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**The Duty of Fast:  
Religious Abstinence and the Quest for Food Security\***

*Il "dovere del digiuno".*

*Astinenza dal cibo e sicurezza alimentare \**

**ABSTRACT:** Nonostante il diritto al cibo sia tra i diritti umani universalmente riconosciuti, le crisi alimentari continuano a persistere a livello globale. In apparente contraddizione con il bisogno fondamentale al sostentamento alimentare, le principali religioni mondiali sacralizzano il digiuno tra le loro pratiche principali e condivise. Questo saggio esplora questa sorta di paradosso, esaminando in profondità le relazioni tra cibo e digiuno, nonché tra le relative posizioni giuridiche fondamentali di diritto e di dovere. Per farlo, l'articolo sottolinea i diversi significati che il digiuno assume nelle tradizioni giuridiche religiose, riassumendone la visione altruistica che ne sta alla base. Lungi dal minare la sicurezza alimentare, il digiuno enfatizza valori come l'autocontrollo, la responsabilità comunitaria e l'empatia verso gli indigenti, rappresentando un "abito" religioso in grado di supportare, seppure indirettamente, un accesso più equo alle risorse alimentari. L'intento di chi scrive è di integrare i "doveri religiosi" all'interno delle strategie giuridiche che possono supportare l'obiettivo della sicurezza alimentare a livello europeo e globale. Sotto questa luce, il "dovere del digiuno" potrebbe rappresentare un tema concreto nella "strategia del dialogo" ipotizzata tra istituzioni pubbliche e religiose nell'articolo 17 del Trattato sul funzionamento dell'Unione Europea.

**ABSTRACT:** Despite the universal declaration of the right to food, global hunger remains a persistent crisis. Paradoxically, many of the world's major religions incorporate fasting as a central practice, seemingly at odds with the fundamental need for sustenance. This essay explores this apparent contradiction, focusing on major religious traditions to examine the nuanced relationship between the right to food and the duty of fast. It argues that religious fasting, far from undermining food security, can cultivate values such as self-restraint, communal responsibility, and empathy for the hungry, indirectly supporting efforts to ensure more equitable access to food resources. Religious rules on fasting, in fact, can be instruments for managing the challenges of food insecurity. This paper analyses different meanings of fasting in religious laws, summarizing the altruistic view that underpins them.

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Moreover, this matter could be a point of the “strategy of dialogue” that is currently being developed in the EU under the umbrella of the Article 17 of the Treaty on the Functioning of the European Union. The ultimate goal is to demonstrate that religious duties can be considered valuable legal resources in achieving global food security.

**SOMMARIO: 1. Introduction. The right to food in international law: foundations and challenges - 2. The intersection of religious laws and food security: values, authority, and influence - 3. Duties and practices of fasting in different religious legal traditions - 4. Functions of fasting in a globalised scenario: how duties and rights support each other, a) The critical function of the fasting deontology, b) The solidaristic/altruistic function of the fasting deontology - 5. Conclusions.**

## **1 - Introduction. The right to food in international law: foundations and challenges<sup>1</sup>**

Recognizing the fundamental importance of food, international law enshrines the right to food as a basic human right. However, significant challenges remain in translating this right into reality. The core objective is to guarantee that every person, individually or as part of a community, has consistent and reliable access to sufficient, nutritious food produced sustainably and in accordance with their cultural norms<sup>2</sup>.

The right to food has been recognized in international law since 1948, when it was included as a component of an “adequate standard of living” in Article 25(1) of the Universal Declaration of Human Rights (UDHR). It was further enshrined in Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), with specific components clarified by the Committee on Economic, Social and Cultural Rights in its General Comment No. 12. The right to life, as articulated in Article 6 of the International Covenant on Civil and

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<sup>1</sup> An earlier version of this paper was presented at the ICON-S Italian Chapter IV Conference - *Politica e Istituzioni tra Trasformazioni e Riforme*, held at Università Bocconi in Milan on October 13-14, 2023. The presentation took place during the panel titled “*La Food Law alla prova delle trasformazioni climatiche, della sostenibilità e della food insecurity: quale ricetta per il futuro?*”, chaired by Prof. Lucia Scaffardi (<https://www.icons-italia.it/>).

<sup>2</sup> B. VAN DER MEULEN, I. RĂTESCU, *Food Prints on Human Rights Law Paradigms*, (October 21, 2017) European Institute for Food Law, Working Paper Series 2017/02 (available at SSRN: <https://ssrn.com/abstract=3056750>); moreover, see the *Fact Sheet No. 34: The Right to Adequate Food* (<https://www.ohchr.org/en/publications/fact-sheets/fact-sheet-no-34-right-adequate-food>); and the *Rome Declaration on World Food Security and World Food Summit Plan of Action*, 1996 (<https://www.fao.org/4/w3613e/w3613e00.htm>).



Political Rights (ICCPR) and interpreted in General Comment No. 36 by the Human Rights Committee, also encompasses aspects of the right to food. Furthermore, the right to food is explicitly mentioned in the Convention on the Rights of the Child (Articles 24(2)(c) and 27(3)), the Convention on the Elimination of All Forms of Discrimination against Women (Article 12(2)), and the Convention on the Rights of Persons with Disabilities (Articles 25(f) and 28(1)). It is also reflected in regional human rights instruments and domestic constitutions. More recently, the Sustainable Development Goals (SDGs), particularly SDG 2 which focuses on food security, imply a commitment to the right to food.

As a result of international regulations, the right to food provides several guarantees and advantages. Recognized as an autonomous right in international law and many national constitutions, States have a legal obligation to respect, protect, and fulfil the right to adequate food. Aspects of this right that cannot be immediately and fully implemented are subject to progressive realization, requiring States to adopt national strategies towards full compliance<sup>3</sup>. Moreover, the right to food promotes the transformation of social benefits that individuals or households receive under government food security programmes into legal entitlements. The objective of the right to food is to ensure that everyone, individually or as a member of a group, has permanent and secure access to nutritionally adequate food that is produced in a sustainable and culturally acceptable manner<sup>4</sup>. This access can be provided through three channels that often work in combination: (a) self-production, (b) access to income-generating activities and (c) social protection, either informally through community support or through State-administered mechanisms.

However, despite that the right to food is recognised in a number of international treaties and increasingly in domestic constitutions, a rising number of people around the world face extreme food insecurity. There is a considerable and growing gap between States' obligations and reality on the ground, for a number of reasons<sup>5</sup>: legally speaking, one of

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<sup>3</sup> J. BOURKE-MARTIGNONI, *Chapter 8: The right to food*, in J. DUGARD, B. PORTER, D. IKAWA, and L. CHENWI (eds.), *Research Handbook on Economic, Social and Cultural Rights as Human Rights*, Elgar Publishing, 2020, 137 ff.

<sup>4</sup> See O. DE SCHUTTER, *Interim report of the Special Rapporteur on the right to food*, A/68/28.

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[https://www.fian.org/files/is/htdocs/wp11102127\\_GNIAANVR7U/www/files/Role%20of%20Local%20governments%20food%20systems%20transformation\\_FINAL\\_EN\\_LAYOUT.pdf](https://www.fian.org/files/is/htdocs/wp11102127_GNIAANVR7U/www/files/Role%20of%20Local%20governments%20food%20systems%20transformation_FINAL_EN_LAYOUT.pdf); see also in a global perspective, C. TIMMERMANN, *Food security as a global public good*, in *Routledge Handbook of Food As A Commons*, Expanding Approaches Routledge,



the shortcomings of the current food and nutrition security systems, and in particular of the legal frameworks which underpin them, is that those legal frameworks seldom designate the judicial, quasi-judicial and administrative bodies to which complaints about violations of the right to food can be submitted<sup>6</sup>.

Moreover, the effectiveness of the right to food is currently menaced from the complexity of the global scenario and its current challenges.

First of all, civil conflicts routinely cause or exacerbate hunger, malnutrition and famine, as ongoing situations in Yemen, Somalia, Syria, and Gaza can attest<sup>7</sup>. In addition, the war in Ukraine has exacerbated the structural failure of dominant corporate-led capitalist economies and food systems. Independent research has highlighted that corporations are taking advantage of the crisis further to entrench their control over food systems<sup>8</sup>.

The climate crisis, too, is a significant (and worsening) factor in food insecurity. The ability of communities to feed themselves and earn a living is severely compromised by their exposure to changing and severe weather conditions, natural disasters and environmental destruction, including soil degradation. As climate change advances, changes to rainfall patterns and seasonal average temperatures will affect the habitable range for crop species, and will deprive some farmers and communities of their traditional crops. The Intergovernmental Panel on Climate Change (IPCC) has warned that because of lack of availability of resources, numerous communities have already reached 'soft' limits to their ability to adapt to the agricultural impacts of climate change, and that 'hard limits' may also be reached in the future (beyond which it is impossible to adapt, even with adequate resources)<sup>9</sup>. Climate change disproportionately affects the right to food of rural women, smallholder farmers, people living in poverty and indigenous communities, who

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published on line, 21 Dec 2018 (<https://www.routledgehandbooks.com/doi/10.4324/9781315161495-6>). For the origin of the 'respect, protect, fulfil' framework in the work of another Special Rapporteur on the right to food, see A. EIDE, *The New International Economic Order and the Promotion of Human Rights: Report on the Right to Adequate Food as a Human Right* Submitted by Mr. Asbjørn Eide, Special Rapporteur, 1987.

<sup>6</sup> <https://just-access.de/wp-content/uploads/2023/05/Just-Access-FISHR-report.pdf>.

<sup>7</sup> <https://www.fian.org/en/press-release/article/international-community-must-stop-weaponization-of-food-and-starvation-in-gaza-3599>.

<sup>8</sup> [https://www.fian.org/files/files/Ukraine\\_Report\\_fin\(1\).pdf](https://www.fian.org/files/files/Ukraine_Report_fin(1).pdf).

<sup>9</sup> <https://www.ipcc.ch/report/ar6/wg2/chapter/summary-for-policymakers/>.



have less ability to invest in climate adaptation<sup>10</sup>. At the same time, food systems - particularly in highly developed States - are a major contributor to climate breakdown, with industrial livestock farming being among the most damaging activities<sup>11</sup>. In arable farming, corporate agricultural practices involving heavy pesticide, herbicide, and fertilizer use are responsible for other forms of environmental degradation, including desertification, pollution of waterways, and ocean dead zones, in turn negatively affecting social and environmental determinants of health and accelerating negative environmental and climate feedback loops<sup>12</sup>.

Eventually, poverty and growing inequality, both within and between nations, are underlying structural factors that make some people more likely to experience food insecurity than others. It is now widely recognised that food security has little to do with insufficient levels of food production (globally), but is a problem of the unequal distribution of food: while some have access to ample food, people not having access to land or other natural resources to produce food for their own consumption, or to income from work or social security entitlements to be able to purchase food, or are unable to access food because of their race, class, caste, gender, disability or other basis of discrimination, are at greater risk of being food insecure. It has therefore been suggested that food security should be classed as an “economic public good”, as a food-secure world produces numerous benefits that can be enjoyed simultaneously and from which no-one can be practically excluded, such as moral benefits, public health gains, market opportunities, and higher social stability<sup>13</sup>.

In this complex landscape, religious laws intersect with food security challenges in various ways, most notably through the widespread practice of fasting, which appears to contradict the right to food. Fasting is a nearly universal religious practice, often considered an obligation for adherents, even though it involves abstaining from food, a basic human need. However, despite being central to many religious legal systems, the goals of fasting can align with those of a secular community.

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<sup>10</sup> <https://www.ohchr.org/en/climate-change/impact-climate-change-right-food>.

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[https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=1064&context=human\\_rights\\_institute](https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=1064&context=human_rights_institute).

<sup>12</sup> <https://www.nature.org/en-us/newsroom/growing-threats-how-climate-change-will-exacerbate-environmental-impacts-agriculture/>.

<sup>13</sup> <https://d-nb.info/1255615664/34>.



For example, according to the great cultural anthropologist, Clifford Geertz, there are almost four reasons for fasting:

- the first is to show obedience to God;
- the second is to learn self-control;
- the third is to learn what it is like to be poor;
- and the fourth is to gain control over spiritual power<sup>14</sup>.

However, in this list, the first reason can be considered as a religious reason, but others can be also appreciated by the secular members of the society<sup>15</sup>. Therefore, this paper will analyse the diverse understandings of fasting across religious laws, uncovering the distinct positions and underlying interests. By synthesizing these perspectives, the aim is to show that religious duties associated with fasting can be valuable legal resources in the global effort to achieve food security. To support this argument, the essay will proceed in four key stages. First, it will establish the relevance of religious law in addressing global challenges. Second, it will explore the diverse cultural meanings of fasting within different religious traditions, demonstrating that the perceived opposition between nutrition and abstinence is, in fact, illusory. Third, the essay will offer an altruistic interpretation of religious fasting, revealing its potential as a means to advance the secular goals of contemporary food security initiatives. Finally, conclusions will summarize the findings and propose outlines for further research.

## 2 - The intersection of religious laws and food security: values, authority, and influence

As stated elsewhere<sup>16</sup>, in such a global scenario, religious laws can intersect the food legal system in many ways, so that a religious legal inquiry on the topic of food security would be relevant in many respects. The connection between food and religion encompasses concepts and values such as celebration, sharing, community, solidarity, interconnectedness, dignity, self-restraint, appreciation, and a long-term vision of purpose and good deeds that extend beyond an individual's

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<sup>14</sup> C. GEERTZ, *The Religion of Java*, The Free Press, Glencoe, 1964.

<sup>15</sup> J.B. TAMNEY, *Fasting and Modernization*, in *Journal for the Scientific Study of Religion*, Jun., 1980, Vol. 19, No. 2 (Jun., 1980), p. 135.

<sup>16</sup> G. ANELLO, *Food Justice in Religious Laws: Hypotheses on Cultivated Meat*, in L. SCAFFARDI, M.C. MANCINI, G. FORMICI (eds.), *The Future of Food, the Food of the Future: Novel Food, Innovation, Sustainability, and Legal Issues*, Springer, Berlin, 2025 (in press).



lifetime<sup>17</sup>. These concepts and values are also present in secular contexts to some extent. However, religious laws can provide a rich foundation for envisioning a better world where human flourishing can occur over generations. Religious rules are based in community life and offer a perspective that considers the various human and non-human needs organically. In times of insecurity and existential threat, these narratives can help bridge the gap between the familiar and the unknown, offering different interpretations to counteract dominant opposing narratives. Many religious rituals involve food, such as the blessing and sharing of specific food items. Religious communities often follow dietary rules, like kosher food and slaughter for Jewish communities, as a matter of religious freedom. In Islam during Ramadan and in other religions, food is associated with fasting as a way to practice patience, introspection, discipline, and compassion. Wasting food is considered wrong in many religious traditions due to the belief that food is a gift that deserves gratitude, often preceded by prayer before meals. Recent crises, like Covid-19, have showcased the active role of religious groups in addressing food security challenges.

In sum, given that a significant percentage of the global population identifies with a religious group,<sup>18</sup> religion is relevant in the global food system. Religious perspectives and laws are relevant to discussions on food security for a number of reasons. For example, in certain jurisdictions like Saudia Arabia or Iran, religious laws are recognized as part of the public legal system. This means that these laws, which define aspects of personal status, may also be applicable in public law and private international law<sup>19</sup>. Moreover, while legal and social norms ideally rely on voluntary acceptance (in reality, social norms are very often compulsory as religious ones and legal rules are not so often voluntary accepted), religious affiliation can create powerful bonds of adherence that may not always be based on critical evaluation. Religions often dictate strong principles that govern the behavior of their followers, operating through the individual conscience. These internal rules are often expressed in the language of “duties” that many religious laws emphasize or consider peculiar, for their communitarian inspiration. These norms can be as compelling as the laws of a state, shaping how

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<sup>17</sup> N. AVIELI, F. MARKOWITZ (eds.), *Eating Religiously Food and Faith in the 21st Century*, Routledge, New York, 2025.

<sup>18</sup> <https://www.pewresearch.org/religion/2012/12/18/global-religious-landscape-exec/> and as to the global population growth projections <https://www.pewresearch.org/religion/2015/04/02/religious-projections-2010-2050/>.

<sup>19</sup> See <https://canopyforum.org/tag/giancarlo-anello/>.



individuals understand their rights and responsibilities. The need to respect religious rules for conscience can thus strongly influence interpretations of fundamental human rights<sup>20</sup>.

This influence can also affect food choices. To some extent, the concept of “asymmetric information” can be applied in the food sector<sup>21</sup>, as religious institutions often possess significant authority, leading individuals to accept information and directives from these sources without further question. This can result in choices that, from the outsider perspective, appear irrational, but are considered rational and valuable within the framework of religious belief. However, it’s important to critically examine how this dynamic can potentially limit individual autonomy and critical thinking<sup>22</sup>.

For these reasons, the religious duty of fasting, which is abstaining from food, can significantly affect how believers perceive their food choice and consequently their rights to health and adequate food. This intersection highlights the need to consider religious perspectives when addressing issues of food security.

### 3 - Duties and practices of fasting in different religious legal traditions

Modern medical science acknowledges several benefits of fasting, in the physical and psychological sphere<sup>23</sup>. Fasting can help the health of the body, reduce stress and improve mental well-being and self-esteem<sup>24</sup>. However, such scientific knowledge cannot explain the ancestral motivations for religious fasting. To understand the role of fasting in religious contexts, we must move beyond a purely scientific lens and consider the underlying theological and philosophical principles. Moreover, even though different forms of fast are present in many

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<sup>20</sup> *Ibidem*.

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<https://www.tandfonline.com/doi/epdf/10.1080/10454446.2022.2040683?needAccess=true>;  
more in general, **A. GILL**, *Religious Liberty & Economic Development*, in *The Review of Faith & International Affairs*, Vol. 11, 2013 - Issue 4, pp. 54-56.

<sup>22</sup> **P. VAN DER VEER**, *Market and money: a critique of rational choice theory*, in *Social Compass*, 59(2), 2012, p. 185.

<sup>23</sup>

<https://newsinhealth.nih.gov/sites/newsinhealth/files/2019/December/NIHNiHDec2019.pdf>.

<sup>24</sup> See **K. TRABELSI et al.**, *Religious fasting and its impacts on individual, public, and planetary health: Fasting as a “religious health asset” for a healthier, more equitable, and sustainable society*, in *Frontiers in Nutrition*, 9, 2022, pp. 1-21. See also <https://pmc.ncbi.nlm.nih.gov/articles/PMC10421233/>.



religious traditions, their reasons cannot be traced back to one single rationale. Rather, it looks like that this practice sprang up independently among completely different peoples and faiths<sup>25</sup>.

In ancient times, fasting was part of a ritual suggesting symbolic and rebirth, thus a king would fast before installation<sup>26</sup>. For example, fasting plays a significant role in the Buddhist path to enlightenment of the Prince Siddhartha. Siddhartha, before his transformation into the Buddha (this term literally translates to “enlightened one”), embarked on a quest for spiritual understanding, initially embracing extreme asceticism, including prolonged fasting. This rigorous practice, though intended to purify his mind, left him physically weakened. Recognizing that the underlying cause of suffering (*samsara*) was attachment and desire, he shifted his approach, adopting a more balanced path. He sustained himself on a single grain of rice daily, enduring pain and weakness, until a Brahmin woman named Sujata offered him nourishing rice milk. This act of kindness allowed him to regain his strength and continue his meditation, ultimately leading to his enlightenment. This experience informed his concept of the “Middle Way”, a path that avoids the extremes of both sensual indulgence and excessive self-denial<sup>27</sup>.

In other religious traditions, fasting is strictly related to the cycles of agricultural activities, drawing a holistic conception of food centered on nourishing individuals and communities. The food from the new harvest, for instance, was believed to carry specific powers, which were transmitted through particular foods: a sacred meal might involve theophagy - the eating of a deity itself - or hierophagy, the consumption of something associated with the divine<sup>28</sup>. The eating of other food would have polluted the beneficial effect of sacred meals<sup>29</sup> and fasting would have been purifying as well. Christian theology views the Eucharist as the spiritual representation of Christ’s body. Consequently, fasting in

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<sup>25</sup> **M. CLASQUIN-JOHNSON**, *Fasting/Asceticism/Feasting*, in B. WEYEL, W. GRÄB, E. LARTEY and C. WEPENER (eds.), *International Handbook of Practical Theology*, De Gruyter, 2022, p. 341 ff.; **R. ARBESMANN**, *Fasting and Prophecy in Pagan and Christian Antiquity*, in *Traditio*, Vol. 7 (1949-1951), pp. 1-71.

<sup>26</sup> **J.B. TAMNEY**, *Fasting*, cit., p. 129.

<sup>27</sup> **S.T. GAIKWAD**, *Apprehending Concept, Canons and Types of Fasting in Buddhism*, in *International Journal of Innovative Research and Creative Technology*, Vol. 2, issue 4, 2017, pp. 164-5.

<sup>28</sup> An excellent book on this topic, from a phenomenological perspective, is **K. WAGDTENDONK**, *Fasting in the Koran*, Brill, Leiden, 1968, p. 21, also online (at <https://archive.org/details/fastinginkoran0000wagt/page/n173/mode/2up>), especially in the section where A. discusses the meaning of fasting in a phenomenological perspective.

<sup>29</sup> **K. WAGDTENDONK**, *Fasting*, cit., p. 22.



Christianity retains echoes of its earlier meanings, which are now understood and practiced within a legal framework. Christian scripture identifies three specific types of fasts<sup>31</sup>. An ordinary type of fast has been ascribed to Jesus in Matthew: Then Jesus was led up by the Spirit into the wilderness to be tempted by the devil, he fasted for forty days and forty nights, and afterwards he was famished (Matthew, 4:1-2)<sup>30</sup>.

This fast means abstinence from eating only, while drinking water is allowed in it. The second type is an absolute fast, which means abstinence both from eating and drinking. In the context of the “transforming experience” of Paul<sup>31</sup>, it is recorded in the New Testament: For three days he was without sight, and neither ate nor drank (Acts, 9:9).

The third type is the partial fast, for which the Christian theologians take recourse to a vision of Daniel recorded in the Old Testament, before which he had observed self-restraint from certain types of foods and drinks. I had eaten no rich food, no meat or wine had entered my mouth, and I had not anointed myself at all, for the full three weeks (Daniel, 10:3).

Today, the historical forms of fasting are not distinguished and the regulations of the Catholic church concerning canon fasting are described in the Canon Law Code, art. 1249<sup>32</sup>, as follows: The divine law binds all the Christian faithful to do penance each in his or her own way. In order for all to be united among themselves by some common observance of penance, however, penitential days are prescribed on which the Christian faithful devote themselves in a special way to prayer, perform works of piety and charity, and deny themselves by fulfilling their own obligations more faithfully and especially by observing fast and abstinence, according to the norm of the following canons<sup>33</sup>.

Although this norm remains within Church law, the Church has gradually shifted its understanding of fasting. The original symbolic meaning - “cleaning” the body to prepare the faithful for receiving the

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<sup>30</sup> In the King James Version of Bible word “hungered” has been used instead of “famished”. From this Christians inferred that during these forty days Jesus was not eating food but continued to drink water. Thus, the normal Christian fast pertains to abstinence from eating food to the exclusion of abstinence from drinking water.

<sup>31</sup> Instead of the old conception of “conversion”. For this interpretation, see **G. BOCCACCINI, G. MARIOTTI**, *Paolo di Tarso, un ebreo del suo tempo*, Carocci, Roma, 2025, *passim*.

<sup>32</sup> See, for a critical comment, **G. BONI**, *Il digiuno e l'astinenza nel diritto canonico*, in *Daimon, Annuario di diritto comparato delle religioni, numero speciale, Regolare il cibo, ordinare il mondo. Diritti religiosi e alimentazione*, il Mulino, Bologna, 2014, p. 217 ff.

<sup>33</sup> [https://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic\\_lib4-cann1244-1253\\_en.html#TITLE\\_II](https://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic_lib4-cann1244-1253_en.html#TITLE_II).



body and blood of Christ - has been deemphasized<sup>34</sup>. This shift has resulted in a loss of some of the original meanings of fasting and has drawn criticism from historians and canon lawyers. They argue that, when interpreted historically and ethically, the duty of fasting not only shields the faithful from excessive attachment to worldly possessions but also fosters altruism and charity. It encourages them to share the resources saved through fasting and abstinence with community members in dire need<sup>35</sup>.

Fasting practices also characterize the lives of individuals and the cycles of the months and seasons in many religions. Periods of communal fasting are often observed at specific times, such as during a particular month of the calendar or in anticipation of or following important religious ceremonies. On this point, Mohammad Makram clearly writes:

«a study of fasting in Judaism, Christianity, and Islam endorses the structural relationship between fasting, feasting, and festivals. Virtually all the important public fasting periods in the selected religious traditions are followed by feastings and festivals. For example Esther fast in Judaism is followed by Purim feast, Lent fasting in Christianity is followed by Easter, and fasting of *Ramadan* is followed by '*Id al-Fitr* in Islam».<sup>36</sup>

The connection between fasting and religious time is central to many traditions. For example, Jewish law prescribes six annual periods of public fasting, some obligatory and others voluntary. Initially, the Mosaic Law recognized only one such obligatory fast, observed on the tenth day of Tishri, the seventh month. This day, known as Yom Kippur or the Day of Atonement, is the most solemn and significant religious event for Jews throughout the year. On this fast, the Torah reads:

The Lord spoke to Moses, saying: Now, the tenth day of this seventh month is the day of atonement; it shall be a holy convocation for you: you shall deny yourselves and present the Lord's offering by fire (Leviticus, 23:26-27; See also, Leviticus, 16:29)<sup>37</sup>.

Later, additional fasts were added, commemorating significant historical events: the seventeenth day of the fourth month (Tammuz), the ninth day of the fifth month (Av), the third day of the seventh month

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<sup>34</sup> See G. BONI, *Il digiuno*, cit., p. 227.

<sup>35</sup> See G. BONI, *Il digiuno*, cit., p. 233.

<sup>36</sup> M. AKRAM, *Meaning and Significance of Fasting In Comparative Perspective. A Study With Special Reference To Judaism, Christianity, and Islam*, in *Hamdard Islamicus*, vol. XXXIX, no. 2, 2016, p. 53.

<sup>37</sup> M. AKRAM, *Meaning*, cit., p. 39.



(Tishri), and the tenth day of the tenth month (Tevet). These fasts are established together in the following verse of the Torah:

Thus says the Lord of hosts: The fast of the fourth month, and the fast of the fifth, and the fast of the seventh, and the fast of the tenth, shall be seasons of joy and gladness, and cheerful festivals for the house of Judah: therefore love truth and peace (Zechariah, 8:19).

Moreover, in the book of Esther another fast has been promulgated (Esther, 9:31-32) which is considered the sixth statutory communal fast. This fast is observed on the thirteenth of the last month (Adar) of Jewish calendar<sup>38</sup>.

In the same vein, also the Islamic religion knows a strong relation between the calendar and public fasting. Two categories of fasting are mentioned in the Qur'an: the first is periodical and associated to the month of *Ramadan*, and it is obligatory for all adult Muslims with a few exceptions<sup>39</sup>. The second category of fasting is an expression of a penitent spirit for certain mistakes or sins committed. This type of fasting is present in many religions and serves as a means of seeking repentance for violations of God's will (duties). In the Quran, there are several references to this practice, for example, verse 89 of Chapter 5 and verse 196 of Chapter 2. Additionally, there is a verse that praises those who fast for the pleasure of Allah (al-Quran, verse 35 of Chapter 33), which can be interpreted as encompassing all kinds of fasting.

In Hinduism, the spring and fall celebrations are among the more widely celebrated. Certain Hindu festivals and holy days require devotees to observe fasting as part of their worship. For example, Navaratri, the nine-night celebration of the Feminine Divine that occurs five times a year. Similarly, many Hindus consider Shravana to be the holiest month of the year. This month falls in July-August or August-September, depending on the regional calendar being followed and many Hindus observe a period of fasting during this month. Eventually, many Hindus believe that certain days of the week are dedicated to a particular deity and will observe fast to honour that particular deity. For example, devotees of Lord Shiva tend to fast on Mondays, while devotees of Lord Visnu tend to fast on Thursdays. Many Hindus fast on certain days of the month. For example, on the full moon period and the eleventh day after the full moon and the new moon. However, in Hinduism fasting is deferred also to personal choice. More precisely, the method of fasting is not strictly codified, so that Hindus may fast at anytime for a

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<sup>38</sup> M. AKRAM, *Meaning*, cit., p. 39.

<sup>39</sup> K. WAGDTENDONK, *Fasting*, cit., p. 22.



specific purpose, also for the repentance of their sins. In so doing, Hindus observe fasts of varying strictness depending on individual beliefs or practices. Some Hindus will fast during inauspicious occasions to make them psychologically stronger and counter negative forces. Many Hindus are guided on the days to fast by their minister. Observance of certain saṃskāras or sacraments also require fasting for the whole duration or for a specific time. For example, couples who are getting married normally fast for the whole day.

In Judaism, individual fasting also exists and generally pertains to the private life of the faithful. Some private fasts are undertaken to atone for sins, while others are related to rites of passage, marriage, and other occasions. Jews sometimes fast on the anniversary of the death of a loved one. Similarly, if a Torah scroll is accidentally dropped, those present may fast for a day to observe the significance of the event<sup>40</sup>. In this case, fasting is a mean to expiate what happened. Sometimes, in the Jews' communal history, fasting functioned as the national response to catastrophes (Joel, 2:15). It should be noted that fasting itself is not the sole instrument for being forgiven. Rather, by means of fasting the soul and the body are prepared for the repentance that must be achieved by a sincere contrition.

Eventually, in several religions, the sensory deprivation provided by a fast has been considered itself as a means for straightening of one's own powers<sup>41</sup>, a medium for ascetism and mystical experiences. Christian sources emphasize the importance of moderation while fasting:

When you fast, do not look somber as the hypocrites do, for they disfigure their faces to show men they are fasting. I tell you the truth, they have received their reward in full. But when you fast, put oil on your head and wash your face, so that it will not be obvious to men that you are fasting, but only to your Father, who is unseen; and your Father, who sees what is done in secret, will reward you (Matthew, 6:16-18).

In Hinduism, generally speaking, fasting is considered a moral and spiritual act aimed at purifying the body and mind to attain divine grace. According to Hindu religion, fasting is believed to control over one's senses, squelches earthly desires and thus inculcates spiritual growth. Hindus also believe that when there is a spiritual goal behind

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<sup>40</sup> M. AKRAM, *Meaning*, cit., p. 40.

<sup>41</sup> K. WAGDTENDONK, *Fasting*, cit., p. 25.



fasting, it should not weaken the body<sup>42</sup>. It is viewed as essential for a person's well-being, nourishing both their physical and spiritual needs.

Similarly, in Confucianism fasting is associated to ascetism and moral perfection as well. Fasting in Chinese is "*zhaijie*", which includes two meanings, that are fasting (*zhai*) and stop doing bad things (*jie*). The author Zhu Sheng (1299-1377), who lived in the early Ming Dynasty (1368-1644), composed, by imperial edict, "*Zhaijie Wen*" (Treatise on Fasting), in which he laid down the rules for the act of fasting, saying:

«*Zhai* is for cleansing inner sins while *jie* is for giving up all bad habit. The person who fast must bathe and change clothes, stay in a separate room. He will not drink, not eat stench food, not visit the sick, not present condolences, not listen to music, and not answer to subpoena. Those are the things that must be given up (*jie*). And yet the person who fast must be sincere and cautious; if he thinks something must think the god whom he is worshipping; considering that God is above him, or at his left or right; focusing fully on this all time without a moment of laxity. This is the way of fasting».<sup>43</sup>

In Islam, fasting can also be associated with asceticism and mystical experience. Early Sufis embraced poverty to such an extent that "the poor man" (*faqir* in Arabic) became synonymous with the Sufi, a term that remains in use today. The renowned mystic and philosopher al-Ghazali (d. 1111), who advocated moderation and practicality in religious practices and helped integrate Sufism into mainstream Islamic spirituality, nonetheless emphasized that the path to God involves fasting, night vigils, sleeplessness, and renunciation of wealth<sup>44</sup>. The same Ghazali was used to mention together two *hadiths*, one that says fasting is half of patience, and the other that patience is half of faith, to conclude that one-quarter of the practice of faith in God is ... fasting<sup>45</sup>.

#### 4 - Functions of fasting in a globalised scenario: how duties and rights support each other

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<sup>42</sup> MD. THOWHIDUL ISLAM, *Fasting in Hinduism, Buddhism and Islam: A Comparative Study*, in *Maqolat. Journal of Islamic Studies*, 2(3), 2024, p. 160 (<https://doi.org/10.58355/maqolat.v2i3.74>).

<sup>43</sup> MIN KE QIN, *Islam and Confucianism: Ritual, Prayer And Fasting*, in *International Journal of the Asian Philosophical Association*, Volume 15, Issue 1, January 2022, p. 16.

<sup>44</sup> V.J. HOFFMAN, *Eating and Fasting for God in Sufi Tradition*, in *Journal of the American Academy of Religion*, Autumn, 1995, Vol. 63, No. 3, Thematic Issue on "Religion and Food" (Autumn, 1995), pp. 469 ff.

<sup>45</sup> V.J. HOFFMAN, *Eating*, cit., p. 471.



As mentioned earlier, religious laws make fasting a duty for the faithful under certain circumstances. This duty appears to create an anthropological paradox: while food is a vital necessity, religions sacralise abstinence. This apparent contradiction may seem at odds with the 'conservative' function of religions, a view often emphasized by the gene-culture co-evolution approach<sup>46</sup>. This theory suggests that human beings evolve, by means of the interaction of genes and culture over long time periods. In the context of the sciences of religions, this idea explores how religious beliefs and behaviours may have shaped, and been shaped by, our genetic evolution<sup>47</sup>. For example, some researchers propose that the development of religious concepts—such as moral codes, ritual behaviours, or belief in an afterlife—could have provided evolutionary advantages by promoting cooperation, social cohesion, or group survival. Conversely, genetic predispositions (like certain cognitive tendencies) might influence how individuals interpret and adopt religious ideas<sup>48</sup>.

Furthermore, the primary opposition between the need for nutrition and its abstinence also encapsulates a secondary opposition regarding their respective legal positions - the “right” to food vs. the “duty” of fasting. This secondary opposition has significant implications for different approaches to human life, reflected in the contrast between the “secular” language of human rights and the religious language of duties<sup>49</sup>; the modern foundations of statehood and citizenship vs. the traditional lifestyles of religious authorities and groups; the values of individualism and liberalism vs. the collectivist, solidaristic ideals of community-based societies.

In order to unravel these points, it should be noted that the deprivation involved in fasting does not necessarily imply the negation of the society or the person. On the contrary, public fasting practices are primarily associated with events of religious significance for the respective communities. Feasts and festivals often occur before or after

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<sup>46</sup> [https://link.springer.com/chapter/10.1007/978-3-030-70408-7\\_7](https://link.springer.com/chapter/10.1007/978-3-030-70408-7_7): for a comprehensive approach see, J.A. VAN SLYKE, *The cognitive science of religion*, Routledge, London-New York, 2016.

<sup>47</sup> <https://ujcontent.uj.ac.za/esploro/outputs/graduate/Exploration-of-religion-as-phenomenon-of/9912741207691>.

<sup>48</sup> A.W. GEERTZ [et al.] (eds.), *Studying the religious mind: methodology in the cognitive science of religion*, Sheffield, Bristol (CT), Equinox, 2022.

<sup>49</sup> See O. FARAHAT, *Reason-giving and the duty to obey: perspectives from classical Islamic jurisprudence*, in *Journal of Law and Religion*, Vol. 36, no. 1, 2021, pp. 5-28.



these fasting periods, serving as evidence of the solidaristic significance that fasting can have. Instead, by promoting self-control and social solidarity, individual fasting can also support personal well-being and foster greater integration into society<sup>50</sup>. Ultimately, some scholars argue that people reject fasting as an act of self-control not for its own sake, but because modernization imposes social controls that reduce the need for religiously motivated self-discipline<sup>51</sup>.

Thus, in a multifaceted and complex context, religious duties related to fasting can be integrated with the individual's right to food to address the challenges of food insecurity. This approach involves understanding the various functions that different modes of fasting may serve, notably their critical and solidaristic roles.

1) The critical function of the fasting deontology: first of all, the ascetic meaning of fasting can sometimes conceal a critical function: when an ascetic withdraws from society, they are, in fact, condemning it<sup>52</sup>. A striking example of such a function was expressed by the Mahatma Gandhi, who made the discipline of fasting a great example of leadership and an instrument of political activism<sup>53</sup>. Gandhi, rooted in Indian traditions, ideas, and institutions, extended this approach to the duty of fasting as well<sup>54</sup>. Obviously, in Gandhi's teaching, duty is the expression "in detail" of the concept of Dharma, that is the cementing force of the universe. A quotation may be needed:

«Duty is the expression in detail of the concept of cementing force of the universe, and Hindu thought has ultimate dimensions of duty and classified into five categories, namely, sacrifices to Brahman, Gods, ancestors, animal creation and to fellow beings. In the fulfilment of this five-fold duty man realises the unity of the visible and invisible universe»<sup>55</sup>.

As mentioned earlier, Gandhi employed the duty of fasting as a means to critique the dominance of British authority and as an instrument of political protest. Indirectly, his critique targeted Western

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<sup>50</sup> M. AKRAM, *Meaning*, cit., p. 37.

<sup>51</sup> J.B. TAMNEY, *Fasting*, cit., p. 131.

<sup>52</sup> M. AKRAM, *Meaning*, cit., p. 38.

<sup>53</sup> Gandhi's insistence on self-discipline as a preparation and qualification for Satyagraha on the social and political level is an expression of his integral conception of duty, says G.N. SARMA, *Gandhi's Concept of Duty*, in *The Indian Journal of Political Science*, June 1980, Vol. 41, No. 2, June 1980, p. 227.

<sup>54</sup> A. FAROOQI, *Gandhi's Spiritual Politics: Austerity, Fasting and Secularism*, in *Studies in History*, Vol. 36, no. 2, 2020, pp. 178-205.

<sup>55</sup> G.N. SARMA, *Gandhi's Concept*, cit., p. 215-6.



ideology and the set of values that supported colonial power in India. In his system of belief, duty acquires a priority over right. The former is a primal expression of dharma; the latter is an expression of individual self-interest sanctioned by social will<sup>56</sup>. Gandhi recognizes the teaching of verses 40-48 of the chapter 18 of the Bhagavad Gita, on this point<sup>57</sup>.

More specifically, there are two levels of duty in Gandhi's thought: the first pertains to the individual's obligations to society, as defined by social traditions, institutions, and customs; the second relates to individual conscience (the Inner Voice). The appeal to the Inner Voice - the higher law - has always been invoked in situations of moral crisis involving conflicts of loyalty. Both the call of conscience and the obligation to follow the law of the community are valid, and a crisis of choice arises when one must be prioritized over the other. It is well known that one of the essential requisites of a *satyagrahi*<sup>58</sup> is respect for the law and the preparedness to accept the punishment of law<sup>59</sup>.

In Gandhi's perspective there is a primacy of the duty over the right or, better to say, the duty is the source of right. On this point Gandhi writes to Julian Huxley in these terms:

«I learned from my illiterate but very wise mother that all rights worthy of being deserved and preserved are those resulting from a fulfilled duty. Thus the right to life itself only comes to us when we fulfil our duty as citizens of the world. According to this fundamental principle, it is probably quite easy to define the rights of Man and Woman and to link each right to a corresponding duty that is worth fulfilling. It could be shown that every other right is just a usurpation not worth fighting for»<sup>60</sup>.

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<sup>56</sup> G.N. SARMA, *Gandhi's Concept*, cit., p. 218.

<sup>57</sup> <https://bhagavadgita.io/>. Verses of the Gita about food and cooking are in Chapter 3 (13). In the Vedic tradition, food is cooked with the consciousness that the meal is for the pleasure of God. A portion of the food items is then put in a plate and a verbal or mental prayer is made for the Lord to come and eat it. After the offering, the food in the plate is considered prasād (grace of God). All the food in the plate and the pots is then accepted as God's grace and eaten in that consciousness. Other religious traditions follow similar customs. Christianity has the sacrament of the Eucharist, where bread and wine are consecrated and then partaken. <https://www.holy-bhagavad-gita.org/chapter/3/verse/13>.

<sup>58</sup>

<https://rjhssonline.com/HTMLPaper.aspx?Journal=Research%20Journal%20of%20Humanities%20and%20Social%20Sciences;PID=2018-9-1-5>

<sup>59</sup> G.N. SARMA, *Gandhi's Concept*, cit., p. 228.

<sup>60</sup> M.K. GANDHI, *Letter to Julian Huxley*, in *Human rights: comments and interpretations*; a symposium edited by UNESCO, A. Wingate, London, 1949. This text in Italian translation is also present in E. BALDUCCI, *Gandhi*, Edizioni Cultura della



Later, he emphasized that no legal tradition can be entirely oriented towards the exclusion of right, nor towards the community at the expense of the individual, nor towards tradition without regard for reason or intuition. Indian and Western traditions have often been regarded as mutually exclusive, each emphasizing one of these principles to the exclusion of the others. However, it would be more accurate to say that both elements are present in each tradition, though they are differently balanced<sup>61</sup>. More precisely, Gandhi viewed public and private morality as an integrated whole:

«Clearly, therefore, in Gandhi's view the concept of duty was integral and he made no dichotomy in his ethical public and private duty or morality. Public duty was the extension of duty to oneself and the discipline required for the performance of both types of duty was identical. From Gandhian point of view one who had not undergone self-discipline can hardly claim to be a public servant»<sup>62</sup>.

Similarly to Kant's view, in Gandhi's perception the knowledge of what the individual owes to himself must be derived from the intuitive perception of his relation to the universal<sup>63</sup>. The critical legacy of Gandhi, as well as that of the Hindu legal tradition, finds today a formal expression in the ideology of "Asian Values," a term that emerged in the late 20th century, particularly in the 90s. It describes a set of cultural, social, and political principles that some Asian leaders and scholars argue are distinct from Western values. Key aspects of Asian Values are deeply rooted in the role that religious duties play in certain Asian legal traditions, such as Hinduism, Buddhism, and Confucianism (the early Confucian model for the formation of political entities/civilisations differs from western political conceptions such as the nation State that is a paradigm of the western and liberal society<sup>64</sup>). Many of these duties safeguard group relations, emphasizing the importance of family, community, and societal harmony over individual interests. In such a worldview, priority is given to group welfare rather than personal freedoms. As a consequence, moral and religious duties are regarded as essential to respecting authority and maintaining hierarchical order, which are considered vital for societal stability. Practical manifestations

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Pace, San Domenico di Fiesole (FI), 1988, p. 184.

<sup>61</sup> G.N. SARMA, *Gandhi's Concept*, cit., p. 226.

<sup>62</sup> G.N. SARMA, *Gandhi's Concept*, cit., p. 225.

<sup>63</sup> G.N. SARMA, *Gandhi's Concept*, cit., p. 225.

<sup>64</sup> J. CHO-WAI CHAN, *Confucian Perfectionism: A Political Philosophy for Modern Times*, PUP, Princeton, 2014.



of these principles often include a strong work ethic, discipline, and frugality. In this framework, duties, such as responsibilities to family, society, and the state, are often prioritized over individual rights and freedoms. More specifically, duties are central when societal cohesion and collective harmony are at stake; thus, individual interests should not disrupt social stability, and citizens are expected to trust and obey authority.

2) The solidaristic/altruistic function of the fasting deontology: The altruistic dimension encapsulated in legal and moral duties is not exclusive to Asian cultures. Fasting, for instance, is also an act of self-control that the value of self-restraint. In a global context where food security is at risk embodies, promoting self-restraint and solidarity in consumption are important values that should be encouraged, even from a Western perspective and within a largely secular worldview. In an article of 1931, discussing the theories of remarkable western scholars like Duguit, Lundstedt, and Austin, Carleton Kemp Allen firstly states that legal duties are dependent on moral (and religious) duties<sup>65</sup>. The execution of sanctions that are connected with their violation cannot be the ground of their legal nature<sup>66</sup>. Secondly, emphasizing some aspects of the discussed theories, concludes that the nature of legal duties can be found in the interest of the community, rather than the individual:

«Whether or not it be otherwise in morals, in law a duty owed to oneself is a flat contradiction. Whenever the law imposes a duty on the individual in respect of his own person, liberty or property, it does so not in the interest of the individual himself (except in so far as he shares in the general welfare of society), but in the interest of the community or of some section of the community»<sup>67</sup>.

Building on his reasoning, Allen argues that solidarity among members of society forms the fundamental basis of legal duties. He

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<sup>65</sup> C.K. ALLEN, *Legal Duties*, in *The Yale Law Journal*, Vol. 40, No. 3, Jan. 1931, pp. 331-380.

<sup>66</sup> C.K. ALLEN, *Legal Duties*, cit., p. 362: «Duty cannot be anything but subjective and moral. Nor can it be enforced by anything but individual conscience. When we speak of the legal enforcement of legal duties, we mean rather the operation of the prescribed legal penalty for non-compliance with certain express commands or prohibitions. This extrinsically-imposed penalty for disobedience is not the same thing as the enforcement of the duty, for to say that is to presuppose that the sovereign command is a duty to the individual. It is not necessarily so: that is a matter which can be determined only by moral judgment. King Herod commands the Massacre of the Innocents, and Mary evades the command. She might have been put to death for her disobedience, but it could hardly be said that her execution would have been the enforcement of her duty».

<sup>67</sup> C.K. ALLEN, *Legal Duties*, cit., p. 358.



further contends that legal duties serve as the most effective instruments for fostering altruism within society:

«There is no duty more essentially moral than the altruistic duty; indeed, to a great extent, morality is altruism. Every lawyer will know what I mean when I say that as a general principle our law has shown itself extremely chary of imposing altruistic duties. The conservative view has been that to demand of the average man that he should sacrifice his own clear interest to that of another is to expect of him a morality beyond his capacity and therefore to commit the injustice of addressing to him a command which he is unable to obey. But at the present time we may observe an increasing recognition of purely altruistic duties in law»<sup>68</sup>.

Altruistic duty is fundamentally moral, and morality itself is largely rooted in altruism<sup>69</sup>. Liberal modern law was somehow cautious about imposing duties, based on the belief that demanding self-sacrifice from the average person is unfair and beyond their capacity but the religious laws have been based on the dynamic of duties and societal relations for centuries and are relevant for masses of believers also today. Consequently, in the pursuit of solidaristic goals related to food security, religious groups observing fasting as part of their religious duties can be appreciated by secular members of society as well. Naturally, a key distinction remains between religious duties and moral duties, as religious duties are often seen as aligned with the will of God, whereas moral duties are grounded in human conscience and societal values:

«In religious duties one has a distinction between the content of the duty and the authority of the duty which is absent in moral duties. The radical difference between doing one's duty in and outside religion, rests to a large extent, on the religious identification of duty with the will of God. This difference is illustrated in the following ways: First, moral duties are not always present; we do not spend even the greater part of our time thinking about duty. On the other hand, the more one meditates on the law of God and disciplines

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<sup>68</sup> C.K. ALLEN, *Legal Duties*, cit., p. 367, and he continues: «There are, I conceive, four principal ways in which an altruistic act may give rise to legal rights or duties. (1) It may be commanded by the law as a positive duty. (2) Its altruistic motive may be set up as a defence to an act which would otherwise be illegal. (3) It may be the foundation of a claim for reimbursement. (4) It may be the foundation of a claim for compensation for injury sustained in saving one person from the consequences of the wrongful action of another».

<sup>69</sup> D. HUME, *A Treatise of Human Nature*, reprinted from the Original Edition in three volumes and edited, with an analytical index, by L.A. Selby-Bigge, M.A., Oxford: Clarendon Press, 1896, is a classical reading on this point.



oneself to it, the nearer one is said to be to God: "But his delight is in the law of the Lord; and in his law doth he meditate day and night" (Psalm I. 2). If anyone talked of meditating on his duty day and night he would be an unbearable person and morally reprehensible. The moral life is not ruled by duty in the way in which the religious life is ruled by the will of God. [...] Secondly, what is to be done in the performance of one's moral duty is usually quite specific [...] The two differences between moral and religious conceptions of duty which we have considered are based on a third, more fundamental difference, namely, that moral duties, unlike religious duties, are often thought of in relation to needs. I recognise that it is my moral duty to do something in face of a need for that particular action to be done which makes up my duty. If a duty is done in relation to needs it at least makes sense to suppose that the need can be met. In so far as the people who benefit from the performance of religious duties get what they needed, it makes sense to talk of answering needs in the performance of religious duties»<sup>70</sup>.

It is quite intriguing that, from a holistic perspective, the duty of fasting might be seen as related to fulfilling a human need, though this does not appear to be the primary function. Moreover, this apparent contradiction reflects the tension between the mostly secular language of "rights" and the religious language of "duties." To reconcile this apparent opposition, one may ask whether there are hidden benefits associated with the duty of fasting – benefits that are present in many religious laws and can be compatible with civil law.

The deontological perspective on fasting, as discussed so far, points in this direction, suggesting a possible synthesis between the language of rights and the language of duties. Both can be viewed as complementary when working toward a common global goal, such as food security. This reconciliation is based on the idea that, at times, religious duties may serve as a foundation for legal obligations and, at other times, can reinforce policies related to human rights – especially in the pursuit of international or global objectives. This aspect will be explored further in the concluding section.

## 5 - Conclusions

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<sup>70</sup> D.Z. PHILLIPS, *Moral and Religious Conceptions of Duty: An Analysis*, in *Mind*, New Series, Vol. 73, No. 291, Jul., 1964, pp. 407-408.



Global food security is a collective issue that extends well beyond the borders of any single country. In this context, a cosmopolitan duty approach is necessary, one that promotes an altruistic attitude and prompts tangible international action<sup>71</sup>. Despite appearing contradictory to the right to food, the dynamic of religious fasting plays a crucial role in safeguarding important values. These include moderation, sharing, and self-control in food consumption and waste, which are essential for achieving food security. These values are embedded in religious laws and they can effectively complement secular and globalized legal frameworks. By integrating these values, also secular food policies can be better guided towards social or public aims<sup>72</sup>.

This paper ultimately calls for the integration of religious “duties”, such as fasting, with the individual “right” to food. This approach involves recognizing the various functions that different modes of fasting may serve, notably their critical and solidaristic roles. For example, religious practices and duties could be considered and incorporated into food law policies, such as promoting food sharing initiatives, supporting local food production, or advocating for more equitable access to food resources. In this scenario, exploring the potential complementarity between the “grammar” of religious duties and state policies addressing food insecurity could be highly beneficial. For example, integrating civil and religious principles within the framework of global food security may serve as a valuable component of the ongoing dialogue strategy in the EU, as outlined in Article 17 of the Treaty on the Functioning of the European Union<sup>73</sup>. This article recognizes the unique contributions of churches and religious

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<sup>71</sup> J. MACCUNN, *Cosmopolitan Duties*, in *International Journal of Ethics*, Vol. 9, No. 2, Jan., 1899, pp. 1, who was discussing about the global dimension of the British Empire, at his time, and was asking himself if was morally adequate to limit the ties of solidarity to the group of fellow citizens and the binding of nationality. After a long rationale, his response was negative and he wrote his conclusions in this way: ““a keen sense of cosmopolitan duty-grounded as this is in fundamental ethical fact-is at once one of the most elevating and the most justifiable attributes of a free citizen. And a great empire like ours, gathering into a political unity men of the most diverse races, creeds, ideas, characters, civilizations, savageries, is the greatest school of cosmopolitanism the world has ever seen. There has been nothing like it for educating those sympathies and obligations which, in Bentham's words, have «limits none other than those of the habitable globe»”.

<sup>72</sup> For this approach, see P. MCDONAGH, K. MANOCHA, J. NEARY, L. VÁZQUEZ MENDOZA, *On the Significance of Religion for Global Diplomacy*, Routledge, London-New York, 2021, pp. 1-20.

<sup>73</sup> <https://www.europarl.europa.eu/at-your-service/files/be-heard/religious-and-non-confessional-dialogue/home/en-article17-the-ep-implementation.pdf>.



associations and affirms that the Union shall maintain an open, transparent, and regular dialogue with these organizations. Expanding this dialogue to include churches, faith communities, and philosophical organizations could be a powerful means of enhancing deliberation, strengthening democratic values, fostering community, and contributing to a renewed sense of purpose and direction—one that incorporates religious principles and the language of “duties” of fasting within the broader conversation on food security. According to recent guidelines<sup>74</sup>, dialogue partners can be churches, religious associations or communities as well as philosophical and non-confessional organisations that are recognized or registered as such at national level and adhere to European values. All relevant topics related to the EU agenda – and between them the issue of food security – can be addressed in this dialogue. Such topics can be raised both by the European Commission and its interlocutors, provided both parties agree. In the light of its policy priorities, the Commission may choose to suggest priority topics for discussion over a certain period of time with different interlocutors. However, this should not prevent both sides from addressing topical issues at any given time. The topic and format for a specific initiative are chosen jointly by the Commission and the respective interlocutor in a spirit of constructive mutual understanding. Moreover, this dialogue must be transparent and regular. More specifically, interlocutors are invited to contribute to the European Union policy-making process through the various written consultation processes launched by the European Commission. This dialogue may be conducted through *inter alia* informal meetings hosted by the President of the European Commission, bilateral meetings with Commission representatives at all levels and, in particular, meetings with the responsible Adviser for the dialogue with churches, and religious associations or communities as well as philosophical and non-confessional organisations. Further instruments in this non-exhaustive list may include dialogue seminars and *ad-hoc* consultation procedures on specific and timely policy issues<sup>75</sup>.

As a previous example of this kind of dialogue seminars, a mention should be made to some reports that address the problem of food security in the contemporary and globalized scenario. In the document "Collective Action for Ending a Collective Problem: A Multi-stakeholder Project on Global Food Security" (25 July 2023)<sup>76</sup>, the right to

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<sup>74</sup> <https://ec.europa.eu/archives/bepa/pdf/dialogues/guidelines-implementation-art-17.pdf>.

<sup>75</sup> <https://ec.europa.eu/archives/bepa/pdf/dialogues/guidelines-implementation-art-17.pdf>.

<sup>76</sup> <https://www.dcu.ie/sites/default/files/inline-files/Report%20-%20final%20%283%29.pdf>.



food is interpreted in conjunction with its apparent opposite - the duty of fasting. This relationship is understood as a principle that helps safeguard values such as moderation, sharing, and self-control in food consumption and waste, which remain highly relevant even within the secular and globalized context of contemporary legal frameworks, such as the Sustainable Development Goals (SDGs). The values embedded in the deontological dimension of religious rights can effectively complement voluntarist models that guide food law policies toward social or public aims.

