

## **Food Justice and a fair food future<sup>i</sup>**

### *Abstract:*

*In this paper, Geoff Tansey gives a personal reflection on the way the Food Ethics Council approached social justice in the food system. He charts how the Food Ethics Council was set up, how the members worked, how it used the ethical matrix to frame its initial work but refocused this to a framing around fair say, fair share and fair play in its Inquiry on Food and Fairness. This was an innovative piece of work for the Food Ethics Council, which produced the Food Justice report. It led to follow-up work looking at what going Beyond Business as Usual meant. He ends with a reflection on how thinking about those issues today has led the Council into a new focus for its work in developing an in-depth critique of how the UK is performing relative to other countries, an accompanying ethical analysis and tools such as a Food Policy Barometer.*

### **Introduction**

It was British government inaction in the mid 1990s that led to the establishment by a group of concerned citizens of the independent Food Ethics Council. The government had failed to act on a recommendation of a Ministry of Agriculture ethics committee in 1995 to establish a standing government committee to explore ethical implications of farm animal biotechnologies<sup>ii</sup>. This led Joanne Bower, who was chair of the Farm and Food Society (since disbanded), to suggest setting up an independent council for the same purpose. She was then in her 80s. She invited Ben Mephram, who was a patron of the Farm and Food Society, to chair a group to work on the prospective council's constitution, aims, strategies and sources of funding. The group included a member of faculty from the Bristol veterinary school, a retired pharmaceutical chemist, and an environmentalist.

Ben was appointed part-time executive director of the new council in 1998. The members of the council are unpaid volunteers who act in their person capacity but get travel expenses. Ben had just retired from a full-time academic post at Nottingham University where he had lectured and researched in the biosciences since 1968, and also developed courses in bioethics from the 1980s. However, he continued to direct the Centre for Applied Bioethics at the university, which he had established in 1993. He also edited a book in 1996, called Food Ethics, which was apparently the first use of this term.

The new Food Ethics Council got a three-year grant from the Joseph Rowntree Charitable Trust which paid for his and the secretary salaries (but only for 10 hours a week), an office, financing of meetings and publication of reports. Ben wrote to the first four of these:

- on drug use to increase productivity in animal farming;
- ethical impacts of GM crops;
- a critique of intensive animal production systems; and,
- a consideration of the nature of 'sustainable agriculture'.

Each report was based on the deliberations of a working party comprised of some members of the Council and some non-members invited for their relevant expertise. Each member acted in a personal capacity, not as a representative of any organisations to which they might have belonged. Each of the reports was launched in a committee room at the House of Commons, and was generally well-received.

It was only in the year 2000 that I first became aware of and involved with the Food Ethics Council. I received a letter from Ben, writing as executive director the council, inviting me to become a member. They had seen the work I had done on the food system in the book I wrote of the same title and felt that they would like to have my perspective added to that of the others on the council. What I found particularly interesting was that this was not a council made up purely of ethics specialists and philosophers, but of people with a range of experience and backgrounds who had a long-standing interest and experience of different aspects of the food system including, obviously, some ethicists and philosophers.

### *A practical synthesis approach to ethics*

When I got the letter I did not know the Food Ethics Council existed. I had not thought very much about the meaning of food ethics. I tended to do what I thought was the right thing to do. But when he explained more about what he meant and how the Council thought about ethics, I joined. As I got to know Ben and the methods of the Food Ethics Council, I very much appreciated the practical approach they took to thinking about the different ethical dilemmas involved in trying to create fair, sustainable and healthy food systems.

What is ethics? For Ben, it is about providing an explicit justification for your chosen course of action. And for each of us that comes down to a decision on what I sincerely believe I should do next based on the ethical principles guiding that decision. What are those ethical principles? Ben drew together three different philosophical and ethical traditions that people in the UK tend to use when thinking about something but most of the time do not clearly articulate them. They are:

- How far does the policy or action or innovation respect **well-being** - that can be our own well-being, that of friends and neighbours, the well-being of the people in our country or the world or other animals or the biosphere? This idea of respecting well-being draws on utilitarian theory which tends to use a kind of cost-benefit analysis in deciding what it is right to do. Jeremy Bentham and John Stuart Mill are perhaps its most famous exponents. It is often summed up in the phrase "the greatest good for the greatest number". Superficially, this may seem a worthy objective but there are several problems. For example, costs and benefits often depend on predictions of outcome (which might be wrong) and assessments of who or what counts in the cost-benefit analysis, which can also be fallible. It can also be used to justify gross inequality – as long as the majority are happy – or even crime (stolen money distributed to the needy perhaps). And finally goods and harms are often incommensurable. How can you weigh up the safety of something like a new product against the suffering of animals that might be used to test it?

- Secondly, how far does the thing in question respect the **autonomy** of the individual or the animal. This is linked into the idea of 'rights' of Immanuel Kant. This concerns our ability to treat others as ends in themselves, with intrinsic value and not something that we just use for our own ends. In essence, it is the golden rule: "do as you would be done by". This approach is in contrast to the utilitarianism of Bentham and Mill as it is about respecting others as individuals and not calculating costs and benefits. However, there is also problem here, as if you take this approach in isolation there is no rule by which to decide how to prioritise duties - for example, the duty to protect others from harm and to tell the truth, if, as may happen, telling the truth may cause a harm.
- The final element that we tend to weigh up - perhaps not very consciously - is how far what we are going to do, or plan to do, shows respect for **justice** - is what we are doing fair? The US philosopher John Rawls said "Justice is the first virtue of social institutions, as truth is of systems of thought. A theory, however elegant and economical, must be rejected or revised if it is untrue; likewise laws and institutions, no matter how efficient or well arranged, must be reformed or abolished if they are unjust.<sup>iii</sup>" The problem with this, however, is in defining what fairness means. Does it mean for example that goods should be distributed according to need, or ability, or effort?

What struck me as I came to grips with this approach to ethical deliberation was that in practice, certainly in the society I grew up in, it is a bit of each of these approaches that we draw on in deciding what we should do as individuals and in society. We each blend these theories, either consciously or unconsciously, with our intuitive responses, which are subject to cultural influences, to achieve our own approach to trying to be ethical in our actions.

In Ben's view, the role of the Council is to advise on what it considers the soundest courses of action from an ethical perspective, which takes into account all relevant evidence and predictions. The advice is based on a weighing of the relative significance of the different elements of the ethical analysis, the explicit nature of which is intended to facilitate critical assessment by others. The aim is to *propose* and not to *preach*.

### ***An ethical matrix***

You can use these principles to create a kind of matrix to help you think about what it is you value most or are most concerned about. In the early work of the Food Ethics Council, we used this ethical matrix as a way of trying to come to grips with issues in the food system. Make three columns say, one on well-being, one on autonomy, and one on justice. Then make a number of rows looking at how the technology, policy action or innovation is going to affect different people and interests. The first, say, is for people in the agriculture and food industries, another row could be looking at citizens more generally, another row could look at say farm animals and finally another row could look at the ecosystem, the whole environment around us (see Table 1).

	Wellbeing	Autonomy	Justice
<i>People in food and agricultural industries</i>	Satisfactory income and working conditions	Appropriate freedom of action	Fair trade laws and practices
<i>Citizens</i>	Food safety and acceptability. Quality of life	Democratic, informed choice e.g. of food	Availability of affordable food
<i>Farm animals</i>	Animal welfare	Behavioural freedom	Intrinsic value
<i>The ecosystem</i>	Conservation	Biodiversity	Sustainability

Table 1: *The Ethical Matrix*<sup>iv</sup>

If, say, there is a new business practice, technology such as GM or feeding or housing regime for animals, you can use this framework to help consider the different dimensions of its effect. If we work across the first row, for example, then you need to think about how the wellbeing of the people in the agriculture and food industries might be affected by what you are going to do. An appropriate measure to do so would be to ask whether they have a satisfactory income and working conditions. For autonomy, the measure could be whether they have the appropriate freedom of action, and for justice, it might concern fair trade laws and practices.

Looking across the second row on its impact on citizens, then for well-being, the measure might be food safety and acceptability and quality-of-life. Its impact on their autonomy might focus on a democratic and informed choice about that their food. In thinking about the justice of the measure it might be about its effect on the availability and affordability of food.

If we were thinking about farm animals, we might talk about their well-being in terms of animal welfare (how they are treated). Their autonomy concerns their behavioural freedom - are they free to act as natural creatures or are they greatly constrained. Finally, for justice or fairness, do we treat them as if they have their own intrinsic value or just something for us to use.

If you are thinking about the ecosystem and well-being you might look at measures of conservation, for autonomy at maintaining biodiversity and for justice, the sustainability of that system.

What this gives you is a way of breaking down your thinking about and reflecting on the activities you do or a new technology. It can help you understand where you put your weighting. If you're only really concerned about one or two narrow aspects in that matrix of 12 different areas that is probably not a very well balanced approach and further thought is needed.

What this ethical matrix is, then, is a tool to help you think and to help you make more considered decisions. It can help you to reflect on the different aspects of ethics and the principles that you need to respect when you are looking at courses of action, the impact of new technologies or policies.

### ***A step change in the Council's activities***

In 2003, we felt that the Food Ethics Council had shown its value in promoting ethical deliberation about food. We felt a step change was needed to develop our work by appointing a full-time executive director and additional staff to take the work further. More needed to be done than could be done by a council of unpaid, voluntary members, all of whom were very busy, with only a part-time director and secretary. We were fortunate to receive a further grant from the Joseph Rowntree Charitable Trust to enable us to do so. The Council sets the policy for the work, and continued to support the director in implementing it but no longer was all the work done by the Council members, nor was the only activity producing occasional reports. Over time we sought to draw together different groups from government, civil society and industry to discuss difficult issues – such as conflicts between the environmental costs of shipping food long distances versus the benefits for developing countries, or the need to cut meat consumption for both health and environmental reasons.

We still also started a magazine so that rather than produce a few lengthy and time consuming reports we could examine a wide range of topics – from sugar consumption to supermarket power, GM food to EU farm policy - and draw in a range of perspectives on them. We also expanded our engagement with parliamentarians and the media. After several years of deliberation about how to engage with food and farming businesses without compromising our independence but enabling us to raise additional funding, we established a business forum. This is a place where one member each from a number of subscribing businesses, over dinner, can meet to explore particular contentious issues, such as advertising to children or sustainable diets, with expert speakers in a safe space (meetings are held under the Chatham House rule which means in any reports of whatever is said the person or institution they are from will not be identified). We do, however, publish unattributed reports from the meetings about the issues raised<sup>v</sup>.

One of the policies we adopted was to make all our publications freely available on-line, although in the case of the magazine, which was sold on a subscription, there was a delay between publishing the printed copy and making it available on-line for free. Although we have now ceased publication of the magazine and run an on-line blog, we still have very varied content and copies of the magazine on-line.

### ***The Inquiry into Food and Fairness***

In the late 2000s, we felt that while quite a lot of attention was being paid to issues around health and sustainability not enough attention was being paid to the terms and conditions of the people who work throughout the food system feeding the UK – the social justice aspect of food. We also felt that simply writing a report about social justice was not the best way to get the range of engagement we felt was needed. Fortunately, our charitable funders agreed and gave us a grant to address this.

We decided to set up a Commission of Inquiry Into Food And Social Justice. The 14 members include half from the Food Ethics Council. The rest came from representatives of food manufacturers, retailers and farmers, the fairtrade movement, the Gangmasters Licensing Authority, policy consultants and nutrition researchers. The

aim was to get engagement from the range of groups we wanted to influence through the process of the Inquiry, not simply presenting them with a report at the end. The group invited written evidence, held three public evidence sessions, and had detailed discussions about the range of ethical challenges arising from the evidence. It became clear in discussion that the group as a whole felt the title the Council had thought for the Inquiry was not so easily understood and the name was changed to the Inquiry Into Food And Fairness. At the end we produced a report called Food Justice<sup>vi</sup>.

As a result of the committee’s deliberations, we recast the three elements of autonomy, well-being, and justice into thinking about fair shares, fair say, and fair play in the food system. We used the term fairness as this resonates more with people than social justice.

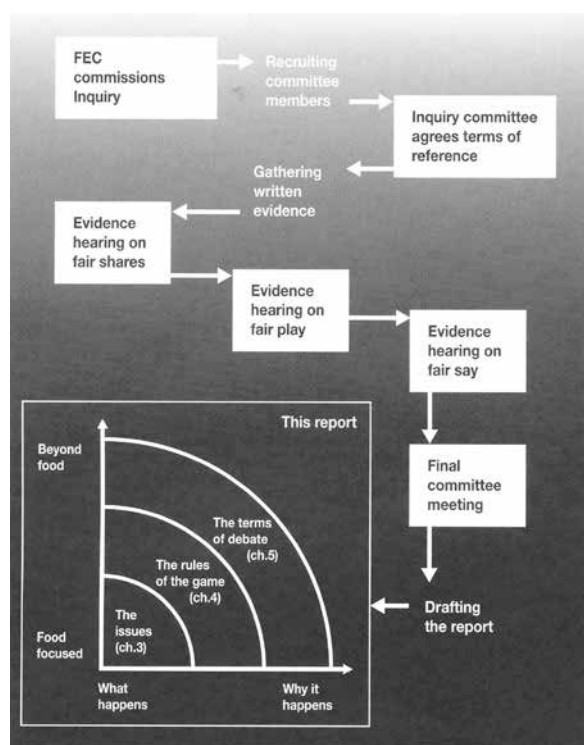


Figure 1: The Inquiry Process

In thinking about fairness we saw **fair shares** as looking at equality of outcomes. How the food system distributes gains and burdens among different people so differences in well-being - our health, wealth and happiness - count in determining whether a given state of affairs is fair.

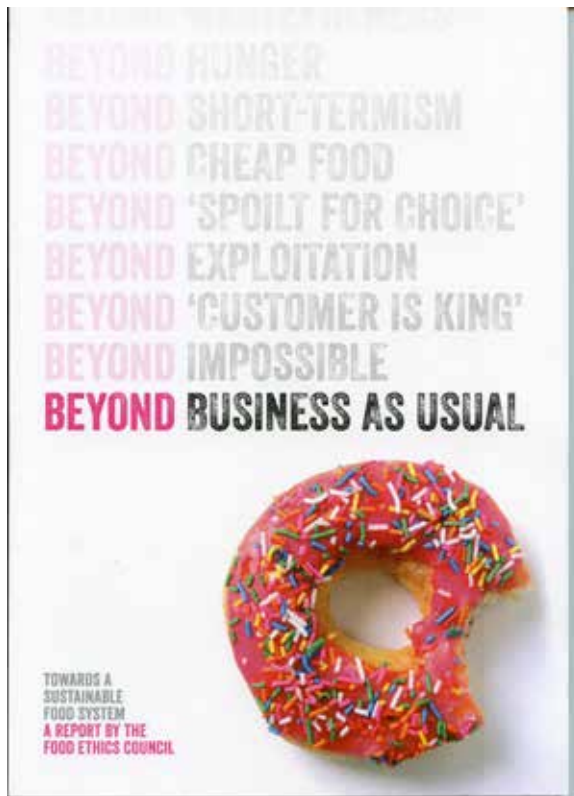
**Fair play** meant looking at equality of opportunity so that everyone has access to the means to be able to bring about favoured or desired outcomes. This looks at issues around unequal distribution and how that comes about.

**Fair say** meant looking at fairness as autonomy and voice and recognising that people’s needs capabilities and values vary. So here fairness is about ensuring that

everyone has the freedom to lead lives they have reason to value. The notion of voice, or participation, is a crucial element in this

sense of fairness. Here the fairness of a decision is as much a matter of the process by which a decision is made as well as what happens as the result of that decision.

So, whichever way we want to think about some of these fundamental ethical principles, what we’re trying to do is look for the balance between them so that we can be clear about what the values are that underpin the choices that we then make. While the detailed findings of the Inquiry might be of most interest to a UK audience I want to highlight more general points to arise from it. Seeking a fair, sustainable and healthy food system requires, as we noted in the report to lift our focus from food and farming and what happens in the food system. It means going beyond that to reflect on the rules and incentives that lead people and companies to do what they do – what we called the *rules of the game*. Once you start to examine those then it requires a further reflection looking more broadly at what we called the terms of the debate and what



more academically we might call the prevailing paradigm, i.e., the world view and way of thinking about food and farming and the basis on which it is done.

Perhaps the major theme to emerge from the Inquiry was that if we are to reach our goal of fair, healthy and sustainable food systems business as usual is not an option – neither from a sustainability point of view in the face of man made climate change, nor from a human health and biodiversity, nor from a social justice perspective. Indeed, this was said so often that we developed a follow-up project looking at what going beyond business as usual would mean, called Beyond Business as Usual<sup>vii</sup>. In this we engaged with a range of business leaders and others to examine what it meant. While we found that everyone could agree on making adjustments in different areas to improve

aspect of food and farming, what you might call tinkering with the existing system, the essential challenge was to seek a transformation of that system so that it could deliver the multiple goals around sustainability, health and fairness.

That requires engagement with the economic principles and legal frameworks that govern the activities of those working in the food system as well as with the ways in which technologies are developed and used, products are produced and marketed and the terms and conditions of farmers and workers throughout the system.

### ***Reaching our goal***

For me, and I think the Council as a whole, ethical food systems need to be healthy for people, animals and planet – that is they deliver nutritious foods for everyone sustainably and fairly: good food for all for ever. These have to be produced in ways and with processes that respect and enhance the biodiversity and ecological systems that underpin our capacity to feed ourselves - to treat the soils, the plants, the animals that we use in a way that respects their intrinsic value. We also have to have fair working terms and conditions for everyone throughout the system. That means whether they are working in the fields in our own or in other countries, in catering, in factories, whether for food, fertiliser or other farm inputs, people have dignity in their work and are treated fairly. If you would not be willing to work in the terms and conditions of the least well-paid, of the people you employ or govern, then should you be using or allowing such terms and conditions?

As you all know, there are huge challenges facing humanity this century in ensuring fair, healthy and sustainable food diets for everyone and with a population expected to increase to between 9 and 10 billion people in the face of climate destabilisation. In the

light of the need for greater food justice and to move beyond business as usual to reach our goal, we have decided that the next phase of the Food Ethics Council's work will be to develop an in-depth critique of how the UK is performing relative to other countries, an accompanying ethical analysis and tools such as a Food Policy Barometer. These will help all those seeking this goal to have a measure of where we are, how far we are moving towards this ambitious goal and whether or not the policies being pursued, not only in food and farming, but in the rules and incentives affecting what the actors in the food system do and the framing of the debate, in shaping the paradigm, are leading towards or away from our goal.

This new Association – TARGET - will not be able to answer all the questions and challenges faced by food and farming in Turkey and its role in the world, anymore than we can in the UK. You know best what is appropriate for your own circumstances in Turkey but I hope this new Association will be able to build on what we have done the Food Ethics Council in the UK. For us, that is to address and tease out more clearly the justifications for what is being done and to challenge people in the UK about whether it is taking a sufficiently broad approach to respecting our own and others' well-being, autonomy and the fairness of what we are engaged with in our food system. As is pointed out in the Food Justice report, the solutions to many of these challenges do not lie in the food system itself but rather in what frames what people can or cannot do it, which means it is necessary at times to change the rules of the game if we are going to get the outcomes we wish. This too may require us to challenge the way in which we think and talk about food in the debates we have because if we start to think very differently, and put a fair, healthy and sustainable food system as the goal, we can then reframe the rules to bring about the outcomes that we want.

### ***Acknowledgements:***

This paper draws heavily on a range of Food Ethics Council publications and interactions with its members. I am particularly grateful for feedback on the initial draft from Ben Mephram, founder director of the Council, and Dan Crossley, the current executive director.

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<sup>i</sup> This paper was prepared for the 1<sup>st</sup> Turkish Congress on Agricultural and Food Ethics, Ankara, March 10-11, 2017

<sup>ii</sup> See <http://www.foodethicscouncil.org/about-us/whoweare/the-history-of-the-food-ethics-council.html>

<sup>iii</sup> Rawls J (1972) *A Theory of Justice*. Oxford: OUP

<sup>iv</sup> This example of the ethical matrix is taken from the Food Ethics Council report *After FMD: Aiming for a values-driven agriculture*, 2001. This report was issued after a food and mouth outbreak in the UK, which led to millions of animals being slaughtered. See <http://www.bbc.co.uk/news/magazine-35581830> for a report about the outbreak.

<sup>v</sup> As well as reports from each meeting we also produced a reflection on the first 50 forums: *Food: All things considered – Insights and opportunities from the first 50 Business Forums* available here: <http://www.foodethicscouncil.org/power/food-all-things-considered.html>

<sup>vi</sup> Available at <http://www.foodethicscouncil.org/society/food-justice.html>

<sup>vii</sup> Available at <http://www.foodethicscouncil.org/power/beyond-business-as-usual.html>