reasoning*. Fifth Edition. Boston: Addison-Wesley.
- [36] Samuels, Warren J. 1984. "On the Nature and Existence of Economic Coercion: The Correspondence of Robert Lee Hale and Thomas Nixon Carver," *Journal of Economic Issues*. 18:4, 1027-1048.
- [37] Samuelson, Paul A. and William D. Nordhaus. 1985. *Economics*. Twelfth Edition. New York: McGraw-Hill.
- [38] Sen, Amartya. 1987. *Poverty and Famines: An Essay on Entitlement and Deprivation*. Oxford: Oxford University Press.
- [39] Shiva, Vandana. 2000. *Stolen Harvest: The Hijacking of the Global Food Supply*. Cambridge, MA: South End Press.
- [40] Smith, Adam. 1937 (1776). *An Inquiry into the Nature and Causes of the Wealth of Nations*. Edwin Canaan, Ed. New York: Modern Library.
- [41] Spector, Horacio. 2006. "Philosophical Foundations of Labor Law," *Florida State University Law Review* 33:4, 1119-1148.
- [42] Tennessee4me. 2010. "Columbia Race Riots." [http://www.tn4me.org/article.cfm/era\\_id/8/major\\_id/11/minor\\_id/26/a\\_id/110](http://www.tn4me.org/article.cfm/era_id/8/major_id/11/minor_id/26/a_id/110). Accessed: May 27, 2010.
- [43] Turner, Jonathan H. 1986. *The Structure of Sociological Theory*, Fourth Edition. Chicago: Dorsey Press.
- [44] Tusk, Dalia. 2003. "Corporations without Labor: The Politics of Progressive Corporate Law," *University of Pennsylvania Law Review*. 151:6, 1861-1912.
- [45] United Nations, Economic and Social Council. Committee on Economic, Social, and Cultural Rights. 1999. Substantive Issues Arising in the Implementation of the International Convention on Economic, Social, and Cultural Rights: General Comment 12 (Twentieth Session, 1999) The Right to Adequate Food (art. 11) (Geneva: ECOSOC E/C.12/1999/5). <http://www.unhcr.ch/tbs/doc.nsf/%28Symbol%29/3d02758c707031d58025677f003b73b9?OpenDocument>. Last accessed: June 11, 2010.
- [46] United Nations, General Assembly. 1948. "Universal Declaration of Human Rights." <http://www.un.org/events/humanrights/2007/hrphotos/declaration%20eng.pdf>. Last accessed: June 10, 2010.
- [47] United Nations, General Assembly. 1966. "International Covenant on Economic, Social, and Cultural Rights." <http://www2.ohchr.org/english/law/cescr.htm>. Last accessed: June 10, 2010.
- [48] United Nations, General Assembly. 1974. 'Declaration on the Protection of Women and Children in Emergency and Armed Conflict.' <http://www.un-documents.net/a29r3318.htm>. Last accessed: June 11, 2010.
- [49] United Nations, General Assembly. 1990. 'Convention on the Rights of the Child.' <http://www2.ohchr.org/english/law/crc.htm>. Last Accessed: June 11, 2010.
- [50] United Nations, General Assembly. 2000. "United Nations Millennium Declaration." <http://www.un.org/millennium/declaration/ares552e.htm>. Last accessed: June 11, 2010.
- [51] United States Department of Agriculture, Foreign Agriculture Service, FASonline. 2010. "World Food Summit: Basic



Information.” <http://www.fas.usda.gov/icd/summit/basic.html>.

Last accessed: June 10, 2010.

- [52] Wallerstein, Immanuel. 1998. *Historical Capitalism with Capitalist Civilization*. London: Verso.
- [53] Weintraub, E. Roy. 2002. *How Economics Became a Mathematical Science*. Durham: Duke University Press.
- [54] J. Jones. (1991, May 10). Networks (2nd ed.) [Online]. Available: <http://www.atm.com>

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