***Forging Alternative Routes to Norms Change:***

***Economic Rights Protagonists***

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***Abstract:*** The prevailing story of norms evolution in international relations and social movement scholarship has tended to weight the power of persuasion in favor of dominant actors over marginalized ones. It has often assumed that advocates are active across borders, moving ideas from the centers of normative (and financial and political) power "down" to the sites of norms violation someplace else. But what if people on the margins either dismissed, ignored, or simply rose above existing human rights frameworks to forge new norms and new modes of implementing rights on their own? And what if their actions ultimately enhanced (rather than detracted from) the mainstream human rights canon? This chapter takes that possibility seriously. Drawing insights from a case study of the decade-long "Right to Food Campaign" in India, it demonstrates that new legal interpretations of economic rights and creative new modes of progressive implementation of such rights are emerging in ways not predicted by dominant explanations of norms evolution.

Civil and political rights have dominated the formal human rights system for much of the past half-century, shaping not only the politics between states but often within them. They have cast a long shadow over the emergence of the modern human rights movement (Moyn 2010; Neier 2013) and the development of corresponding theories of norms evolution. But economic rights -- defined as the rights to subsistence, to work, and to income guarantees for those who cannot provide for themselves (Hertel and Minkler 2007) -- are newly resurgent, in part because of the efforts of actors on the margins of the mainstream human rights movement.

This chapter explores alternative routes to norms evolution from the bottom up, drawing insights from contemporary right to food rights advocacy in India. It deepens a new current in the international relations (IR) literature that recognizes the neglected Southern roots of norms change and institutional creation.[[1]](#endnote-1) It complicates an emerging literature on the politics of "backlash" (Vinjamuri, Hopgood and Snyder, forthcoming) which has tended to focus on the negative impact of outsiders' responses to the promotion of human rights, by instead analyzing conditions under which action on the margins serves to deepen and enhance the promotion of human rights. And it offers three alternative routes to norms evolution through which actors *dismiss, ignore, or rise above* dominant norms in ways that ultimately stand to enrich the protection of economic rights, in particular.

***A view from the trenches***

Since the 1980s, Indian activists have fought to transform hunger from an everyday occurrence to a source of national shame. Despite its status as the world’s largest democracy and a rising regional power in both economic and geopolitical terms, India has a seemingly intractable hunger problem. One-third of all malnourished children worldwide are Indian and upwards of half the country's population is undernourished despite strong legal entitlements for the right to food, a steadily growing economy, and a relatively high level of government spending on subsidized food for the poor. The federal government of India spends upwards of 2% of gross domestic product (GDP) on social programs including subsidized feeding programs administered at the state level nationwide, but people (especially children) remain hungry (Hertel 2015).

Playing the classic human rights “shame-and-blame” game on a largely domestic level, activists involved in what has become known as the Right to Food (RTF) campaign have pointed to the paradox of state-subsidized food rotting in public warehouses just kilometers from where people have died for want of distribution. They have charged the Indian government with failing in its duty to enforce the country’s constitutional protection of the right to life by linking lack of access to grain (especially in drought-prone areas) to “hunger deaths.”[[2]](#endnote-2) And they have shamed individual bureaucrats for their lack of willingness or ability to staunch inefficiency and corruption in public feeding programs at the state and local level, nationwide (Srinivasan and Narayanan 2007).

In the process, the RTF campaign has marshaled the largest case of public interest litigation (PIL) in Indian history in defense of the right to food. Filed in 2001 by one of India’s foremost human rights organizations (the People’s Union for Civil Liberties), this landmark “PUCL case” is ongoing (Birchfield and Corsi 2010; Hertel 2015). The RTF campaign has also pushed for legislative action on hunger since 2011, lobbying during the drafting of a National Food Security Act which eventually passed in 2013 but yet to be fully implemented across India.

All of these efforts have taken place without the impetus of outside actors. Indian activists have driven the process of social mobilization, legal advocacy, lobbying, and policy reform – without seeking the support, consent, or insights of groups in the broader human rights movement beyond India. Individual activists may be (and often are) members of transnational epistemic communities (professors, public interest lawyers, NGO leaders, etc.) but the Right to Food Campaign is not animated from outside. It is not translating international human rights norms on the right to food into Indian parlance. Nor is it seeking pressure the Indian state with incentives or sanctions wielded through transnational coalitions.

Rather, contemporary human rights advocacy on the right to food in India is largely a home-grown phenomenon, with the Indian Constitution (not international treaty law) serving as the normative anchor and the network of groups involved in pressing for reform largely based within the country itself. The domestic arena has remained the arena of choice for the RTF campaign in part because the benefits of doing so (and the constraints internal to the campaign) have made this a pragmatic choice. But the mode of advocacy and the substance of the claimmaking in this campaign have implications far beyond India. As I argue in this chapter, the case of the RTF campaign serves as a focal point for theorizing on new routes to norms evolution, a journey from the margins of the human rights frontier.

***Signposts in the literature***

The interpretation of norms evolution developed in this chapter builds upon anthropologist Sally Engle Merry's concept of vernacularization (1997; 2006), a process through which non-dominant actors translate and adapt outside human rights norms in order to render them acceptable and effective at the local level. I also draw on IR theory by Amitav Acharya, who highlights the role that non-dominant actors have played in transforming contemporary norms of state sovereignty through processes of localization (2004) and subsidiarity (2011). Risse, Ropp and Sikkink (1999; 2013), Keck & Sikkink (1998), Finnemore and Sikkink (1998), Bob (2005) and others within IR theory have offered nuanced accounts that explicitly involve non-state actors (often from within non-dominant states or on the margins of wealthy societies) in the process of human rights norms evolution. But the bulk of this work has focused on civil and political rights advocacy rather than economic and social rights advocacy, with the exception of Brysk (2013; 2002).[[3]](#endnote-3)

Sociologists, by contrast, have long been preoccupied with popular responses to class-based, racialized, gendered, and other forms of inequality and have developed a correspondingly complex body of social movement theory. A strong strain of that work focuses explicitly on the forces driving the internationalization of social movement protest (Tarrow 2005a, 2005b, Chabot 2010). Major social movement journals such as *Social Movement Studies*, or *Mobilization*, have featured articles that explain the conditions under which particular movements employ human rights frames domestically and/or internationally in defense of human rights (e.g., Tazreiter 2011), while other scholarship in the social movement tradition has focused on the transnationalization of economic justice protests, in particular (Smith 2007; Bandy and Smith 2005).

But social movement theory has tended not to intersect with the broader literature on human rights norms evolution -- with important exceptions such as Keck & Sikkink (1998) or Compa (2010). And when such intersection has taken place, the resulting scholarship has tended to focus less on the emergence of alternative norms from below than on explaining the conditions under which protest transnationalizes and dominant norms spread across borders. Social movement theory's touchstones such van Stekelenburg, Roggeband, and Klandermans' landmark volume *The Future of Social Movement Research* (2013) include only a few passing references to human rights, while the editors of the major reference work in the field, the *Blackwell Companion to Social Movements*, pointedly note the absence of a chapter on the human rights movement in their own anthology (Snow, Soule, Kriesi 2004).

This chapter bridges the gaps between key literatures in anthropology, IR and social movement theory in an effort to explain why and how economic rights advocacy functions as a vehicle for contemporary human rights norms change. As the case of the RTF campaign reveals and my earlier work on norms change in Mexico and Bangladesh has demonstrated (Hertel 2006), activists based in the "Global South" have tended *not* to look to their counterparts in the "North" (or to the governments of Northern states) for advice or support on economic rights protection and promotion. Critical historians of human rights would agree that when the mainstream movement has taken up economic rights at all, it has tended to do so in extremely constrained ways (Moyn, forthcoming; Marks 2014).

Conversely, some of the most creative approaches to promoting economic rights come from activists and scholars in the global South and are circulating through South/South exchanges and reverberating from South to North. The constitutions of states such as India, Mexico, Brazil or South Africa include stronger provisions for economic rights than do those of many industrialized states (Law and Versteeg 2010). A vibrant current of legal and social science scholarship explores the contours of evolving jurisprudence and related institutional reforms and corresponding social struggles in defense of constitutionally guaranteed and/or internationally guaranteed economic rights (Gauri and Brinks 2008, 2014; Yamin and Gloppen 2011; Biehl and Petryna 2013; Albisa, Scott, and Tissington).[[4]](#endnote-4) Newer scholarly work on human rights advocacy in the United States such as that included in volumes edited by Armaline, Glasberg and Purkayastha (2011), Hertel and Libal (2011) and Blau et alia (2009) explores why and how a hegemonic state has projected civil and political human rights enforcement internationally, yet has resisted it at home while also refusing to accept economic rights as rights. Grassroots activists within the United States have responded to this state of affairs by challenging American hegemony from within, occasionally through transnationalized protests (see Bauer in Hertel and Libal 2011) that build upon advocacy efforts *outside of* the United States to delineate the normative and practical frontiers of economic rights and their limits.

***A theoretical roadmap***

Myriad forms of protest occur in defense of economic rights -- from bread riots in the context of structural adjustment, to demonstrations by members of communities demanding respect for their right to free, prior and informed consent before large dam projects are sited on their land or minerals are extracted from it. In some cases, protesters may invoke international law in defense of their rights to land, employment, education, or livelihood. In others, activists concentrate their efforts instead on implementation of constitutional guarantees or other domestic legal remedies, as in the RTF campaign. This chapter develops a framework for understanding why actors opt to operate at differing levels of action and with reference to differing normative frameworks, using the case of the RTF as a plausibility probe to explore the framework’s implications in practice.

Human rights activists, like all social actors, are opportunists to some extent. Even normatively motivated actors are also compelled by material interests and take action mindful of achieving maximal gains in both the normative and material domains (Hertel 2006; Bob 2005). Social movement theorists (particularly scholars working within framework of the political process model)[[5]](#endnote-5) explain social mobilization as a function of material, ideational, and institutional conditions. Such constraints and opportunities affect the choice of whether or not to act domestically or internationally -- including the extent to which activists accept, dismiss, ignore, or rise above outside norms.

These triggering factors affect decisions about whether to privilege certain frames, blend others, or subordinate still others to rival frames in ways that vary consistently over time. This chapter employs a political process model to explain the evolution of three alternative routes to human rights norms evolution: the first, in which activists dismiss outside norms; the second in which they ignore them; and the third, in which they rise above outside norms. These forms are not hierarchical or sequential. Rather, each is triggered by a differing combination of normative and material factors explained below.

Activists can dismiss outside norms in a number of ways and under differing conditions. Blocking entails action by people on the receiving-end of transnational advocacy efforts who seek to halt or at least significantly stall a campaign's progress "in order to pressure senders to change their frame" (Hertel 2006, 6, 15, 24-29). Dismissing norms this way is inherently conflictual. In contrast to Merry's notion of vernacularization as well as Acharya's of localization, blocking does not center on a process of normative translation. It is more akin to Acharya's concept of subsidiarization, which he describes as involving an explicit rejection of certain outside norms and the substitution of alternative ones in order to justify the creation of new international institutions. Dismissing norms is inherently more conflictual than either translating them, or simply ignoring them.

The second alternative route to norms evolution involves ignoring norms and can occur in several ways. In some instances, as illustrated in my previous work on the emergence of norms around women's labor rights in Mexico (Hertel 2006), activists can employ the subtle mechanism of "backdoor moves" in an effort to augment a campaign's normative frame by stealth. They may appear to accept the dominant frame but instead, insert alternative normative understandings covertly. By contrast, activists may entirely ignore outside efforts at norms promotion. Activists who simply ignore outside norms opt not to register them intellectually or in practice. There is no attempt at translation. There is no attempt at subversion. There is no direct conflict. For an outside observer, this route to norms evolution presents the hermeneutical challenge of distinguishing between an actor who is aware but ignores a norm, and one who is simply ignorant of it entirely.

The decision about whether to "dismiss" or "ignore" outside norms pivots around the level of conflict that actors are willing to take on in defense of norms. Where along the spectrum one operates also depends upon a range of material and ideational factors. The first is the manner in which a human rights advocacy campaign emergences (i.e., whether local activists launch the campaign themselves, or perceive it as being thrust upon them from outside the country or local context). If outside advocacy efforts involve minimal to no local consultation, they can be blocked or dismissed entirely by the people such campaigns ostensibly aim to help.

The second factor that influences whether actors dismiss or ignore international norms and/or advocacy linkages is the level of potential funding available to participants in any given human rights campaign. If there is the potential for shared resources (from foundations, individual donors, or other sources) then activists outside the mainstream human rights movement are less likely to overtly dismiss outside advocacy efforts because doing so could compromise their access to such resources. Similarly, the level of potential media attention to be garnered from participating in outside advocacy efforts is a third factor that norms protagonists weigh in deciding whether to dismiss or ignore outside frames and advocacy linkages -- or not. Like financial resources, media attention is a resource that activists can employ to increase their leverage over targets through classic shame-and-blame techniques, or to increase membership in social movement organizations. Weighing the potential for increased media attention can tip the balance toward accepting outside normative frames and networks.

A fourth factor that can affect the degree to which outside norms and related advocacy efforts are dismissed or not is the degree of potential audience receptivity to a campaign's claims. Like financial and media resources, audience receptivity has material roots. A receptive audience can channel resources -- including new participants -- into a movement, so dismissal of an outside norm or the campaign it animates is less likely if audience receptivity to the claim (or central frame) is high. By contrast, an oppositional audience can create negative incentives. Rather than dismiss outside norms, activists can play a key role in shaping the frame and/or repertoire of organizing tactics in order to render them compatible with a given audience they seek to influence.[[6]](#endnote-6) The extent to which any of these materially-based incentives are present affects whether actors accept, dismiss or ignore “outside” norms and actors.

A fifth factor that can influence norms change and coalition-building is the level of inter- and intra-group rivalry within campaigns. If individual activists are personal rivals or if the campaign evolves in a manner that re-inscribes broader social divides (such as class or ethnic or postcolonial divisions) then local activists may be more inclined to block or dismiss outside advocacy efforts and the normative frame that animate them. A sixth factor to consider is the nature of domestic, regional and international institutions as potential channels for protest. Certain institutions have public review mechanisms and are more open to public requests for information than others. Campaigns that aim to influence receptive institutions are less likely to dismiss outside norms compatible with those institutions than they would the norms central to the operations of less penetrable institutions.

Finally, the seventh factor that can influence the likelihood that activists will dismiss or ignore outside norms and/or potential allies is the extent to which there is cultural overlap or clash between potential allies. Cultural clashes, not surprisingly, provoke dismissal of outside norms in a manner that Merry has richly illustrated. But her theory does not create a framework for determining the tipping point at which actors opt to vernacularize rather than block or ignore outside norms. Analysis of the above set of conditioning factors advances theory in that direction.

Beyond dismissing or ignoring outside norms, there is a third alternative route to norms evolution that this article takes up centrally, namely, the decision to "rise above" outside norms by activists who keep their normative framework and mobilization strategy centered at the national or local level, rather than transnationalizing them. So much of the IR literature since Keck and Sikkink's 1998 classic *Activists Beyond Borders* has focused on explaining the conditions under which human rights norms and corresponding advocacy campaigns evolve across national lines that I may appear here to be turning back the clock in proposing to analyze disproportionately local activism. But, as Risse, Ropp and Sikkink warn in their newest collective project, *The Persistent Power of Human Rights* (2013), the transnationalized power of international human rights advocacy around Western/Northern norms is generating a backlash that stands to undercut the protection of norms. This chapter offers an alternative perspective, in which actors on the margins of the mainstream human rights movement ultimately enhance the scope of human rights protection around economic rights by rising above dominant interpretations of such rights.

When local institutions trump the capacity of international ones in protecting particular types of rights -- for example, when local institutions are better equipped to benchmark progressive implementation of economic rights than international ones are -- or when local norms are strong and complimentary to (if not more robust than) international ones, actors may deem it better to "opt out of" internationalized contention on human rights until international actors catch up to them. Rising above outside norms and advocacy does not happen from a position of weakness. Relative weakness predisposes actors either to block or to ignore outside norms and advocacy efforts if they are engaging in backlash. Actors who are in a position of relative weakness, for example, may have domestic institutional frameworks that are too debilitated or resource constraints that are so pronounced that they cannot enforce even their own local norms -- let alone outside ones. So they opt to dismiss or ignore the outsiders. When the localized risk of making international connections is too steep (i.e., when it could provoke internal reprisals), actors are even more likely to dismiss or ignore outside norms than to rise above them.

By contrast, rising above outside norms leaves more options on the table than any other forms of backlash do. It leaves activists open (at some point) to circling back to consider making international connections. Many of the activists involved in India's Right to Food campaign, for example, have focused their efforts on reforming the implementation of national law and shoring up domestic institutions rather than international ones. As indicated in first-person interviews conducted by the author[[7]](#endnote-7) with Right to Food campaign participants and observers, and from close analysis of primary source documents integral to the campaign itself, participants in the this campaign have found it preferable to bind the hands of Indian politicians and to make appeals for more effective food distribution in the name of citizenship rights rather than seeking to influence international policymakers or making claims on economic resources at the international level.

In the process, their domestically-driven advocacy has caught the attention of outsiders such as the former UN Special Rapporteur on Food Olivier DeSchutter who has highlighted the creative interpretation of economic rights and the multifaceted strategy for implementation central to the Right to Food campaign (DeSchutter 2013). Indian activists themselves have left their options open as to whether or not they will steer the campaign in an international direction in the future, depending upon how pronounced their domestic constraints become over time. The RTF campaign thus offers a useful vehicle for studying creative new routes to the evolution of human rights norms -- specifically, the mechanism of "rising above" the dominant normative fray in the promotion of economic rights.

***Probing the case***

Given the theoretical framework for alternative routes to human rights norms evolution developed in this chapter, we can now explore the “fit” between the Right to Food campaign case and the framework itself. This should be viewed as a plausibility probe – not a definitive “proof” of the validity of the framework -- and an invitation to other inductively informed scholars to explore advocacy at the margins of the human rights movement using this framework as a starting point. In the case of the RTF campaign:

1) *No international advocacy campaign was "launched"* to remedy hunger in India; this is a home-grown effort. Hence, the RTF campaign has not opted either to dismiss or ignore outside efforts -- because there haven't been any.

2) *Funding for the campaign has been entirely local;* the campaign's own website and those of key NGOs involved have pointedly noted that they do not accept "outside" funding for right to food advocacy. Hence, there was no purchase in internationalizing contention in order to tap outside resources.[[8]](#endnote-8)

3) *Indian media attention to the campaign has focused on it in relation to domestic law and institutional reform debates*. Based on analysis of my original dataset of 2,100 news article published in four major Indian daily newspapers from 1990 to present, I find that when the Indian print media covers food, it does so disproportionately by framing related issues in terms of national obligations under Constitutional law and national implementation strategies (Hertel, 2015).[[9]](#endnote-9)

*4) Audience receptivity to hunger issues in general in India is low (see Dreze 2002) but when discussed at all, they are framed in national terms as an Indian problem with Indian solutions. This, in turn, is linked to a post-colonial cultural orientation that renders India a norms-maker (not a norms-taker) on economic rights.* The RTF campaign operates within a context in which contemporary India is in a position of relative geopolitical strength rooted in the country's geographic size, its economic power, and its sub-regional dominance. As the world's largest democracy, India is also the progenitor of the Gandhian norm of non-violent social protest which, as Chabot (2010) argues, has influenced significantly the evolution of other social movements outside of India (including the US Civil Rights movement).

Moreover, India has a human rights-based constitution. The constitutional drafting process in India took place simultaneously with the drafting in New York of Universal Declaration of Human Rights by the then-fledgling United Nations (1948) and involved some of the same intellectual architects (Waltz 2001). As a late Indian Supreme Court justice who I interviewed in 2012 asserted, the two drafting processes were mutually informed and consequently there is nothing in international human rights law that cannot be read into the Indian constitution.[[10]](#endnote-10) These material and normative strengths are reinforced by a highly developed repertoire of protest tactics. The scope and frequency of public street protests and the variety of tactics is hallmark of India's noisy democracy (Guha 2008), creating a strong base from which Indian activists can mobilize and a social expectation of protest as part of public life. Taken together, all of these factors contribute to India's norms-maker status on the right to food.

*5) Inter-group rivalries in the RTF campaign are complex.* As the RTF campaign has evolved over the past decade, domestic politics have influenced the campaign's decision to focus nationally, as opposed to seeking transnational linkages. The right-leaning coalition that had governed India in the 1990s on the crest of rising prosperity was ousted in 2004, in part, as a result of its inability to curb rising inequality. The coalition government that assumed office in 2004 -- namely, the United Progressive Alliance, dominated by the Congress Party -- rhetorically championed a politics of "everyman," in which food policy reform became a pet program of then- Congress Party leader, Sonia Gandhi (Hertel and Tagliarina 2012). The UPA, in turn, invited several of the left-leaning intellectuals who had been active in promoting social mobilization on economic rights to take part in its internal deliberations on public policy reform as members of the National Advisory Council to the UPA. Thus, the Right to Food campaign's own evolution became intertwined with that of the evolving national food policy reform effort under Gandhi's coalition. At this point, the campaign's fortunes and food reform policy in India more generally will depend on how newly elected Prime Minister Narendra Modi (a center-right candidate) decides to implement the National Food Security Act passed in late 2013.

*6) Institutional channels for protest are strongest domestically.* With the Indian government already directing major resources toward public feeding programs, members of the RTF campaign reasoned they had greater likelihood of affecting reform of these programs than pushing for change in broader international food policy.[[11]](#endnote-11) But focusing on the National Food Security Act came at a high cost to the campaign: the bill that ultimately became law in September 2013 laid out minimum criteria for subsidized food policies less robust that those already in existence at the state-level in multiple states across India. A campaign that opened with radical claim-making on the right to food in 2001 eventually confronted the limits of realizing those claims in practice at the national level -- limits echoed in other post-colonial struggles, but not even tested by mainstream human rights advocates in the West (Moyn, forthcoming).

***Implications of new forms of norms evolution***

Activists central to the RTF campaign moved beyond the "violations approach" to monitoring economic shortfalls dominant in the mainstream human rights movement outside of India by developing a hybrid approach that simultaneously demanded prevention of hunger deaths (i.e., guarantee of the right to life) and progressive implementation of economic rights (i.e., improved food distribution through ongoing reform of public feeding programs). The RTF campaign's main contribution to broader economic rights discourse has been this creative melding of non-derogable and progressively realized rights demands (Hertel, forthcoming).

Stepping back to consider how this campaign's experience may contribute to a broader rethinking norms evolution and advocacy strategies, we see that national institutions in countries outside of the West in some instances have stronger track records on economic rights interpretation and implementation than do governments or institutions in industrialized countries (including the United States). India's Supreme Court and National Human Rights Commission created an enabling context in which the Right to Food campaign could play the role of norms protagonist on the right to food. Activists involved in the campaign deftly used Indian law and the robust and expanding interpretation of the right to food in the ongoing PUCL case to push the boundaries on interpreting and implementing economic rights. The legacy of Gandhian social protest and the deep mobilization networks on economic rights issues already present in India meant that activists in this case certainly didn't need to look "outside" for inspiration, tools, or strategies for promoting economic rights. And their struggles continue to inform broader discussion of economic rights -- well beyond India – as evidenced by DeSchutter’s invocation of the campaign as an example of cutting edge advocacy.

The case of the Right to Food campaign should thus lead to a re-thinking of the dominant routes to norms evolution. Economic rights protagonists in this case have been much more than translators. They are not solely reactive to outside forces. They are often highly proactive proponents of new normative frameworks that transcend the limits of outside discourses and chart a new course for evolving struggles to promote human rights.

***REFERENCES***

Acharya, A. (2011), ‘Norm Subsidiarity and Regional Orders: Sovereignty, Regionalism, and Rule-Making in the Third World,’ *International Studies Quarterly* **55** (1), 95-123.

Acharya, A. (2004), ‘How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalization,’ *International Organization* **58** (2), 239-275.

Albisa, Cathy, Brittany Scott, and Kate Tissington (2013), ‘Demolishing Housing Rights in the Name of Market Fundamentalism: The Dynamics of Displacement in the United States, South Africa, and India,’ in Lanse Minkler (ed), *The State of Economic and Social Human Rights: A Global Overview*, Cambridge, UK and New York: Cambridge University Press, pp. 86-116.

Armaline, William T., Davita Silfen Glasberg, and Bandana Purkayastha (eds) (2011), *Human Rights in Our Own Backyard: Injustice and Resistance in the United States*, Philadelphia: University of Pennsylvania Press.

Bandy, Joe and Jackie Smith (eds) (2005), *Coalitions Across Borders: Transnational Protest and the Neoliberal Order*, Lanham, MD: Rowman and Littlefield.

Bauer, Joanne (2011). ‘Business and Human Rights: A New Approach to Advancing Environmental Justice in the United States, in Shareen Hertel and Kathryn Libal (eds), *Human Rights in the United States: Beyond Exceptionalism*, Cambridge, UK and New York: Cambridge University Press, pp. 175-198.

Biehl, Joao and Adriana Petryna (eds) (2013), *When People Come First: Critical Studies in Global Health*, Princeton, NJ: Princeton University Press.

Birchfield, L. and J. Corsi (2010), ‘Between Starvation and Globalization: Realizing the Right to Food in India, *Michigan Journal of International Law* **31** (4), 691-764.

Blau, Judith, David L. Brunsma, Alberto Moncada, and Katherine Zimmer (eds) (2009), *The Leading Rogue State: The US and Human Rights*, Boulder, CO: Paradigm Publishers.

Bob, Clifford (2005), *The Marketing of Rebellion: Insurgents, Media, and International Activism*, Cambridge UK and New York: Cambridge University Press.

Brysk, Alison (2013), *Speaking Rights to Power: Constructing Political Will*, Oxford, UK and New York: Oxford University Press.

Brysk, Alison (ed) (2002), *The Globalization of Human Rights*, Berkely, CA: University of California Press.

Chabot, Sean (2010), ‘Dialogue Matters: Beyond the Transmission Model of Transnational Diffusion between Social Movements,’ in Rebecca Kolins Givan, Kenneth M. Roberts, and Sarah A. Soule (eds), *The Diffusion of Social Movements: Actors, Mechanisms, and Political Effects*, Cambridge, UK and New York: Cambridge University Press, pp. 99-124.

Chong, Daniel (2010), *Freedom from Poverty: NGOs and Human Rights Praxis,* Philadelphia, PA: University of Pennsylvania Press.

Compa, Lance (2010), ‘Framing Labor's New Human Rights Movement, in Rebecca Kolins Givan, Kenneth M. Roberts, and Sarah A. Soule (eds), *The Diffusion of Social Movements: Actors, Mechanisms, and Political Effects*, Cambridge, UK and New York: Cambridge University Press, pp. 56-77.

De Schutter, O. (2013), ‘Empowering Women to Improve Food Security: What Works and Why,’ *The Guardian Professional*, 13 March 2013, accessed 6 January 2016 at http://www.theguardian.com/global-development-professionals-network/2013/mar/12/empowering-women-food-security

Dreze, J. (2002), ‘On Research and Action,’ *Economic and Political Weekly* **37** (9), 817-819.

Finnemore, M. and K. Sikkink (1998), ‘International Norm Dynamics and Political Change,’ *International Organization* **52** (4), 887-917.

Gauri, V. and D. Brinks (2014), ‘The Law's Majestic Equality? The Distributive Model and the Postcolonial State,’ *Perspectives on Politics* **12** (2), 375-393.

Gauri, Varun and Daniel M. Brinks. *Courting Social Justice: Judicial Enforcement of Social and Economic Rights in the Developing World*, Cambridge, UK and New York: Cambridge University Press.

Goluboff, Risa L. (2010), *The Lost Promise of Civil Rights*, Cambridge, MA: Harvard University Press.

Guha, Ramachandra (2008), *India After Gandhi: The History of the World's Largest Democracy*, New York: Harper Perennial.

Hertel, S. (2015). ‘Hungry for Justice: Social Mobilization on the Right to Food in India,’ *Development and Change* **46** (1), 72-94.

Hertel, Shareen and Susan Randolph (2013), ‘The Right to Food: A Global Overview,’ in Lanse Minkler (ed), *The State of Economic and Social Rights,* Cambridge, UK and New York: Cambridge University Press, pp. 21-60.

Hertel, S. and C.Tagliarina (2012), ‘Regional Party Politics and the Right to Food in India, Economic Rights Working Paper Series (2012), Human Rights Institute, University of Connecticut, accessed 6 January 2016 at <http://ideas.repec.org/s/uct/ecriwp.html>

Hertel, Shareen and Kathyrn Libal (eds) (2011), *Human Rights in the United States: Beyond Exceptionalism*, Cambridge, UK and New York: Cambridge University Press.

Hertel, Shareen (2006), *Unexpected Power: Conflict and Change Among Transnational Activists*, Ithaca, NY: Cornell University Press.

Human Rights Law Network (nd), ‘Analysis of the Application of the International Human Rights Standards from the Perspective of Human Rights Practitioners: The Right to Food in India,’ accessed 6 January 2016 at via: http://www.hrln.org/hrln/right-to-food/reports/296-analysis-of-the-application-of-the-international-human-rights-standards-from-the-perspective-of-human-rights-practitioners-the-right-to-food-in-india.html

Jain, M.P. (2000), ‘The Supreme Court and Fundamental Rights,’ in S.K. Verma and Kusum (eds), *Fifty Years of the Supreme Court of India: Its Grasp and Reach*, Oxford, UK and New Dehli: Oxford University Press, pp. 1-100.

Keck, Margaret and Kathryn Sikkinnk (1998), *Activists Beyond Borders: Advocacy Networks in International Politics*, Ithaca, NY: Cornell University Press.

Law, D. and M. Versteeg (2010), ‘The Evolution of Global Constitutionalism,’ Washington University in St. Louis School of Law - Legal Studies Research Paper Series no. 10-10-01, accessed 6 January 2016 at http://papers.ssrn.com/sol3/JELJOUR\_Results.cfm?form\_name=Pip\_jrl&journal\_id=382963&Network=no&SortOrder=numHits&stype=desc

Marks, Susan (2014), ‘Four Human Rights Myths,’ in David Kinley, Wojciech Sadurski, and Kevin Walton (eds), *Human Rights: Old Problems, New Possibilities*, Cheltenham, UK and Northampton, MA: Edward Elgar Publishing, pp. 217-235.

McAdam, Douglas (1999), *Political Process and the Development of Black Insurgency, 1930-1970*, Chicago: University of Chicago Press.

Merry, S. (2006), ‘Transnational Human Rights and Local Activism: Mapping the Middle, *American Anthropologist* **108** (1), 38-51.

Merry, Sally Engle (1997), ‘Legal Pluralism and Transnational Culture: The Ka Ho'okolokolonui Kanaka Maoli Tribunal*,* Hawai'i*,* 1993,’ inRichard A. Wilson (ed), *Human Rights, Culture and Context: Anthropological Perspectives*, London: Pluto Press, pp. 28-48.

Moyn, Samuel (2010), *The Last Utopia: Human Rights in History*, Cambridge, MA: Harvard University Press.

Moyn, Samuel (forthcoming), *The Powerless Companion: Human Rights in the Age of Global Inequality*, Cambridge, MA: Harvard University Press.

Neier, Aryeh (2013), *The International Human Rights Movement: A History*, Princeton, NJ: Princeton University Press.

Nelson, Paul J. and Ellen Dorsey (2008), *New Rights Advocacy: Changing Strategies of Development and Human Rights NGOs*, Washington, DC: Georgetown University Press.

Osiatynski, Wiktor (2009), *Human Rights and Their Limits*, Cambridge, UK and New York: Cambridge University Press.

Risse, Thomas, Stephen C. Ropp and Kathryn Sikkink (eds), *The Persistent Power of Human Rights: From Commitment to Compliance,* Cambridge, UK and New York: Cambridge University Press.

Risse, Thomas, Stephen C. Ropp and Kathryn Sikkink (eds), *The Power of Human Rights: International Norms and Domestic Change*, Cambridge, UK and New York: Cambridge University Press.

Smith, Jackie (2007), *Social Movements for Global Democracy*, Baltimore, MD: Johns Hopkins University Press.

Smith, Jackie (2004), ‘Transnational Movements and Processes,’ in David A. Snow, Sarah A. Soule, and Hanspeter Kriesi (eds), *The Blackwell Companion to Social Movements*, Oxford, UK: Wiley-Blackwell.

Snow, David A., Sarah A. Soule, and Hanspeter Kriesi (eds) (2004), *The Blackwell Companion to Social Movements*, Oxford, UK: Wiley-Blackwell.

Srinivasan, V. and S. Narayanan (2007), ‘Food Policy and Social Movements: Reflections on the Right to Food Campaign in India,’ Case Study 11-1 of the program Food Policy for Developing Countries: The Role of Government in the Global Food System, Ithaca, NY: Cornell University, accessed 6 January 2016 at http://www.academia.edu/1166069/Food\_Policy\_and\_Social\_Movements\_Reflections\_on\_the\_Right\_to\_Food\_Campaign\_in\_India

Stachursky, Benjamin (2013), *The Promise and Perils of Transnationalism: NGO Activism and the Socialization of Women’s Human Rights in Egypt and Iran,* Oxon, UK and New York: Routledge, 2013.

Tarrow, S. (2005a), ‘The Dualities of Transnational Contention: 'Two Activist Solitudes” or a New World Altogether?,’ *Mobilization: An International Journal* **10** (1), 53-72, reprinted with permission in Cyrus E. Zirakzadeh (ed) (2011), *Social and Political Movements, Volume 4: Components, Local Conditions, and International Context*, Los Angeles, CA: Sage.

Tarrow, Sidney (2005b), *The New Transnational Activism*, Cambridge, UK and New York: Cambridge University Press.

Tazreiter, C. (2011), ‘Local to Global Activism: The Movement to Protect the Rights of Refugees and Asylum Seekers,’ *Social Movement Studies* **9** (2), 201-214.

van Stekelenburg, Jacqueline, Conny Roggeband, and Bert Klandermans (eds) (2013), *The Future of Social Movement Research: Dynamics, Mechanisms, and Processes*, Minneapolis, MN: University of Minnesota Press.

Vinjamuri, Leslie, Stephen Hopgood and Jack Snyder (eds) (forthcoming), *Human Rights Futures,* Cambridge, UK and New York: Cambridge University Press.

Waltz, Susan (2001), ‘Universalizing Human Rights: The Role of Small States in the Construction of the Universal Declaration of Human Rights, *Human Rights Quarterly* **23** (1), 44-72.

Yamin, Alicia Ely and Siri Gloppen (eds) (2011), *Litigating Health Rights: Can Courts Bring More Justice to Health?*, Cambridge, MA: Harvard University Press.

Zirakzadeh, Cyrus Ernesto (ed) (2011), *Social and Political Movements, Volume 2: Emergence and Evolution of Political Process Theory*, Los Angeles, CA: Sage.

1. See, for example, the 2014 special issue of *Global Governance*. See also Nelson & Dorsey (2008) and Chong (2010). [↑](#endnote-ref-1)
2. Interview with the former Special Rapporteur for the Indian Human Rights Commission responsible for inquiry into hunger deaths in the state of Orissa, 11 January 2012, New Delhi. For a report on related activity of the National HR Commission, see the NHRC/Civil Society newsletter (date 8/17/2002), available via: http://www.isidelhi.org.in/hrnews/isidownload/Nhrc/NHRC-2002.pdf. For full reports from National HR Commission on right to food-related issues, see: http://nhrc.nic.in/library/rightofood/mainfood.htm [↑](#endnote-ref-2)
3. Stachursky (2013, 5) refers to this as an "analytical bias" in the IR literature on human rights, toward physical integrity rights (e.g., freedom from torture, disappearance, extrajudicial killing, arbitrary arrest, detention). [↑](#endnote-ref-3)
4. Osiatynski (2009) sounds a cautionary note on the promise of economic rights constititionalism in *Human Rights and Their Limits.* [↑](#endnote-ref-4)
5. See Zirakzadeh (2011) for a comprehensive discussion. [↑](#endnote-ref-5)
6. Audiences receptivity can serve as both a positive and negative incentive: McAdam (1999) explains why key actors in the American civil rights movement chose to make African-American churches central to the movement's mobilization structure, while Goluboff' (2010) explains the same movement's decision to frame claims around civil rights rather than economic rights in the wake of anti-communist threats throughout the 1960s. [↑](#endnote-ref-6)
7. The author has conducted interviews with activists, policymakers, government actors, and academics in Bangalore and New Delh, India (from December 2011 through January 2012) and via Skype from June 2012 to the present, in conformance with University of Connecticut Institutional Review Board Protocol H11-116.

   [↑](#endnote-ref-7)
8. Interview with a former staff member of the Office of the Supreme Court Commissioners on the Right to Food, 9 April 2013, via Skype. This interviewee noted that at least one NGO involved in the campaign -- the Human Rights Law Network -- did accept foreign funding for its more general work. But other interview data points to the relative independence of the RTF campaign from foreign funding -- including interviews with several academics involved in the campaign (i.e., one on 10 June 2012, via Skype; another on 12 January 2012, in New Delhi). [↑](#endnote-ref-8)
9. Newspapers coded include: *The Times of India, Press Trust of India, Hindustan Times,* and *The Deccan Herald*. Coding terms for both datasets are available upon request from the author. [↑](#endnote-ref-9)
10. Interview by the author with a retired justice of the Supreme Court of India, 10 January 2012, New Delhi. For discussion of the normative foundations of the Indian constitution, see Jain (2000). [↑](#endnote-ref-10)
11. For discussion of the broader international food policy context, see Hertel and Randolph (2013). [↑](#endnote-ref-11)