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HUMAN RIGHTS AND CHOICE IN POVERTY

**Food Insecurity, Dependency, and Human
Rights-Based Development Aid for the
Third World Rural Poor**

Alan G. Smith

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Human Rights-Based Development Aid
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Preface

Any interdisciplinary approach to a multifaceted real world involves trying to build bridges between different modes of analysis. In addressing third world poverty, the chasm between the philosophers and the social scientists has been a wide one. Yet, to be practically meaningful with regard to our duties under the moral rubric of human rights, philosophy must be coupled with an awareness of the actual grass-roots situations facing the poor and a sense of the practical difficulties involved in addressing them. Certainly, any particular model of human rights based duty will remain unpersuasive in the absence of such awareness.

A second gap to be bridged in an interdisciplinary effort is that between two sectors of human rights thinking, the freedom sector and the economic-social sector, as they pertain to the predicament of third world rural poverty. Economic-social rights (to food, health, employment, etc.) have been considered by some to be relevant, while civil-political rights assessment in the third world has been mainly limited to critically appraising national political systems and their use of violence and detention against their citizens. The loss of choice suffered by the rural poor at the village level, in which uncertainty of attaining even minimal food and health is intertwined with the deprivation of significant choice, has not been the subject of an integrated human rights assessment. While “dependency” on government relief is roundly decried by some Western commentators on poverty, little thought is given to the implications of the dependency on a wide variety of patron-like neighbors, relatives, and others in the social environment that rural food insecurity imposes on its victims.

With a background in both the philosophical and social science approaches, I felt compelled, some years ago, to try to bridge these gaps. This work presents a human rights related model of the “clientelistic dependency” of food-insecure individuals and households that are materially better off. It then proceeds to illustrate the concepts with a look at the rural poor in three countries: Bangladesh, Botswana, and Tanzania. It aims to present, and illustrate empirically, a strategy for fulfilling the international duties of the world's advantaged inhabitants under

the moral rubric of human rights.

I owe a special debt of thanks for the support given me in this project by people at the Christian Michelsen Institute (CMI) in Bergen, Norway, in its Program of Human Rights Studies, and its Department of Social Science and Development. Dating back to the beginning of this work during a five-month visit to the CMI over a decade ago, their hospitality, encouragement, and material aid with the expenses of my visits to Scandinavian libraries and to the countries treated in the study were indispensable. My several opportunities to conduct human rights country assessments for the Nordic human rights yearbook project, *Human Rights in Developing Countries*, on behalf of the CMI, the Norwegian Human Rights Institute, and the Danish Institute of Human Rights, were also of great help. I received invaluable consultation in the preparation of the manuscript from an old friend, Patrick O'Connor. Finally, making it down a long road such as this would not have been possible without the emotional support of my dear wife and my two wonderful young sons.

Chapter 1

The Predicament and Its Background

A Bangladeshi family that owns only .6 acre of paddy land must periodically turn to a better-off uncle to make up a food deficit, borrowing against the future sale to the latter of a small portion of the paddy land. Another Bangladeshi household is able to sharecrop a precious half-acre of high land from a better-off neighbor to grow high-yielding variety (HYV) irrigated rice in the winter, but only with the obligation to buy the necessary water from the neighbor's tubewell and/or become one of the neighbor's supporters in village politics. In Tanzania, a peasant household with four children farms two acres of land from which the family is fed maize at malnutrition or near-malnutrition levels. The family depends on a shopowner for seed for the next crop as well as for credit for food in the lean seasons. Another large Tanzanian family depends primarily on a precious job held by one of its members in a nearby town amid widespread underemployment. A woman in rural Botswana is able to feed her five children provided that, at plowing time, she can continue to borrow a team of oxen from a relative, and also receive a small remittance from her husband, who works on a construction project in the capital city. In each of these cases, minimal nutrition—and, hence, protection from infections and other diseases that prey on people with the low resistance associated with malnutrition—is conditional on maintaining some sort of relationship with a better-off household or households. Such relationships, which constitute what I here call “clientelistic dependency,” must be maintained in order to ward off weeks or months of much-heightened risk to the health and survival of one or more household members. They also render the dependent peasants vulnerable to constraint in their civil-political behavior, as they are likely to consider what they think to be the preferences of their “patron” by “anticipating” the latter’s “reaction” (as it is termed by political scientists).¹ Each such case, I will argue, poses a human rights predicament, not only in the economic-social sector of human rights, but also in the civil-political sector. That predicament, I will suggest, can only be remedied over the long run

by a certain sort of development aid involving simple and cheap appropriate technology, which must be offered as an option to a clearly defined category of poor households.

The debate about freedom in poverty is, by now, an old one. To what extent might conditions of poverty serve to constrain choice in ways that threaten the freedoms enshrined in human rights? On the one hand, recently, the tradition of “positive liberty” has emphasized that a minimal level of economic and social well being provides a necessary physical platform for the possibility of the kind of free and full social and political participation associated with democratic rights. In its dimensions affecting the individual, this position has been developed further in the late twentieth century (as we shall see in Chapter 2) in Henry Shue’s *Basic Rights* (1980). On the other hand, the “negative freedom” argument—represented significantly in the mid-century analysis of Frederick Hayek in his *Constitution of Liberty* (1960)—suggests that preserving rights to freedom involves no more than removing institutional barriers to free choice. In this volume I propose to reconstruct elements of each of these views in a theoretical model combined with a concrete analysis focusing on the predicament of poverty and the clientelistic dependency it promotes. This predicament affects a large proportion of the world’s population, undercutting the momentum for democracy building in the third world.

In the third world, the great majority of the population still lives in rural areas. There, typically, as many as the poorer 30 to 50 percent may lack even the minimal dietary volume (not to mention nutritional balance) needed to provide resistance to common illnesses. Food insufficiency malnutrition—primarily in the form of general protein/energy deficiency, but also of specific nutrient deficiencies (especially of iron, folic acid, and vitamin A)—has the effect of profoundly suppressing immune response to infectious disease, including respiratory and diarrheal infections, malaria, tuberculosis, measles, and intestinal parasites, in a variety of ways.² The obvious fact for third world rural dwellers is that those suffering from a food shortage get sicker and fall ill more often than those with sufficient food, thereby suffering effects ranging from an incapacity to work effectively to death (Spurr 1990). Children are notably affected (Chen et al. 1980).

The dependency on a relative, a neighbor, a local government bureaucrat, or even an aid official with a nongovernmental organization (NGO)—amounts to a requirement for whatever temporary degree of access they currently have to the minimal level of food intake that is necessary to ward off malnutrition-related health threats. Their plight can result in constraint of significant economic choice by the poorer-stratum peasants, that tends to be linked to constraint of civil-political choice as well. Their vulnerability to the loss of current or possible future opportunities makes them vulnerable to constraint on their politically relevant expression and association, which is limited to the range likely to be acceptable to their current or potential patron. Being nearly or already at risk of malnutrition-related health problems, they cannot afford to lose any opportunity they now have, or might get, to maintain or augment the family survival pack-

age, since no component can be lost without significantly increasing the risk of malnutrition and the resultant health threat. Such peasants may still have many choices in minor areas of life, and those on whom they depend for temporary minimal survival may choose to leave them free of any sociopolitical expectations regarding expression, association, and political participation. However, their clientelistic dependency nonetheless leaves them *vulnerable* to the constraint of significant choice in these areas. Significant alternatives to their current strategy involving clientelistic dependency tend to be barred to all but the most risk-tolerant individuals.

While the broad scope of this threat is well known to students of peasant poverty, it has tended to be papered over in recent assessments asserting that a rural economic revival of small-scale income-earning activities is taking place due to the effect of "structural adjustment" in opening up rural economies. Research reports on third world villages generally fail to focus on degrees of poverty as they are related to consequent differences in the character of clientelistic relationships deriving from poverty. Economically, important alternative strategies that are significant in the sense of having real potential to reverse the insecurity of access to food and health are often open to middle-stratum households. These range from gaining access to credit opportunities for agricultural inputs to improve food-crop output to going into a gainful sideline activity or educating both sons and daughters in hopes of their landing a good urban job. However, such options tend to be either out of the reach of poorer-stratum peasants or available only if they increase their clientelistic dependency on a more affluent individual or household. Relatively autonomous petty-trading, service, or small-industry activities tend to be cost-beneficial (in terms of improvement in food access versus labor cost) only for middle-stratum or better-off households, as opposed to the extremely low return on labor that resource-poor individuals tend to face in trying such options.

Many observers of poverty sense that along with their low level of resources for providing their families with nutrition, health, and education, the poor have a strikingly meager range of choice in their lives. Much depends, however, on how the reduction in choice is conceptualized. Earlier in this century, liberal critics who looked at poverty in light of the value of freedom tended to view it in terms of the lack of ability to actually do many of the things that formal freedoms permit one to do. For example, in 1927 John Dewey, in his *Liberalism and Social Action* (1963), called for a social guarantee of a minimum income, not only to enable doing certain things directly, but also to alleviate the insecurity and the all-consuming character of economic struggle among the poor, that tend to get in the way of exercising freedoms. More recently, Shue (1980) usefully extended this view to the third world by emphasizing the physiological and health deficiencies that can hinder the poor from taking the physical actions involved in the full exercise of rights to freedom. He called for guaranteeing subsistence needs as well as physical security against assault, to enable the normal exercise of freedom.

However, even Shue's "basic rights" approach stood analytically in isolation from the developing tradition of *human* rights, which, in practice, tended to assume that even those who are in poor health due to injury from assault or a nutritional deficiency can exercise civil-political rights in limited ways (to vote, speak, associate, etc.)—at least as long as they live. In part because of this fact—that while they live, the rural poor seem to remain at least minimally able physically to exercise their rights—it has been easy for many who concede respect for human rights to remain unpersuaded by Shue's overall argument. Moreover, the object of Shue's analysis of duty was a one-step guarantee of adequate food, clothing, shelter, preventive medical care, and environmental protection for all of the poor, to be provided directly, by conventional aid methods. While I sympathize with this as a long-term goal, as an immediate obligation it seems a tall order involving methods that in practice are difficult and problem ridden. In addition, alongside these subsistence rights, Shue's one-step approach required a thoroughgoing protection from assault (security rights), as a parallel prerequisite to the enjoyment and exercise of civil-political rights. Again, we have a laudable goal but one which is extremely unlikely and unrealistic as a prerequisite requirement for the third world, and apt to discourage anyone looking for a truly feasible immediate obligation under the human rights moral rubric.

However, alongside Shue's overall traditional analytical rubric of choice constrained by the inability to take action to exercise rights, he included a particularly interesting sort of "standard threat." Shue made the point that one's freedom may be removed by fear of economic retribution as well as of retribution by violence (1980, 26). Unfortunately, he failed to explore further this avenue of causation. Arguably, nonetheless, the most prevalent problem of choice among the third world poor is not that they normally cannot physically take any sort of action in the exercise of rights, but rather that they are vulnerable to the withdrawal of survival-providing economic opportunity if they stray beyond the limits set by what they believe to be their patrons' preferences; hence they perceive at least a potential risk in acting with full independence. This situation does not require that an overt exercise of "power" be made by the patron in an actual conversation, but only that there be an underlying *vulnerability* of the poor partner in the relationship, which can quite effectively constrain civil-political behavior (resulting either in silence and inactivity or in activity and expression that are thought by the client to be acceptable to the patron), *without* overt behaviors by either patron or client to make explicit the pattern of causation.

This situation can be shown to be explorable in ways conceptually independent of Shue's overall emphasis on the physical inability to act due to poverty. It is my purpose to develop an analysis, in terms of the existing rubric of human rights (that is, without trying to invent new sorts of rights), that can explain the predicament of choice constraint via clientelistic dependency, and that, in human rights terms, supports an immediate obligation to offer a certain type and level of subsistence-supporting development aid to the third world rural poor. What I call the "choice structure" facing poor peasants typically involves the absence of what I call "significant alternatives" to the pattern of clientelistic dependency

facing the poor peasant. The rural poor depend on clientelistic relationships to get access to such things as credit or food to cover periods of food shortages, plots to sharecrop, wage labor in the slack season, an animal draft team to borrow for plowing, water for irrigation, and similar necessities which must be combined to provide the minimal survival package for the poor peasant. Available clientelistic options in a particular setting typically offer more or less the same combination of a temporary probability of survival with an absence of long-term assurance, given the ever-present risk of weeks or months of malnutrition each year and the resultant lowering of resistance to potentially fatal illness. The necessity of having (or obtaining) a clientelistic relationship with which to try to contend with survival threats tends to bar the pursuit of *significant alternatives* in expression and association as well as food and health. It thus rules out assurance of the options of minimal significant choice and of minimal well-being, which must be the first and most urgent immediate objective of human rights efforts.

I argue for introducing, via a particular type of development aid, a new and quite significant alternative, which provides the peasants with *comparatively autonomous control* over their most minimal survival requirements while avoiding the creation of a new line of clientelistic dependency. I have in mind the provision, for target-category peasants, of the option of acquiring certain simple types of agricultural equipment (e.g., animal draft teams, small plows, animal-drawn carts, and manual water pumps) that can save labor and enhance productivity sufficiently to assure, under the peasant's own control and with no clientelistic obligations, a crop that is minimally sufficient for the survival of all family members. In contrast, the best current approach, "integrated rural development," typically relies on local officials, providing a recurring supply of credit for recurring agricultural needs (like fertilizers, food, or water from someone else's facility). While this approach has the potential for targeting real poverty, in today's context it can often play the role of a new component of clientelistic dependency rather than a significant alternative to that system. However, when the targeted peasants have an available option of *comparatively autonomous self-provision*, then even those who do not take up the option (wishing instead to depend entirely on existing clientelistic alternatives), at least are no longer constrained into those relationships; they may become (or remain) clients without being clientelistically *dependent*. With the bargaining power that only an option of exit can supply, they may gain leverage toward achieving a minimal choice of expression and association as well as minimal access to food and health. Similarly, those who accept the new equipment may continue to benefit from integrated rural development programs and other clientelistic relationships while being less bound to them. Hence, conventional development aid approaches would lose their capacity of contributing to the dependency aspect of the problem, and instead take their intended place among human rights-sensitive solutions for rural poverty.

HUMAN RIGHTS BACKGROUND

With the fall of the Communist regimes of Eastern Europe and the former Soviet Union and the consequent demise of the cold war, a new identity crisis began in the field of human rights. For a long time, the alternative orientations toward human rights problems appeared to be the conventional Western emphasis on civil-political rights, on the one hand, and on the other, the economic and social rights emphasis of the socialist countries and many nations in northern Europe and the third world. On the civil-political side, the momentum of democratization in Eastern Europe, Russia, and parts of the third world may well give rise to a complacent sense that the human rights victory has already been won. The International Monetary Fund (IMF), the World Bank, and some donor governments have, under certain circumstances, made continued aid conditional on the acceptance of a package of market-oriented and democracy-promoting changes by the government, and these have contributed to civil-political change in national institutions in major urban areas, in the direction of democracy.

Civil-political democratization, however, presents itself primarily in a formal-legal sense and at the national centers only (e.g., with formal multi-party elections). At the village level, that at which politics is meaningful to most rural dwellers, contending national political parties are often little more than changing labels used by the same factional patron-client networks in village politics. Huge numbers of people in the lower strata in rural areas remain, in their civil-political behavior, silent or cooperative with their economic patrons. Third world governments often rely heavily, for support and stability, on the support of intermediate and local patron-client networks. Even in countries where the national government is well intended regarding human rights, the local conditions underlying the problems emphasized here tend to be well beyond the conventional formal-legal reach of central government policies. Nonetheless, what we in the West most often read about in our press are the gains made by "democracy" in the third world.

On the economic-social side of human rights, the momentum seems to be toward winding down government spending programs directed at economic needs generally. This is occurring under the relentless pressure of the International Monetary Fund (and donors) for monetarist reform to deal with deficits in government budgets in countries in both the world's North and South, and to free markets from government price controls and other restrictions. This gradual weakening of conventional governmental programs (though many smaller NGO efforts continue vigorously) may give rise to overall pessimism and to a focus solely on necessary relief for victims of the dislocations of war. However, for those most in need in third world rural areas, there may be less actual change than at first seems apparent. Regrettably, many of the previous economic aid programs failed to substantially reach the rural poor. In some countries experiencing market liberalization, higher market-based producer prices have replaced the old, artificially low procurement prices that used to be set by government officials in order to promote low urban food prices; this liberalization has helped farmers who produce substantial surplus for the market. However, for vast num-

bers of the rural poor, who produce little or no surplus for sale, the new era often means that either one sort of “trickle down” is replaced by another or that the flow stops altogether.

For human rights orientations overall, there is a real risk that this combination of civil-political complacency and economic-social pessimism will overwhelm the human rights movement, at a time when human rights standards should emerge into the forefront, out of the shadows of the old ideological conceptualizations stemming from the cold war. I shall argue here that both the complacency and the pessimism are misplaced, and that there is the possibility of a new understanding internationally of feasible human rights-related obligations in our era. I do not recommend the replacement of any ongoing, well-intended, and effective conventional aid efforts. In my view, however, these issues, conceptions, and practical efforts need to be *supplemented* with a qualitatively different, bottom-up component that is firmly rooted in the human rights rubric of analysis, moral evaluation, and obligation.

The predicament I try to address has to do with the vast numbers of third world rural dwellers who experience poverty-based protein/energy malnutrition and who must survive, at least in part, by means of economic opportunities offered by connections (often kinship based), with one or more better-off villagers. I call these relationships clientelistic dependencies to distinguish them from conventional patron-client relationships on the one hand, and classic economic dependency relationships on the other (e.g., of a child or an incapacitated relative). Like economic dependents, clientelistic dependents generally experience insecurity in obtaining minimal food and health access, and therefore cannot normally afford to risk losing the relationship. Under these circumstances, typically, the loss of even a small component of a household's economic package of opportunities can produce weeks or months of added malnutrition and harm to the family members' health. In this they differ from clients of patrons in the classical anthropological or political sense, who are seen as involved in a more voluntary and multidimensional relationship with their patron, having much of value to offer the latter. However, like classic clients and unlike economic dependents, clientelistic dependents are economically functioning, and indeed often must be hyperfunctional to scratch every grain of economic return out of the meager resources. In fact, in the foreseeable future there is no sense in condemning or trying to do away with clientelistic economic relationships involving the poor or anyone else; they are the lifeline of literally billions of the world's people and a key informal coordinating mechanism of political, economic, and social life. In any case, human rights provisions, as well as practical problems of feasibility and effectiveness, tend to rule out attempts at direct governmental intervention in such relationships. Indeed, relationships of clientelistic dependency among the rural poor cannot be affected substantially by traditional, top-down regulatory mechanisms.

As for currently functioning conventional methods of development aid, it is, on human rights grounds, unjustifiable to remove them simply because they may involve clientelistic dependency. The most effectively poverty-targeted of con-

ventional aid interventions must be continued in order to address immediate economic-social and civil-political human rights problems; actual or potential victims of violence must be saved, and people who are threatened with malnutrition must be fed in whatever ways can help. Important work has been done in this regard on the right to food in international law.³ At the same time, however, we must recognize that conventional methods alone are not likely to be effective in addressing the underlying context of poverty-based clientelistic dependency. In practice they tend, at most, to redirect or modify the channels of clientelistic dependency; they fail to alter either its attendant constraint on civil-political choice or its contribution to a persisting insecurity caused by inadequate food and access to health. The current aid approaches could be made far more effective if the missing bottom-up component could be provided, which they currently do not do.

If the effects of clientelistic dependency are to be addressed under the rubric of human rights-based obligation, some sort of practical, realistic, and politically feasible steps—both based on human rights and otherwise consistent with human rights—must be proposed to those who are most advantaged (mainly in the world's Northern Hemisphere). If possible, the new steps must be gauged at least to complement existing well-targeted aid, and perhaps even to neutralize any negative aspects for choice that the more conventional aid may create. A promising strategy of feasible and practical intermediate steps may have to be indirect rather than direct in terms of channels of impact on the problem. Moreover, it must be sufficiently affordable and realistically promising in their effectiveness that citizens and governments of advantaged societies accept them as essential for third world victims of health-threatening and choice-eliminating poverty.

With regard to the economic-social rights sector alone, in one initiative (to which I was privileged to contribute), the idea was proposed to focus human rights-based development aid on building a "minimal threshold" of food, health, employment, and education in the third world, as a preliminary foundation for further progress in realizing the whole range of socioeconomic rights (Andreasson, Smith, and Stokke 1992).⁴ The following discussion also pursues a minimalist human rights foundation with respect to improving development aid. It extends beyond the economic-social rights sector, however, into the realm of civil-political rights to depict a prerequisite ground-level nexus of fundamental civil-political and economic-social rights.

To some extent standing in the way of such an approach are certain conventional ideas, mostly stemming from a traditional legal outlook on human rights. One such barrier takes the approach that human rights responsibility is confined, in one way or another, to the borders of each nation, thus calling into question the universality of both the rights and any potential correlative duties. However, the universal applicability of these rights seems evident from the human rights documents and the international arrangements drawn up to implement them (Donnelly 1989, 205–228). Claims to particular exemptions or idiosyncratic interpretations on the grounds of particular cultural or other local differences have been powerfully refuted in the work of Donnelly (1989) and others. On the

side of related duty, the view that the human rights rubric implies international duty is again evident, both in the international instruments, which have been widely signed or otherwise supported around the world, and in an increasing volume of commentary. For many, the issue of international responsibility of all humans for fostering respect for human rights everywhere is that of ensuring consistency with human rights provisions for national self-determination—finding routes for international intervention in which the third world nation-states can, comparatively easily, cooperate.

A related barrier to viewing this predicament as a human rights problem and taking feasible action on it (to be explored in more detail in Chapter 2) has to do with traditional legal conceptions of the means by which international obligation is to be acted upon. In the traditional legal view on human rights, obligations fall only on government (principally, the national “sovereign” government of the territory in which the problem exists), which must respond to valid claims, by ceasing to violate human rights and by punishing individual government officials who have violated them. It is even controversial to some to consider governments as falling under a specific human rights obligation to apply laws and programs to private citizens, in order to punish perpetrators of deeds that would clearly be human rights violations if they were done by government officials.

In the face of this barrier, I focus on the reality of human rights problems in the third world and of our ordinary language of human rights. We quite normally extend talk of human rights beyond matters of violations by governmental officials to those by other groups in society, not least because of the ease with which governmental actors can do their violating via private allies or informal activities without being held accountable in the courts. Major thinkers contend that the moral rubric of human rights obligates all humans, as such, to at least refrain from violations of life and liberty. As Braybrooke (1970, 1972) and Singer (1970, 1972) contend against Lyons (1970), private threats or acts of violence against those assembling to hear a speaker are taken to be violations of rights of assembly as well as of physical security. By the same token, exercising a right is not limited to making a claim before a court or court-like tribunal; more commonly, it involves engaging in the protected activity.

Another barrier to discovering new sorts of approaches to ground-level human rights problems is the tendency of some commentators with a legalist bent of mind to focus the human rights obligation on protecting the “exercise” of rights, viewed only in terms of *making claims* before governmental tribunals. Certainly it is necessary that a route of claim making and recognition be *available* when an attempt to shut down the protected activity is made (which may conceivably be found in the realm of customary sanction as well as formal modern law and courts, as per Shue 1980, 16–17), but this requirement does not mean that exercising a right is synonymous only with asserting a claim. This seems to be suggested by Donnelly (1989, 10–11), if I am not misinterpreting his otherwise useful distinction between a right’s “assertive exercise,” its “direct enjoyment,” and its “objective enjoyment” (1989, 11). In ordinary language, I maintain (whether or not in technical legal language), the option of the exercise of rights that we

aim to protect under the human rights moral rubric—the goal—refers especially to the ordinary doing of the activity or possession of the value that is protected by the right, such that the exercise is not challenged, in certain circumstances: (a) wherever the activity or value would be threatened in the absence of the pattern, in local social practice, of respect for the right, and (b) whenever there are *available* procedures for making a valid claim if the exercise is challenged or threatened. Particularly in the third world context, we want to work toward protecting—if necessary through efforts *quite independent of* traditional formal-legal mechanisms—the exercise of rights of ordinary people who know nothing of the nature of a right.

If we wish to avoid arguments that view the human rights obligation in too weak and restrictive a form, we must also avoid those that unrealistically and infeasibly assume too large a scope of immediate duty under the human rights rubric. To be sure, there is some truth to the contention that if it seems physically possible to address a human rights problem, then a persuasive moral obligation to act on it now exists. An economic-social sector example is the contention that the world's food production capacity is sufficient to feed the world's malnutrition sufferers and that only "political decisions about its distribution" stand in the way (Donnelly 1989, 33; see also p. 93). To leave the matter at that, however, is to go only part way toward showing the feasibility of the discharge of a duty to protect rights. Political barriers and barriers of widespread perception regarding difficulties in the mechanism of resource extraction and delivery—whether they be found at the source of aid supply, at the target level of the third world village, or somewhere in between—are, regrettably, real barriers. Given the nature of human beings and their currently workable patterns of political and economic organization and coordination at all levels (international, national, regional, and local), difficult political, social, financial, and other problems do exist at many levels. What a particular lawyer, for example, thinks possible and workable may be actually impossible, unworkable, or subject to unacceptable costs in other values in the light of what an eminent economist or another variety of social scientist may have observed at another level of the process of possible remedy. The perceived existence of a moral obligation requires that it be feasible to perform, regardless of the reasons for any actual infeasibility.

THE STRATEGY AND MODEL OF THE STUDY

Social scientists have known for a long time about the aspects of dependency at work in the conventional, widely recognized relationships of tenant farmers to landlords and landless laborers to employers. Little, however, has been done to conceptualize, under the human rights rubric, the whole range of poverty-related economic dependencies, including a wide variety of types of dependencies of smallholder clients who live as close to the margin of survival as do pure tenants or landless laborers. The client household receives (for one or more of its members) one or more of a variety of values, such as a job, a sharecropping plot, access to oxen for plowing, and political protection. In return, the patron gets po-

litical support or other cooperation, such as aid in emergencies or guaranteed labor supply in peak periods. The varying particular kinds of dependency situations have in common a key risk for the client—that if the poor individual or household displeases the patron in some sort of civil-political related behavior, there may be a withdrawal or foreclosure of present or possible future patron-offered access to a resource or opportunity that is critical for survival. The dependents' vulnerability undercuts the development of a reliable, ground-level social practice of respect for human rights generally.

To understand the civil-political dimensions inherent in such economic relationships, we should take our cue from what political scientists call power by "anticipated reaction."⁵ Even where no clear evidence exists of attempts by the patron to limit the behavior of the clientelistic dependent, the latter may feel a need to conform due to an "anticipation" of the patron's possible negative reaction, should the client depart from the perceived constraints. In this context, I suggest, a food-insecure, dependent peasant household is vulnerable to losing minimal significant choice in civil-political behavior and economic strategy for food access, due to the patron's *capacity* to impose sociopolitical preferences on the dependent household as a condition (perhaps unstated) of the continuation of the relationship and the survival-critical economic opportunities it provides to the poor household.

In place of Shue's emphasis on the actual exercise of a right, I focus on a third conceptual element lying in the gap between the merely formal-legal right, on one hand, and its particular exercise on the other. This element is the right's "observance" (in the language of the human rights Covenants), referring to the behavioral practice of respect of the right in ordinary social life, as a matter of the social situation and the social practice in the actual lives of average people. This practice will be referred to as an "operational right." Such a right (which must be clearly defined) will be considered as distinct from the actual doing of the thing for which the right provides scope (a distinctness not consistently maintained in Shue's formulation of enjoyment of a right), so as to direct attention to the sorts of factors that in the real world may have to go into deciding whether to exercise an actually available right. Such an operational right will be viewed as the assurance, in daily life, of the ready availability of an option, whether of significant choice among two or more significant alternatives or of access to a critical resource via a path of endeavor to gain the thing. To achieve civil-political freedom in practice, at least as ordinarily experienced in life in the Western democracies (e.g., freedom of expression and association), we demand significant alternatives for readily available choice; as noted in a founding work in the modern discipline of political science, a freedom composed of numerous trivial alternatives for choice is not a practically meaningful freedom.⁶ To work with such a conception, however, we need to identify the nature of a significant alternative in realistic terms that are applicable in practice to various fields for choice and to particular predicaments of constraint and poverty facing the vast majority of third world people who live in rural areas. For an alternative to be called significant, there are four requirements: (a) being known, (b) being sig-