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## Designing Rights-Based School Feeding Programs<sup>1</sup>

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### Abstract

Rights-based school feeding programs could serve as a basis for experiential learning about rights, and through that means, improve both nutritional and educational outcomes. Rights-based school feeding programs would give students the means to act to ensure that specific standards are met. Rights are supposed to be *enforceable* claims to specific goods or services. There must be some sort of institutional authority to which rights-holders whose claims are not satisfied can appeal to have the situation corrected. Enforceability means that the duty bearers, those who are to fulfil rights/entitlements, must be obligated to do so, and they must be held accountable for their performance. While there can be many different mechanisms of accountability, the most fundamental is that available to the rights holders themselves. Individuals who fail to get what they are entitled to should have means available to them for pressing their claims. In school feeding programs, students would be the primary rights holders. Rights-based school feeding programs are likely to prove advantageous even when assessed only in terms of the basic objectives of improving nutrition and educational performance that are common to all school feeding programs. The benefits in terms of personal empowerment and learning about rights would be an added bonus.

### Keywords

School feeding; school meals; nutrition; empowerment; accountability

The core purpose of this essay is to suggest a way in which school feeding programs could be used to serve as a basis for experiential learning about rights, and through that means, to improve both nutritional and educational outcomes. As the term is used here, these are programs organized at any level—school, district, nation, region, and world—to facilitate the feeding of students in school. The schools may be government sponsored or they may be private. The program could be at a single school or many schools. School feeding programs may sometimes also be used to feed school-age children who are not

~152~

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enrolled in school, but their major purpose is to serve students who are enrolled.

Under the definition adopted here, *rights-based school feeding programs give students the means to act to ensure that specific standards are met*. The core hypothesis underlying this essay is that rights-based school feeding programs are likely to yield better nutritional and educational results, when compared with school feeding programs that are not rights-based. At the same time they can be used to introduce students to rights and the way they work.

Some people might believe that school feeding programs are unnecessary. Students can bring food from home, prepared by themselves or by their families. Or they can bring money to purchase food in or near the school. Or they can wait until after school to eat. Some people may be concerned that such programs are likely to deliver food of poor quality, and be subject to contamination and other hazards. Also, such programs might result in stigmatization of poor children. Some programs encounter problems of discrimination by social class or by religion. School feeding programs are costly because they require money for the food, for the employees, and for the physical facilities that are needed.

Many people feel that organizing programs for feeding school children is a good idea. Such programs have been shown to improve children's nutrition status and their school performance, and they also help to attract more children to school. When the programs are paid for by government or by donors, they help the parents and the schools to save money. Efficient programs may result in savings for the families even in the absence of outside contributions. Some school feeding programs allow students to take food home, thus helping to provide for others in the family. There is a great deal of evidence for the positive impacts of such programs. Of course, the methods of arranging school feeding and the resources available for them vary a great deal, so there is considerable variability in these programs' impacts.

School feeding programs often facilitate the educational process by increasing the likelihood that children will come to school and by making them more capable of learning. Beyond that, feeding programs can provide special opportunities for learning. For example, the feeding program can be used as the basis for discussion about various

~153~

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aspects of food and nutrition, and for learning about a broad variety of related issues. The programs also can be used to help build skills in food production and preparation, they can be used as the locus for delivery of a variety of health services, and they can be used to help students gain an appreciation of the meaning of rights.

### **School Feeding Programs Work Imperfectly**

In many school feeding programs, children don't get what they should be getting. They might not get meals at all, or they might not get the right quantity and quality of food. Jaime Oliver has become famous for his critical assessments of school meals in England. Critics have made similar observations in many other countries. In one assessment in India, for example,

. . . the pupils reported that the maize flour was rotten and the vegetable oil was not of good quality. The cooked food was not tasty. The food lacked adequate amount of sugar and ghee and the cook did not have necessary skills for cooking. Food cooked by parents on rotation basis did not always taste good. (World Food Programme 2006, p. 20)

In some settings the food has been so bad that 'school food continued to be experienced more as a form of social punishment than as an entitlement' (Vernon, 2005).

School feeding programs can go awry in many different ways. In one case in India, teachers were accused of mixing liquor and cannabis into the food, supposedly to make it tastier and to speed up the cooking process (Teachers, 2004). There are indications that the school feeding programs are not effective in retaining attendance by dalits (scheduled castes and scheduled tribes), which suggests that they may not be getting the meals they are supposed to get (Prasad, 2005).

In Varanasi, India, a human rights activist visited a primary school to inquire into the implementation of the Mid Day Meal program:

From his visit he found that the meals distributed for the children did not conform with the standards set down by the Supreme Court; there were no pulses included in the Khichdi

~154~

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(Indian dish consisting of mainly rice and lentils) that was served.

Issuk Ali suspected malpractices in the food distribution and has confirmation that much of the food intended to be cooked and distributed among the students, obtained free of cost from the government, is sold in open market through grocery shops. The cook as well as the village head of Belwa and the local police are suspected to gain illegal profits from this sale . (Asian Human Rights Commission, 2006)

Any program that provides goods or services creates temptations for their diversion away from the intended beneficiaries. There can be ‘furtive replacement of high-quality grain with low-quality grain’ or appropriation by cooks and others of food intended for the school children (Drèze and Goyal, 2003).

Similar issues arise in all school feeding programs. Delivery systems sometimes break down, and not everyone gets what they are supposed to get. Sometimes the meals are not of the quality they should be and sometimes they are not provided at all. From a rights perspective, it is important to be clear about precisely what the participants are supposed to get. And it is important to be clear about whether they get the food as a matter of charity or as a matter of entitlement. If the food is not provided in the proper way, do those who are deprived simply suffer in silence, or can someone be called to account?

### **Human Rights and Other Rights**

People sometimes use the word *rights* as shorthand for *human rights*. That is unfortunate because we need to recognize that there are many different kinds of rights: property rights, contract rights, consumer rights, etc. A hospital may have a patients’ bill of rights, and prisoners may have their own rights, whether established by the local institution, the local government, or the national government.

If everyone at a particular school agreed that all students should be entitled to, say, a piece of candy with every meal, then that would become a right at that school. That would be a locally established right, and not a human right. If we are going to have rights-

~155~

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based school feeding programs, the contents of rights need to be plainly articulated. These rights may come to a school through its own creation, from sub-national or national governments, or from human rights.

In India, a Supreme Court order of November 28, 2001 specified the entitlements of children to mid-day meals in detail, including minimum levels of particular nutrients. The legal justification for this was based on national law, and not on international human rights law. In other countries lower level agencies specify the contents of the meals.

The distinctive thing in India is not only that the Supreme Court set standards, but also added that they were *entitlements*. This means that, at least in principle, students or families acting on their behalf could make legal complaints if they do not get what they are supposed to get. Unfortunately the legal recourse mechanisms in India are not as strong as they should be.

If agencies set standards regarding what should be in school meals, but there are no accountability mechanisms to ensure that students get what they should get, the standards do not describe entitlements. With no effective complaint mechanism, there are no effective rights.

Not all rights are human rights. If one has a *human* right, one can make a claim that the government and others must do or desist from doing specific things to further human dignity. Human rights are universal, by definition. Local rights apply only in particular jurisdictions, and may not involve the government, so they are not human rights. The term *human rights* is reserved for those rights that are universal and relate to human dignity. They are mainly, but not exclusively, about the obligations of national governments to people living under their jurisdictions. While human rights are universal, they do allow some latitude for differing interpretations, depending on local circumstances. Human rights are spelled out in the international human rights agreements, all of which are available at the website of the Office of the High Commissioner for Human Rights.

School feeding programs can contribute to the realization of a wide variety of human rights. The key human right is the human right to adequate food, but the rights to education and to health are also relevant. The human right to adequate food is based primarily on arti-

~156~

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cle 11 of the *International Covenant on Economic, Social and Cultural Rights*, which came into force in 1976. It is concerned primarily with assuring that people are enabled to provide for themselves in well-functioning societies (Kent, 2005). However, it is recognized that under some conditions, such as emergencies or conditions of extreme poverty, governments and other agencies should provide food through programs such as meals, food stamps, subsidies, and ration shops.

An authoritative interpretation of the human right to adequate food was published by the United Nations Committee on Economic, Social and Cultural Rights in 1999, known as *General Comment 12* (United Nations. Economic and Social Council, 1999). Paragraphs 7-13, for example, discuss the requirements for 'Adequacy and Sustainability of Food Availability and Access.' The document leaves considerable latitude for interpretation. It refers to the entire diet, and not to school feeding in particular.

Another important resource is the *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security* that were worked out by national governments to guide them in implementing the human right to adequate food (FAO, 2005; FAO, 2006). For example, Guideline 14, on Safety Nets, calls on States to establish social and food safety nets to protect those who are unable to provide for themselves. School feeding programs can be viewed as an important type of safety net.

Apart from formal human rights law found in the international agreements, several human rights principles have become widely accepted. The human rights-based approach to development, sometimes described as human rights-based programming (HRBP), is particularly relevant. It emphasizes that in pursuing important social objectives, it is not only the ends but also the means that must respect human rights. The objectives should be met in ways that are open to broad participation by the intended beneficiaries; they must be transparent, etc. In 2003 a UN interagency group formulated the primary statement articulating the role of HRBP for UN agencies (*The Human Rights-based Approach*, 2003).

Much of the discussion of HRBP comes from governmental and nongovernmental agencies at the global level, and may suggest that both development and human rights come from above. One nongovernmental organization explains its opposition to that view:

~157~

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Equalinrights moves from an understanding that human rights are tools to protect human dignity, as defined by people themselves from within local social and cultural contexts. This means that local dialogue on the meaning, relevance and application of human rights-based strategies within these different contexts is a critical starting point. Human rights come from within, not from without. So for us, our support is about facilitating the internal learning and self-empowering process for people. Applied in this way, we believe that human rights can be a very powerful framework for bringing change to unequal power structures and relationships that perpetuate poverty. (Equalinrights 2007)

The human rights that are set out in international law do not originate there. Rather, human rights law codifies rights claims that come up from a widespread consensus among ordinary people. Thus, rights-based school feeding programs ought to be based at least in part on interpretations and assertions of rights that begin at the school level.

Much of the discussion about rights-based programming adopts the perspective of national or international agencies, and sometimes imply that the program designs and policies should filter down from there. Here, we propose more of a bottom-up approach, with the students themselves engaged as active participants not only in the implementation but also in the design of right-based school feeding.

### **Rights-Based Social Systems**

Before getting into the design of school feeding systems, we should understand the nature of rights-based social systems in general. In any well-developed rights system there are three major roles to be fulfilled: the *rights holders*, the *duty bearers*, and the *agents of accountability*. The task of the agents of accountability is to make sure that those who have the duties carry out their obligations to those who have the rights. Thus, to describe a rights system, we need to know:

The nature of the *rights holders* and their rights;

~158~

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The nature of the *duty bearers* and their obligations (duties) corresponding to the rights of the rights holders; and

The nature of the *agents of accountability*, and the procedures through which they ensure that the duty bearers meet their obligations to the rights holders. The accountability mechanisms include, in particular, the remedies available to the rights holders themselves.

One can have systems of rights in many different kinds of settings. The international human rights system is one concrete manifestation of the generic form. One can have many other kinds of rights in many different settings. One can have distinct rights systems in clubs, schools, prisons and hospitals. In these cases, responsibility for implementation would rest not with a government but with the institution's administration.

Rights imply entitlements, which are claims to specific goods or services. Rights are—or are supposed to be—*enforceable* claims. There must be some sort of institutional authority to which rights-holders whose claims are not satisfied can appeal to have the situation corrected. Enforceability means that the duty bearers, those who are to fulfil rights/entitlements, must be obligated to do so, and they must be held accountable for their performance.

A clear distinction should be made between having a right and having that right realized. If I pay you to paint my garage, I have a right to have it painted. Whether or not that right is in fact realized (fulfilled) is another matter.

Accountability agencies have two distinct phases in their operations. One element is *detection* to determine whether there is deviation from the standard, and in what degree. The second is *correction* through which something is done with the information obtained to restore the behavior to the zone of acceptability.

An accountability agency assesses the performance of the duty bearers against the established standards. It informs the duty bearers of those assessments in order to guide them toward improving that performance. In some cases the accountability agency might also have the power to impose sanctions of different types. However, in many cases they function on the basis of 'constructive dialogue'—

~159~

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persuasion rather than punishment. In some cases, detecting and reporting on the deviation to the duty bearers may be sufficient to induce them to correct their own actions.

While there can be many different mechanisms of accountability, the most fundamental is that available to the rights holders themselves. Individuals who fail to get what they are entitled to should have means available to them for pressing their claims. Rights holders must know their rights, and they must have appropriate institutional arrangements available to them for pursuing the realization of those rights. It is through these remedies that claims become enforceable.

Where there are no effective remedies, there are no effective rights. Having rights that are enforceable means recognizing that people should have specific powers to make claims on the world in which they live. Rights holders should be able to be active participants in making sure they get that to which they are entitled.

### **Designing Rights-Based School Feeding Programs**

School feeding programs can be provided on the basis of clear and effective entitlements. Under such programs, students would be likely to get better food service. Moreover, school feeding programs can be used to teach important things about how rights work. Older students could build important skills by becoming involved in the programs' design, operation, and assessment.

School feeding may be even more important in emergency situations than in normal situations. There is certainly a need for school feeding in emergencies (Emergency Nutrition Network, 2007; International Save the Children Alliance, 2007; World Food Programme, 2007). In some emergency situations, administrators have gone so far as to call on schools to provide three meals a day (Nossiter, 2007). That might seem implausible, but it could make sense if it is coupled together with programs of assistance and with a clear phase-out plan. It would make sense for emergency school feeding to be rights-based.

Our focus in this essay is on stable, non-emergency situations in which there are reasonable levels of resources to work with, on a sustainable basis, including not only food but also human resources. We will not pursue the issue of school feeding in emergency situations any further here. However, if we recognize emergencies as including

~160~

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the chronic type, and not only the sudden onset type, then there is not a sharp difference between emergency and non-emergency situations, especially in poor countries.

Some people assume that school feeding is intended primarily for children from poor families, but it is important to ensure quality school feeding for all students. The human right to adequate food, like all human rights, applies to all people. School meals are not necessarily free meals, just as the right to food in general does not necessarily mean free food.

In many school feeding programs, students passively accept the food they get. Some students may offer suggestions or complain from time to time, but they soon learn that their views have little impact. They may find that they don't get their meals, or meals of the quality they expect, but often they find there is not much they can do about it. Although these difficulties can never be totally eliminated, they will be reduced if school feeding is organized in terms of rights-based programs.

One can only wonder how many children or parents in India know the actual content of the Supreme Court's specifications regarding school meals, or have any idea of what they should do if they don't get what the court says are their entitlements. Until local people in India know their rights and know that they have effective means through which to exercise them, there will be no effective system for ensuring the realization of the right to adequate food in India (Kent 2006). Rights systems don't work if the rights holders don't know their rights and don't know how to make use of them. Students should know, and should have a right to know, what they are entitled to, and what they can do about it if they don't get it.

Designing a rights-based school feeding program can begin by working out the ABCs as they apply at a particular school. Who has what rights? Who has what duties? What are the mechanisms of accountability? In particular, what recourse mechanisms are available to the rights holders, the students themselves? After we discuss how individual schools could design and implement their own rights-based feeding programs we will explore how such schools could relate to their outside support systems.

All students, except perhaps the very youngest of them, should be engaged in discussions about how the program should op-

~161~

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erate. They should have an opportunity to express their preferences and have some influence in determining the choices that are made. They should understand that they have particular rights in relation to the feeding operations, and others have particular duties to ensure that those rights are realized. The duty bearers should be engaged in the discussion as well, and should be asked make the commitments that are needed. This discussion could be organized during a specific period at the end of each school year, with a view to implementing the revised plan in the following year.

Rights-based social systems can be based on different kinds of rights with different sources. For example, in a local school, students, teachers, and school administrators could work out the rights that are to be applied jointly, with no reference to any outsiders' views of what rights ought to be in place. The discussion about what rights ought to prevail can provide an important 'teaching moment' for learning about nutrition and also about rules, guidelines, and laws that apply to the particular school. Students can learn how to make their voices count.

The duty bearers include a broad range of people including cooks, servers, cleaners, the school principal, and the government agencies that fund and oversee the school feeding programs. Their duties should be plainly specified: who is to do what to ensure that the rights are realized?

The key to making the system truly rights-based would be the mechanisms of accountability. The arrangements could be quite simple. For example, one parent or teacher could be appointed as the school meals ombudsman, responsible for taking complaints and passing them on to appropriate authorities. Or a small committee could be formed in each school to take complaints. The committee could be formed of, say, one student from each grade level, and two teachers. To encourage vigorous participation by students, they should constitute a majority of the membership. These committees should not include any members of the food service staff, since they are to be monitored, and membership on the committee would entail a conflict of interests. The committee members could be elected by their constituencies. Of course the composition of the committees would have to be configured according to the nature of the particular schools.

Any school that wanted to organize a rights-based school

~162~

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feeding program could get started by establishing a School Feeding Monitoring Committee (SFMC). Where schools are small, a single SFMC might cover several schools. Students should play a strong role in the SFMCs, and constitute a majority of its members.

The SFMC's first task would to prepare statements on:

*Rights* of students to school meals, with details about the content of meals, their quality, and when and how they are to be provided. This statement should be prepared in conformity with guidance provided from the local and national governments, and also international human rights law and principles.

*Duties* regarding school feeding, describing the duties of the parties involved in school feeding. Who is to carry out what functions, with what resources? Their duties could include providing regular descriptive reports on what food they have provided, costs and related matters.

*Accountability*, describing the committee's own role as the agent of accountability for the school feeding program. The SFMC would describe how it would carry out its task of assuring that those who had the duties carried them out, so that the students did in fact get the food to which they were entitled. As part of this work, the SFMC would have to say what procedure would be used to take complaints from students and others, what steps would be taken to verify the complaints, and, when complaints were found to be valid, what steps would be taken to call for corrections.

These statements should be regarded as 'living documents,' to be subjected to steady improvement based on what is learned from local experience and from reports on the experiences of others. They could be brief at the outset, and be strengthened each year as new cohorts of students become involved.

### **Pedagogy**

Traditionally, well-meaning adults provide school feeding to silent students who accept whatever is offered to them. The students

~163~

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are not encouraged to ask why they get what they get. The task of the rights approach to school feeding is to overcome the culture of silence, and to empower students by helping them to find their voice. Thus, establishing school meals as entitlements applies the insight of the late Brazilian educator, Paulo Freire, to feeding programs. Freire criticized schooling in which education 'becomes an act of depositing, in which the students are the depositories and the teacher is the depositor' (Freire, 1993, 164; Kent, 1988). There is a striking analogy between this conventional 'banking' education, designed only to fill passive students with information, and conventional feeding programs that are designed only to fill passive students with food.

School feeding programs can be used to combine the best elements of human rights and critical pedagogy, in a setting in which 'students and teachers struggle to make new meaning and develop cultural practices that are critical, transformative, and liberatory' (Leistyna and Woodrum, 1996, 5). Students' active, hands-on engagement with their schools' feeding programs could turn out to have high educational value.

### **Roles Beyond the School**

The ABC's of rights systems could operate within individual schools and also in the much larger systems that encompass and incorporate those schools. Rights, duties, and accountability ought to function at all levels, in sub-national regions, at the national level, and globally.

The operation of school feeding programs may involve many different agencies. They can be sorted into different levels. Within any individual school there are: 1) Students; 2) Teachers; 3) Food service workers; and, 5) School administrators. Outside the school there are: 1) Parents; 2) Community; 3) Food suppliers; 4) Local government; 5) Nongovernmental organizations; 6) National government; 7) International nongovernmental organizations; and, 8) Intergovernmental organizations. Students lead the list to show that they are not at the bottom of a hierarchy, but at the top, to be served in various ways.

There is a need to clarify the roles and responsibilities of the different parties not only within the schools but also throughout the entire support system. Under normal conditions the support services

~164~

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should not feed students directly, but instead they should help those who are closer to the students in carrying out their functions. For example, national and international agencies could provide guidance to schools on how to organize their programs, and they could collect and analyze reports on their programs to help individual schools see how they fare in the bigger picture. To the extent feasible, the food and the money should come from local sources, and more distant agencies should provide information and technical assistance.

National legislation could provide a common framework for school-based programs throughout the country. The national legislation could call for the establishment of School Feeding Monitoring Committees, and it could provide assistance for them in carrying out their functions. The national commitment might include providing resources, and thus, incentives, for the SFMCs, and guidance and assistance for their operations. Governments could help to design monitoring procedures to be used by the SFMCs, and call on them to provide annual reports in a standard format.

Just as students should have well articulated rights for which the school administration bears certain duties, the school, in turn, should have particular rights claims against the local community and the local government. They in turn should have claims they can make against the national government. Following this pattern, it should be possible to clarify and concretize what national governments can expect from the global community as a whole.

The division of responsibilities should be guided by the principle of subsidiarity, 'the principle that each social and political group should help smaller or more local ones accomplish their respective ends without, however, arrogating those tasks to itself' (Carozza, 2003, 38). This means the schools themselves should take the leading roles, together with the agencies closest to the schools. More distant agencies should provide support, and should not weaken local agencies by bypassing them and providing those services directly. Donor agencies and international organizations normally should not take over school feeding programs, but should help schools and local communities become capable of doing the jobs they ought to be doing.

### **Global Obligations**

~165~

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International governmental agencies such as the World Food Programme, the United Nations Children's Fund and the Food and Agriculture Organization of the United Nations, along with international nongovernmental agencies such as Catholic Relief Services and Save the Children, and national donor agencies currently provide a variety of support services for school feeding. Some elements of a globalized school feeding system are already in place, based on the World Food Programme's Food for Education activities. WFP and other agencies already provide guidance and support for school feeding operations, and they have developed standardized school feeding assessment instruments.

So far these services have not been explicitly rights-oriented, but they could be. For example, there is good potential for developing a rights-oriented global system based on the Essential Package, a multi-agency initiative based on the Focusing Resources on Effective School Health (FRESH) framework. The Essential Package consists of interventions to improve the nutritional status and health of school children. It might be feasible to reformulate some of them in terms of specific entitlements.

School feeding can serve as a kind of safety net for children of school age. Any local jurisdiction could establish a basic standard for school feeding programs, perhaps in this form:

*Every child from a low income family has a right to receive at least one third of her or his daily dietary requirements at little or no cost on every school day.*

Different jurisdictions could use different standards, depending in part on the capacities and motivations in the local jurisdictions. As in any kind of social safety net, the point would be to ensure that there is some level below which people are not allowed to fall. The idea could be extended to the global level.

In the poorest parts of the world, many schools now lack even the most rudimentary feeding arrangements. For very poor countries, establishing any sort of safety net would be difficult. But this is not a poor world. In the age of globalization, the idea of a social safety net should be taken to the global scale. Arguably, establishing a global safety net based on some agreed standard should be viewed as a

~166~

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moral obligation of the global community. It could in time be elevated to a legal obligation (Kent, 2008). The global community could agree that every child in the world has a right to receive at least one third of her or his daily requirement at little or no cost every day, or at least every school day.

Rights-based school feeding programs that establish an effective safety net do not have to be based on large-scale shipments of food from outside. That may be required during a transitional period, but the main objective should be to help establish enabling conditions that allow local communities to provide for themselves. This is based on the fundamental understanding that the human right to adequate food is not mainly about feeding people; it is about establishing conditions under which people can provide for themselves and their families.

### **Assessing School Feeding Programs**

School feeding programs may be assessed in many different ways, on a variety of different indicators. Some indicators might assess the impacts of the school feeding operations to determine what results they produce. Some indicators might cover features of the program in a purely descriptive way without assessing impacts. For example, they might ask whether the staffing is balanced in terms of gender and ethnicity. They might ask whether the program management has certain properties or characteristics.

The results on the indicators are descriptive. They can then be evaluated in terms of a variety of different standards. The choices of indicators and of standards for evaluating the results would depend on who is doing the assessment, and why. For example, some people might be particularly concerned with the economic efficiency of the program, while others might be interested in the degree to which it helps in the realization of particular rights. People who are concerned with promoting human rights will favor approaches that focus on that dimension. The assessment of rights-based programs would ask whether the program has helped to ensure that students' rights are realized.

School feeding programs have typically been assessed on a few basic indicators, focussing on impacts on education and on the nutritional status of students. Standard methods of assessment have

~167~

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been developed to facilitate comparisons across schools and regions and also comparisons over time (World Food Programme 2006). Generally they ask whether schools have feeding programs and how many meals do they serve. They are based more on the interests of administrators of the programs than on the interests of the students. They do not ask whether individual students get the service they are supposed to get. They are not based on the premise that students have specific entitlements.

The basic hypothesis underlying this essay is that school feeding programs that are rights-based are likely to do significantly better on the commonly used indicators than those that are not rights-based. As understood here, a rights-based school feeding program is one that is organized around the ABC model described earlier. There are clearly articulated rights and duties, and also systems of accountability to ensure that those who have the duties do what they are supposed to do to ensure that the rights are realized.

It would be possible to have rights-based school feeding programs draw on various different kinds of rights (such as rights and duties based on a particular religion's principles, for example), but here we advocate that they also should be based on *human rights* law and principles. They should be based on human rights in general and the right to food in particular.

It seems likely that the basic hypothesis that rights-based programs do better would be confirmed with conventional assessment methods. However, it would be advantageous to use a rights-based method of assessment. This means paying particular attention to the impact of the programs on the realization of the rights of the rights holders.

It also means engaging the rights holders directly in the assessment process. The types of monitoring that would be undertaken by School Feeding Monitoring Committees could be joined together with the assessment processes that might be used by outsiders who are interested in testing basic hypotheses about the effectiveness of rights-based feeding programs.

Instruments could be developed to enable students to prepare their own annual assessments of their school feeding programs in a standardized format. For example, with appropriate guidance, students could learn to assess their own nutrition status, and track it over

~168~

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*G. Kent/Societies Without Borders 5:2 (2010) 152-173*

time. They could study and use the new growth standards for school age children prepared by the World Health Organization, perhaps in a simplified form (World Health Organization, 2007). This would be useful for any outsider's assessment process and it would be useful for the School Feeding Monitoring Committee's own assessment.

Another option is suggested by the School Lunch Checklist created by the School Food Trust in the United Kingdom. They say their tool is 'For use by everyone - from catering managers and cooks to nutritionists and dieticians' but students have been omitted from this list. Surely a version of the tool could be created for direct use by students.

The methodology for involving students in the assessment process could be designed not only to produce good comparable data but also to produce good learning experiences for the students. Even a simple survey, perhaps ten carefully designed multiple choice or yes/no questions and a few open ended questions, could be valuable for all concerned. Small focus groups could be used to elicit student views. Encouraging students to speak up in a safe group setting could be valuable in many ways. Students should get the message that their views are important.

Thus, students could be involved not only in designing, operating, and using school feeding programs but also in assessing them. To the extent that students become actively involved in rights-based school feeding programs, they should gain extra benefits in terms of knowledge and in terms of skills and other capacities. For example, when they feel they are not being treated properly, they should learn to voice their concerns to an appropriate body in an appropriate way. This can require not only skill but also courage. Active engagement in this way could help students to improve their self-esteem. Rights-based school feeding programs can be a significant means for empowering students, an objective that many educators now see as more fundamental than the transfer of knowledge.

The assessment tools could be extended to cover types of benefits that are not expected from conventional school feeding programs. These assessments should be correlated with the design of the teaching elements of the program. Where they are integrated with the teaching agenda, rights-based school feeding programs could have a positive impact on students' social skills and their understanding of

~169~

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what rights mean and how they work.

### **Proposal**

There is a need to test the basic hypothesis that rights-based school feeding programs do better than conventional programs on both nutritional and educational dimensions. These higher expectations arise mainly because coverage of students and the quality of the meals seem likely to be better under rights-based programs.

School feeding programs may be defined as rights-based if they have well articulated rights, duties, and accountability at the school level. Other elements may be added to the list of defining criteria based on relevant human rights law and principles. That will need to be worked out. Where existing school feeding programs already meet the criteria, they can be used as the basis for undertaking the research. Where such programs do not exist, a number of rights-based school feeding programs could be established as pilot programs so that their impacts could be assessed and compared with conventional programs.

The initiative may come from school districts or from higher levels. The process could begin by creating a forum in which interested parties would review existing law and policy relating to school feeding to determine what rights they imply. These parties could also identify other rights that should be taken into account, on the basis of human rights and other considerations. All of these rights could then be reviewed to identify concrete entitlements. The entitlements should be identified in terms that allow the rights holders themselves to determine whether they have received that to which they are entitled. To illustrate, if students are entitled to receive so many grams of protein at each meal, they should have the means to determine whether they received their proper allotments.

Some schools could add teaching elements to accompany the basic rights oriented program. These programs could emphasize teaching about nutrition and the nature of rights-based social systems.

To summarize, interested agencies should take up the following tasks:

Formulate standards for the design of rights-based school feeding programs, based on the ABCs of rights systems (clear

~170~

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rights, duties, accountability), local and national policies, and human rights.

Consider adding new elements to the school's teaching agenda (e.g., on rights, nutrition).

Adapt existing SFP as needed and/or create new pilot RBSFP.

Test hypothesis that RBSFP do better than conventional SFP on standards measures.

Develop new measures for assessing new added value dimensions of RBSFP, such as building students understanding of rights-based social systems, critical capacity, assertiveness, and general empowerment.

Those who implement school feeding programs would have to decide the extent to which enhancing students' understanding of how rights work and building their capacity to exercise their rights should be viewed as important in the design of the programs. Clearly, school feeding programs must not be burdened with too many new and different objectives. The core argument here is that rights-based programs are likely to prove advantageous even when assessed only in terms of the basic objectives of improving nutrition and educational performance that are common to all school feeding programs. The benefits in terms of personal empowerment and learning about rights would be an added bonus.

## References

- Asian Human Rights Commission. 2006, *India: Yet another attack on human rights activist in Belva village, Uttar Pradesh*. 23 February. [www.ahrchk.net/ua/mainfile.php/2006/1545/](http://www.ahrchk.net/ua/mainfile.php/2006/1545/)
- Carozza, Paolo G. 2003, "Subsidiarity as a Structural Principle of International Human Rights Law." *American Journal of International Law* 97: 38-79.
- Drèze, Jean, and Aparajita Goyal. 2003, 'Future of Mid Day Meals.' *Economic and Political Weekly*, 20(16): 4673-4683.

~171~

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*G. Kent/Societies Without Borders 5:2 (2010) 152-173*

- Emergency Nutrition Network. 2007, 'Emergency School Feeding Programmes,' *Field Exchange*, 31: 22-23.
- Equalinrights. 2007, *What is the Human Rights-based Approach to Development?* [www.equalinrights.org/content/hrba\\_approach.html](http://www.equalinrights.org/content/hrba_approach.html)
- FAO (Food and Agriculture Organization of the United Nations). 2005., *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security*. Rome: FAO. <http://www.fao.org/docrep/meeting/009/y9825e/y9825e00.htm>
- \_\_\_\_\_. 2006, *The Right to Food Guidelines: Information Papers and Case Studies*. Rome: FAO. [http://www.fao.org/docs/eims/upload/214344/RtFG\\_Eng\\_draft\\_03.pdf](http://www.fao.org/docs/eims/upload/214344/RtFG_Eng_draft_03.pdf)
- Freire, Paulo. 1993, *Pedagogy of the Oppressed*. New revised 20th-anniversary edition. New York: Continuum.
- International Save the Children Alliance. 2007, *Last in Line, Last in School: How Donors are Failing Children in Conflict-Affected Fragile States*. London: ISCA. [www.savethechildren.org/publications/rewrite-the-future/RTF\\_Last\\_in\\_Line\\_Last\\_in\\_School\\_report\\_FINAL.pdf](http://www.savethechildren.org/publications/rewrite-the-future/RTF_Last_in_Line_Last_in_School_report_FINAL.pdf)
- Kent, George. 1988, 'Nutrition Education as an Instrument of Empowerment,' *Journal of Nutrition Education*, 20(4): 193-195.
- \_\_\_\_\_. 2005, *Freedom from Want: The Human Right to Adequate Food*. Washington, D.C.: Georgetown University Press.
- \_\_\_\_\_. 2006, 'ICDS and Right to Food.' *Economic and Political Weekly*, 41(45).
- Kent, George, ed. 2008, *Global Obligations for the Right to Food*. Lanham, Maryland: Rowman & Littlefield.
- Leistyna, Pepi, and Arlie Woodrum. 1996, 'Context and Culture: What is Critical Pedagogy?' in Pepi Leistyna, Arlie Woodrum, and Stephen A. Sherblom, eds, *Breaking Free: The Transformative Power of Critical Pedagogy*. Cambridge, Massachusetts: Harvard Educational Review.
- Nossiter, Adam. 2007, 'A Tamer of Schools Has Plan in New Orleans.' *New York Times*, (September 24). [http://www.nytimes.com/2007/09/24/education/24orleans.html?\\_r=2&hp&oref=slogin&oref=slogin](http://www.nytimes.com/2007/09/24/education/24orleans.html?_r=2&hp&oref=slogin&oref=slogin)
- Prasad, Chandra Bhan. 2005, *Midday Meals Don't Work for Dalit Children*. March. <http://www.infochangeindia.org/analysis66.jsp#>
- Teachers 'Spiced Up' School Meals*. 2004, [http://news.bbc.co.uk/2/hi/south\\_asia/3931131.stm](http://news.bbc.co.uk/2/hi/south_asia/3931131.stm)
- United Nations. Economic and Social Council. 1999, *Substantive Issues Arising in the Implementation of the International Covenant 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. [www.unhchr.ch/tbs/doc.nsf/MasterFrameView/3d02758c707031d58025677f003b73b9?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/MasterFrameView/3d02758c707031d58025677f003b73b9?Opendocument)

~172~

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G. Kent/ Societies Without Borders 5:2 (2010) 152-173

- Vernon, James. 2005, 'The Ethics of Hunger and the Assembly of Society: The Techno-Politics of the School Meal in Modern Britain.' *The American Historical Review*, 110(3): 693-725.
- World Food Programme. 2006, *Standardized School Feeding Survey. Country Status Report. NEPAL*. Rome: WFP. <http://www.schoolsandhealth.org/download-docs/FoodforEducation/WFPsnacks/snack-13/Standardized%20School%20Feeding%20Survey%20Nepal%202006.pdf>
- World Food Programme. 2007, 'Emergency School Feeding Programmes: Summary of Evaluation.' *Field Exchange (Emergency Nutrition Network)*, 31(September): 22-23.
- World Health Organization. 2007, 'Development of a WHO Growth Reference for School-aged Children and Adolescents.' *Bulletin of the World Health Organization*, 85(9):649-732.

### Endnotes

1. This essay builds on the author's earlier paper, "School Meals as Entitlements" in *Food for Education: Experts Seminar, Reviewing the Evidence. World Food Programme, Rome, 8-9 May 2006*. Rome: World Food Programme, 2006, pp. 46-57. <http://www2.hawaii.edu/~kent/School%20Meals%20as%20Entitlements.pdf> The full Seminar Report is available at <http://www.schoolsandhealth.org/download-docs/FoodforEducation/SF%20Research%20Seminar%20Report.pdf>

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~173~

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