

Disconnecting the Dots: Boundaries and Rights

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The invitation to write about ‘my work’ caused me to think about my writing as a body of work, a wholeness, and after much thought to identify some common themes running through most of my writing. The first is individualism and the cultural assumption of universality. Individualism and universalism travel together when the individual is seen as the prototype of ‘Man’, the universal. That is, the chosen model ‘Man’ is taken to be the norm for all people. This obviously encourages monoculture and is an attack on, or at least erosion of, diversity.

The nurturing of individualism may be implemented through the establishment and recognition of boundaries, of both property and persons – a second theme. Boundaries, defined in terms of rights, demand observation and are enforceable by Law. Boundaries also establish Others, outsiders, whose status and standing is open to question.

If an Other is perceived, or identified, as an enemy, and therefore out of bounds, ‘Natural Law’ and Rights no longer apply to them. You can, however, apply the ‘Right to Intervene’ to destroy (or save) your enemy, as practised in Kosovo and Libya and so on.

This is also the attitude of industrial agriculture. Consider our production agriculture model, dominated by monoculture. First we establish the boundaries with clearly defined property lines (colonization and ‘land grabs’) where there probably were none. Perceiving diversity as a threat, we then deliberately produce uniformity in desired crops (soya, maize) and practice genocide on everything outside the boundaries of this imposed uniformity. Agrotoxins and genetic engineering have been a great help in this project, similar to disease in earlier years, particularly in the colonization of this continent.

Nature has no boundaries that command respect, no sacred boundaries that cannot be overcome and, indeed, must be overcome if 'we' are to feed the world.

For Western Civilization, indigenous peoples are, and have been, regarded as Others and therefore 'disposable'. They threaten our monoculture. Now, thankfully, in Canada and worldwide, indigenous peoples are contesting their outside, Other, status and asserting their own diverse cultures.

Thinking back over my own life, I realize that since gaining consciousness I have felt myself to be allied with the Other, overstepping the boundaries of the dominant culture to which I belong.

Anarchist is a term that may properly be applied here.

This Other me has felt increasingly at home in indigenous cultures. My physical being may not show this, but certainly my way of thinking does. Monoculture, property lines, borders of all sorts have lost whatever authority they may ever have had. When I was a U.S. citizen, my attempt at being a conscientious objector and being a tax refuser were my first obvious steps outside.

Which brings me back to boundaries and respect for creatures of all sorts, for land and water, and for people past, present and future, in other words, respect for the world we, too, inhabit. Looking at what I have written in my books, in our newsletter *The Ram's Horn*, and elsewhere, about how I treat, or mistreat, or ignore, boundaries, I now see respect, and, crucially, an attitude of gratitude as a third theme that has grown steadily stronger over the years. (And to think that as a boy I was sent to dancing school to learn how to behave properly!)

For example, *From Land to Mouth* is really the story of crossing the boundary between urban intellectual and rural labourer/farmer and what I observed and experienced. In my research on Cargill for *Invisible Giant*, I routinely ignored the customarily observed boundaries between reception area and the back room or the feed mill floor. I just turned up and assumed that of course they would like to tell me about their work. Most people do.

The Rape of Canola and *Farmageddon* are both very much about the violation of boundaries – the lack of respect for organisms and the violation of their integrity through the manipulation and claimed ownership of their genetic material. And then there is *The Tyranny of Rights*, which has been welcomed and used by indigenous peoples because I have crossed over the bounds of my own culture and identified with their cosmology. Respect and responsibility are key words: respect for life and responsibility for how I – how we – live here, not demanding my ‘rights’ over others.

I am what is called an ‘activist’ – and have been such, I guess, for some six decades. I have not been working for ‘social change’, but, as I have understood it, justice and peace – from a socialist perspective. The ‘rules’ that have guided my work are these: If you want to build a just society, you have to know why you can’t do that within a capitalist system. And you cannot successfully defeat, or simply resist, the mega corporations unless you know how they work, what their mentality is, how they measure success.¹

This requires intellectual discipline, curiosity, and a practice of not-recognizing, or observing, boundaries, whether between politics and economics or in the form of office doors and corporate gates. The non-observation of boundaries in pursuit of understanding how the system – or a particular expression of it – actually works, requires development of a ‘big picture’ framework while paying serious attention to specific, material details of what constitutes the big picture and how it works. It’s like a satellite view of earth, with details filled in by a drone close-up of a Cargill facility or a farmer spraying Roundup on soybeans or cotton.

My first foray into this kind of writing was a 30-page monograph, *The Economy of Sugar - a ‘vertical’ analysis of the structural and financial aspects of the sugar industry as it relates to Canada* (1971). This was intended as a teaching tool illustrating how we are integrated into a global system – from kitchen to cane field – whether we like it or not. It described Canada’s sugar trade in its global context and followed that down to the retail level.

The lessons I learned from this work were: a) go to the sources – such as, in this case, the President of Redpath Sugar in Toronto, and b) do impeccable research. As I have often advised others, “Do your homework”. The value of this was firmly planted in me when I sent the final draft to the heads of the five sugar companies operating in Canada prior to meeting with them at the Sugar Institute in Montreal. (Of course, such a meeting is virtually inconceivable today.) It was quite amusing as I went through the document page by page and asked for any comments or corrections. There were a number of points that were contested, but when I asked for the correct numbers or words, there was never a reply and we quickly went on to the next page. At the end of the meeting I said, thank you, gentlemen, I’ll send you a copy of the final report.

For 30 years my wife Cathleen and I have been publishing a small ‘monthly’ newsletter called The Ram’s Horn (we’re now on issue # 298). We started the newsletter to report on the affairs of the Sheep Producers Association of Nova Scotia after a very traditional coup deposed me from my position as Secretary of the Association. The culprit was an opportunistic sheep farmer whose business practices in buying and selling lambs I had exposed. I felt the sheep farmers deserved to know ‘who did it to them and why’ and the first issue of The Ram’s Horn consisted of an explicit account of the takeover. Encouraged to continue, in subsequent issues we dealt with details of flock health, specialized equipment for sheep farmers, marketing and provincial policies, as well as the big picture of national and international agricultural issues and production practices. As we carried on over the years, the big picture has gotten bigger and bigger – and our analysis increasingly critical – while attention to details situates the lives of our readers in this global context. (The 8-page newsletter has, from the beginning, been a joint enterprise with Cathleen: generally speaking, I’ve done most of the research and writing, she has done the editing and production and also produces the ironic line drawings that balance the sometimes depressing news.)

Virtually all of my writing, except for presentation to specific audiences, is, like *The Ram's Horn*, intended for an 'unidentifiable' readership, by which I mean people whose only common characteristic is concern about the workings and consequences of the food system they experience, and eager for critical examination of the dominant culture and economic system.

My first book, *From Land to Mouth*, (1989) builds on my experience of the food system while teasing out its logic through analysis of detail – reading labels and decoding what's on the food packaging, taking note of where 'product' actually comes from, the type of processing or manufacturing it has undergone, whose trucks are delivering it to the supermarket and the corporate structures and relationships behind it all. I wanted to help others, urban and rural, develop a critical relationship with the common, dominant food system – to see through it for themselves. At the time, when I referred to 'the food system' people would often look at me blankly and I had to explain. When a second edition of *From Land to Mouth* was necessary in 1993, the term was in common use and I had to add a whole chapter to describe the local initiatives that had arisen since the first edition. It pleases me greatly that the book is still being used in school and university courses and I continue to hear stories of how the book 'changed my life'.

The basic logic of the food system, as I described it, was Distancing. Naturally, 'distancing' referred to the increasing physical distance from source, but I also described processing and packaging as exercises in distancing. Of course, in this 'modern' era, both processing and packaging have moved a long way from the farm summer kitchen to become capital intensive and industrial. As research, I loved attending the big food industry shows at McCormick Place in Chicago to look at the latest Tetra Pak technology and similar industrial wonders. I'm still impressed by the ingenuity of Tetra Pak!

The second characteristic of what I described as the industrial food system was monoculture, and the third was what I called 'continuous flow', or linearity – all, of course, in the service of corporate profit, not nutritious food for all.

When I thought I had finished the book, my son Jamie read it and said, well, what's next, what's the good side? So I elaborated on a food system based on Proximity, Diversity and Balance as an inversion of the capitalist industrial model.

After we lost our 'indentured labour' when both our children went off to university, Cathleen and I 'retired' from the farm and I focussed on writing and speaking on a wide variety of subjects. Much of it was on biotechnology and corporate consolidation and control – though much less on this more recently as agribusiness became so consolidated that there was little new to report on – and what we used to call 'alternative' agriculture. I also wrote on Christianity and Marxism and liberation theology. Along the way I did some contract work for the Anglican Church, trying to support rural clergy and help them by getting the national church to pay more attention to rural and agricultural issues. In the latter 1980s I also worked with two other agitators trying to get a land trust off the ground in Saskatchewan. It was our conviction that as long as farmers insisted that they have to own the land they farm, they do not have the security of tenure that is essential to good farming because the mortgage on the land, and hence real ownership, is generally held by a bank. Eventually, one significant land trust was created.

Weaving through all of my writing and speaking has been what I would regard as ethics: issues of good and bad, acceptable and unacceptable practices as opposed to the more usual pragmatic judgements. So on the one hand I describe Monsanto as an evil as well as dishonest corporation, and on the other hand, advised an environmental group against singling out Cargill for bad environmental practices, citing some of their impressive phosphate mining remediation which I observed in Florida – though the monoculture palm oil plantations that Cargill now operates are a curse on both biodiversity and the peasants who had inhabited the land.

When Cargill started buying up facilities in Ontario in the mid 1980s, I discovered that although the company was the undisputed giant of agribusiness, it was just emerging in Canada from an almost invisible role as a 'backroom' Vancouver grain trader. None of the smaller players in the Canadian grain

trade, including the co-ops, big and small, appeared to know anything about the company at the time. So with 15 years of on the ground experience in agriculture as pedigree, I wrote *Trading Up*, a slim book on Cargill in Canada, published in 1990, to enlighten them. Since I was living in Toronto at the time, and Cargill's 'coming out' was largely in SW Ontario, it was easy to drive from one to another of Cargill's newly acquired facilities and talk to their managers. I also came to understand, and wrote about, Cargill's leading role in shaping Canada's agricultural policy to emphasize production of grains for export, i.e. for Cargill's benefit. Cargill just likes to shape the world it wishes to do business in. (It appears now that China is following Cargill's advice by importing staple crops and large volume foods while its own production emphasises specialty crop and products for export.)

When I started in on Cargill, and unfortunately it appears to be still the case, there were only a few books on agribusiness, such as Dan Morgan's *Merchants of Grain*² and Wm. Cronon's superb *Nature's Metropolis*³, and 'overview' books such as *Agribusiness in the Americas*. But there was nothing that looked at how a specific corporation – not corporations in general – actually works, how it goes about organizing the world to suit its purposes. After all, a peasant farmer in the South, or an industrial farmer in the North, is not confronted with the idea of a corporation, but by one or more specific corporations seeking to integrate the farmer into its particular business plan. The challenge with Cargill was its status as a private corporation, with no need to reveal anything of its finances that it did not want to reveal for its own purposes. Along with the secrecy, of course, was the corporation's ability as a family-owned private company to take the long view, as it was not obliged to show quarterly returns to potentially nervous shareholders.

Researching Cargill therefore involved what I might call 'trespassing' – walking uninvited into Cargill offices and facilities from Hong Kong to Warsaw to Ontario and Louisiana. Interestingly, I was never asked to leave. I might discreetly pick up any interesting looking company publications while I was at it. Their employees' magazine was a wonderful and handsome source of information. I hit the jackpot

once in the office of Hohenberg Bros., Cargill's cotton subsidiary, in Memphis when, admiring Cargill's employee magazine on her desk, I asked the receptionist if she had any back copies. With delight she went to a cupboard and produced a stack of back issues which she could not bear to throw out and was happy to give to me. On that same road trip I visited Cargill's phosphate mine near Tampa, Florida. It was a Sunday morning and after getting directions from a phone company crew working on the line, I walked into the open door of the mine office, keeping my eyes open for interesting materials as I walked to the back of the office before finding the lone employee there. He was actually welcoming – admiring my enterprise, I think – and talkative. I had similar experiences in Brazil, Poland, Taiwan. (I had a small travel grant from the Canadian International Research Centre for research on Cargill in Asia.)

Speaking of boundaries, I think I may have transgressed the bounds of decency (at least from the company's perspective) by my public display of the more 'intimate' knowledge I gained about its operations – making the Giant visible.

When *Invisible Giant* was published, I was frequently asked how Cargill responded. They didn't. They gave me the silent treatment – 'Don't draw attention to him!' It may have been pure coincidence, but soon after the publication of *Invisible Giant*, Cargill started posting significant amounts of information about itself on its website, as if to prove that my book was not the only publicly available source of information about the company. They are always careful, however, to give the impression of being much more forthcoming than they actually are. The company also stopped leaving company literature, like the magazine for employees, in their reception areas and offices.

Just as I had to update and expand *From Land to Mouth* for a second edition in 1993, I had to edit and expand *Invisible Giant* for a second edition in 2002 to include the company's greatly expanded activities in South America. As well as the Spanish edition published in Argentina, *Invisible Giant* has been published in Japanese and Korean, primarily to help farmers, academics, business and government people know who Cargill is before they have to deal with it.

The Rape of Canola, published in 1992, was a detailed study of the transformation of lowly rapeseed – a crop that would grow well on the Prairies but of limited commercial value – into what became known as Canola, the darling of edible oils. That transformation was initially achieved through traditional plant breeding in the public sector, that is, in Agriculture Canada and provincial university research facilities by publicly employed scientists. The second transformation was the privatization of rapeseed/Canola through the process of genetic engineering into an herbicide-tolerant crop and its patenting by Monsanto in collaboration with and building on the work of the public sector scientists. The title, by the way, was approved by my wife and other feminist friends only when we added the motto “Rape is always an exercise of power and control” (an apt description of Monsanto’s approach).

Thinking back now about my time researching both *The Rape of Canola* and *Farmageddon*, I realize how fortunate I was in being able to ignore office and lab doors to talk to scientists, corporate executives and university professors. Part of the reason was simply my attitude that I ‘belonged there’, and being a white male of a certain age and class, I could ‘fit in’. (I once was able to get into a very large hog processing plant in Manitoba by going to the back of the plant in the evening and simply walking in as if I belonged there. I managed a tour of a potato chip factory in the same way.) The other reason was that at that time there was virtually no critical opposition to genetic engineering and I was well versed in the science, and ideology, of biotechnology, so I could ask interesting questions. Subsequently, the biotech industry learned that it had to keep its doors closed, so to speak.

In the decade of the 90s I spent a great deal of time agitating and lecturing on biotechnology all over the country, trying to awaken the public, and farmers, to the assumptions and implications of genetic engineering. This required a crash course in biology and the feminist critique of science in general and genetic engineering in particular. Then in 1999 I wrote *Farmageddon, Food and the Culture of Biotechnology*⁴ and engaged in even more lecturing.

While *Farmageddon* was a real departure from my earlier works in its emphasis on the cultural basis of genetic engineering, it bears a resemblance to my analysis of the cultural assumption of industrial agriculture that nature is to be conquered and forced to perform as we wish it to. Respect, for the land, for flora and fauna, for other attitudes, is not a notable attribute of this culture. Neither is gratitude. As I wrote in *Farmageddon*,

“Modern biotechnology – genetic engineering – is an assault on life; not an altruistic exercise in curiosity but a demand to control. Deep down, genetic engineering is an expression of ingratitude and disrespect, if not contempt. It is a vehicle, in practice, of an attitude of domination and ownership and exploitation.”

Farmageddon could be considered an elaboration of *The Rape of Canola*, with a major emphasis on the culture of control, domination, progress, and profit that has driven genetic engineering from its beginnings just as it has driven industrial agriculture. In addition, my critique of genetic engineering has been goaded on by the industry’s insistence on referring to its manipulation of life forms and the products of this manipulation as ‘technology’ and as ‘improved’, as in ‘improved seeds’. It’s a kind of neutering or objectification similar to the way that agri-business refers to animals being raised for meat as ‘product’ so we can ignore the ethical question of how we regard and relate to these life forms. *Farmageddon* situates this in the ideological-cultural context of technological determinism.

The beginnings of molecular biology in the mid-1930s are attributed to the work and vision of the Rockefeller Foundation,

“the sheer power and scale of which, backed by the vast Rockefeller wealth, ensured that alternative understandings of biology withered. That was the fate, for example, of the 1930s Theoretical Biology Club in Cambridge, England, centred around Joseph Needham, whose non-reductionist approaches to metabolism, development and evolution were swept aside by the Rockefeller offer to fund an explicitly reductive biochemical research program, as if it were the

only way of understanding the living world, and to ignore its explicit goals of social control and its implicit eugenic agenda,” as neuroscientist Stephen Rose has written⁵

Apart from the ideology of biotechnology in practice, genetic engineering itself can be described as a determined program to demolish boundaries between organisms while at the same time constructing boundaries between its constructed proprietary organisms and the public realm. Opposition to genetic engineering, including mine, is based on the vulgarity and violence of genetic engineering coupled with the attempted control of biology and its privatization for purposes of contributing, not to the public good, but rather to corporate profit.

The normal life of a plant includes dying back once it has gone to seed, that is, given its life over to the next generation. Death is ‘overcome’ precisely when it is taken up into life and accepted as the final act of being alive. The monoculture of industrial agriculture and, indeed, western culture and science as a whole, is built on a radically different attitude toward life and death, with its practice of administering death to ‘others’ – defined as ‘weeds’ or perhaps as ‘defective’ – so that an elite may survive. This has included populations of both plants and peoples.

Agricultural chemicals – herbicides, pesticides, fungicides, or ‘agrottoxins’ as I prefer to refer to them – were renamed ‘crop protection agents’ in the 1980s by the chemical industry, which also changed the name of its lobby organization from the Canadian Agricultural Chemicals Association to the Crop Protection Institute. (Its US counterpart followed suit a decade later.) The intent of such linguistic changes was obviously to shift the public image from one of killing weeds to protecting food.

In contrast, the unreserved embrace of life, and its expression in organic, biodynamic, and ecological agriculture, focusses on the community of the living, not on competition and killing, and minimal intervention is the rule.

It is the hubris of western civilization to claim superiority and exclusivity for its unique brand and package of knowledge, including its science. It feels no need to entertain or even acknowledge other

truths, understandings, or insights. Yet, as French sociologist Bruno Latour (a favourite of mine) has written, science should be

“the gaining of access, through experiments and calculations, to entities that do not at first have the same characters as humans Let Science . . . be represented publicly in all its beautiful originality — that is, as what establishes new, unpredictable connections between humans and nonhumans, thus deeply modifying what the collective is made of This science redefines political order as that which brings together stars, prions, cows, heavens, and people, the task being to turn this collective into a ‘cosmos’ instead of an unruly shambles”.⁶

While we were farming I was dismayed by the fatalism of farmers regarding whatever was defined as technology, and, as mentioned earlier, after we ‘retired’ from farming in 1986 I got a grant from the Social Sciences and Humanities Research Council of Canada to study what I referred to as ‘technological determinism’ among dairy farmers and in their organizations. The ‘technological’ subject of the day was recombinant Bovine Growth Hormone (rBGH), also called recombinant bovine somatotrophin (rBST), a synthetic analogue of a naturally produced hormone.

What I encountered in my research, confirming my own observations, was a virtually universal belief in the necessity of taking up every new ‘technology’ – or what was labelled as a technology, including biotechnology – in the name of efficiency and competitiveness, without any critical evaluation or consideration. Most dairy farmers I interviewed were convinced they would have to treat their cows with rBGH whether they wanted to or not, but what was more alarming was that not only was rBGH not on the agenda of their dairy organizations but that no discussion of rBGH in was allowed in their meetings by the chairman, president, or some senior official.

From the very first meeting with local dairy farmers and others to plan our resistance to the introduction and use of rBGH, I argued against basing opposition on ‘safety’. Safety is a losing issue since the product cannot be proven safe or unsafe except through widespread use. My basic argument

was, and remains, that genetic engineering is a bad attitude, and that there is no way of knowing the true consequences of its use. Genetic material does not stand still, regardless of Monsanto's promises. By sticking to the safety argument, one has little choice but to chase after each new product of genetic engineering, where Monsanto, Syngenta or some other corporation always has a head start.

As a footnote, rBGH was not approved in Canada, partly because the scientists at Health Canada were angry at Monsanto's high-handed strong-arm behaviour, but the reason they gave was the effects on the cows, not on human health, even though it was well known that the synthetic hormone was present in the milk produced by the cow.

Now, not surprisingly, we are seeing the longer term consequences of genetic engineering in crop production with explosive growth of herbicide-tolerant weeds and contamination of seed stocks, as well as the effects on human and animal health of extensive aerial spraying (what the Argentinians refer to as 'fumigation') of agro-toxins on GE soya, to say nothing of the alarming corporate control of seeds and agriculture.

My most recent book, *The Tyranny of Rights*, seemed at first to be a further departure from my earlier work. Rereading it, however, I realize how fundamental my argument about rights is as an expression of my convictions. *Tyranny* is at one end of the book shelf: at the other is *From Land to Mouth*; very different, yet clearly expressing a consistent philosophy and methodology – or, better, 'attitude' and 'conviction'.

As noted earlier, my purpose in writing *From Land to Mouth* was to describe the dominant industrial food system in terms such that people (I will not say 'consumers') could develop their own x-ray vision and see through the food industry and its representations of itself, from the labels on their products and their advertising to the reports of corporate mergers and acquisitions in the business press. I wanted readers to be able to picture the food chain from the field to the supermarket; in other words, to

grasp the logic of the food system for themselves so that they might then be able to see and relate to it critically, think about their role in it, and come up with alternatives.

I've always been very cautious about numbers, except to indicate the extent of corporate consolidation, control, and profit, and focussed on systems and structures. After all, one can look up the numbers, if they are of any real relevance, but they don't give you the context you need to understand what is going on. When we embarked on our career as farmers, we knew nothing about farming. We learned very little about it from books; mostly we talked to other farmers, and, probably more than anything else, listened to and watched the plants and animals. So the core of *From Land To Mouth* is the stories – indeed, one reader insisted that the best part of the book was the photographs and I had to make him look at the book again to realize that they were in fact word pictures, some of them contributed by farmer friends.

Telling stories is a traditional way of describing relationships, and for me, it's always been a matter of relationships, not just in the food system, but in history itself. This, I have discovered in recent years, has placed me in more accord with indigenous understandings and cosmology than my own 'native' culture.

It was a very great relief for me when I finally had a real history course that was about sequences of events and interpretations and meanings rather than the dates and victors of wars and the names of kings and queens. That was not until my third year of university, and it is only in the past few years that I have really gotten into history as I should have 50 or 60 years ago – with Mahmood Mamdani, Eric Hobsbawm, Tony Judt, Timothy Mitchell ... Of course I did have to read a fair bit of specific history in connection with genetic engineering, not having a science background, and of rights, not being a lawyer. I have studied the subjects I have written on to ensure that I will have to be critiqued on the basis of my argument, not my ignorance. In the case of Rights, any critique has been rebuffed by what I interpret as a reader's desire not to be challenged quite so radically. When I was complaining to a friend about the

failure of lawyers to read and critique my book, which they never did after saying they certainly would, she said, well, of course they wouldn't – you are questioning their theology.

Writing *The Tyranny of Rights* was a very different project at a very different time, both for me and the world. Over the years I had covered in some detail the industrial food system and its structures, biotechnology and the pursuit of corporate control, in my books, in the pages of the Ram's Horn, and in many lectures. After thirty years 'at the dinner table', however, I wanted to excuse myself and move into the kitchen with a more overtly political approach.

Moving to Canada's capital after 11 years in British Columbia, I was in a more politically oriented environment and in the company of many old social justice activist friends and the NGO crowd. Once settled in Ottawa, I pushed all my food files over onto my wife's desk as she moved into the centre of what by then had become 'the food movement'. In the process, we had a heated debate about the language of 'food security' and, more pointedly, 'the right to food.' I have also long had an argument about rights, whether property rights, copyright (you will find most of my work available for free on our website, www.ramshorn.ca, patents and the right to save seeds, right to life, and so on. As I broadened the scope of my vision, I became acutely aware of and annoyed by the frequency and increasingly inappropriate appearance of the language of rights. Why not call rape, torture and assassination what they are instead of the mealy-mouthed 'abuse of human rights'. Why do people keep plugging in 'rights' where it does not belong and actually weakens their argument? Finally I decided that I needed to write a radical critique of the rights discourse.

Beauchamp & Childress, in their classic text, *Principles of Biomedical Ethics*⁷, comment that, "It may seem odd that we have not employed the language of rights, especially in light of the recent explosion of rights language . . . Many moral controversies in biomedicine and public policy involve debates about rights, such as the right to die, a right to reproduce, a right of privacy, a right to life. ...These moral, political and legal debates sometimes appear to

presuppose that no arguments or reasons can be persuasive unless they can be stated in the language of rights.”

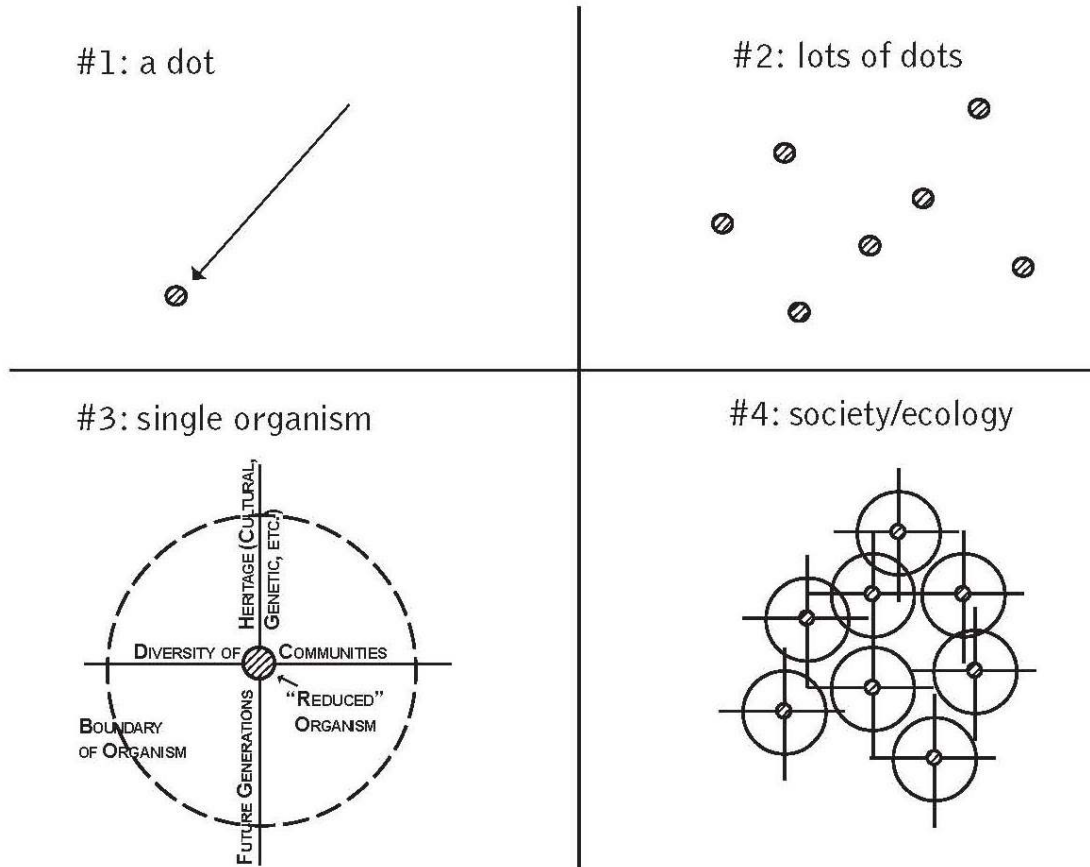
So while it might seem like a stretch to include the subject of human rights in a program on agrarian studies, it is a necessary inclusion since the dominant industrial food system is framed by ‘farmers’ rights’ at one end, ‘right to food’ at the other, and thoroughly covering the middle, corporate rights (a priority issue in all the trade talks), with the spread of the language of rights functioning as a form of the cultural imperialism of ‘western civilization’. (The Spanish title of Tyranny is *La Descolonización des los Derechos.*)

I maintain that using the language of rights redefines moral-ethical issues as legal issues, even though there is scant evidence that this actually furthers either social or even individual justice. The primary function of law is, after all, the protection of boundaries and property – not public property or a commons, but private property, whether ‘belonging’ to an individual or a non-human ‘person’, a corporation.

Underlying the rights discourse are the fundamental characteristics of individualism and assumption of universality that I mentioned at the beginning of this essay. Individualism is presumed to be a universal human characteristic and being human depends on or is defined by having rights.

Westerners (Europeans and North Americans in particular), appear to be convinced that recognition of the social dimension of life, or indeed any suggestion of the legitimacy let alone necessity of collective identity and authority, can only be at the expense of individual identity and freedom. The rights, liberties and freedom of the individual are set against the claims and even existence of a society or social order. There is no recognition of, or place for, either responsibilities or obligations to society, the state or really any collective authority, except that which advances personal interests. Yet at the same time, rights advocates everywhere consistently regard the state as the agency that must take responsibility for ensuring that human rights are respected and observed.

I have a deceptively simple diagram to illustrate my point.



This depicts the western individual as a dot, and society as a collectivity or aggregate of dots – lots of dots. Society, however, is actually made up of social beings in a matrix of relations, backward and forward in time, laterally in the present. The individual then identifies him or herself in a web or fabric of relationships, referred to by Indigenous people in Canada as ‘All my relations’. What I mean by forward and backward in time is that no one lives simply in the present. We have our own history, shaped by many people and experiences. My present being is made up not only of my blood forebears but of the many people who have shaped my life as well as the experiences I have had. I also know that as I have gone through life I have, in turn, left bits of me along the way and contributed to the lives and

experiences of others. Similarly, in the present I am part of a visible community, not only that I see about me, but that I am part of around the world. These ‘lateral’ relations include not just humans, but all kinds of non-humans as well. In a real sense, I know that ‘all my relations’ includes a vast array of humans and non-humans. This was unavoidably obvious when we were farming, in my relationships with my Border Collie and the sheep and cattle we tended.

In this model, as in real life, there are virtually no tidy and definitive boundaries between organisms, big or small, and after thirty years of corporate boasting about the precision of their genetic engineering, it is becoming all too clear that genes do not – and never did – stay put, that genetic material travels apparently limitlessly and combines promiscuously in surprising ways. The neat boundaries of corporate scientists exist only in their heads and their stock promotion.

The claim of universality of the rights language and concept, then, like the assumed universality of western law, has to be reconsidered. If there is any language in which there is no word for rights, the claim of universality of the concept obviously does not hold, and there are very many such languages.

Farhad Mazhar, a leader of Nayakrishi Andolon (New Agricultural Movement) in Bangladesh, offers one example:

“In Bangla, the language of Bangladesh, there was no word for rights. The word *Hoque* was created to translate the word rights, and it refers to ‘collective responsibility to care for others’, as well as ‘truth’.

“Any discourse of ‘rights’ presupposes an autonomous and egocentric subject. In contrast, Nayakrishi Andolon is concerned not with ‘persons’ or fictitious subjects endowed with ‘rights’, who exist outside society or the community, but with ‘relations’. ... Nayakrishi is critical of organizing society around egocentric assertions and privileging the individual over and against the community or nature. ...

“Interestingly, in the Bangla language we do not have any word like ‘rights’ – it is translated as *odhikar*, which is Sanskrit, rather than Bangla. ... While we had no word for rights, we have words such as *daiy* (obligation) and *daya* (caring for the other) and, taking into account other historical, anthropological and cultural data, we concluded that the culture we inherit gives greater importance to our obligation to care for others than to rights. But we have a problem too, for the caring and the obligations towards others could also become oppressive if it is reduced to a mechanical and lifeless relation. ... So Nayakrishi would like to explore the relation of obligation to the other – human beings and the non-human world – in order to experience real joy in life and in order to create the possibility of a post-imperial and post-capitalist global order.”⁸

Similarly, North American Algonquins have no word in their language for rights: “Our laws do not involve a concept of rights. In our cultures, mutual respect and benefit are understood as imperatives for survival. Aboriginal cultures regard law as a complex set of responsibilities to the land and in human relations.”⁹

Cyril Powles, a missionary teaching in Japan for much of his life, told me that “Japan had no word for rights up to the 19th century when contact with the West forced them to coin one – the word *kenri* – which is a mishmash of ‘authority/power’ and ‘advantage’ – and until relatively recently in most quarters it was considered to be a synonym for selfishness, responsibility being the only truly good value.”

As Ziauddin Sardar, in *Postmodernism and the Other - The New Imperialism of Western Culture*¹⁰ succinctly puts it,

“...there is no such thing as universal human rights; there is merely a practice that has been abstracted from the ideas of one culture and termed universal.... The UN Declaration of Human Rights assumes a universal human nature common to all peoples. It further assumes that this

human nature is knowable and that it is known by a universal organ of knowledge: human reason.... Other forms of life are inferior to humans and have no rights.”

This individualism of rights will not be redeemed by talking about collective rights. The idea of rights can only be associated with the singularity of a dot, as in my diagram, or an aggregate of dots. It cannot relate to a person who understands him or herself in terms of relationships to others and the world about them, or a society that understands itself as a web or fabric of life.

The term Treaty Rights for Indigenous peoples in Canada appears to contradict this, referring to the rights of a collective. In fact, however, the term is a misnomer. From the Indigenous perspective, treaties were negotiated and agreed between sovereign nations; from the perspective of the Canadian government, they were agreements which provided exceptions (like farmers’ right to save seed – see below) to the general rule of law; as for example in cases where Indigenous people have had their right to fish affirmed in the courts. The term ‘treaty obligations’, now being used by some Indigenous leaders, may therefore be more accurate.

I now want to be more specific regarding the agrarian applications of all this, starting with seeds.

Peasants and farmers have always selected and saved seed for planting, but professional plant breeders have a very different relationship to the seeds, or what are now referred to as ‘genetic resources’. They want to turn seeds into commodities. This requires that the seeds have a distinct genetic identity and the proprietary interests of the plant breeder are ‘protected’ by means of ‘plant breeders rights’ and the ability to acquire exclusive ownership of seeds. This has driven the peasant farmers from the seed common, and has allowed a global enclosure of seeds. Introducing the term ‘common heritage of humanity’ to describe seeds in general does not help, because the term leaves unaddressed the core issue of respect for the seeds themselves. It gives seeds standing only in relationship to human beings.

The claim for Farmers' Rights is a second mistaken strategy in that it gives legitimacy to the ownership of seeds by corporate players by asking the state to provide a legal exception to allow individual farmers to select and save seeds for replanting. Traditionally, of course, seeds could be described as 'common' just as seeds that do not have a specific genetic identity are even now described as common. So we may say that common seeds are the stuff of a common, while the farmers and seed keepers are the commoners, with a crucial responsibility for the collective good.

The concept of rights contradicts this identity since it aims to reduce or eliminate responsibility beyond the self (self interest). The tragedy of the common is thus not the shared use and maintenance of seeds at the village or community level but the appropriation of the common by the breeders, individual and corporate (Monsanto being the extreme example), who claim their right to a return on their investment in plant breeding through royalties and licensing fees enforced with the laws of the state.

Finding themselves excluded from their traditional seed common, farmers then have to appeal to the same authority responsible for plant breeders rights and, more recently, patents, for their 'rights' to engage in their traditional practices regarding seeds. But two rights can make a wrong, and now farmers worldwide are beginning to recognize that they have to restore their traditional ways without asking or expecting anyone's permission to do so. It is not that they have a right to do so, but that it is what a farmer does by definition.

In describing the seed common, it is important not to fall into the increasing tendency in recent years to describe everything that has not yet been claimed as private property – air, water, seeds – as 'commons'. This is a dangerous misrepresentation of what is properly the 'public domain'. With the reintroduction of the concept of commons to describe things like air, water, and seeds as 'common pool resources'¹¹, 'public' is left with no content and no status.

This misrepresentation of commons and public can be attributed to Garret Hardin and his 1968 essay, *The Tragedy of the Commons*, in which he set out to demonize the concept of commons in order

to finish off any notion of public interest or public good, and leave an open field for neoliberal privatization.

Historically commons referred to property and space that was ‘owned’ communally, that is, for which an identifiable group or community took responsibility, such as a group of fisherfolk or a village, and managed the land, the fishery, forest, or trap lines, for the long-term good of the community, including succeeding generations. In practice, this meant that the jurisdiction over designated (but not necessarily bounded) land, forest or water was mutually recognized by both ‘insiders’ and ‘outsiders’. Access to the territory or space was limited to the group ‘owning’ and managing it, that is, taking responsibility for it, though limited use of this ‘commons’ could be extended by the group to ‘outsiders.

In North America, the most familiar type of commons, and the one Garret Hardin ridiculed, was the English ‘commons’ of the 19th century and earlier. It was a particular area, frequently a portion of a feudal estate, that was mutually recognized by both the village peasants and the lord of the manor as a common pasture for the villagers’ livestock, managed and cared for by the peasants using it (usufruct).

The public domain, on the other hand, is open to all, but that does not mean a ‘free for all.’ Access may be denied to those who refuse to play by the rules governing use of the public space and ‘property.’ Roads and parks are good examples. Access is open, but the ‘rules of the road’ must be obeyed, and are usually enforced by agents of the ‘state’ – police of one sort or another, though not necessarily by force of arms. (I lived in Edinburgh and London in the days when the police were not armed and were regarded quite differently than today.)

Village greens and market squares have also been socially and politically vital spaces for communities.

Agricultural lands could, and can, be held in any number of ways, though our capitalist economy makes it difficult for land to be held in any way other than private ownership. For example, Prime Minister Harper has recently decided that the federal government should drop its responsibility for the

vast system of community pastures (9,300 square kilometres) established in 1935 to restore the health of the prairie drylands that were fast being reduced to desert by overgrazing, and sell these publicly held lands to private interests. There are nevertheless land trusts, conservation easements, and many other mechanisms for decommodifying land, in Canada and elsewhere.

A helpful aid to thinking about alternative ways of regarding property can be found in Carol Rose's description of the different categories of Roman law which recognized what might be described as 'impersonal' property, as identified by and indicated by the word *res*, the Latin word for 'thing'.¹²

Among them:

Res nullius: things that are unowned or have simply not yet been appropriated by anyone. 'Unsettled' land, traditional knowledge, herbal and medicinal plants and agricultural seeds and human DNA have all been treated as *res nullius*, open to appropriation by others – queens, governments and corporations. As a way of addressing the privatization of *res nullius*, the term 'common heritage of humanity' was fairly recently introduced.

Res communes: things open to all by their nature, such as oceans and the fish in them or the air. Historically the commons has been a limited-access space managed by a distinct community according to its social norms, which excluded individual benefit at the expense of the community, whether referring to grazing rights or catching fish. .

Res publicae: things that are publicly owned and made open to the public by law. This includes parks, roads, harbors, bridges and rivers.

Res divini juris; things 'unownable' (of divine jurisdiction) because of their divine or sacred status. For many people, this would include seeds, plants, traditional knowledge, and even land.

Indigenous peoples regard food as sacred, just as I grew up saying grace before meals.

What must be remembered is that property is a social construct that does not exist outside of a social context. Our relationship to property expresses our ideas of relations: to other people, to other life forms, to 'nature', to environment. 'Economy' is similarly a social construct.

A year ago we were visiting our ex-neighbours in Nova Scotia. One morning I was walking up the road to take a look at our old farm. On the way I had a conversation with a road foreman who was overseeing repairs to the bridge just down the road from our farm. I mentioned that we had lived just up the road. He said, "You mean Brewster Kneen's old place?" I was startled to hear it described that way. Then I identified myself and we had what Nova Scotians call 'a good visit'. It was, for me, an eerie kind of experience: I was still 'related' to that land, which had become, after our departure, identified with reference to me, not to its location. In a way, that does make sense since the description of a physical location could only be approximate. The boundaries of that farm were two gravel roads, one creek, and abandoned gravel pit and the remains of fence lines consisting of the rocks picked off that marginal farmland a century earlier. The creek moved itself frequently, though not very far, and I can only imagine how the location of those fence lines was decided on.

Let me return now to the 'right to food'. As I wrote in the introduction to *Tyranny*, "rights functions as code that identifies an idea, moral principle, or legal condition as a proxy for actualization of what is designated as a right." The right to food (or water) is an empty bowl, as the cover of my book implies.

The principal international 'norm' on the Right to Food is contained within Article 11 of the International Convention on Economic, Social, and Cultural Rights, which was adopted in December 1966 and entered into force in January, 1976. The Preamble of the Convention states that "these rights derive from the inherent dignity of the human person," thus placing these rights firmly within the culture of western individualism.

Article 11 describes the ingredients in the stew:

“1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions ...

“2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programs, which are needed:

“(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;

“(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.”

The language of this covenant is a fairly extreme expression of the universalist assumptions of the very singular culture of the Enlightenment and the industrial revolution, with its assumption of progress and development through science and technology, and “the most efficient development and utilization of natural resources.” The idea of the right to food is thus intimately bound within a particular culture that stresses legal and contractual relations, not social relations and responsibility, and technological rather than social and ecological means of implementing it.

In other words, the concept of the Right to Food is something less than a clarion call for social justice. In fact, it is fair to say that while the Right to Food may be a globally popular term, it is little more than a morally upright principle without a cost to those in command of food production and distribution. It says nothing about how food is to be produced, where food is to come from, or who is to get it at what price. Nor does it say anything about how ‘equitable distribution’ is to be achieved in an assumed capitalist culture and economy.

Canadian Indigenous Peoples, in contrast, offer a radically different attitude toward food: “Sacredness – Food is a gift from the Creator; we have a sacred responsibility to nurture healthy, interdependent relationships with the land, plants and animals that provide us with our food.”¹³

One of the greatest contributors to the welfare of and respect for farm animals has been Temple Grandin, an autistic who has turned her ‘disability’ (the drug companies now try to define autism as a ‘disease’) into a gift by using her extreme sensitivity to feel the world as a cow (and other animals) might, and to understand what the animal finds reassuring or threatening. Virtually singlehandedly, Grandin has transformed livestock handling in North America from the rough application of force, including the electric cattle prod, in facilities designed with humans in mind, to a process that respects the senses of the animal: sight lines, odours, light and dark, rounded passageways and smooth surfaces. I’m not aware that she ever talks about animal rights.

Grandin’s approach is a direct challenge to western anthropocentrism, which keeps us as humans abstracted from the environment we actually inhabit and which inhabits us. We may say that we are responsible – as co-creators, as stewards, even as curators – but these attitudes still express a distanced responsibility reflecting human alienation and exceptionalism, if not superiority, to all other creatures. Donna Haraway has written about a very different attitude: “It’s a deep pleasure being one among many living and dying creatures, and to understand that walking away from human exceptionalism is as much a relief from carrying on a kind of impossible fantasy as it is a burden to take it on.”¹⁴

Elaborating on the term ‘exceptionalism’, Haraway explains that “The dominant western philosophical and scientific traditions have emphasized the exceptional nature of human beings. Since the 18th century Enlightenment, what constitutes the human is its difference from all the ‘others’ – from gods, demons, creepy-crawlies, blobs, slaves and, above all, animals.”

Clearly we face a major obstacle is trying to think about how to live in a universe in which we humans are not at the centre and are not intended to be the focus and primary beneficiary (however short-term) of all Creation.

Right to food is only one element of the ‘agrarian’ rights claims, which include a right to land and, more recently, right to water. Water is an even more challenging element to deal with due to its ‘slippery’ character – it only stays put under exceptional, and usually human, conditions and efforts. Just as significant is the fact that while we humans may have a claim for access to water, we cannot responsibly place ourselves ahead of all the other creatures, the flora and fauna whose habitation we share and make it possible for us to live, but whose voices have no place in our structures of governance, as Bruno Latour has so effectively argued in *Politics of Nature*¹⁵.

The *Acequias* (irrigators) of New Mexico are the people of a territory defined by their irrigation canals. [An *acequia* is technically an irrigation ditch, so *las Acequias* refers to the people who take care of and use the irrigation system.] In their 2010 Congreso de las Acequias they made a Declaration of Core Values:

“1. We honor the connection between water, land, life, and communities. We believe that our *acequias* express the values of our culture and identity as a land-based people. Just as our *herencia* came from generations before us, we now have the responsibility of passing on our traditions to youth and future generations.

“2. For generations, the well being of our communities has been sustained by sharing for the benefit of the common good, a tradition known as the *repartimiento*. Through our *acequias* we have shared scarce water, between our families we have shared food and seed, and through our labor we have helped one another. The *acequia* cleaning, *sacando la acequia*, is an example of the shared work inherent to our way of life.

“3. We view water as a *don divino* or divine gift from God and as a common resource that sustains all life. Making a profit from selling water rights is a form of disrespect to our ancestors, our core values, our way of life, and our children and grandchildren.

“4. Water rights should remain connected to the *acequia* to nurture agricultural traditions, to replenish aquifers, and to support the green ribbons of life along our rivers. . .

Elements in the ground – oil, gold, copper, etc. – like water, are assigned no value until extracted (mined), quantified, and processed into saleable commodities, i.e. properly bounded and named. I prefer the term ‘elements’ to ‘resources’ to break the anthropocentric and subjective implications of ‘resources’. ‘Elements’ exist in their own right. They become ‘resources’, however, when their market potential is quantified and traded on a speculative (‘investment’) basis (*as claims*), even though their boundaries are only virtual.

The dominant intensive industrial production mode of agriculture is similarly extractive and it is the only form of agriculture recognized today as legitimate by the dominant culture (and institutions) of the West. Pastoralism and subsistence are not recognized as valid and legitimate relationships to the land and can, therefore, be eliminated to make way for more ‘efficient’ and ‘productive’ use of the ‘resource’ as called for in the International Convention on Economic, Social and Cultural Rights.

This is the logic of the current outrage of giant land grabs, where the justification for making a deal to buy or lease vast tracts of land on virtually every continent is that the land is either vacant or under-utilized. This may be the appearance of the land (without borders) in satellite photos, but it may well be seasonal pastoral lands, or growing food in an ecologically sound extensive subsistence model.

In Latin America and elsewhere we now see land appropriation where peasant farmers and forest-dwellers are being driven off the land which feeds them by big landowners expanding the industrial production of soy beans and corn, genetically engineered and patented, for ethanol production and feed for intensive livestock operations in Europe. This is a vastly different use of the land than its

natural provision of food, medicines, building materials and firewood for subsistence farmers and peasants.

“Was it a good-faith investment by a U.S. multinational in Colombia? Or a flagrant land grab? That’s what Colombians are debating following revelations that . . . Cargill Inc. acquired nearly 130,000 acres [52,610 ha] of former government land that had been donated to peasant farmers.”¹⁶ The land is now being used to grow soybeans and maize.

In 2009, Venezuela took over a 3,700 acre eucalyptus farm owned by cardboard packaging manufacturer Smurfit Kappa of Ireland. President Chavez said the government had taken over the El Pinal eucalyptus plantation because the water-hungry trees were drying out local rivers. He said the government would “use the wood in a rational manner and then we will change the vocation of the land. We are going to plant other things that are not eucalyptus.”¹⁷ Whatever the Spanish word was, I certainly like the idea of land having a vocation, but recognizing that requires respect for the land and a desire to listen to the land.

Land grabs are not new, however. In recent decades, traditional land holding and community control has been severely buffeted, for example, by the Mexican government. Traditionally it was the community assembly which decided how land, water and forest should be used. Then, in 1991, President Salinas eliminated the constitutional right to *ejidos*, citing the ‘low productivity’ of communally owned land. The creation of private property provisions were a direct undercutting of the power of the assembly in the *ejidos*.

The Mexican state offered the Wirarika people similar possibilities for, in effect, privatizing communal lands. What the people thought they were getting was jurisdiction, or a clearer definition of their territory. But property and territory do not share the same understanding of boundaries. Property is defined by its boundaries which transform it into a viable commodity. A territory is defined more by its use and characteristics and peoples’ relationships with it than by strict, identifiable boundaries; the lack

of clear boundaries may require inter-community negotiation and good will, actually strengthening communal holdings.

The Mexican treatment of indigenous peoples bears an unhappy resemblance to the treatment of indigenous peoples in North America by the European and British colonizers and settlers. William Cronon gave us a profound description of the very different attitudes and practices of colonial settlers and native residents in New England in his *Changes in the Land – Indians, Colonists, and the Ecology of New England*.¹⁸ The indigenous settlement on the land, in part because it was unbounded – unmarked and unfenced – was not recognized by the settlers, nor was their traditional hunting, trapping or gathering territory. Thus land inhabited – settled – by hunter-gatherers, as in New England, was not recognized as owned by anyone in the eyes of the colonizers. The only land that the English settlers recognized as ‘owned’ – and to which the natives could claim ‘rights’ – were the gardens which were visibly and effectively fenced – to keep the wild creatures out.

A strikingly similar scenario in a totally different climate is described by Bruce Chatwin, in writing about ‘outback’ Australia:

“White men ... made the common mistake of assuming that because the Aboriginals were wanderers, they could have no system of land tenure. This was non-sense. Aboriginals, it was true, could not imagine territory as a block of land hemmed in by frontiers: but rather as an interlocking network of ‘lines’ or ‘ways through’.”¹⁹

Worldwide, imperialists and colonizers have been unable – or perhaps unwilling even if able – to observe how people live, not as individuals, but as members of a clan, tribe or nation and to respect them as such. In western minds there seem to be only individuals and states.

Driving north out of Toronto through prime agricultural land after we had moved back from the farm, I was shocked to see a sign on the edge of farmland advertising “Development Land”. I had never seen land being so described – or maybe I just wasn’t attuned to such an idea before we spent 15 years on

the land. Then a few years ago I was travelling north from Buenos Aires with a retired agronomist. As we passed through the region he had worked in, the fields, from the road verge to the horizon, were brown from being sprayed with glyphosate before being planted with transgenic soya. Adolfo said that when he worked in that area, it was all vegetables for the local market.

I grew up on a dead-end street and our backyard ran down to a natural golf course. There were no fences, no boundaries. Every day I walked across the golf course to school and back. I never thought about who might own the land. I just knew that it was the Mayfield Country Club that was responsible for it. When I later hitch-hiked around the southern United States and western Europe I still did not take too much notice of boundaries and enjoyed the fruits of the land, from peaches in Georgia to tomatoes in Italy, and sleeping in parks, market places and fields. That was all long ago and far away – far away from land grabs and vast tracts of transgenic, patented soya and maize growing where once people could feed themselves – in Argentina and Brazil, Mozambique, Haiti, and Canada.

I concluded *The Tyranny of Rights* with these words: “The crumbling of the world as we have known it now requires that we reconsider the assumptions and framing of the concepts and practices of ‘western civilization’, including individualism, progress, property, capitalism and human rights. As the individualistic language of rights has assumed ever greater presence in our lives, social inequity has been growing and deepening. Neither legal entitlements nor economic growth will address this, stem its injustice, or lay the foundations for social justice and peace.”

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