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*"...with great power there must also come -- great responsibility!"*

An ethical power-analysis of the institutional justice of the European Union's approach to Food Security in Sub-Saharan Africa

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## Abstract

The European Union aims at being an ethical actor on the global arena and the EU development-policy is directed towards achieving long-term socio-economic development, with a specific focus on Sub-Saharan Africa, where development is showing little progress, and food security and agricultural development is at the top of the agenda. The EU is both the biggest market and the biggest aid-donor for African countries.

In this thesis the focus is on to what degree the Unions approach to this can be argued to be ethical. The theoretical frame is that of Darrel Moellendorf's approach to institutional justice, and to be able to state whether or not the EU approach is just, one need to establish the receiving ends perception of this, and the power-relations embedded in this. The method for doing this is a single-case study, namely with *justice* as the dependent variable, where the EU's documents on food security as well as the African Union's documents on the same will be analysed.

The analysis shows that to a certain extent institutional justice is present, but that the power-relations embedded in the global trade-system, hinders full institutional justice in this area.

**Key-words:** institutional justice, power, EU, development, trade.

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## List of abbreviations

**AoA** –Agreement on Agriculture

**AU** – The African Union

**AUC** –the African Union Commission

**CAADP** –the Comprehensive Africa Agriculture Development Programme

**CAP** – the Common Agricultural Policy of the EU

**CFS** –the Committee on World Food Security

**CGIR** –the Consultative Group on International Agricultural Research

**DG** – Directorate-General

**EU** – The European Union

**EPA** – Economic Partnership Agreements

**FAFS** –Framework for African Food Security

**FARA** the Forum for Agricultural Research in Africa

**FAO** –Food and Agriculture Organization of the United Nations

**FIMA** – the Framework for the Improvement of Rural Infrastructure and Trade-Related Capacities for Market Access

**FPI** – Food Price Index

**FSTP** –the Food Security Thematic Programme

**IFAD** –International Fund for Agricultural Development

**IFPRI** – the International Food Policy Research Institute

**IMF** –International Monetary Fund

**LDCs** –the least developed countries

**MDGs** – the United Nations Millennium Development Goals

**MTR** –Mid-Term Review

**NEPAD** –the New Partnership for Africa’s Development

**OECD** –the Organisation for Economic Co-operation and Development

**RECs** –the regional economic communities (of the AU)

**UN** –the United Nations

**UNCTAD** –United Nations Conference on Trade and Development

**UNHETF** –the UN Secretary-General High Level Task Force on the Global Food Security Crisis

**WFP** –World Food Programme

**WTO** –the World Trade Organisation

## 1. Introduction

If one, like me, is a great fan of superheroes, one will know that the title of this thesis is borrowed from the first issue of Spiderman<sup>1</sup>. The world of superheroes is easy to relate to; we instantly know a hero when we see one, and it is easy to tell the difference between doing good and doing harm. Now, in the real world there are rarely a uniform definition of heroes and villains, right and wrong. Perhaps because of this, ethics understood as the attempt to answer the question “how ought we to live?” goes back to the earliest days of philosophy<sup>2</sup>. Ethics then can be summarised as the study of right actions versus wrong actions. And like any other theoretical field, there are many different views on what the right answer ought to be, and the dichotomy good and evil, is rarely as clearly cut as it is in fiction.

With the establishment of the Common Foreign and Security Policy of the European Union (EU), the goal was, according to High Representative Javier Solana, to become “a credible force for good” on a global scale<sup>3</sup>. There is a strong consensus, within the institutions of the Union, that the EU is and should be a normative actor with the capacity as well as responsibility, to spread and secure development, good governance, human rights and democracy<sup>4</sup>. To be an ethical actor on the global arena, a normative power securing universal values.

The EU’s discourse on its own external role is, in the words of Lisbeth Aggestam “articulated in a discourse of universal ethics which defines the EU as a ‘power for good’”<sup>5</sup>.

But even though the EU labels itself an ethical actor, ethics as the theoretical lens through which one studies the EU’s foreign relations, is not very common. Perhaps this is a result of the fact that ethics is often discussed on a philosophical level, as opposed to being of practical interest<sup>6</sup>.

I have a strong belief that when the Union argues to be an ethical actor, it is of importance that this influences both its policies and practices. Not from a philanthropic point-of-view, but rather from the viewpoint that it will affect the Union, as well as the third party, be that positive or negative, in several cross-cutting fields.

When the EU’s financial allocation for the period 2011-2013, alone and solely on food-security-issues in other parts of the world, was €749 million<sup>7</sup>, the outcomes matter; they may matter for different reasons depending on your position, but they are not to be neglected.

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<sup>1</sup> *Amazing Fantasy* #15, August 1962

<sup>2</sup> Heather Widdows, *Global Ethics an introduction*, (Acumen: Durham), 2011, p. 4-5

<sup>3</sup> Javier Solana, EU High Representative for the CFSP and ESDP, autumn 2007

<sup>4</sup> Article 21 TEU

<sup>5</sup> Lisbeth Aggestam, *Introduction: ethical power Europe?*, *International Affairs* 84: 1 (2008) pp. 1–11, p. 1

<sup>6</sup> David Miller, *Political Philosophy A Very Short Introduction*, (Oxford University Press: Oxford), 2003, p. 9-10

## 1.1 The EU and Distributive Justice

European Union development policy is directed towards helping achieve the United Nations Millennium Development Goals (MDGs). Progress has been made but it has been uneven, and especially so relating to Africa, where nearly 80%<sup>8</sup> of malnourished people live in fragile situations. In most parts of the world, rates of hunger and malnutrition have fallen significantly in recent years, but those in Africa have shown little improvement<sup>9</sup>. Parallel with this, the EU is the biggest export market for African products, as well as the biggest donor of development aid<sup>10</sup>.

The global economic developments during the recent years have resulted in food security re-entering the debates and has gained policy attention in development cooperation.

The high level of undernourished people in the world has, according to the Commission, been influenced by three factors: 1) a long-standing relative neglect of agriculture and food security by governments and international agencies, 2) the worldwide economic crisis, and 3) the volatility of food prices over the last few years. As a result, the first Millennium Development Goal on the eradication of poverty and hunger (MDG 1), to half, between 1990 and 2015, the number of people suffering from hunger<sup>11</sup>, is likely to be missed by a sizeable margin, particularly in many sub-Saharan African countries<sup>12</sup>. Hunger in Sub-Saharan Africa is as persistent as it is widespread. According to the African Union (AU), efforts to reduce hunger in the region have been hampered by a range of natural as well as human-induced disasters<sup>13</sup>.

The African Union states that production and pastoral livelihoods in Africa face multiple threats related to trans-boundary disease, water shortages and climate change among others related to trade barriers and phytosanitary issues<sup>14</sup>. In other words the two Unions detect similar issues to be the reasons for this unfortunate development, but there are also small deviances in their analyses. The matter of trade barriers will therefore be of particular interest in this thesis, since this is a topic that

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<sup>7</sup> Brussels, 21 December 2010 Document C/2010/9263 FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER (UPDATE) and MULTIANNUAL INDICATIVE PROGRAMME 2011-2013, p. 5

<sup>8</sup> The African Union/New Partnership for Africa's Development, (2009), *Comprehensive Africa Agriculture Development Programme (CAADP) Pillar III Framework for African Food Security (FAFS)*, (New Partnership for Africa's Development (NEPAD) Secretariat, South Africa), p.3

<sup>9</sup> The African Union/New Partnership for Africa's Development, (2009), p. 3

<sup>10</sup> Delegation of the European Union to the African Union, development cooperation, available at: [http://eeas.europa.eu/delegations/african\\_union/eu\\_african\\_union/development\\_cooperation/](http://eeas.europa.eu/delegations/african_union/eu_african_union/development_cooperation/) viewed: 04-03-13

<sup>11</sup> Brussels, 25.1.2006, COM(2006) 21 final, COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT A THEMATIC STRATEGY FOR FOOD SECURITY Advancing the food security agenda to achieve the MDGs, p.4

<sup>12</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 6

<sup>13</sup> The African Union/New Partnership for Africa's Development, (2009), p.3

<sup>14</sup> The African Union/New Partnership for Africa's Development, (2009), p. 5

often comes up when discussing socio-economic development and the AU clearly sees it as one of the main-reasons, situated within the political field, for its food-security situation.

According to the Commission distributive justice, in the sense of securing development and fighting hunger, is at the heart of the EU foreign policy<sup>15</sup>.

In 2006, as part of an effort to rationalise and simplify the existing legislative framework governing external actions of the Community, the European Commission proposed a number of thematic programmes, one being the Thematic Programme on Food Security, the one being the main focus of this study. The goal with the thematic programmes was to provide distinctive value added and comprise activities complementing geographical programmes, which is the prime framework for Community cooperation with third countries<sup>16</sup>.

To simplify communication in the development field, and to provide a single contact point for stakeholders inside and outside the EU to deal with – a new Directorate-General (DG) was established in 2011; EuropeAid<sup>17</sup>.

With a focus on values EuropeAid is explicitly working as an instrument for spreading European values and norms; the European way of ordering how one ought to arrange society and life.

Even this, in international relations, rather new topic of distributive justice, has a long history in political thought. When we argue about international affairs we draw directly or indirectly on established traditions of ethical discourse<sup>18</sup>.

The EU's normative power is often an issue in politics as well as in research. According to Ian Manners, this normative power is to be understood as the 'power over opinion' and the EU has gone further towards linking its foreign affairs tightly to a "catalogue of norms which come closer to those of the European convention on human rights and fundamental freedoms (ECHR) and the universal declaration of human rights (UDHR) than most other actors in world politics"<sup>19</sup>. Manners argues that the EU's normative power stems from its ability to shape norm diffusion, and work

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<sup>15</sup> EuropeAid, available at: [http://ec.europa.eu/europeaid/who/index\\_en.htm](http://ec.europa.eu/europeaid/who/index_en.htm) viewed 04-03-13

<sup>16</sup> THEMATIC STRATEGY FOR FOOD SECURITY Advancing the food security agenda to achieve the MDGs, p. 3

<sup>17</sup> EuropeAid, available at: [http://ec.europa.eu/europeaid/who/index\\_en.htm](http://ec.europa.eu/europeaid/who/index_en.htm) viewed 04-03-13

<sup>18</sup> Terry Nardin and David R. Mapel (ed.), *Traditions of International Ethics*, (Cambridge University Press: Cambridge), 2002, p. 1

<sup>19</sup> Ian Manners, Normative Power Europe: A Contradiction in Terms? *JCMS* 2002 volume 40. Number 2. Pp.235-58 p. 241



towards ‘normalizing’ its core norms, in international relations<sup>20</sup>, and that the Union seeks to redefine international norms in its own image<sup>21</sup>.

Even though ‘normative power Europe’ has evolved into a big field of research, and ethics is often mentioned, ethical analyses of the EU has until rather recently gained little interest. Relations between the EU and Africa have been subject to research for a longer time, especially with a focus on trade and economic relations, as well as diplomatic relations. But according to Siegmur Schmidt, the African perception of the EU is an under-researched field<sup>22</sup>.

My intensions with this thesis are to combine the concepts of ethics and power, by using Michael Barnett and Raymond Duvall’s definitions of power, which will be described later in the methodology chapters, and apply these on a case-study within the field of EU foreign policy, with a focus on long-term socio-economic development, specifically concerning food security.

## 1.2 Focus of this thesis

The main area of interest in this thesis is the clash between the EU as a self-stated ‘force of good’ and the Commission’s focus on food insecurity as one of the focal points of EU foreign policy<sup>23</sup>, and the power-relations this establishes and preserves.

In 2006, the Commission established that it was estimated that 815 million people were ‘chronically’ food insecure in the developing world. Despite progress in reducing hunger at global level, persistent food insecurity remains elusive in Sub-Saharan Africa. Linkages between food insecurity and conflict, poor governance and the HIV/AIDS pandemic raise profound challenges for national governments, donors and civil society alike<sup>24</sup>. The scope of this thesis does not permit that I include these topics, but it is important to note that food security in this broader sense cannot be limited to a philanthropic matter of ‘the poor starving children of Africa’, as it is sometimes portrayed in our part of the world. Food security is not just a matter of individual life or death; it is a global security-issue<sup>25, 26, 27</sup>.

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<sup>20</sup> Manners, ( 2002), p. 243-244

<sup>21</sup> Manners, ( 2002), p. 252

<sup>22</sup> Siegmur Schmidt, *Soft Power or Neo-colonialist Power? - African Perceptions of the EU*, *Review of European Studies*, Vol. 4. No. 3; July 2012, p. 101

<sup>23</sup> *FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER*, 2011-2013, p 6

<sup>24</sup> *ATHEMATIC STRATEGY FOR FOOD SECURITY Advancing the food security agenda to achieve the MDGs*, p. 4

<sup>25</sup> Oliver Bakewell, ‘Keeping Them in Their Place’: the ambivalent relationship between development and migration in Africa, *International Migration Institute, University of Oxford, Working papers*, 2007, paper 8, p. 2

<sup>26</sup> Niagale Bagoyoko and Marie V. Gilbert, *The Linkage between Security, Governance and Development: the European Union in Africa*, *Journal of Development Studies*, Vol. 45, No. 5, 789–814, May 2009, p. 789

The statement is that food insecurity is both a cause and a consequence of absolute poverty, and that the issue is not sufficiently recognised either as a development objective or as an indicator of economic and social progress, because it is often related to emergency-aid, and thereby its multi-dimensional nature is overlooked. The Commission therefore argues for a long-term structural approach to tackling the root causes of food insecurity<sup>28</sup>.

To simplify it, the over-all goal is to integrate food security objectives within long-term and broad-based poverty reduction policies and strategies.

Building on this, the EU prioritizes cooperation in sustainable agriculture in the EU's long-term development assistance<sup>29</sup>.

The argument, by the Commission, is that it is cost effective; addressing the root causes of recurrent crises is not only better than only responding to the consequences of crises, it is also much cheaper. They clearly state an economic explanation for long-term development perspectives, arguing that “when the world is experiencing an economic and budgetary downturn, the budgets of both partner countries and donors are coming under increased pressure to show that they deliver the maximum impact for the funds that are made available”<sup>30</sup>.

I find an interesting paradox in the fact that the EU has developed such a strong focus on food security through agricultural development, in its long-term socio-economic development goals for Africa, while the Union’s own Common Agricultural Policy (CAP) is still criticized for being distorting trade<sup>31</sup> and hindering economic development, as well as food security<sup>32</sup>, and at the same time the African Union states that trade barriers are part of the problem. Can it really then be argued that the EU is truly ‘doing good’ in the world? Can the EU claim to be a promoter of justice?

These questions are interesting in themselves, but perhaps even more interesting is how we can use the answers to these questions, and what that teach us about the European Union and the field of Global Political Economy. The aim of this thesis is to analyze the institutional justice of the Union’s approach to food security, and look at the power-relations in this area. The goal is to lay a

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<sup>27</sup> Roland Paris, *Human Security: Paradigm Shift or Hot Air?* In Michael E. Brown et al (ed.), *New Global Dangers Changing Dimensions of International Security*, 2004, (THE MIT PRESS: Cambridge), p. 251

<sup>28</sup> *THEMATIC STRATEGY FOR FOOD SECURITY* Advancing the food security agenda to achieve the MDGs, p 4

<sup>29</sup> Directorate General for Development and Cooperation – EuropeAid, *Main missions of DEVCO Directorates & Units*, Draft edited and translated on 21/12/2012 on the basis of the 14/03/2012 version , p. viewed 22-04-2013

<sup>30</sup> Brussels, 3.10.2012 COM(2012) 586 final , *COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL THE EU APPROACH TO RESILIENCE: LEARNING FROM FOOD SECURITY CRISES*, p. 2-3

<sup>31</sup> The Nordic Africa Institute, *The Impact of Common Agricultural Policy (CAP) Reform on Africa-EU Trade in Food and Agricultural Products*, Special Issue on the EU Africa Partnership Strategy, Policy Notes 2009/7

<sup>32</sup> International Food Policy Research Institute, *2012 Global Food Policy Report*, p. 60

theoretical frame for future studies on policy-making in fighting hunger and promoting development.

In a recent report the International Food Policy Research Institute concludes that addressing emerging global poverty, hunger, and malnutrition challenges requires prudent evidence-based policymaking, and that the capacity for generating evidence remains a major constraint in the policy process<sup>33</sup>. In the past three decades, discussion has increased regarding evidence-based policymaking in an attempt to replace “ideologically-driven politics with rational decision making”. The definition of *evidence-based policymaking* is still evolving in the literature and can refer to the use of pilot program evaluations conducted by governments or research conducted by independent, politically neutral organizations to inform policy. In general, it refers to the transformation of a policy process to a more systematic, rational, decision-making approach to designing policy<sup>34</sup>.

These policy-issues are not directly linked to this thesis, but in relations to policy-evaluation the challenge is to develop methods of assessment that emphasize learning rather than expressing summary judgements<sup>35</sup>, and I wish to use the outcome of this thesis, for contributing to the former. Thus, the aim of the thesis is two-fold:

- **Primary:** a power analysis of the institutional justice in the EU’s Food Security Thematic Programme, that can lay ground for;
- **Secondary:** provide a theoretical framework for a future evidence-based study of the outcome of the Food Security Thematic Programme

### 1.2.1 Research-question

***When looking at EuropeAid’s approach to the long-term goals on Food Security, from the perspectives of institutional justice and power, to what extent can the policy then be argued to be ethical?***

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<sup>33</sup> Suresh Chandra Babu & Paul Dorosh, *Measuring Food Policy Research Capacity, Indicators and Typologies*, Partnership, Impact and Capacity Strengthening Unit Development Strategy and Governance Division, IFPRI Discussion Paper 01263 April 2013, p. v

<sup>34</sup> Chandra Babu & Dorosh, IFPRI Discussion Paper 01263 April 2013, p. 1

<sup>35</sup> Carol H. Weiss, *Evaluation*, (Prentice Hall: London), 1998, p. 20

### **1.3 Definitions of food security**

When talking about food security throughout this thesis, I am referring to the long-term socio-economic development related to food security. Since food security can be talked of in many terms, such as securing safe products through health-inspections, or securing a minimum intake of nutrition etc., I believe it is important to establish that these are not issues dealt with in this thesis. This is also the reason why emergency-aid is not included. Part of the reason for the focus on long-term socio-economic perspective, is that development has become a central focus of attention of world leaders. This growing interest is not only (as in the past) because of the moral dilemma in these issues, but perhaps mainly because in a globalised world underdevelopment is seen as contributing significantly to global instability<sup>36</sup>.

In 1996 Heads of State and Government gathered at the World Food Summit at the invitation of the Food and Agriculture Organization of the United Nations, to form a common commitment to achieving food security for all. The outcome was the Rome Declaration on World Food Security, and its preamble states that the problems of food insecurity have global dimensions. It further states that a peaceful and stable political, social and economic environment is the essential foundation which will enable States to give adequate priority to food security and poverty eradication. According to the Rome Declaration on World Food Security, Food security exists when "all people, at all times have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life"<sup>37</sup>.

At the 17th session of the UN Commission on Sustainable Development the urgent need to address food security and agricultural development was discussed, as well as trade-related issues<sup>38</sup>.

### **1.4 Other research in this area**

While the aim of being a force, or power, 'for good' may seem admirable, it has provoked great debates on the role of the EU in the world, being critiqued from almost every theoretical perspective and angle within the fields of political science and international relations. From François Duchêne who, when talking about the EU, claimed that traditional military power had given way to progressive economic power as the means to exert influence in international relations, whereas

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<sup>36</sup> Roger C. Riddell, *Does Foreign Aid Really Work?*, (Oxford University Press: Oxford), 2007, p. 4

<sup>37</sup> Rome Declaration on World Food Security

<sup>38</sup> United Nations Commission on Sustainable Development, Report on the seventeenth session, (16 May 2008 and 4-15 May 2009), Economic and Social Council Official Records, 2009, Supplement No. 9, viewed at 16-04-2013, available at: [http://www.un.org/ga/search/view\\_doc.asp?symbol=E/CN.17/2009/19\(SUPP\)&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=E/CN.17/2009/19(SUPP)&Lang=E)

Hedley Bull, partly as a response to this, argued that “Europe is not an actor in international affairs, and does not seem likely to become one...”,<sup>39</sup> over newer contributions to the field, where Barry Buzan and Richard Little argues that the EU has come close to global, structural transformation through its “great European experiment with post-Westphalia political economy [...] its many day-to-day problems notwithstanding”<sup>40</sup>, to the wide range of studies on the EU as a “soft power”<sup>41</sup>. These studies on the power of the EU in its foreign affairs, focuses on different areas where the concept of power is of importance.

As mentioned in the previous chapters, the political consensus on development of today is that it is a cross-cutting issue, with effects in both the economic, political and security-spheres in the global arena.

Food security is, in research, commonly dealt with at the technical levels of production and research, or regarding aid, and when it comes to development-policies, at the national level. There is not, yet, much research conducted on the global commitment to long-term food-security issues at the political level.

International relations, and EU in particular, has been rigorously studied since the first steps taken towards a European Union, and the lenses through which it has been studied, are many. During the last couple of decades, parallel with the growing focus on human rights and development, ethics has regained territory in the field.

Parallel with this development a growing interest in treating power as a multi-faceted concept has evolved, where the traditional international relations-approach with power seen as the exclusive province of realism, is contested<sup>42</sup>. The extension of sovereignty from the West to the developing world opened up for more states to represent, as well as claim, their own interests, and according to Barnett and Duvall, at the same time the emergence of a human rights discourse, to mention just one of these new interests, helped to make possible the very category of human rights activists who give voice to human rights norms. Therefore they argue that analysis of power in international relations must include a consideration of how social structures and processes generate differential social capacities for actors to define and pursue their interests and ideals<sup>43</sup>.

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<sup>39</sup> Quoted in Manners, ( 2002), p. 237

<sup>40</sup> Barry Buzan and Richard Little, *International Systems in World History remaking the study of international relations*, (Oxford University Press: Oxford), 2000, p. 352

<sup>41</sup> See for example Joseph S. Nye, Jr. *Soft Power*, *Foreign Policy*, No. 80, Twentieth Anniversary (Autumn, 1990), 153-171, for a famous example

<sup>42</sup> Michael Barnett and Raymond Duvall, *Power in International Politics*, *International Organization* 59, Winter 2005, pp. 39-75, p. 40

<sup>43</sup> Barnett and Duvall,(2005), p. 40-42

The combination of ethics and power, then, will serve as the frame for this study of whether or not the EU is acting just, through its institutional arrangements in relation to the long-term development of Sub-Saharan Africa, and an empirical meta-analysis of the outcome of this. I find that these two concepts go rather well hand-in-hand. Normative Power Europe is a field that has worked with similar issues, without necessarily mentioning ethics. The main reason for the interest in ethics per se, is that the EU often labels itself an ethical actor in the global arena.

## **2. Methodology**

Now we move on to the methodological framework for this thesis. Methodology denotes an investigation of the concepts, theories and method required for reasoning on this subject<sup>44</sup>. As the research-question indicates through its focus on perception of justice, the methodology of this thesis is within the constructivist field<sup>45</sup>.

Therefore the following chapters give an introduction to, first, the ethical approach I will apply to the study and later on, the concepts of power I will apply. In the last section of this chapter I provide a short summary on how these concepts will be dealt with, and together provide a combined theoretical and methodological approach to my study.

Lastly this chapter with an elaboration on choices in method and the data I have chosen for analysis.

Throughout the following analysis, in later chapters, I will intertwine the empirical analysis with a deeper theoretical discussion. Further in-depth explanations of the theories will therefore be added on as it suits the empirical analysis.

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<sup>44</sup> Jonathon W. Moses and Torbjørn L. Knutsen, *Ways of Knowing, Competing Methodologies in Social and Political Research*, (Palgrave Macmillan: New York), 2007, p. 5

<sup>45</sup> Moses & Knutsen, (2007), p. 11

## 2.1 Theory - Ethics in International Relations

This chapter gives a short introduction to the development of ethics in IR, before describing the approach that will work as my theoretical and methodological framework, in this thesis. Because saying that justice is of cardinal importance to good governance is one thing; saying what justice really means is something else<sup>46</sup>. This issue is the main focus of the chapters that follows.

International society as we know it today is composed for the most part of self-governing nation states; a relatively modern phenomenon, and up until the twentieth century, the world was dominated by empires, not nation states<sup>47</sup>. But during the nineteenth century, nationalist aspirations introduced a new ethical notion –the rights of peoples; claiming the right of self-determination of peoples, in terms of ethnic groups. The nation state thus became an expression of an ethical ideal – and at the same time most of the conflicts during the twentieth century can in large measure be seen to be an outcome of the success of this new ethical notion<sup>48</sup>.

Gordon Graham states that, today, this affects almost all thinking about ethics in international affairs, because it has been extended beyond the bare right of statehood, to include rights which protect and promote it, relating to humanitarian intervention, distributive justice and the environment. Today, these are amongst the grandest subjects of ethics in international affairs<sup>49</sup>.

### 2.1.1 Different ethical approaches in International Relations

Understanding the moral theories is an essential first step in making and understanding arguments. Understanding moral theories is not merely an academic exercise but essential on the ground<sup>50</sup>. The study of ethics involves asking what principles and practices are considered important, by whom and why. Normative ethics focuses on the impact these beliefs have on actions taken, in order to understand which actions are considered right or wrong<sup>51</sup>. Essentially there are three main approaches to moral theories; utilitarianism, deontology (Kantianism) and virtue theory, which prioritize different values and use different methodologies to determine right and proper solutions<sup>52 53</sup>.

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<sup>46</sup> Miller, (2003),p. 74

<sup>47</sup> Gordon Graham, *Ethics and International Relations*, (Blackwell Publishers: Oxford), 1997, p. 1

<sup>48</sup> Graham, (1997), p. 4

<sup>49</sup> Graham, (1997), p. 5

<sup>50</sup> Widdows, (2011), p. 44

<sup>51</sup> Ian Manners, *The normative ethics of the European Union*, *International Affairs* 84: 1 (2008) 45–60, p. 55

<sup>52</sup> Widdows, (2011), p.30

<sup>53</sup> Manners, (2008), p. 55

Well aware that ethics is a rather uncommon theoretical framework, it is important to say a few words about these three main approaches. Even though they will not be the main frame for this thesis, I will refer to them, and therefore it is important to know the basic line of thinking within them.

Virtue ethics emphasizes the moral character of social groups: The establishment of virtues through education, religion or other social practices clearly forms an important part of understanding the shared basis of, what is perceived, as ‘*the common good*’<sup>54</sup>. Virtue ethics is, in contrast to utilitarianism and Kantianism, more strongly “agent-focused”<sup>55</sup> and context sensitive; and in this lies the danger of relativism<sup>56</sup>.

Utilitarianism, along with deontology, is one of the two most prominent types of universalism, when it comes to theories on ethics. It is a form of consequentialism; when working out whether an action or practice is morally right or wrong, it is the consequences that determine the outcome. What matters are the results; all other factors are irrelevant<sup>57</sup>. Utilitarianism in its purest form is not only difficult to fit with common moral institutions, but also with situations that have derived from relationships or special claims<sup>58</sup>.

Named after Immanuel Kant, Kantianism derives from deontology and duty-ethics, but is neither concerned with consequences, nor is it a maximizing philosophy. It does require that all similar cases are treated similarly and insists on consistency; but it can take account of special relationships. A Kantian would think it right and proper to respect duties that arise from relationships<sup>59</sup>. Here morally right acts are those that one ought to do irrespective of anything else; they are “categorical”, and can be recognized and understood as binding by all rational beings if that action could be accepted to be universal<sup>60</sup>.

## 2.2 Institutional cosmopolitanism

Now that I have given a short introduction to the main theories within ethics, it can be argued that the EU shares traits with all of them; analysis of principles and actions focuses on the origins and practices of EU external actions, whereas an emphasis on impact requires wider reading of the

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<sup>54</sup> Manners, (2008), p. 56

<sup>55</sup> Widdows, (2011), p.59

<sup>56</sup> Widdows, (2011), p. 64

<sup>57</sup> Widdows, (2011), p. 49

<sup>58</sup> Widdows, (2011), p.52

<sup>59</sup> Thomas Donaldson, Kant’s Global Rationalism, chapter 7 in Terry Nardin and David R. Mapel (ed.), *Traditions of International Ethics*, (Cambridge University Press: Cambridge), 2002, p. 136

<sup>60</sup> Donaldson, in Nardin & Mapel (ed.), (2002), p. 136



way in which policies affect the targets of such action. Therefore, to be able to analyse the outcome of a programme such as the Food Security Thematic Programme, utilitarian ethics would be the most appropriate, with its focus on consequences. But at the same time, the EU focuses very much on Kantian principles of rules, institutions and laws. There is, in other words, not a clear ethical approach applied by the EU. This is in no way surprising, since theories are after all theories, and reality is rarely that clear-cut.

To be able to do an ethical analysis of the EUs actions in the development field, I have chosen an approach which combines the focus on institutions with a focus on consequences. The reason for this is that to consider non-state institutions, such as the EU, is to reject the traditional divide in political theory that has classified “ethics” as distinct from “justice”, with “ethics” concerned with individual obligations and “justice” with the obligations of institutions<sup>61</sup>.

Despite similarities, it is important to note that moral theories and political theories are not directly parallel<sup>62</sup>. In moral discourse the focus is on duties of individual agents to other individual agents, whereas in political discourse obligations are seen primarily in terms of political structures<sup>63</sup>. To be able to interconnect these easier, I have chosen the ethical perspectives of one of the most prominent ethicists working on institutional justice, Darrel Moellendorf, whom is working with ethics and political structures on a highly interconnected level.

Therefore the main theoretical frame for this thesis will be institutional cosmopolitanism, from the views of Moellendorf, focusing mainly on the duties of institutions, policy structures and on mechanisms of governance<sup>64</sup>. This will be combined with an empirical meta-analysis of the perception of the EU’s programme, in the case-study, to see whether or not the institutions can be claimed to act just.

### **2.3 Moellendorf’s institutional cosmopolitan justice**

Moellendorf adopts an institutional cosmopolitanism based on a distinction between moral duties in general and duties of justice. Thus he separates the element of “justice” from the broader “ethics”. By separating justice and other moral duties in this way, he is making sure that the

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<sup>61</sup> Widdows, (2011), p.8-9

<sup>62</sup> Widdows, (2011), p.72

<sup>63</sup> Widdows, (2011), p.74

<sup>64</sup> Widdows, (2011), p. 84

cosmopolitan commitment to respecting all individuals is not confused with the moral debate about impartiality and special duties<sup>65</sup>.

### 2.3.1 Social justice

According to Moellendorf, social justice concerns the moral nature of the institutions that mediate interactions among persons. He, for the sake of simplicity, uses the term justice as equivalent to social justice<sup>66</sup> - even though social justice may be narrower in scope than justice per se - and so shall I, for the same reasons.

He argues that duties of cosmopolitan justice exist because the conditions that gives rise to duties of justice, namely, the appropriate form of association, exists on a global level. He takes it a step further by arguing that this claim is also compatible with the view that we have special duties of justice to compatriots<sup>67</sup>.

The inherent dignity of persons is, in Moellendorf's view, a useful place to start a justification of global egalitarianism<sup>68</sup>. Because of the wide appeal that these ideas have in international human rights documents as well as treaties, I too would argue that there is a universal, at least normative, acceptance of this notion.

Darrel Moellendorf is interested in matters of social justice in the sense of whether the principles and institutions that dominate our social and political life are just. His conception of justice is sometimes called an institutional conception of justice, since he states that if person A owes a duty of justice to person B, then A has a duty to observe the established institutional principles that ensure B is being treated justly, or to advocate for the establishment of just principles. He points out that duties of justice differ from more general moral duties in that two distinguishing properties of duties of justice are: (1) duties of justice are generated by associational relations; and, (2) they are duties requiring action toward persons indirectly insofar as they require obeying or advocating just institutions or principles to govern the association. By that he argues that duties of justice are moral requirements of a special sort that we owe to other persons, but not to all<sup>69</sup>.

Moellendorf argues that duties of justice arise between persons when activities such as politics or commerce bring persons into association. These associations may or may not be voluntary and intentional; this is especially the case when economic activity affects those not directly involved in

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<sup>65</sup> Widdows, (2011), p.82-83

<sup>66</sup> Moellendorf, Darrel, *Cosmopolitan Justice*, (Westview Press, Colorado), 2002, p. 1

<sup>67</sup> Moellendorf, (2002), p. 30

<sup>68</sup> Moellendorf, Darrel, *Global inequality matters*, (Palgrave Macmillan:New York), 2009, p. 6

<sup>69</sup> Moellendorf, (2002), p. 31

it. He uses an example where C and D are involved in commercial activity that causes serious harm to D's neighbours, without either C or D knowing it. In this case, C and D are in association with D's neighbours.

Moellendorf's argument is that the fact that people are associated makes it sensible to question whether the institutions, or principles that govern their association, are just<sup>70</sup>.

Duties of justice do not justify the existence of an association; they assume its existence. The association in itself does not need moral justification, in order to render associative duties consistent with the moral equality of all persons. Hence he argues that one can start with the normatively unjustified fact of association and derive duties limited to associates that are perfectly consistent with the moral equality of all persons<sup>71</sup>.

### 2.3.2 The principle of associational justice

The principle of associational justice states that duties of justice exist between persons who have a moral duty of equal respect to one another due to being co-members of an association that is

- relatively strong,
- largely non-voluntary,
- constitutive of a significant part of the background rules for the various relationships of their public lives, and
- Governed by norms that can be subject to human control.

With respect to the first, an association is strong to the extent that it is (a) enduring, (b) comprehensively governed by institutional norms and (c) regularly affecting the highest order moral interests of the persons associated. With respect to the second, an association is non-voluntary to the extent that there is no reasonable alternative to participating in the association<sup>72</sup>.

Equality of opportunity in the global economic association is directed towards ensuring that differences in initial condition do not affect the opportunities of persons<sup>73</sup>.

In this theoretical frame, four plausible exceptions are incorporated, that could support a difference between the *pro tanto* endorsement of a principle of equality and a complete justification of a principle in particular cases:

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<sup>70</sup> Moellendorf, (2002), p. 32

<sup>71</sup> Moellendorf, (2002), p. 34

<sup>72</sup> Moellendorf, (2009), p. 46

<sup>73</sup> Moellendorf, (2009), p. 75

- (1) Some persons could deserve to have their interests treated less well because of something they have done to harm the interests of others;
- (2) Some persons could voluntarily consent to lesser realization of their interests or to taking certain risks of their outcome;
- (3) There might be difference in morally relevant needs requiring more resources to satisfy;
- (4) Offering incentives that produce differential outcomes could benefit everyone in comparison to their condition under equality. In any particular case the *prima facie* principle of equality might not, then, be appropriate because of one of these exceptions<sup>74</sup>.

These exceptions will be of particular interest when combined with the concepts of power, presented later on.

Moellendorf suggests that we should suppose we have what he calls a *common good association*. This is an association that by the joint effort of its members produces goods and powers, useful to the members, to which no person has a pre-associational moral entitlement. What we have here is a *prima facie* principle of equality under common good institutions, suggesting a method for considering whether distributive inequalities between people who share common and unavoidable institutions are all-things-considered just despite their violation of the *prima facie* equality principle: one must consider whether the exceptions to equality apply. Moellendorf argues that it is highly unlikely these exceptions apply when considering the bulk of current global inequality<sup>75</sup>.

### 2.3.3 Critique of Moellendorf's approach

This theory of justice approach might be criticized as relying excessively on a justificatory process that is tied too closely to the liberal democratic tradition, where identities as citizens have been shaped by the liberal democratic tradition, since the interests in exercising these moral powers exist only for persons in those societies<sup>76</sup>. But as a defence towards this claim, Moellendorf argues that the legal and economic changes associated with globalization are producing some tendencies towards normative convergence. It may be possible to find common normative bases even when on the surface these appear doubtful. But, as he states, he has no illusions that a justified principle of equality of opportunity will be the basis of a non-controversial policy. Equality is a controversial moral ideal, particularly in the presence of traditional non-egalitarian norms<sup>77</sup>.

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<sup>74</sup> Moellendorf, (2009), p. 12-13

<sup>75</sup> Moellendorf, (2009), p. 12-13

<sup>76</sup> Moellendorf, (2009), p. 82

<sup>77</sup> Moellendorf, (2009), p. p 85

Moellendorf argues that if the moral requirement of equal respect for all persons dictates egalitarian distributive principles domestically, then it must have similar implications globally. But several prominent contemporary political philosophers have presented challenges to this idea. They argue that egalitarian justice is conditioned by the existence of legal coercion, and that these conditions do not obtain non-compatriots<sup>78</sup>. He, on the other hand, takes social justice to be a property of social and political institutions, maintaining that it is not limited to legal coercion<sup>79</sup>, arguing that we have general moral duties to all persons; but according to the principle of associational justice, we may have special duties of justice to certain persons with whom we share an association even if we are non-voluntary members of the same association<sup>80 81</sup>.

Like Moellendorf, Thomas Pogge is a well-known contributor to the field of institutional global justice. Pogge's account is institutional in taking justice to be a property of social relations; however, Pogge's account seeks to limit the claims of justice even further by subsuming them all under negative duties<sup>82</sup>.

Peter Singer's account of global justice is similar to Moellendorf's in that it is not taking duties of justice to be limited only to non-maleficence. But Singer endorses an interactional, rather than institutional, account, which takes global justice to be based upon the impartial duty of individuals to assist all others, who can be helped<sup>83</sup>. In scope it is not limited by institutional conditions; and in content not limited to those whom we harm.

Due to the strong EU focus on institutionalization of relations with third parties, I believe that Moellendorf's approach is a suitable theory for investigating the level of justice in the institutional frame for EU-Africa development.

Even though the EU focuses on the equality of the parties involved in their relations, through strong emphasis on ownership and bilateralism, power is a very common point of study, when it comes to the EU relations to the developing world.

The concept of power is central to international relations, yet disciplinary discussions tend to privilege only one, albeit important, form: an actor controlling another to do what that other would not otherwise do<sup>84</sup>. Barnett and Duvall argue that the disciplinary tendency to associate power with

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<sup>78</sup> compatriots here is used as shorthand for fellow citizens or long-term residents residing in the same country, but from now on it will be used as shorthand for fellow associate in general

<sup>79</sup> Moellendorf, (2009), p. 19

<sup>80</sup> Moellendorf, (2009), p. 37

<sup>81</sup> Note that *associational* and *institutional* justice will be used as synonyms throughout this thesis

<sup>82</sup> Widdows, (2011), p.88

<sup>83</sup> Moellendorf, (2009), p. 47

<sup>84</sup> Barnett and Duvall,(2005), p. 39

realism, and to work primarily with the realist conceptualization, partly owes to the fact that rivals to realism typically distance themselves from "power" considerations<sup>85</sup>.

This is an interesting aspect to hold parallel to the discussion on ethics in relations to institutional cosmopolitanism, since it may point to aspects of the outcome of EU foreign policies in general, and the Food Security Thematic Programme in particular, that has not yet been taken into consideration.

## **2.4 Power in relation to ethics and institutional cosmopolitanism**

Barnett and Duvall works with what they name 'taxonomy of power', arguing that power is the production, in and through social relations, of effects that shape the capacities of actors to determine their circumstances and fate. They argue that by showing conceptual favouritism, the discipline of international relations not only overlooks the different forms of power in international politics, but also fails to develop sophisticated understandings of how global outcomes are produced and how actors are differentially enabled and constrained to determine their fates<sup>86</sup>.

### **2.4.1 Barnett and Duvall's taxonomy of power**

They argue that their conception is preferable for two reasons; it better reflects conventional understandings insofar as most scholars interested in power are concerned not simply with how effects are produced, but rather with how these effects work to the advantage of some and the disadvantage of others. Secondly, a focus on differential effects on actor capacities is closer to the mark in most social relations. Their argument is that there are indeed moments of completely voluntary persuasion and collective choice, but that these are rare and likely to have uneven effects. This is why conceptual distinctions of power should be represented in terms of two analytical dimensions that are at the core of the general concept: the kinds of social relations through which power works and the specificity of social relations through which effects on actors' capacities are produced<sup>87</sup>.

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<sup>85</sup> Barnett and Duvall,(2005), p. 40-41

<sup>86</sup> Barnett and Duvall,(2005), p. 39

<sup>87</sup> Barnett and Duvall,(2005), p. 42-43

The four types of power are:

- *Compulsory Power: Direct Control Over Another*<sup>88</sup>. Compulsory power is present whenever A's actions control B's actions or circumstances, even if unintentionally. Because power is the production of effects, compulsory power is best understood from the perspective of the recipient, not the deliverer, of the direct action. Compulsory power is not limited to material resources<sup>89</sup>.
- *Institutional Power: Actors' Control Over Socially Distant Others*. The conceptual focus here is on the formal and informal institutions that mediate between A and B, as A, working through the rules and procedures that define those institutions, guides, steers, and constrains the actions and conditions of others. In other words, A does not "possess" the resources of power, but because A stands in a particular relation to the relevant institutional arrangements, its actions exercise power over<sup>90</sup>
- *Structural Power: Direct and Mutual Constitution of the Capacities of Actors*. Whereas institutional power focuses on constraints on action, structural power concerns the determination of social capacities and interests. A, exists only by virtue of its relation to structural position, B. The social structure not only constitutes actors and their capacities, it also shapes their self-understanding and subjective interests. In other words, structural power can work to constrain some actors from recognizing their own domination<sup>91</sup>.
- *Productive Power: Production of Subjects through Diffuse Social Relations* Structural and productive power differs in a critical respect: whereas the former works through direct structural relations, the latter entails more generalized and diffuse social processes. It concerns discourse, social processes and the systems of knowledge through which meaning is produced, fixed, lived, experienced, and transformed<sup>92</sup>. To attend to the analysis of productive power is to focus on how diffuse and contingent social processes produce particular kinds of subjects, fix meanings and categories, and create what is taken for granted and the ordinary of world politics.<sup>93</sup>

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<sup>88</sup> Barnett and Duvall,(2005), p. 49

<sup>89</sup> Barnett and Duvall,(2005), p. 50

<sup>90</sup> Barnett and Duvall,(2005), p. 51

<sup>91</sup> Barnett and Duvall,(2005), p. 52-53

<sup>92</sup> Barnett and Duvall,(2005), p. 56

<sup>93</sup> Barnett and Duvall,(2005), p. 56-57

Barnett and Duvall stress that there is no ontological or epistemological reason why scholars working with one of those concepts need to exclude the effects identified by the other<sup>94</sup>.

Taxonomies not only highlight distinct types but also point to connections between them. The framework, therefore, suggests how scholars might consider how productive power makes some instances of compulsory power possible and legitimate, and, in turn, how compulsory power shapes the terms of meaning that influence how actors see what is possible and desirable<sup>95</sup>.

These types of power constitute common, but very different, types of power that I will examine whether or not are present in the case of the Food Thematic Programme, and what this may result in.

## 2.5 Method

According to Moellendorf, the method for claiming an injustice requires

- Identifying inequalities;
- Whether these are between members of some association of the requisite kind;
- Considering whether they are excusable in light of one of the four exceptions (or some other one)<sup>96</sup>.

To be able to establish an injustice, it is important to acknowledge that the test of an explanatory value demands accepting that ‘evidence’ is constructed and theory-dependent, and therefore needs to be questioned<sup>97</sup>.

Kant did not only deal with ethics, but also with methodology. He argued that one can never say anything about how the ‘Real World’ is, but only the way one perceives it<sup>98</sup>. And the perception of justice is what is dealt with in this thesis, through the theory-frame presented. In that sense it is not based on a clear ontology, and will need a thorough analysis not to be biased towards one or another idea.

I would argue that since it is not the country-specific outcome I am studying, but the overall *perception* of institutional justice, a single case-study is the most suitable method. If I was to study the outcome of a specific project within the programme, then another method would be appropriate.

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<sup>94</sup> Barnett and Duvall,(2005), p. 46

<sup>95</sup> Barnett and Duvall,(2005), p. 44

<sup>96</sup> Moellendorf, (2009), p. 66

<sup>97</sup> Moses & Knutsen, (2007), p. 185-187

<sup>98</sup> Moses & Knutsen, (2007), p. 172



The design and implementation of theory-oriented case studies consists of three phases, according to George and Bennett; in phase one the objectives, design and structures are formulated. This is what this full methodological chapter is establishing. In phase two, the case study is carried out in accordance with the design, and finally one draws upon the findings of the case study and assesses the contribution to achieve the research objective of the study<sup>99</sup>.

The method will be congruence method, characterised by that one begins with a theory and then attempts to assess its ability to explain or predict the outcome in a particular case. The theory posits a relation between variance in the independent variable and variance in the dependent variable; it can be deductive or take the form of an empirical generalization. The analyst first ascertains the value of the independent variable, in this case *institutional frame of the EU food-security policy*, and then asks what prediction or expectation about the outcome of the dependent variable, in this case *justice*, should follow from the theory<sup>100</sup>.

A critique against single-case studies has often been that they are at great risk of being vague in the face of more than one possible explanation, and that they can lead to questionable statements, if one blindly trusts a possible consistency between a theory's predictions and the case outcome<sup>101</sup>. But the advantages of this method is that I will not have to trace the causal process that leads from the independent variable to the case outcome; so the method does not require a great deal of data about the case being studied<sup>102</sup>.

George and Bennett describe how the congruence method has often been used when it comes to decision-making in the study of foreign policy<sup>103</sup>.

The aim is to formulate what George and Bennett names 'well-specified conditional generalizations of more limited scope', since these tend to be more useful in policy-making, than grander generalizations<sup>104</sup>. But as the dilemma of trade and food-security is not unique for Sub-Saharan Africa, even though some features of it are, it may be possible to say something general about the level of institutional justice in the Thematic Food Security Programme.

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<sup>99</sup> Alexander L. George and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences*, (MIT Press: London), 2005, p. 73

<sup>100</sup> George and Bennett, (2005), p 181

<sup>101</sup> George and Bennett, (2005), p. 183

<sup>102</sup> George and Bennett, (2005), p 182

<sup>103</sup> George and Bennett, (2005), p 192

<sup>104</sup> George and Bennett, (2005), p 265

### 2.5.1 The data

To be able to establish whether or not institutional justice is present, one needs to know the position of both the associates, therefore the main data will be the Communications from the Commission, with a focus on the documents of the Thematic Strategy for Food Security, which will be treated as my main cases. The first was issued in 2006, the second, and latest, in 2010. They will be supplemented with related document. These will be held against the documents on food-security formulated by the African Union, to detect differences in priorities, and by that be able to answer the research-question of whether the institutional frame set up by the EU, can be labelled just.

The theoretical frames of institutional justice and the different types of powers presented by Barnett and Duvall, will be the frame for the analysis, supplemented by an empirical analysis of results other researchers have presented on related topics.

The Communications are the ones handling the Thematic Strategy for Food Security, where there have been two, so far. Here the focus will be primarily on the last one, covering the years 2011-2013<sup>105</sup>. These, together with the Communication 'An EU policy framework to assist developing countries in addressing food security challenges' are the main documents on the Union's approach to reaching the MDG's<sup>106</sup>, and sets out the conditions and goals on how this issue is to be approached, by projects for long-term development in the area of food security.

To be able to argue anything about the institutional justice of this, we need to know how the receiving part thinks of this. The one coming closest to this is the African Unions own documents on food security<sup>107</sup>. By analysing these two unions'<sup>108</sup> approaches to food security it should be possible to state something about the justice of it, based on whether or not they focus on the same issues, and how the ones where they might disagree, are handled. This is also where the power-analysis comes into play; how the outcome of these points-of-justice is handled.

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<sup>105</sup> Brussels, 25.1.2006 COM(2006) 21 final COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT A THEMATIC STRATEGY FOR FOOD SECURITY Advancing the food security agenda to achieve the MDGs and Brussels, 21 December 2010 Document C/2010/9263 FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER (UPDATE) and MULTIANNUL INDICATIVE PROGRAMME 2011-2013

<sup>106</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p 5-7

<sup>107</sup> The African Union/New Partnership for Africa's Development, (2009), *Comprehensive Africa Agriculture Development Programme (CAADP) Pillar III Framework for African Food Security (FAFS)*, (New Partnership for Africa's Development (NEPAD) Secretariat, South Africa) and THE COMPREHENSIVE AFRICA AGRICULTURE DEVELOPMENT PROGRAM FRAMEWORK FOR THE IMPROVEMENT OF RURAL INFRASTRUCTURE AND TRADE-RELATED CAPACITIES FOR MARKET ACCESS (FIMA), SUMMARY

<sup>108</sup> *A short note on naming institutions*: in this thesis the European Union will be labelled the EU, Europe and the Union, and used in an interchangeably manner. The African Union (AU) is, in their documents, also labeled 'the Union', but in this thesis 'the Union' refers to the EU.

Since the AU's food security programme is not a reply to the EU's, I will use secondary sources to find discussions on the issues where there might be different approaches. These will primarily be by the World Bank, the World Trade Organisation (WTO), and other institutions dealing with food security-related issues. These will be supplemented with, primarily peer-reviewed, secondary-sources to be able to establish a meta-analysis on the justice and power-relations of the case.

### **2.5.2 Delimitations**

Darrel Moellendorf employs an understanding of justifications, stating that a justification must employ premises; it must make assumptions<sup>109</sup>. For example regarding 'human dignity', he presumes its existence, since what we make of human dignity is the object of interest, rather than *the* existence of human dignity. I accept the premise of human dignity on the same accounts, just as I will not go into a discussion on whether or not contested concepts such as 'human rights' are universal norms or not, and what they should be defined as. I will rather focus on the use of these concepts in power-relations.

Development is a field with cross-cutting issues, and it can be argued to be impossible to analyse the outcome of these, when focusing on one component alone. This is why I am not trying to answer whether or not the food-security agenda, or the MDGs works or can be achieved, but focus on the premise of institutional justice in it.

There are several other documents on food-security that could be interesting to look at, both within the EU as well as in the global institutional setting of the United Nations (UN), the WTO etc. But due to the limited scope of this thesis, these will mainly be used as complementary sources.

## **Empirical data**

In the following chapters I will analyse elements of what is presented as the most important focus-points, by the two Unions', when it comes to securing long-term food security. Since they do not exist independently of the global society, I shall start with a short introduction on the global approach to these issues.

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<sup>109</sup>Moellendorf, (2009), p. 11

### 3. The world food security situation

The food security situation, particularly in Sub-Saharan Africa, has changed for the worse the past decade, and therefore obstructs reducing poverty and hunger by half by 2015<sup>110</sup>. While Asia has the largest numbers of undernourished in the world, halving the proportion of people who suffer from hunger remains the biggest challenge in Africa, where the highest hunger rates are found<sup>111</sup>.

During the increases in food prices in 2007-2008, the poorest people were hit hardest by this crisis, since a larger share of their income is spent on food<sup>112</sup>.

Food prices remain high in many developing countries. Concurrently, it led to lower wages and higher unemployment, due to reduced income from abroad following reduced investment and exports<sup>113</sup>, and the global food crisis threw the relationship between food security and international trade into sharp relief. The global food crisis and the likelihood of higher food prices in the future are most evident in international trade in agriculture and food. In the post-crisis context, there has been a renewed interest in using international trade rules to support a more enabling environment for food security<sup>114</sup>.

What we can read from this is that there clearly is an association of the kind Moellendorf writes. The economic crises that lead to a food-crisis clearly resulted in activity affecting those not directly involved. This is neither voluntary nor intentional, by any of the associates. It could be argued that the debate on using international trade rules to prevent similar outcomes again, could be a way of securing institutional justice. If the institutions prevent harm, based on common interests, they are just.

An interagency report<sup>115</sup> published in 2011, states that “trade is an essential component of any food security strategy”<sup>116</sup>, regarding price volatility, which refers to variations in economic variables over time, in this case with variations in agricultural prices over time<sup>117</sup>.

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<sup>110</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p 7

<sup>111</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p 7

<sup>112</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p 7

<sup>113</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p 7

<sup>114</sup> LIVIER DE SCHUTTER, UNITED NATIONS SPECIAL RAPPORTEUR ON THE RIGHT TO FOOD activity report November 2011, *The World Trade Organization and the Post-Global Food Crisis Agenda, Putting Food Security First in the International Trade System*, p.3

<sup>115</sup> The report was undertaken by FAO, IFAD, IMF, OECD, UNCTAD, WFP, the World Bank, the WTO, IFPRI and the UN HLTF

<sup>116</sup> Price Volatility in Food and Agricultural Markets: Policy Responses, Policy Report including contributions by FAO, IFAD, IMF, OECD, UNCTAD, WFP, the World Bank, the WTO, IFPRI and the UN HLTF, 2 June 2011, p. 6

<sup>117</sup> Price Volatility in Food and Agricultural Markets: Policy Responses, Policy Report including contributions by FAO, IFAD, IMF, OECD, UNCTAD, WFP, the World Bank, the WTO, IFPRI and the UN HLTF, 2 June 2011, p. 6

The recognition of trade as an essential component of food security is a clear signal that the link between food security and the global economic association is recognised. The growing acceptance of trade as a crucial element of food security is a recognition of the compatriot-status of people in different parts of the world, due to the associational bounds, and the economic and political consequences of current trade-rules. Advocating for the establishment of just principles is a great leap towards securing institutional justice.

This is, somewhat similarly, argued by Jenny Clover, stating that food insecurity is no longer seen simply as a failure of agriculture to produce sufficient food at the national level, but instead as a failure to guarantee access to sufficient food at the household level<sup>118</sup>. This indicates a wider recognition of food security being an associational challenge, where every participant in the global economy, through its institutions, are compatriots and therefore have obligations of justice towards each other. This new approach to food security is evident on UN-level as well, as we will see in the next chapter.

### **3.1 The UN-agenda and food security**

The UN Secretary-General established a High Level Task Force on the Global Food Security Crisis (UNHLTF) in 2008. During the 2009 World Summit on Food Security in Rome it was decided to concentrate all efforts through the evolving Global Partnership for Agriculture, Food Security and Nutrition. The Committee on World Food Security (CFS) is a central component in global governance on food security. The five Rome Principles for Sustainable Global Food Security are: i) investment in country-owned plans; ii) strategic coordination to improve governance; iii) a twin-track approach to tackle hunger as well as the root causes of hunger and poverty; iv) a stronger role for the multilateral system; and v) increased investment in agriculture, food security and nutrition<sup>119</sup>.

There is, in other words, a firm belief in the connection between agriculture and food security, in other ways than just securing growing production, on a global level. Tackling hunger cannot be solved by simply producing more food— famines have occurred even with plenty of food<sup>120</sup>. And according to the Organisation for Economic Co-operation and Development (OECD), there is

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<sup>118</sup> Jenny Clover, FOOD SECURITY IN SUB-SAHARAN AFRICA, *African Security Review*, vol. 12, no. 1 (2003), pp. 5-15, p. 7

<sup>119</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 8-9

<sup>120</sup> Clover, (2003), p. 9

growing recognition of the importance of understanding the political, economic and social processes that promote or block change, and to understand the role of institutions, power and the underlying context in developing countries. This has been reinforced by the ongoing reform of aid-deliverance. This includes not only increased country ownership and the move from projects to sector and budget support, but also expectations that analytical work might secure harmonisation and joint donor initiatives<sup>121</sup>.

The global focus on this indicates that it is seen as an associational problem, and not something isolated. The enhancement of the multilateral system indicates this as well, and at the same time it is an indicator in the same direction as point (i); that food security should be secured in partnership, based on the premises of country-ownership, instead of something that is to be handed them. From an institutional justice-Point of view, this is important since it indicates equality instead of a more classic binary donor-recipient of aid.

The Rome Principles were established by a large group of countries, and can perhaps be argued to set the standards for what is now the ‘truth’ about food security in world politics, thereby being a source of productive power, whereas previously rather few countries, through its aid-policies, set the standards and therefore had *power over*, rather than *power to*.

According to the World Bank, regional and shared decision making is required to secure coherent and sustainable positions. They argue that justice is needed if a comprehensive security is to be achieved, recognising that human security matters at least as much as the more traditional defence role of protecting national security. Global, national and human security issues are not merely converging; they are overlapping<sup>122</sup>, and from that perspective the productive power of the Rome Principles are in line with the concept of institutional justice.

### **3.2 The WTO-frame**

The WTO sets the basic parameters of trade rules, ranging from border measures to domestic food assistance programs. Therefore it is important to look at this framework to be able to state anything of the institutional justice in the EU Food Security Thematic Programme (FSTP) towards Africa. Since the Union is liable to the WTO when it comes to trade-issues, which in turn were mentioned by the AU as one of the main reasons for its food security situation.

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<sup>121</sup> The OECD on Political Economy Analysis, available at: <http://www.oecd.org/development/governance-development/politiceconomyanalysis.htm>, viewed 02.03.13

<sup>122</sup> Clover, (2003), p. 13

The current trade regime for agriculture was established during the Uruguay round of negotiations of the General Agreement on Tariffs and Trade, at a time when overproduction and declining prices dominated the agenda.

This is in sharp contrast to today, where food, energy, finance, changing global supply and demand dynamics, and greater consolidation in the agri-food sector, are seen as intertwined when it comes to food-security. As a result, the existing WTO agricultural trade architecture is primarily concerned with managing States' policy response to declining agricultural prices<sup>123</sup>.

In other words the institutional setting for trade has yet to take the leap towards securing institutional justice. The WTO-negotiations leading to the present rules, were established during a time where the developed countries had even bigger institutional power, than they do today. Today, where these rules are being negotiated on again, there are more players on the field. And according to the principles of institutional justice, the dominating countries have a duty to observe the established institutional principles that ensure that the “rest” is being treated justly, or to advocate for the establishment of just principles. During the Doha Round food security has been high on the agenda<sup>124</sup>, but the negotiations are ongoing.

Now, there is a distinction between moral and legal approaches to justice, both practical and philosophical. Moellendorf applies the distinction where the moral abstracts from existing institutional requirements and develops an account of the duties that persons owe to each other by considering the nature of justice itself; whereas the legal seeks a grasp of existing practices and institutions, to establish the rules that govern obligation<sup>125</sup>. This explains why the act of strictly obeying the established rules, are not necessarily enough to secure justice. A legal frame is not necessarily just in itself. And even though the WTO is rule-based, the mere fact that the rules are under negotiation, indicates that the members of the organisations recognise this difference between moral and legal justice.

Food security is explicitly stated in the Agreement on Agriculture (AoA), and is referenced in other parts of the WTO framework. Food Security is here stated to be a non-trade concern<sup>126</sup>. In other words, the current rules do not fully recognise food security, in its present terminology, as an associational challenge.

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<sup>123</sup> LIVIER DE SCHUTTER, activity report November 2011, p. 3

<sup>124</sup> LIVIER DE SCHUTTER, activity report November 2011, p. 4

<sup>125</sup> Moellendorf, (2002), p. 2

<sup>126</sup> LIVIER DE SCHUTTER, activity report November 2011, p. 4

But at the same time there has been a shift in the way many countries approach trade and food security; marked by an increased reliance on international trade to meet domestic needs. This led many developing countries to restructure their domestic agricultural sectors to specialized commodity production for exports<sup>127</sup>, leading to a shift towards non-food agricultural production, particularly in the least developed countries (LDCs), who went from being net agricultural exporters to importers<sup>128</sup>.

The UN Special Rapporteur on the Right to Food states that net food exporters, for whom food security is a low internal priority, dominate negotiations in the WTO, and therefore food security has a tendency to be treated as a “bargaining chip”. If the Doha Round continues on its present track, future agricultural trade rules are unlikely to be well suited to support global policy efforts to address food<sup>129</sup>. Confirming the relatively higher grade of influence on negotiations by developed countries, this is a clear ethical dilemma. Not only is a duty treated as a bargaining chip, which is clearly not in line with the ethical premises for it, but using it as a bargaining chip is also a way of securing compulsory power.

Whereas more general moral duties may have no problem with this, it is a clear neglect of the institutional duty of justice incorporated as a dialectic truth in the global institutional settings. Since trade, in all of the above mentioned institutions, apart from the WTO, is seen as associational issue, there are also claims of duty; trade is widely acknowledge to hinder food-security for the poorest, whom we are compatriots with due to the global economic association, and therefore the WTO has an obligation to secure that trade does not hinder justice.

### **3.2.1 The WTO Agreements**

The Uruguay Round produced the first multilateral agreement dedicated to the agricultural trade sector. It is still being implemented by developing countries; since they do not have to cut subsidies or lower tariffs as much as developed countries, and are given extra time to complete their obligations. Least-developed countries don't have to do this at all<sup>130</sup>.

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<sup>127</sup>LIVIER DE SCHUTTER, activity report November 2011, p. 13

<sup>128</sup>LIVIER DE SCHUTTER, activity report November 2011, p. 13

<sup>129</sup>LIVIER DE SCHUTTER, activity report November 2011, p..16

<sup>130</sup>The World Trade Organization, Understanding the WTO, available at: [http://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/tif\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/tif_e/tif_e.htm), viewed 04-03-13



Domestic support—support provided through subsidies paid by government to producers or through administered prices—is classified as falling into three “boxes”, depending on their potential degree of trade-distortion<sup>131</sup>.

From a perspective of institutional justice, the fact that developing-countries do not have to adopt the same strict rules as the rest is in favour of arguing justice in the WTO-system. Moellendorf argues for four plausible exceptions that could support a difference between the *pro tanto* endorsement of a principle of equality and a complete justification of a principle in particular cases, as seen in section 2.3.2, this positive discrimination of developing countries, could be argued to be in line with nr 4; Offering incentives that produce differential outcomes could benefit everyone in comparison to their condition under equality. But one must also remember that the *prima facie* principle of equality would then still be non-present, since the four plausible exceptions should be based on choice, not structural injustices. But, at any rate, this positive discrimination is better aligned with justice, than the WTO would be without it.

According to the UN Special Rapporteur, it was generally feared that trade liberalization during the Uruguay round would have negative global welfare effects, as subsidy reforms would result in higher prices. This was the basis for the 1994 Marrakesh Decision<sup>132</sup>, securing the exceptions for developing countries<sup>133</sup>.

According to the World Bank, a Doha Round agreement would stimulate trade and raise incomes, leading to a substantial reduction in global poverty<sup>134</sup>. However, they also suggest that over half of the gains to developing countries from global agricultural reforms would come from liberalization by developing countries themselves. Because agricultural tariffs are higher in developing countries and because a growing share of developing country-trade is now with other developing countries. Developing countries—among them the G-20—are emphasizing the need for

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<sup>131</sup> Harry de Gorter and J. Daniel Cook, Domestic Support in Agriculture: The Struggle for Meaningful Discipline, In Richard Newfarmer (ed.) Trade, Doha, and Development - A Window into the Issues, THE WORLD BANK Trade Department, Poverty Reduction and Economic Management Vice-Presidency, The International Bank for Reconstruction and Development / The World Bank, (2006), p. 97

<sup>132</sup> The World Trade Organization, Understanding the WTO, available at: [http://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/tif\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/tif_e/tif_e.htm), viewed 04-03-13

<sup>133</sup> The World Trade Organization, Understanding the WTO, available at: [http://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/tif\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/tif_e/tif_e.htm), viewed 04-03-13

<sup>134</sup> Richard Newfarmer, Through the Window: Beacons for a Pro-Poor World Trading System, in Richard Newfarmer (ed.) Trade, Doha, and Development - A Window into the Issues, THE WORLD BANK Trade Department, Poverty Reduction and Economic Management Vice-Presidency, The International Bank for Reconstruction and Development / The World Bank, (2006), p. 16

cuts to agricultural subsidies in the developed world, partly because they think that is the main sources of distortion, but also because they do not want to lower their own food import restrictions<sup>135</sup>.

What is visible here is a clear shift in power-relations. The growing inclusion of “the rest”, as opposed to the previous compulsory power by “the west”, in trade-negotiations, perhaps somewhat weakens the institutional power of ‘the west’, explaining why the Doha-round has proven hard to complete. Institutional power held by the developed world is still rather clear in the WTO, but the developing world is at the same time gaining structural power in this field. By being the opposite of developed, there are somewhat other rules to obey, and there may occur tensions when these structural issues are negotiated. When the WTO-rules do not fully recognise food security as an associational challenge, structural power can work to constrain some actors from recognizing their own domination.

Now we move on to the more specific area of interest, that is the EU’s approach to food security in terms of long-term socio-economic development in Sub-Saharan Africa.

### **3.3 The EU Food Security Policy**

The food security policy has evolved from the simple delivery of food aid to support for broad-based food security strategies. Food Security remains a priority in “The European Consensus for Development” adopted by the Commission in July 2005 and endorsed by the Council in November 2005.

In the transition from emergency (humanitarian phase) to development, the idea on EU aid is within a broad economic, social and political context<sup>136</sup>.

The EU is a leading international donor in Food Security (€4.9 billion was allocated between 1996 and 2006, i.e. an annual average of €500 million). The Union is also actively engaged in the international policy debate, for example on trade and food aid and is a leading donor in agricultural research both at global, regional and national levels.

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<sup>135</sup> Kym Anderson and Will Martin, Agriculture: The Key to Success of the Doha Round, In Richard Newfarmer (ed.) Trade, Doha, and Development - A Window into the Issues, THE WORLD BANK Trade Department, Poverty Reduction and Economic Management Vice-Presidency, The International Bank for Reconstruction and Development / The World Bank, (2006), p. 77

<sup>136</sup> Defined in the EC Communication on “Linking Relief, Rehabilitation and Development” as: “*Rehabilitation programmes which gradually take over the relief/emergency aid to stabilise the economic and social situation and to facilitate the transition towards a medium and long term development strategy*”. Quote from the A THEMATIC STRATEGY FOR FOOD SECURITY Advancing the food security agenda to achieve the MDGs, p.5

As described in the introduction, the European Commission proposed the Thematic Programme on Food Security in an effort to rationalise and simplify the existing legislative framework governing external actions of the Community, separated from all food aid of a humanitarian nature<sup>137</sup>.

The aim was to establish a long-term structural approach to tackling the root causes of food insecurity<sup>138</sup>.

So far, the EU has established strong working relations with the United Nations High Level Task Force (UNHLTF), as well as with individual UN organisations. The Consultative Group on International Agricultural Research (CGIAR) is the main partner in the field of agricultural research. The CGIAR includes the International Food Policy Research Institute (IFPRI), which undertakes research on food policy issues<sup>139</sup>.

All of this goes well in line with the global consensus on long-term socio-economic development, based on agriculture, as the main road towards stable food security. From an ethical perspective, this is a positive development, since it coheres with the principles of institutional justice, as it focuses more on cooperation than philanthropy.

#### **4. The Food Security Thematic Programme**

Now we move on to the specific programme under scrutiny. In the following chapters the main-points of the Food Security Thematic Programme (FSTP) will be presented and analysed, from the perspectives of institutional justice and the four types of power, presented in chapter 2.1. and 2.2.

##### **4.1 Lessons learnt from the past**

In 2009, a Mid-Term Review (MTR) gave a positive assessment of the first phase of the FSTP. The review highlighted the relevance of FSTP interventions and recommended continuation. It also made specific recommendations on ways to improve the strategy, by re-balancing the attention given to the different areas on food security, to focus more on social protection and improved food access and nutritional adequacy. Moreover, the review recommended that the new strategic

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<sup>137</sup> ATHEMATIC STRATEGY FOR FOOD SECURITY Advancing the food security agenda to achieve the MDGs, p. 8

<sup>138</sup> ATHEMATIC STRATEGY FOR FOOD SECURITY Advancing the food security agenda to achieve the MDGs, p. 4

<sup>139</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 10

priorities should be programmed with a stronger internal cohesion and should reflect the current international debate on global, regional and national food security more closely, while adding value to geographical programmes<sup>140</sup>.

The Union conducts evaluations on the results and impacts of activities financed by EC funds, aimed at both informing the public and for drawing lessons on what has worked and what has not. This is done on the basis that evaluation checks outcome-conformity with set objectives<sup>141</sup>. This MTR is not public in itself, but referred to in the FSTP, but in general it can be said that the recommendations are in line with the premises for securing institutional justice; if person A owes a duty of justice to person B, then A has a duty to observe the established institutional principles that ensure B is being treated justly. This is, no matter what, easier to secure if entering a dialogue on the issue.

## **4.2 The policy agenda**

The European Consensus on Development focuses on the attainment of the MDGs and addresses food insecurity as a priority in the fight against poverty.

In order to maximise the effectiveness of investments, the food security policy framework also makes it clear that work is required on three sets of conditions: i) national and regional agriculture and food security strategies and policies; (ii) harmonising EU interventions (including Policy Coherence for Development); and (iii) improving the coherence of the international governance system. Moreover, the policy framework provides a certain focus, by prioritising four related areas: (i) improving resilience of small-scale farmers and rural livelihoods; (ii) effective governance of agriculture and food security; (iii) regional policies on agriculture and food security; and (iv) strengthening assistance mechanisms for vulnerable population groups.

It is clear that the FSTP emphasises coherence with the broad international societal approach to food security, and seeks to influence this even more through this programme. Since the global community indeed is global, through the broad participatory degree within the different institutions working on food security, it could be argued that there is a degree of institutional justice. But at the same time it is important to remember the complex issue of non-voluntariness; this global

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<sup>140</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p 12

<sup>141</sup> EuropeAid, available at: [http://ec.europa.eu/europeaid/how/evaluation/introduction/introduction\\_en.htm](http://ec.europa.eu/europeaid/how/evaluation/introduction/introduction_en.htm) viewed 16.05.13

consensus might also be a result of the normative convergence discussed in section 2.3.3. Moellendorf defends his close connection to the liberal democratic tradition based on this norm-cascade in the international society, but at the same time one could argue that this is a result of the institutional as well as productive powers present in the global society.

Regarding the issue of coherence, the most common definition of this is, “referring to the necessity of bringing together different strands of political action both strategically and procedurally”<sup>142</sup>; it is important to remember that coherence, according to Carmen Gebhard, is an unattainable state, but this does not mean that it is not a sound guiding principle<sup>143</sup>. But is incoherence compatible with institutional justice? This will be elaborated on, in later chapters.

As seen in chapter 2.3.1, constructing institutions in line with human rights involve seeing persons as sources of practical reasons<sup>144</sup> -as having the status to make demands on institutions. An institution directed by a principle that persons cannot reasonably approve on, is an institution that is not respecting persons as sources of practical reasons. There is, also, another sort of respect for human dignity, which Moellendorf calls *justificatory respect*. Justificatory respect requires a justification of institutional principles that can be reasonably accepted by those who live under them<sup>145</sup>.

The association created by the processes of economic globalization is, according to Moellendorf, a structural feature of capitalist economic development, governed primarily by the norm of competition, and by norms of governance that have evolved to preserve the capitalist order. Today this functions, partly through the regulatory framework established by the WTO<sup>146</sup>. Taking this into consideration, one has to consider non-voluntariness as a possibility, in the same manner as regarding the liberal agenda, discussed earlier in this chapter.

Although state leaders are formally free to form their engagement in the global market, Moellendorf argues that the fact that nearly every country of the world is a member of the WTO is evidence that there is no reasonable alternative. Moreover, in many cases, democratic institutions are compromised or non-existent; so, citizens of countries that choose this development path have no choice in the matter<sup>147</sup>.

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<sup>142</sup> Carmen Gebhard, Coherence, chapter 5 in Christopher Hill and Michael Smith, *International Relations and the European Union*, (2011), (Oxford University Press, Oxford), p. 103

<sup>143</sup> Gebhard, in Hill & Smith, (2011), p. 124

<sup>144</sup> Moellendorf, (2009), p. 10

<sup>145</sup> Moellendorf, (2009), p. 11

<sup>146</sup> Moellendorf, (2009), p. 49

<sup>147</sup> Moellendorf, (2009), p. 51

According to FreedomHouse's report 'Freedom in the World 2013' Sub-Saharan Africa has, in recent years, been ranked as the world's most politically volatile region, with major democratic breakthroughs in some countries, and crackdowns in others. While the region saw several significant gains, especially in West Africa, civil conflicts and the emergence of violent Islamist groups prevented an overall upgrade for political freedom<sup>148</sup>.

Moellendorf argues that the democratic political ideal can be employed as an interpretive guide for the rules that govern political institutions. We should reject rules that provide favoured membership status on the basis of considerations such as family background or natural talents. A political association with institutions of equal and inclusive citizenship would ensure both the equal treatment of persons and the social bases for equal influence in the political process<sup>149</sup>. By this he is not referring to the positive discrimination on behalf of the developing countries, since these as argued can be fit under the exceptions under which the prima facie of equality can be justifiable set aside, but rather to the inherent institutional power the developed world can be argued to have in the liberal, capitalist world order in general, and the WTO in particular.

From this perspective the EU is a holder of institutional power, in the sense of the concept as defined by George and Bennett. One might even argue that, at least up until the Doha round where developing countries has gained influence, the WTO as such was a structure based on compulsory power, when it came to trade. If there is no alternative, one has the power over.

Apart from this, one can also see clear signs of the EU striving for productive power; through acting as an agenda-setter and emphasising the goal of coherence in the global food security system, the EU uses what George and Bennett describes as diffuse and contingent social processes, to establish rules-of-the-game.

### **4.3 Objective**

The objective of the FSTP is to improve food security for the poorest and most vulnerable and to help achieve the first MDG (eradicating poverty and hunger), by means of a set of actions which ensure overall coherence and continuity of EU assistance<sup>150</sup>. Continuity of assistance is ensured through the transition from relief to development<sup>151</sup>.

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<sup>148</sup> FreedomHouse, available at: <http://www.freedomhouse.org/report/freedom-world/freedom-world-2013>, viewed 18-05-13

<sup>149</sup> Moellendorf, (2009), p. 55

<sup>150</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p 14

<sup>151</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 14

## **4.4 Strategic priorities**

Taking into account the recommendations of the MTR to better streamline FSTP assistance dimensions, the 2011-2013 Strategy was set to operate on three strategic priority areas. The strategic priorities were: (1) research, technology transfer and innovation to enhance food security; (2) strengthened governance approaches for food security; and (3) addressing food security for the poor and vulnerable in fragile situations<sup>152</sup>. The last one of these will not be dealt with in this thesis, since it is closely related to humanitarian aid, with its focus on fragile situations, and not so much with the long-term perspective on development, which is the main focus of this thesis.

### **4.4.1 Strategic priority 1**

One of the priorities in the FSTP is based on that the EU recognises the importance of investing in international public goods, in particular in pro-poor, demand-driven research and technological innovation as well as capacity development and South-South and South-North scientific and technical cooperation, as a way to address food security challenges in developing countries.

Strong linkages will also be built between programmes at the global, continental and regional level<sup>153</sup>.

More attention will be devoted to capacity building of southern organisations and to cross-cutting issues, such as environmental sustainability, social equity and gender and to the threats and opportunities presented by climate change<sup>154</sup>.

### **4.4.2 Strategic priority 2**

This priority focuses on innovative approaches to building ‘bottom-up’ networks based on national experience of linking food security policy, research, capacity strengthening, technology transfer, and rural development, as well as promoting South-South collaboration and stimulates linkages with other strategic priorities of FSTP<sup>155</sup>.

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<sup>152</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 15

<sup>153</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 15

<sup>154</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 20

<sup>155</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 16

In order to improve food security governance further, priority is in particular on policy formulation and implementation, institutional capacity building, information provision and management, and enhanced effectiveness.

At the global level, this strategic priority supports recent food and nutrition security governance developments. At the continental and regional levels, this strategic priority supports the development and implementation of food security policies and strategies and the work of the key organisations and platforms involved<sup>156</sup>.

Another theme is 'participation for governance', under which key stakeholders in food security governance, such as farmers' organisations, private sector organisations and other civil society groups, was set to play a more pro-active part in food security dialogue, policy formulation and implementation, and lesson learning<sup>157</sup>. This includes a strengthening of institutional capacities (at national and regional levels; among governments and in civil society), as well as the development of laws and policies.

Standards, policies and institutions related to food safety and animal and plant health are central to food trade, producers' incomes and consumer health<sup>158</sup>. The FSTP supports food safety interventions that increase complementarity and avoid duplications, and focus sharply on pro-poor issues. At the continental and regional level, where the EU has a comparative advantage due to its size and regional integration experience which it can share with its partners, the FSTP will support agricultural, food security and nutrition approaches.

The interventions should result in enhanced capacities of African institutions to comprehensively analyse and plan a strategy for food security issues, and forms these views into operational plans. In addition, there will be support for efforts in Africa to improve the agricultural value chain and incentives for quality products within regional economic communities.<sup>159</sup> Similarly, other networks, such as civil society organisations (NGOs, regional and local authorities), should be supported in their information sharing, advocacy, coordination and networking functions related to food security governance<sup>160</sup>

By the strong focus on empowering, through the discourse of capacity-building, the Union implicitly labels itself an actor that has capacity, as opposed to the 'other', and through the agenda

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<sup>156</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 17

<sup>157</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 18

<sup>158</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 21

<sup>159</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 22

<sup>160</sup> FOOD SECURITY THEMATIC PROGRAMME THEMATIC STRATEGY PAPER, 2011-2013, p. 23



of strengthening South-South corporation, the Union, while perhaps empowering, at the same time also acts as a conserver by reproducing the fixed self-understandings and binary relations. The practice of ‘othering’ has received much attention as an activity by which EU constructs its identity as a normative power. ‘Othering’ refers to the demarcation of the self against something else, not necessarily related to what the ‘other’ is. According to Sibylle Scheipers & Daniela Sicurelli, othering is also a transformative action with very ‘real’ consequences, due to the fact that continued depiction of an ‘other’, in terms of securitization, detects the ‘other’ as a threat to one self, directly or indirectly. Apart from that, they also argue that ‘othering’ has a strong connotation of *disempowering the other* while at the same time *empowering the self*<sup>161</sup>. This is related to what George and Bennett describes as *power to*, associated with structural power as well as productive power.

An important focus is that of affecting policy-formation. By doing this at the same time as labelling the Union as the one who has the capabilities, the Union can be argued to act in terms of consolidating its structural power, by actively shaping the roles of both themselves and the object of the FSTP.

#### **4.5 Summary of the institutional justice and power embedded in the FSTP**

What we have seen in this chapter is how the EU’s approach to food security looks through its Food Security Thematic Programme. It is rather clear that the EU focus on issues in this area is aligned with the global consensus on what issues are crucial to obtain long-term development and food security.

As was also stated in the introduction, the EU plays a major role with regard to developing countries exports<sup>162</sup>. In a report named *An EU policy framework to assist developing countries in addressing food security Challenges* the Commission states that reform of the Common Agricultural Policy has enhanced coherence, and future reforms will continue to take global food security objectives into account. Finally, a balanced, comprehensive and ambitious conclusion of the Doha Development Agenda would strengthen the international trading system, with beneficial

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<sup>161</sup> Sibylle Scheipers & Daniela Sicurelli: Empowering Africa: normative power in EU–Africa relations, *Journal of European Public Policy*, Volume 15, Issue 4, 2008, pp.607-623, p. 609

<sup>162</sup> Fabien Candau and Sébastien Jean, What Are EU Trade Preferences Worth for Sub-Saharan Africa and Other Developing Countries? In Bernard Hoekman, Will Martin, Carlos Alberto Primo Braga (ed.), *Trade preference erosion: measurement and policy response*, The World Bank, (2006) p. 65

effects on food security<sup>163</sup>. So, even though the CAP and its relations to agricultural trade are not mentioned in the Food Security Thematic Programme, it is commented on, in relation to this subject. But it is not recognised as a main issue, related to food security. But, as seen in the introduction of this thesis, trade is often argued to be one of the EU-policies obstructing a coherent development-policy.

Manners writes that coherence entails ensuring that the EU is not simply promoting its own norms, but that the normative principles that constitute the EU and its external actions are part of a more universalizable and holistic strategy for world peace. This is part of the reason for the EU's references to the UN's Charters as well as other institutional setting<sup>164</sup>.

From a more general ethics-perspective, one can argue that the idea of universalism which the EU favours is less compatible with virtue ethics than with the more universal approaches, even though the Union also has virtue ethics traits. According to Manners this is significant for debates regarding the EU's interactions with the rest of the world, for example when it comes to issues such as aid and trade<sup>165</sup>. When applying utilitarian ethics, the goal for the EU should be to 'do least harm' in world politics; empowering the 'other', in contrast to, what Manners describes as, 'the self-empowering actions of much foreign, development and humanitarian policy'<sup>166</sup>.

As Mayer points out, within the EU there is an emphasis on duties and rules as opposed to clearly defined virtues or moral characters. However, when it comes to implementation by the EU there is also an element of 'living by example' (virtue ethics) and, of course, the interplay between actors, outcomes and consequences (utilitarian ethics)<sup>167</sup>.

Universalism is assumed in all areas of global governance; for instance, international law relies on some common understanding of justice<sup>168</sup>.

The institutional justice approach has traits of both kinds; it focuses on the outcome, but instead of a sole focus on outcome –development, it also demands that the independent variable of justice in the process is present. In that sense this theoretical approach is more complex, covering the grey-zones of the otherwise rather, theoretically abstract, black and white approaches of ethics-theory.

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<sup>163</sup> COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT, An EU policy framework to assist developing countries in addressing food security Challenges Brussels, 31.3.2010 COM(2010)127 final, p.8

<sup>164</sup> Manners, (2008), p. 56

<sup>165</sup> Manners, (2008), p. 59

<sup>166</sup> Manners, (2008), p. 59

<sup>167</sup> Hartmut Mayer, Is it still called 'Chinese Whispers'? The EU's rhetoric and action as a responsible global institution, *International Affairs* 84: 1, 2008, pp. 62-79, p. 65

<sup>168</sup> Widdows, (2011), p.31

Moellendorf argues that if global institutions cannot, for example, maximize all of the economic advantages of the least advantaged, then a principle of justice is best taken as an ideal of global justice, but not an expression of a duty. It seems rather that the content of distributive duties in a partially globalized world is best characterized as indeterminately egalitarian. Once the capacity of global institutions increases sufficiently then the content of the egalitarian duties take on that of the ideal. Meanwhile, inequalities in global institutions are suspect; they require justification on grounds that those who are disadvantaged could reasonably endorse<sup>169</sup>. This has been discussed in the chapters on the international food security situation, in terms of for example the WTO-rules. In other words institutional justice on a global level is an ideal, but should be so without being a manifesto-goal as opposed to a goal actively sought. Using ones institutional power to change the CAP into something that is acceptable under the WTO, is not necessarily the same thing as changing it into something that is more just, unless it is perceived as such by the other part.

Moellendorf's institutional account of justice holds that legislative intent of unequal protection, powers and outcomes need not exist in order for inequality to require justification; rather the ability to exercise social control over such inequality is relevant. Because even where legislation exists human control is possible, and where legal sanctions exist there may be no reasonable alternative to compliance<sup>170</sup>.

The EU's normative power is often understood as a practice by which the EU seeks to spread its core norms, such as human rights, democracy, rule of law and environmental protection, internationally. According to Manners, the distinctive feature of the concept of normative power is that it refers to a specific form of power: "power over opinion". Normative power is thus defined as the 'ability to shape conceptions of "normal" in international relations'<sup>171</sup>, thus related to the concept of structural and productive power.

Scheipers and Sicurelli writes that the EU is building its identity through providing Sub-Saharan countries with legitimacy as partners and recognition of their own identity, and that this is an expression of the same attempt of the EU to appear as *the* force for good<sup>172</sup>. They argue that the practice of empowering is not restricted to discourses of identity construction. Rather, it involves a variety of practices and power resources, such as transfer of knowledge and expertise, the provision

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<sup>169</sup> Moellendorf, (2009), p. 66

<sup>170</sup> Moellendorf, (2009), p. 35

<sup>171</sup> Sibylle Scheipers & Daniela Sicurelli (2008), p. 608

<sup>172</sup> Sibylle Scheipers & Daniela Sicurelli (2008), p. 623

of enhanced development chances and/or trade opportunities and the transfer of material resources. Most often it empowers the providing as well as the receiving end<sup>173</sup>. From this point of view the EU focuses on areas where they are the capable ones, the ones holding the structural power, but this is neither good nor bad, rather it is a dual empowering act.

To be able to answer the research-question, and conclude whether or not institutional justice is present in the FSTP, we need to establish whether or not the targeted area, in this case Sub-Saharan Africa, finds this just. Therefore we now move on to an analysis of the AU's approach to food security issues.

## **5. The Comprehensive Africa Agriculture Development Programme**

In this chapter there will be a focus on the food security programme, and the issues it highlights, posed by the African Union. To know their interests and priorities are important factors to be able to establish whether or not the FSTP can be labelled institutional just or not. Institutional justice is, as argued in section 2.3.1, based on justification.

Moellendorf argues that respect for persons requires affirming rules that could be justified as reasonable to the persons affected. An apparently direct way to establish whether or not it is reasonable to the persons affected would be that of hypothetical consent. Moellendorf underscores that some filtering of reasons is preferable, since otherwise persons might in fact be convinced on unreasonable considerations. Otherwise there is a risk that persons might endorse rules on no other grounds than that the rules benefit themselves, or that persons' preferences might have been adapted to a narrow set of opinions, or persons' understanding of what they deserve might have been deluded by false consciousness, so that they in fact endorse rules that fail to provide them with what they should reasonably expect<sup>174</sup>. For these reasons it is important to look at both how the AU itself argues that the food security situation shall be solved, as well as the power-relations that may be present and potentially affect the justifications and levels of consent in relations to international food security-issues.

### **5.1 Agriculture on the development agenda**

In 2008, as a respond to the global economic crisis and its impact on food-security, African leaders held a 'Food Security Workshop Accelerating Investments in Response to High Food Prices and Food Insecurity'. Some of the points made during this workshop, was that the high food price

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<sup>173</sup> Sibylle Scheipers & Daniela Sicurelli (2008), p. 610

<sup>174</sup> Moellendorf, (2009), p. 51

crisis was rooted in the fact that Africa spends billions annually on importing food and suffers negative terms of trade. African governments invest much less in the agricultural sector than developed countries do<sup>175</sup>. One of the thematic groups established was on Agriculture and Food Security, comprising representatives of, amongst others, the AU, FAO, the World Bank, the African Development Bank, as well as several UN agencies, whom recommended the *Comprehensive Africa Agriculture Development Programme (CAAD)* as the framework for implementing the MDG Africa Initiative in agriculture and food security<sup>176</sup>.

Dependence on rain-fed agriculture and pervasive trade barriers induce extreme price volatility. In the face of erratic production, thin markets and frequent barriers to trade, seasonal price spreads of 50 percent are common. Food prices can easily vary by 100 percent from one year to the next.

It is stated that the inadequate performance of African agriculture is linked to challenges related to (1) markets (2) natural resource management and (3) technology development and uptake<sup>177</sup>.

Simultaneously, the AU states that the international community is less willing to invest in disaster risk reduction than it is in disaster response when crises break out, and that barriers to cross-border trade are sometimes significant, potentially exacerbating food shortages and worsening crises<sup>178</sup>.

### **5.3 The Programme and its priorities**

In 2003, African leaders endorsed the *Comprehensive Africa Agriculture Development Programme (CAADP)* to put agriculture back onto the development agenda<sup>179</sup>.

The CAADP Framework for African Food Security (FAFS) presents the first and only continentally agreed on plan of action for addressing food insecurity and hunger, drafted by a team of predominantly African experts concerned with solving hunger and poverty in Africa<sup>180</sup>.

The FAFS is intended to provide sound guidance on policy, strategies and actions, as well as it is intended as an advocacy tool that can offer leaders increased access to political, technical,

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<sup>175</sup> U - NEPAD Food Security Workshop Accelerating Investments in Response to High Food Prices and Food Insecurity Pretoria, 20 - 23 May, 2008, p. 7

<sup>176</sup> U - NEPAD Food Security Workshop Accelerating Investments in Response to High Food Prices and Food Insecurity Pretoria, 20 - 23 May, 2008, p. 8-9

<sup>177</sup> The African Union/New Partnership for Africa's Development, (2009), p. 18

<sup>178</sup> The African Union/New Partnership for Africa's Development, (2009), p. 17

<sup>179</sup> The African Union/New Partnership for Africa's Development, (2009), p. 2

<sup>180</sup> The African Union/New Partnership for Africa's Development, (2009), p. 2

methodological and financial support for their food security-related policies, plans and institutions<sup>181</sup>.

The CAADP, as a common framework for agricultural development and growth for African countries, is based on the following:

- the principle of agriculture-led growth as a main strategy to achieve the Millennium Development Goal of poverty reduction;
- the pursuit of 6 percent average annual agricultural growth at the national level;
- the allocation of 10 percent of national budgets to the agricultural sector;
- the exploitation of regional complementarities and cooperation to boost growth;
- the principles of policy efficiency, dialogue, review, and accountability;
- the principles of partnerships and alliances to include farmers, agribusiness, and civil-society communities; and
- Implementation principles that assign roles and responsibilities for program implementation to individual countries, coordination to designated regional economic communities (RECs), and facilitation to the NEPAD Secretariat<sup>182</sup>.

It is argued that a successful implementation of the agenda calls for:

- *Raising and sustaining performance in traditional and foreign export markets, by seeking stronger partnerships between the local agribusiness sector and other agribusiness operators as well as working toward establishing agricultural trade agreements with other emerging economies*<sup>183</sup>.
- *Strengthen regional and national negotiation capacities, preferably organized around RECs in order to accelerate the reform of protectionist global policies and safeguard African interests in international trade agreements*<sup>184</sup>.

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<sup>181</sup> The African Union/New Partnership for Africa's Development, (2009), p. 6

<sup>182</sup> U - NEPAD Food Security Workshop Accelerating Investments in Response to High Food Prices and Food Insecurity Pretoria, 20 - 23 May, 2008, p. 3

<sup>183</sup> THE COMPREHENSIVE AFRICA AGRICULTURE DEVELOPMENT PROGRAM FRAMEWORK FOR THE IMPROVEMENT OF RURAL INFRASTRUCTURE AND TRADE-RELATED CAPACITIES FOR MARKET ACCESS (FIMA), SUMMARY, p.2

<sup>184</sup> THE COMPREHENSIVE AFRICA AGRICULTURE DEVELOPMENT PROGRAM FRAMEWORK, p.3

### 5.3.1 Governance of food-security

the AU argues for a better governance of food security by clearly defining the role of the state, the private sector, and the role of public– private partnerships in policies, program design, implementation, and funding; establishing institutional tools to harmonize regional policies and regulations related to infrastructure, using the European Union’s experience as a possible model; improving the investment climate and business environment, including the creation of the necessary legal system to minimize corruption at all levels, among both local and external actors<sup>185</sup>.

What we can see here, when comparing the AU approach to food security with the EU’s, is that there are lots of similarities regarding priorities and believed reasons for the situation, as well as what should be done to enhance long-term development. Especially the fact that the AU endorses the long-term approach rather than quick fixes is in line with the EU’s approach. The same can be said, to a certain extent, about the question of ownership. The difference here is laying primarily in the role of the one who has ability; in the EU’s documents the Unions ability to empower is emphasised, whereas in the AU’s documents it seems more to be a question of empowering oneself, with support from others. The difference can seem irrelevant, but it can also be interpreted as different views on the internal power-relation. Who has the *power to instigate change*?

When it comes to governance of food security-issues, the AU states that the European model is an attractive frame to follow, in terms of regionalisation of issues related to the infrastructures that affect food security. This strongly indicates a just institutional approach by the EU, since it is clear that the receiving part shares the same interests, in line with what Moellendorf argues as a prerequisite for institutional justice.

The real difference is, as argued in the introduction, the question of trade. Whereas the FSTP does not emphasise this issue, the AU argues this to be one of the main reasons for the food security situation in Sub-Saharan Africa, and therefore one of the areas where change is needed for this thesis independent variable of the *institutional frame of the EU food-security policy*, as well as the dependent one on *justice*. When the EU mentions trade, it is primarily related to intra-African trade, and as we can see here, this is also an issue according to the AU, even one where the European model is set as an ideal.

The strong AU focus on involvement of stakeholders such as unions and civil society, as well as the focus on auditing and governance, is also in line with the core-values of the EU in general. This

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<sup>185</sup> THE COMPREHENSIVE AFRICA AGRICULTURE DEVELOPMENT PROGRAM FRAMEWORK, p.34

indicates that these are issues universally agreed to be of importance for development, rather than a case of direct structural power.

## **5.4 Trade**

As mentioned in the introduction, as well as in chapter 4 and 5, trade is one of the issues where there are visible different approaches between the AU and the EU. The level of importance one places on trade in food security is clearly not the same in the unions. As seen in the chapter on WTO, section 3.2, there are in general divided opinions on this issue, at the international level as well. But what is important in this thesis, is not so much whether or not trade is in fact important in relations to long-term socio-economic development through agriculture, but rather if the approach the EU has chosen, can be deemed institutional just.

Given the declining per capita production, imports account for a growing share of African food supplies. Low population density,<sup>186</sup> long distances, poor infrastructure and limited competition imply high marketing costs, equally due to marketing constraints as low farm productivity. Furthermore, vacillating policies affecting agricultural markets generate uncertainties that raise costs and discourage private sector investment in marketing systems<sup>187</sup>.

### **5.4.1 Trade within Africa**

Trade is not limited to trade between units situated in distant parts of the world, and trade in development issues need not be limited to trade between the “developed” and the “developing” world. Considerable cross-border trade occurs, also regionally within Africa.

Between the years 2001-2004 it counted for 7.5 percent of total exports. Intra-African trade in agricultural products was also about twice the level of non-agricultural products during the same period for both exports and imports. However, much of this intra-African trade is informal, due to a range of government controls that limit cross-border exchange.

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<sup>186</sup> The African Union/New Partnership for Africa’s Development, (2009), p. 18

<sup>187</sup> The African Union/New Partnership for Africa’s Development, (2009), p. 19



It is argued in the programme that the failure by the international society to allow regional trade in food staples, risks stalling production growth and private investment in agriculture in the long run<sup>188</sup>.

As a long-term objective, African governments should seek to use local food resources for food assistance programmes, either through sales to the agencies that run them, or through the use of food vouchers that programme beneficiaries will redeem in local markets, to strengthen local agriculture<sup>189</sup>.

#### **5.4.2 International trade**

Africa was a net food exporter during the 1960s but now imports, to give an example, 20 percent of its cereal consumption. In 2002-04, Africa's trade deficit in food amounted to \$9 billion – a deficit that has been growing in recent years. Given the widespread hunger and malnutrition on the continent, these high levels of agricultural imports would appear to be only partially filling the consumption needs of a population lacking purchasing power. Moreover, governments and humanitarian agencies face important challenges in design and implementation of food assistance programmes that promote long-term development<sup>190</sup>.

On trade policy, export restrictions and taxes will aggravate price increases, encourage smuggling and impoverish local farmers, whilst lowering import tariffs might help but will reduce revenues. The dilemma is how to protect the poor without jeopardizing macroeconomic stability<sup>191</sup>.

What we can see here, in the arguments from the AU, is that trade is the area where there are slight differences compared to the EU's approach to food security-issues in Sub-Saharan Africa. The EU emphasises intra-African trade as the area where anti-distorting institutional changes are needed, and the AU concurs. The difference lays in the issue of international trade-distortions; where these are argued, by the EU, to be removed through the WTO-framework, the AU seems to disagree that this has happened yet, since they also focus on enhanced negotiation-capacity related to these

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<sup>188</sup> The African Union/New Partnership for Africa's Development, (2009), p. 19

<sup>189</sup> The African Union/New Partnership for Africa's Development, (2009), p. 25

<sup>190</sup> The African Union/New Partnership for Africa's Development, (2009), p. 19

<sup>191</sup> U - NEPAD Food Security Workshop Accelerating Investments in Response to High Food Prices and Food Insecurity Pretoria, 20 - 23 May, 2008, p. 9

questions, on an international level, as a premise for enhancing development. Thereby the AU recognises the institutional power that they, in this case, are not holders of.

According to the World Bank most of the gains from the comprehensive Doha scenario, in the developing world, would go to large countries. Apart from South Africa, the World Bank foresees a potential scenario where some of the least developed countries in Sub-Saharan Africa and elsewhere may be slight losers, when developed countries cut their tariffs if those LDC's choose not to reform. Their losses result from weakening their terms of trade because of erosion of tariff preferences affecting their exports or, if they are net food importers, because they would face higher prices on imports of temperate food, as well as the trade-dampening effect of complex rules of origin that will not change. The World Bank then states that these preference-receiving countries could be compensated for preference erosion through increased aid at relatively small cost to current preference providers<sup>192</sup>. If the World Bank is right in this potential scenario, then the current WTO-rules could be argued to be more just, since the positive discrimination that currently is allowed, would fit well in the exceptions to *pro tanto* equality, that are acceptable within Moellendorf's framework of institutional justice.

What can be concluded by the World Bank's suggestion for compensation -if the Doha-round turns out to give the LDC's the foreseen problems -is that this would be a most unfortunate turn, in terms of power-relations between the LDC's and "the west". To make them more dependent on aid would not be empowering in the sense that is currently a priority within the international debate on food security. It would enhance the *power to* towards this region, and potentially also the *power over*, by making them more dependent on aid, instead of securing African ownership of its development-path.

## **7. Institutional justice in the EU's approach to food security**

In this chapter I seek to connect the analyses from previous chapters, to provide an answer to the research-question on to what extent the EU's approach to food security can be argued to be ethical.

As stated in section 2.3.2, the prerequisite for demands on institutional justice is, according to Moellendorf, that the association generates effects with scope and force to structure a person's life. The demands for associations are that they are (i) relatively strong, (ii) largely non-voluntary, (iii)

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<sup>192</sup> Anderson and Martin, In Richard Newfarmer (ed.), (2006), p. 80-81

constitutive of a significant part of the background rules for the various relationships of their public lives and (iv) governed by norms that can be subject to human control. With respect to (i), an association is strong to the extent that it is (a) enduring, (b) comprehensively governed by institutional norms and (c) regularly affecting the highest order moral interests of the persons associated. What we want is to secure that actions taken in the association is directed toward ensuring that differences in initial condition do not affect the opportunities of persons. Whether or not this is the case, can be difficult to assess, and to complicate it even further, Moellendorf argues that a person's participation in an association is not always non-voluntary to a sufficient degree.

As an example he uses membership of a particular church; they are not governed by duties for justice in liberal societies, since in such societies persons typically have reasonable alternatives to memberships in any particular church or in any church at all<sup>193</sup>. This may not be the case in other types of societies; therefore the effect on a person's life as well as the level of non-voluntariness is of importance to be able to establish whether or not the association generates duties of institutional justice.

As stated several times previously in this thesis, amongst others in chapter 1.1, the EU is of great importance to Sub-Saharan Africa, both in terms of trade and aid, being the biggest donor and trade-partner. This indicates that the relations between these two unions' have a high degree of influence on the population, and by that it is of importance to secure institutional justice in the programme.

The fact that productive power combined with normative convergence, has made it, in practice, impossible to choose another path for development, than the one the EU sets out, especially taking the importance of the EU for this region into consideration. Therefore we can conclude that this relationship fulfil the requirements for being sufficiently strong to be labelled an association which creates demands on institutional justice.

## **7.1 Can the EU approach to food security then be labelled just?**

Since we now have established that the FSTP is, at least a part of, an association of the kind which creates demands on justice, we can now move on to how this justice is detected.

As previously stated, primarily in section 2.2, ethical in this thesis is related to the concept of institutional justice. To be able to detect whether or not an institution is just, equality has to be present, as seen in section 2.3.1.

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<sup>193</sup> Moellendorf, (2009), p. 46

The argument on equality and justice in distributive associations has, according to Moellendorf, both Universalist and contextualist-interpretive elements.

The Universalist element is the norm of respect for the dignity of persons. This we have established, in accordance with the arguments in section 2.5.2; I do not wish to analyse whether or not these norms are in fact universal or not, I wish to establish what the consequences of how we use this norm, are.

The contextualist-interpretive elements are threefold. The first is to establish whether or not we are co-members of the same association of the requisite kind. This was established in the introduction to this chapter, and is of importance since we do not owe duties of political justice to others than co-associates.

The second element involves validating the claim that the association is a common good association<sup>194</sup>. That is what was described in section 2.3.2 as an association that by the joint effort of its members produces goods and powers, useful to the members, to which no person has a pre-associational moral entitlement. This can be harder to settle, since it is based upon if it is more of a political or economic institution.

Moellendorf argues that in political institutions, removing it from the socio-economic association with which it co-exists, then distributive demands of equal respect often tends in the direction of sufficientarianism<sup>195</sup>. Sufficientarianism is closely related to Pogge's take on institutional justice, which was described in section 2.3.3, and thus limited to that the institutions should do no harm. Now, there is a difference in avoid doing harm and instigate development. The latter is what the EU seeks to do in its FSTP, and this correlates to the AU approach as well. Moellendorf argues that the global institutions we have today which provide the sufficient conditions for holding obligations of duties of distributive justice are far from succeeding in this<sup>196</sup>. But he speaks of institutions on a global level, such as the World Bank, the WTO and the UN, whereas the EU is a region, acting in a globalised world. Therefore we need to establish whether or not the EU, when it comes to the FSTP acts more like an economic actor. According to Moellendorf, an economic association involves the organization of the division of labour and entitlements to capital assets. It also directs the deployment of labour and capital for the production of goods and services that benefit its members<sup>197</sup>. Since these issues are of great importance to the

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<sup>194</sup> Moellendorf, (2009), p. p 56

<sup>195</sup> Moellendorf, (2009), p. p 56

<sup>196</sup> Moellendorf, (2009), p. 64

<sup>197</sup> Moellendorf, (2009), p. 58

life prospects of participators in the system, the moral ideal of reciprocity exists only if the terms of cooperation are fair and reasonable<sup>198</sup>. Drawing on the analyses from chapter 3-5, this will be established in the following chapters.

The third element that needs to be established is what justice is about in the association<sup>199</sup>. What are the goods (taken broadly to include powers) of an association that justice regulates? Moellendorf argues for the interpretive tasks to be primarily about the goods of justice and the ideal of equality that regulates the goods, not about the distributive principle<sup>200</sup>. This is also the reason for looking at principles governing the FSTP, instead of looking at the projects it has funded. I am interested in the principles of the programme and whether or not they are just, whereas future projects will establish the outcome of the specific projects funded within the frame of the programme.

It is important to bear in mind that the institutions of an association do not affect only the economic interests of persons, but the general capacity of persons to live lives that are in significant ways chosen. Hence it is implausibly narrow to limit the requirements of reciprocity in an economic association only to considerations of distributive justice<sup>201</sup>. This is why power-relations as well are of interest in this thesis. Reciprocity is in other words also related to capabilities and powers.

## **7.2 differences in the AU's and the EU's approaches to food security**

As we have seen throughout this thesis the AU's and the EU's approach to how to meet the long-term socio-economic development-goals related to food security, is in most part rather similar. Both highlight, in line with the global consensus on the area, issues like capacity-building, agriculture as the primus motor area, a stronger intra-continental market, and a heightened focus on food security governance which includes building stronger bonds between different stake-holders. Apart from that, both have a strong focus on African ownership of the development-plans, as crucial parts to secure development.

One of the differences detected was, as elaborated on in section 5.3.1, the underlying power-relations in the way this empowerment is spoken of. The EU positions itself as the one who can provide this, and by that the Union anchors its productive power in this relationship, by categorizing itself as the capable that can empower the weaker one, whereas the AU establishes that this

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<sup>198</sup> Moellendorf, (2009), p. 59

<sup>199</sup> Moellendorf, (2009), p. 56

<sup>200</sup> Moellendorf, (2009), p. 56

<sup>201</sup> Moellendorf, (2009), p. 61

empowerment is to come from within, with support from the international society, and thus positions itself at a more equal level with the latter.

As seen in section 2.3.2, equal respect for persons does not preclude that equality cannot be suspended, if the parties agree. When it comes to global policy-making Moellendorf argues that the value of equality of opportunity will have to be set off against the value of self-determination. Neither can be fully realized, but both must be recognized, and that wise global policy can proceed by balancing the respective values<sup>202</sup>. But it is important to prevent institutionally conferred privileges derived merely from familiar background or natural talents<sup>203</sup>. In other words institutional justice can only be present if institutional settings are not based on institutional and/or productive power.

This power-approach to institutional justice became most evident in the subject on trade, as seen in section 3.2 and chapter 5. Here we saw how these diffuse types of power are, at least by some, argued to be features of the global institutional settings on trade, in favour of the EU and with, mostly, negative consequences for the Sub-Saharan Africa. Therefore the following parts will focus on trade and justice.

According to Moellendorf, the globalization of trade, investment and finance has had profound effects on the highest order interests of persons and that regardless of whether persons are directly engaged with the global economy; they will be profoundly affected by international trade<sup>204</sup>.

The EU acknowledges that trade has a role in international food security, and the argument here is that the Union should support standardisation and harmonisation of policies, rules and regulations, towards regionally integrated agricultural policies<sup>205</sup>, as was also evident throughout chapter 4. In other words the EU argues for legal justice, as described in section 3.2. Moral justice – securing just institutional settings acceptable to all participants of the association- is seen as fulfilled by the EU, through the reform of the CAP, as seen in section 4.5, even though it is evident in chapter 5, that this view is not entirely shared by the AU. By referring to legal justice, it can be argued that the EU uses its institutional power in relations to the WTO, and its productive power in its communication towards the SSA, to establish legal justice as *the* justice.

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<sup>202</sup> Moellendorf, (2009), p. 85

<sup>203</sup> Moellendorf, (2009), p. 61

<sup>204</sup> Moellendorf, (2009), p. 49

<sup>205</sup> COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT, An EU policy framework to assist developing countries in addressing food security Challenges Brussels, 31.3.2010 COM(2010)127 final, p.5

African perceptions of the EU and its role in Africa are ambivalent. The foreign policy identify of the EU manifesting its values are, to a certain extent, supported. But generally the findings in the trade-sector are that the EU is seen as a protectionist power, using instruments of coercion in negotiations<sup>206</sup>. This corresponds to the findings in section 3.2, where the UN Special Rapporteur argued that food security is treated like a ‘bargaining chip’. This is a then a rather clear use of compulsory power, and not in line with the demands for institutional justice. But, as Schmidt argues, the new partnership-alternatives for African states have lead to stronger resistance against western policies and weaker effects of conditionality<sup>207</sup>. This may not be as clear within WTO-negotiations, where the EU from the African view clearly still holds institutional power, but as we saw in chapter 5, south-south trade is increasing. So in this area there may be argued to be alternatives, even though these are more theoretical than practical, since the EU is still by far the largest market for Sub-Saharan Africa. But regarding trade-rules the association is so strong that there is no real alternative.

### **7.3.1 The moral importance of international trade**

As stated in the preceding chapter, the WTO and the EU’s justice approach to development-related trade-issues, is that of legal justice. Moellendorf argues that a rules-based multi-lateral regime is superior on anti-predation grounds. Although rules that permit protectionism in developed countries violate the principle of fair equality of opportunity, a multi-lateral trade regime that links liberalized market access to the observance of core labour standards can, in his opinion, be morally justified<sup>208</sup>, since this will better secure the developing world, as opposed to if they where to negotiate on bilateral agreements.

Related to trade is also the principle of fair-play; suppose a person receives benefits from the activity of others, but not to the degree that he/she agrees that it is worth the costs of participating. Associational justice creates duties of justice, which duties are not necessarily to act according to the existing institutional rules<sup>209</sup>. In other words we have to establish whether or not the parties think of the programme as just, and whether or not the exceptions from equality there might be agreed on, makes it worth participating or not.

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<sup>206</sup> Schmidt, (2012), p. 108

<sup>207</sup> Schmidt, (2012), p. 107

<sup>208</sup> Moellendorf, (2009), p. 90

<sup>209</sup> Moellendorf, (2009), p. 37

## 8. Conclusion

The outset of this thesis was to analyse the level of institutional justice and power-relations in the Food Security Thematic Programme, to be able to detect to what extent the EU approach to this issue, can be argued to be ethical. As described in the introduction, ethics is often seen as something situated within the field of philosophy, at the abstract level that can be hard to develop into something that can be of practical use. Apart from that, ethics is traditionally, within international relations, seen as something belonging in the category of *nice-to-have*, instead of in *need-to-have*. Alas, when employing highly abstract notions of ethics, one of the challenges lies within establishing why it is of importance at all.

I started out by referring to the world of superheroes, a fictional universe where the ones holding powers are often very clear heroes or villains; it is clear who holds power, and what they use these powers for, for good or for bad.

When it comes to the real world, nothing is as clear-cut as this; neither regarding doing good or bad, nor regarding how abstract theories of ethics are applied.

The EU wishes to be a “force for good” in the world, to be the ethical player on the global field, and therefore its foreign policies emphasises the core values of the Union, as well as empowerment of its partners and securing functioning institutional settings based on its own experience. The EU believes in shared values and cooperation in decision-making. This is evident in the discourse on the topic of food security, where the EU enhances the idea of African ownership on its path towards socio-economic development. To secure this the Union seeks to be coherent with the international consensus on what long-term socio-economic development in general, and Sub-Saharan Africa in particular, demands, as well as it seeks coherence in its own policies affecting these issues.

Food security is, by the international society, seen as an important component of a secure global community, since hunger is recognised as one of the most wide-spread threats towards stability and development. It is argued to be correlated with conflict, disease, migration and terrorism. Lessons learnt from the past has lead the international society to, at least in theory, prioritise long-term socio-economic development, mainly through a heightened focus on agriculture, in the fight against food insecurity, instead of the traditional focus on emergency-aid.

The EU strives to be in the forefront of this development. The Union is the main donor of development-aid to the region of Sub-Saharan Africa, as well as its main trading-partner.



Since the EU is an actor emphasising both the institutional settings and values of its development-policies, at the same time as it seeks to maximise the outcome and do “good” in the world, it is hard to directly apply one of the traditional ethics-theories on its approach to food security. This is not surprising, since as argued, reality seldom is as black and white as neither theory, nor fiction. Therefore the analytical frame for this thesis has been a combination of the institutional justice approach by Darrel Moellendorf and the four types of power identified by Michael Barnett and Raymond Duvall. Together, these two theoretical approaches provided an analytical approach where the global economic association and the power-relations inherent in this, was applied to the EU-Sub-Saharan Africa relations.

By doing this, the level of justice has been dependent on how the target of the Food Security Thematic Programme views it, as well as by how these perceptions are produced. Since, as Moellendorf argues, institutional justice can only be present if both parties agree on the approach to it, and that this is not done because there is no real alternative - thus being an expression of power - but it should be based on presumed equality.

It can be argued that the weakness of this approach is that it is closely tied to liberal democracy, and by being that it in a sense favours both structural and productive power for this type of political governance. Even though the goal has not been to favour this, the theory of institutional justice assumes this as the proper political governance. I cannot argue that I disagree, but contrasting it to something less dependent on this, would perhaps have provided a different outcome. Even within theories of institutional justice, this might have happened. As mentioned in the thesis, Pogge focuses on the absence of doing harm, and by applying that theory it may be that one could argue that the FSTP is just. But sole harm-preventing is not what the EU promotes; development is. Therefore I believe the chosen approach to institutional justice to function well as an analytical tool, and when combining it with the four types of power, some of the potential weaknesses have been detected throughout the analysis.

To be able to establish whether or not the institutional arrangement can be said to be just, both the EU's and the African Union's approach to food security has been analysed. It was clear from the start that on most issues the approaches are rather similar, and that trade was the main area of asymmetry. But this is not necessarily enough to establish that the FSTP is unjust. There are plausible exceptions for equality embedded in the institutional justice-theory, in so far as the parties agree that these are acceptable. To be able to establish this, the international trade-regulations and the power-relations these contain was analysed.

The international trade-regime can be argued to taking steps towards institutional justice, but it is not there yet. Even though the slow Doha-negotiations and the increased south-south trade has somewhat changed the power-relations in this organisation, the institutional, as well as structural, power lies stronger with the 'west' than with the 'rest', and above all, there is in reality no alternative to membership of this association, and therefore it has obligations of justice.

The EU argues that changes in the CAP as well as its trade-rules, has abolished trade-distorting. But what can be argued here is that the Union favours legal justice, instead of moral justice. The AU does not explicitly state that the EU, or any other actor, has strong institutional powers in relations to the WTO, but it does emphasise its own need for enhancing its negotiation-capacities on an international level, thus indicating that it does not parallel legal justice with moral justice.

Even with this in mind, Moellendorf argues that a rules-based multi-lateral regime is superior to bilateral agreements on anti-predation grounds, since he believes that this will better secure the developing world, as opposed to if they where to negotiate on bilateral agreements. This can be argued to be correct with the current negotiations-round and the influence by the G-20 on this, but at the same time it is also evident that even though this may have resulted in food security functioning less like a bargaining-chip, and thereby removing the compulsory power-element of it, it is still evident that the institutional and productive power is strongly situated where it traditionally has been.

Relating this to the EU's approach to food security, from an ethical perspective, it is clear that the norms the EU promotes have reached a status of universal, at least within the global institutional settings, as well as these are present in and promoted by the African Union approach to food security. From that point of view it can be argued that the EU's approach to food security contains a high degree of institutional justice. But at the same time it is also evident that the way the EU's trade and CAP-policies in themselves are perceived -as well as the way the use of the EU's power-position within these areas are perceived- these are clearly neither corresponding to that of being a 'force for good' in the world, nor to the self-perceived identity of being an ethical actor.

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