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Who Eats Last? Gendered Food Discrimination and the Ethics of Substantive Food Equality in Bangladesh

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Abstract

Food insecurity is commonly assessed through availability, affordability and nutritional outcomes. Those measures can obscure an ethical question that arises before calories are counted: who is socially entitled to eat, whose preferences matter, and whose needs may be postponed when resources or authority are unequal? This paper examines gendered food discrimination in Bangladesh through food ethics, human-rights law and interdisciplinary evidence on intra-household allocation and pregnancy-related food taboos. It argues that scarcity and discrimination are not rival explanations. Food may be physically present while gendered bargaining power, care obligations, dietary prohibitions and norms of self-sacrifice make one person's access conditional. The paper develops "substantive food equality" as a normative framework comprising five connected requirements: material access, nutritional adequacy, non-discrimination, agency and public accountability. It then tests the framework against Bangladesh's constitutional commitments, international obligations and nutrition and social-protection institutions. The analysis rejects both punitive intrusion into family meals and the treatment of the household as an ethically private domain. It instead defends relational, participatory and institutionally differentiated responses that enlarge women's effective choices while addressing preventable nutritional harm. The Bangladesh case shows that a just food system must be judged not only at farms, markets and distribution points, but also where food is allocated and eaten.

1. Introduction: the ethical significance of eating last

Food is simultaneously a biological necessity, a social practice, an economic good, and a medium through which status and obligation are expressed. For this reason, an adequate food system cannot be evaluated only by asking whether sufficient calories are produced or whether food is present in markets. It must also ask who is recognized as entitled to food, who controls food-related resources, whose preferences are respected, and who bears the burden of scarcity when a household cannot meet every need. These questions place food squarely within debates about justice, care, power, and human dignity.

Gender is central to those debates. Women are often positioned as the people responsible for feeding others while having limited authority over land, income, agricultural decisions, or household expenditure. Van Esterik's distinction between the right to food, the right to feed, and the right to be fed remains especially useful because it exposes a recurring paradox: women may carry responsibility for feeding households while lacking an equal claim to be nourished themselves (Van Esterik 1999). Later work similarly shows that food systems are structured by gendered labor, social norms, care responsibilities, and unequal decision-making power rather than by formally neutral economic choices alone (Qanti et al. 2022; Bruckner and Paia 2025; Lindberg et al. 2025). Food justice scholarship further warns against reducing justice to a single distributive metric, emphasizing instead multiple and situated forms of recognition, participation, and material access (Smith 2019; Coulson and Milbourne 2021).

Bangladesh provides a particularly revealing setting in which to examine these issues. The country has made major advances in food production, poverty reduction, maternal and child health, and nutrition

programming. At the same time, older research documented maldistribution of food and harmful dietary taboos within rural households (Begum et al. 1979), and contemporary studies continue to identify menstrual and pregnancy-related food restrictions in rural and Indigenous communities (Rayna et al. 2025; Tripura et al. 2025). The persistence of such practices matters analytically because it demonstrates that improved national food availability does not automatically produce equality at the point of consumption. Food can be available to a household while access within that household remains mediated by gender, age, kinship, authority, and cultural expectations.

The legal position is equally complex. The Constitution of Bangladesh recognizes food among the basic necessities that the State should secure and identifies the raising of nutrition and improvement of public health as primary duties. It also guarantees equality before law and prohibits discrimination on grounds including sex. However, the constitutional provisions dealing most directly with food and nutrition are located among the Fundamental Principles of State Policy rather than the directly enforceable fundamental rights. Internationally, Bangladesh is bound by the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on the Rights of the Child (CRC). Together, these instruments connect adequate food with equality, health, maternal nutrition, child development, and freedom from discrimination.

This article asks a narrower question than whether Bangladesh is “food secure” in the aggregate: how should law and food policy understand situations in which gendered norms influence who eats, what foods women may consume, and how nutritional burdens are distributed inside households? The argument is that the conventional distinction between food security and food discrimination is too sharp. When social rules systematically reduce a person’s effective access to adequate food, discrimination becomes part of food insecurity itself. A rights-based food system, therefore, requires more than supply. It requires substantive food equality.

The article makes three contributions. First, it brings human rights law into conversation with food-justice and gender scholarship, treating intra-household distribution as a governance question rather than an entirely private matter. Second, it uses Bangladesh to demonstrate why formal commitments to nutrition can coexist with gendered deprivation when institutions measure households but not power within households. Third, it develops the concept of substantive food equality as a practical policy framework. This framework does not propose policing family meals. Instead, it asks public institutions to identify predictable patterns of disadvantage, design programs that strengthen women’s agency, collect disaggregated evidence, provide meaningful grievance mechanisms in public programs, and confront harmful norms through participatory and culturally informed interventions.

2. Approach, sources and limits

This paper is a normative paper rather than an empirical study or a systematic review. It combines doctrinal legal analysis with a critical narrative synthesis of interdisciplinary scholarship. The doctrinal

component examines the Constitution of Bangladesh, international treaties binding on Bangladesh, authoritative treaty-body interpretations, and selected national food, nutrition and social-protection instruments. The interdisciplinary component brings these materials into conversation with research on intra-household allocation, maternal nutrition, food taboos, gendered agricultural decision-making, care, agency and food justice. Sources were selected for their relevance to three linked questions: whether household-level food security can conceal individual deprivation; when a gendered food practice becomes discriminatory; and what obligations public institutions may reasonably bear without policing ordinary family life. The paper gives particular weight to Bangladesh-specific empirical studies while using wider food-justice and gender scholarship to develop and test its normative claims.

The method is interpretive and problem-oriented. It does not estimate the prevalence of women "eating last," establish causal effects, or claim that a limited body of studies represents every household in Bangladesh. Historical studies are used to identify long-standing questions; recent studies are used to show that particular practices, especially pregnancy-related restrictions, remain ethically and institutionally relevant. Comparative material is used sparingly to identify possible legal designs rather than to claim functional equivalence between jurisdictions. These limits are important because a rights-based argument becomes weaker, not stronger, when it converts partial evidence into a national stereotype.

The analysis is organized around four dimensions of the right to adequate food: availability, accessibility, adequacy, and sustainability, as articulated by the UN Committee on Economic, Social and Cultural Rights (CESCR 1999). For the purposes of this article, accessibility includes a strong non-discrimination component. A household may possess sufficient food in the aggregate while an individual lacks effective access because she has less bargaining power, eats only after others, is subject to a dietary taboo, or cannot control the resources through which food is obtained. Adequacy likewise cannot be reduced to calories. Nutritional quality, safety, and the dietary needs associated with pregnancy, lactation, childhood, illness, and other life stages are relevant.

This framework is complemented by food-justice scholarship. Anderson argues that rights-based food systems should evaluate food-system reform against human rights, including food security, health, gender equity, cultural identity, and decent livelihoods (Anderson 2008). Smith's intersectional account of food justice highlights the need to examine overlapping systems of domination rather than treating "the consumer" or "the farmer" as socially undifferentiated actors (Smith 2019). Coulson and Milbourne's account of a "justice multiple" is also instructive: justice claims may involve distribution, recognition, participation, spatial relations, and other dimensions that cannot be collapsed into one indicator (Coulson and Milbourne 2021). These perspectives help explain why an aggregate increase in household food expenditure can coexist with unequal experiences of nourishment.

The article therefore uses the term "substantive food equality" to describe a condition in which people possess not merely a formally equal entitlement to food, but a realistically equal opportunity to obtain adequate and culturally acceptable nutrition without discriminatory subordination. The concept has five

elements: material access, nutritional adequacy, non-discrimination, agency in food-related decisions, and accountability where public institutions or programs fail. It is deliberately narrower than a complete theory of food justice, but broader than a conventional food-security indicator.

No new human-participant data were collected. The paper relies on published research and publicly available legal and policy materials.

3. From food security to food discrimination

Food security analysis traditionally distinguishes among availability, access, utilization, and stability. These dimensions are indispensable, but the unit of analysis matters. Household-level access does not establish individual-level access. Treating the household as a single welfare-maximizing unit can conceal conflicts over resources, unequal bargaining power, and culturally differentiated claims to food. Classic empirical work in Bangladesh demonstrated that food allocation could vary by age and sex and that household food supply did not mechanically determine individual intake (Abdullah and Wheeler 1985). Earlier nationwide village research also reported widespread food taboos, maldistribution, and poor understanding of the nutritional needs of vulnerable groups (Begum et al. 1979). These findings caution against assuming that food entering a household is shared according to physiological need.

Household bargaining scholarship helps explain why aggregate resources do not translate automatically into individual wellbeing. Bargaining power is shaped not only by income but also by assets, social norms, fallback positions and a person's ability to participate in decisions inside and beyond the household (Agarwal 1997). Agency is therefore more than the observable act of choosing from options already defined by others. It involves the capacity to formulate purposes and act upon them, supported by resources and reflected in meaningful achievements (Kabeer 1999). Applied to food, these insights direct attention to who controls purchasing, whose knowledge counts, who may refuse a dietary restriction and what consequences follow from refusal.

The moral significance of this problem becomes clearer when responsibility and entitlement are separated. Women may cook, procure, preserve, and distribute food while simultaneously being expected to prioritize husbands, children, elders, or guests. Van Esterik (1999) described this tension as an intersection between women's rights and food rights: the socially constructed responsibility to feed can coexist with an insecure right to be fed. This remains relevant to contemporary food systems. Lindberg et al. (2025), studying women caregivers during the COVID-19 pandemic, describe women as intergenerational "shock absorbers" who used their own labor and sacrifice to mitigate household food insecurity. Although the setting differs from that of Bangladesh, the mechanism is recognizable: care can shift the costs of food-system shocks onto women.

This is why food discrimination should not be limited to overt exclusion by the state or market. It can also describe a patterned disadvantage produced by social norms that assign different nutritional priorities to different household members. Not every unequal meal is discrimination. Individuals have different energy needs, preferences, health conditions, and roles. The relevant question is whether a

durable social rule devalues a category of persons or constrains their agency in ways that predictably impair their access to adequate nutrition. A norm that women should eat after everyone else, for example, becomes rights-relevant when “eating last” also means eating what remains, receiving less dietary diversity, or being unable to claim nutritionally appropriate food.

Food taboos present a related problem. Culture is an important component of food and should not be treated as an obstacle to be removed whenever it differs from biomedical advice. The right to adequate food itself recognizes cultural acceptability. But cultural legitimacy cannot immunize practices from scrutiny where they produce serious, gender-specific nutritional disadvantage. Recent research from Bangladesh demonstrates the need for this distinction. Rayna et al. (2025) found that nearly half of participants in qualitative research on rural pregnancy adhered to food taboos; restrictions were connected to beliefs about fetal health, childbirth, family authority, and the costs associated with caesarean delivery. The same study found that nutritional counselling, family understanding, education, and reduced reinforcement by elders could support taboo-breaking. Among Indigenous pregnant women in Khagrachari, Tripura et al. (2025) identified a wide range of tabooed foods and reported that 46.6% of pregnant participants were adhering to food taboos. These studies do not justify portraying culture as irrational. They instead show that dietary decisions emerge within networks of belief, care, authority, risk, and social pressure.

A food-justice approach also requires attention to recognition. Bruckner and Paia (2025) show how gendered knowledge and livelihoods can be made visible through a feminist foodscapes approach. Qanti et al. (2022) demonstrate that women’s agricultural decision-making is shaped by social norms and perceptions, not simply by individual preferences. Gender, therefore, affects both sides of the food system: who produces and decides, and who consumes and is nourished. Work on gender, assets, and market-oriented agriculture further shows that interventions can unintentionally reproduce conventional gender roles when they assign productive authority to men and nutrition responsibility to women (Johnson et al. 2016). A policy may therefore improve production while leaving the gendered regulation of food responsibility intact.

The concept of discrimination adds legal precision to this knowledge. Under ICESCR, the right to adequate food must be exercised without discrimination. CESCR General Comment No. 12 states that discrimination in access to food or the means for its procurement can constitute a violation of the Covenant (CESCR 1999). CEDAW requires states to eliminate discrimination against women and specifically addresses the need for adequate nutrition during pregnancy and lactation. These norms do not mean that every harmful family practice can be litigated directly. They do mean that the state cannot treat predictable gendered barriers to adequate nutrition as legally irrelevant merely because they occur in households.

Substantive food equality, therefore, changes the policy question. Instead of asking only whether a nutrition program reaches a household, it asks who controls the benefit, whether women can use it, whether the intervention changes or reinforces gendered responsibility, and whether outcomes are

measured separately for those most likely to be disadvantaged. Instead of treating knowledge deficits as the sole cause of food taboos, it asks who possesses the authority to enforce or reject them. And instead of equating food justice with equal quantities, it recognizes that equality may require different nutritional support at different life stages.

4. The ethical framework of substantive food equality

Calling a patterned disadvantage “food discrimination” does more than add moral force to the language of food insecurity. It identifies a relationship between an avoidable nutritional harm, a social rule that distributes authority unequally, and institutions capable of either reproducing or reducing that harm. The term must nevertheless be used with discipline. Unequal intake is not automatically unjust: bodies, ages, health conditions and activities produce different nutritional needs. Nor does every act of voluntary sacrifice establish discrimination. The ethical concern arises when a durable norm assigns lesser weight to the interests or agency of a socially identifiable group and thereby makes inadequate nutrition more predictable.

Three familiar approaches highlight different parts of the problem. A distributive approach asks whether food and nutrition are allocated fairly. A capabilities approach asks what people are actually able to be and do, including whether they can secure nourishment, bodily health and practical agency rather than merely possess a nominal entitlement (Nussbaum 2000; Sen 1990). An ethics of care asks how dependency, responsibility and relationships shape moral life, and why the labour of sustaining others is so often treated as natural rather than as a social contribution that creates reciprocal claims (Held 2006). None is sufficient alone. Distribution without agency can produce a well-fed but controlled subject; choice without material access can become an empty liberty; and celebration of care can romanticize the sacrifice of those expected to provide it.

Substantive food equality joins these concerns through five tests. The first is material access: can a person reliably obtain food rather than depend upon discretionary permission? The second is nutritional adequacy: does the food meet health, safety, life-stage and cultural requirements? The third is non-discrimination: is disadvantage connected to a rule or pattern that assigns unequal worth on grounds such as gender, age, disability, ethnicity or poverty? The fourth is agency: can the person participate meaningfully in decisions about production, purchase, preparation and consumption? The fifth is accountability: where public action shapes access, can institutions explain their choices, detect exclusion and provide correction?

These tests are related but not interchangeable. A transfer may improve material access while leaving a woman unable to control it. Nutrition counselling may communicate accurate information while ignoring the relative who decides what is purchased. A culturally accepted practice may provide belonging while imposing a serious and gender-specific nutritional cost. Conversely, a technically adequate diet imposed without participation may disregard dignity and cultural identity. The framework therefore resists a single-metric account of justice.

The framework also distinguishes private wrongdoing from public responsibility. Human-rights obligations do not turn every household disagreement into litigation. They require states to exercise due diligence when laws, programs and foreseeable social barriers leave a group unable to enjoy a protected right on equal terms. The appropriate response is proportionate to institutional competence. Criminal law is generally ill-suited to the sequence of a family meal. Health services, social protection, schools, agricultural extension and equality policy, however, can be designed to strengthen agency, expose patterned deprivation and reduce the material pressures through which harmful norms operate.

This position avoids two ethical errors. The first is household abstention: the assumption that justice stops at the door of the home. That view overlooks how public rules concerning property, wages, benefits, education and healthcare structure bargaining power within families. The second is coercive perfectionism: the assumption that officials may prescribe a single correct food culture. Substantive food equality instead adopts a relational standard. It asks whether people can negotiate food practices as persons of equal worth, with the resources and information necessary to refuse preventable harm.

5. Bangladesh's regulatory framework: strong norms, weak translation

The Constitution of Bangladesh contains an unusually clear normative vocabulary for connecting food, nutrition, health, and equality. Article 15 identifies the provision of basic necessities of life, including food, as a fundamental responsibility of the State. Article 18 directs the State to regard the raising of the level of nutrition and the improvement of public health as primary duties. Articles 27 and 28 establish equality before law and prohibit discrimination on specified grounds, including sex, while Article 28 also recognizes equal rights of women and men in the spheres of the State and public life and permits special provision for women and children. Article 32 protects life and personal liberty (Bangladesh 1972).

The constitutional difficulty is institutional rather than rhetorical. Articles 15 and 18 form part of the Fundamental Principles of State Policy. Article 8(2) states that those principles are fundamental to governance and should guide lawmaking and interpretation, but are not judicially enforceable. Consequently, Bangladesh does not possess a straightforward, expressly justiciable constitutional right to food, unlike constitutions that directly guarantee adequate food. This does not make Articles 15 and 18 meaningless. They provide interpretive direction and a constitutional basis for legislation and public policy. But they weaken an individual's ability to frame unequal access to adequate nutrition as a direct constitutional claim.

International human rights law supplies a more explicit normative structure. Article 11 of the ICESCR recognizes the right to an adequate standard of living, including adequate food, and the fundamental right to be free from hunger (United Nations 1966). General Comment No. 12 explains that the right is realized when every person has physical and economic access at all times to adequate food or the means to procure it, and it treats non-discrimination as an immediate obligation (CESCR 1999). The

framework is important for Bangladesh because it shifts attention from food supply alone to entitlements and access.

CEDAW deepens the gender dimension. Article 12(2) requires appropriate services in connection with pregnancy and the post-natal period and adequate nutrition during pregnancy and lactation. Article 14 addresses the position of rural women, while Article 5 requires states to take appropriate measures to modify social and cultural patterns that are based on stereotyped roles or on ideas of inferiority or superiority. Read together, these provisions make it difficult to classify nutritionally harmful gender norms as wholly outside the concern of the state. CEDAW does not authorize coercive cultural engineering, but it does require states to address discriminatory social patterns through education, policy, law, and institutional reform (United Nations 1979). The CEDAW Committee's interpretation of women's right to health also connects equality with access to adequate nutrition across the life course (CEDAW Committee 1999).

That proposition must be qualified by Bangladesh's treaty position. Bangladesh maintains reservations concerning Article 2 and Article 16(1)(c) of CEDAW. Article 2 is central because it contains the Convention's general undertaking to eliminate discrimination through law, institutions and appropriate measures. The reservation has been criticized by other states and human-rights bodies as being in tension with the object and purpose of the Convention. Its existence does not erase Bangladesh's obligations under provisions accepted without reservation, including those concerning healthcare, adequate nutrition during pregnancy and lactation, rural women and the modification of discriminatory stereotypes. It does, however, reveal a legal and political fault line that any serious account of gender equality in Bangladesh must acknowledge (United Nations Treaty Collection 2026).

The CRC adds the position of children. Article 24 requires measures to combat disease and malnutrition, including adequate nutritious food and clean drinking water, while Article 2 prohibits discrimination. The significance for household allocation is that public nutrition policy should not assume that benefits distributed to households necessarily reach girls and boys equally. A child-rights approach requires attention to actual access and outcomes (United Nations 1989).

Bangladesh's domestic food legislation is less well-suited to the problem addressed here. The Safe Food Act 2013 is principally a food-safety statute. It establishes the Bangladesh Food Safety Authority and regulates unsafe food, standards, contamination, labeling, and related matters (Bangladesh 2013). It is essential to public health, but should not be stretched into a general equality statute. A woman who receives less nutritious food because of household hierarchy is not experiencing "unsafe food" in the ordinary regulatory sense. Similarly, the Consumers' Rights Protection Act 2009 is primarily directed at consumer transactions, adulteration, deception, and unfair practices (Bangladesh 2009). These statutes can protect women as consumers, but they are not designed to regulate intra-household distribution.

That distinction is important because legal scholarship sometimes responds to every food-related problem by adding more responsibilities to food-safety regulators. Such an approach risks institutional mismatch. The Bangladesh Food Safety Authority is not the appropriate body to police who eats first in a

family. Gendered nutrition falls within a broader governance field encompassing health services, social protection, education, local government, women's empowerment, and food policy. The regulatory challenge is therefore not simply "weak enforcement" of the Safe Food Act. It is the absence of a coherent mechanism connecting constitutional equality and nutrition commitments to the social determinants of individual food access.

Bangladesh's nutrition policy framework partially addresses this gap. The National Nutrition Policy 2015 emphasizes improved nutrition, maternal and child health, behavior change, and intersectoral action (Government of Bangladesh 2015). Nutrition services delivered through the health system provide counselling and other interventions for pregnant and lactating women and children. These measures can help contest harmful dietary restrictions, especially where counselling reaches husbands, mothers-in-law, and other influential family members. Recent research supports the importance of such engagement: Rayna et al. (2025) found that family understanding and counselling were among the factors facilitating departure from pregnancy food taboos.

Still, the central measurement problem remains. Nutrition programs commonly identify vulnerable categories, but they do not necessarily measure how food is distributed after it enters a household. A household may cease to be classified as food insecure even though one member consistently sacrifices dietary quality. A cash or food transfer formally allocated to a woman may improve her agency, but it may also be appropriated, pooled, or redirected under household pressure. The rights question is not whether pooling is inherently wrong; it is whether women can exercise meaningful choice and whether programs detect systematic deprivation.

This is where the distinction between formal and substantive equality matters. Formal equality requires that a program not explicitly discriminate between men and women. Substantive equality asks whether apparently neutral rules reproduce disadvantage. If women are already responsible for unpaid care and feeding, a nutrition intervention that gives them additional duties without decision-making power can deepen gendered burdens. Johnson et al. (2016), drawing on projects in Africa and Asia including Bangladesh, show how agricultural and nutrition interventions may reproduce gender stereotypes when men are associated with farming and women with gardening and nutrition. The lesson is not that gender-targeted programs are misguided, but that their design must examine power as well as participation.

Bangladesh's regulatory framework is therefore best described as normatively rich but institutionally incomplete. Equality, nutrition, and basic necessities are constitutionally recognized; international obligations are substantial; and sectoral programs address maternal and child nutrition. What is missing is an integrated equality lens capable of identifying when social norms transform household food access into a patterned form of gender disadvantage.

6. Culture, relational agency, and the danger of simplistic legalism

A rights-based analysis of food taboos faces a difficult problem. If it treats all cultural restrictions as irrational or oppressive, it reproduces a paternalistic model in which law and biomedical expertise speak

while communities are expected to obey. If it treats every culturally embedded practice as beyond criticism, it can leave unequal power untouched. The challenge is to distinguish cultural diversity from discriminatory deprivation without assuming that the state should regulate intimate life through punishment.

Food practices carry identity, memory, kinship, religion, hospitality, and ideas about the body. They are not merely nutrition delivery systems. CESCR's account of adequate food recognizes cultural acceptability for this reason (CESCR 1999). The normative error occurs when "culture" is used as a complete explanation for who has authority and who bears the costs of a rule. A pregnancy taboo, for example, may be sincerely understood as protective by the woman herself and by her family. Rayna et al. (2025) found precisely such motivations: concern for the baby, respect for elders, fear of difficult delivery, and financial concerns could sustain restrictions. An effective intervention must therefore engage the reasons people give for practices rather than caricaturing them.

Agency is equally complicated. A woman may voluntarily follow a taboo, but voluntariness exists on a spectrum. Choices are shaped by information, dependence, social sanctions, household authority, and perceived risk. Substantive food equality does not require that the state decide what women should eat. It requires conditions in which women can make informed dietary choices and reject harmful restrictions without incurring disproportionate social or economic costs. That suggests a preference for counselling, community dialogue, women's economic agency, and engagement with influential family members over criminalization.

This emphasis aligns with contemporary gender scholarship and fundamental human dignity. Qanti et al. (2022) show that social norms and perceptions can shape women's participation in agricultural decisions even where women are economically active. Bruckner and Paia (2025) argue for research approaches that make women's food livelihoods and knowledge visible rather than treating them as peripheral. Aare et al. (2025) similarly foreground care and dialogue in women's experiences of regenerative farming. These studies differ in geography and subject matter, but they share a methodological lesson: gendered food relations cannot be understood by counting participation alone. Researchers and policymakers must examine whose knowledge is recognized, who decides, who performs care, and who can refuse.

This also complicates the language of "women eat last." The phrase is analytically powerful but empirically dangerous if presented as a universal fact about Bangladesh. The available evidence identifies it as a serious concern without supporting a claim that it describes every household. Bangladesh is socially, economically, ethnically, and geographically diverse. Historical research documented maldistribution and food taboos, while current studies provide strong evidence of pregnancy-related restrictions in particular rural and Indigenous settings (Begum et al. 1979; Rayna et al. 2025; Tripura et al. 2025). These sources support a claim that gendered food practices remain an important problem; they do not justify saying that all or most Bangladeshi women invariably eat leftovers after men.

The same caution applies to religion. The existence of patriarchal food practices does not establish that a particular religion causes them. Gender norms are produced through overlapping institutions including family, property, labor markets, class, education, local custom, and religious interpretation. A culturally respectful rights approach can therefore be demanding without being punitive. It can insist that women receive accurate nutritional information, that public programs do not reinforce stereotypes, that maternal nutrition counselling includes household decision-makers where appropriate, and that women can complain when public benefits are denied or diverted. At the same time, it can work through participatory methods that allow communities to distinguish valued food traditions from practices that produce preventable harm.

The goal is not cultural homogenization. It is to make cultural participation compatible with equal human worth. Coulson and Milbourne's (2021) "justice multiple" is useful here because it resists a one-dimensional answer. A nutritionally adequate outcome obtained through coercion is not complete justice; neither is culturally authentic participation that predictably deprives one group of necessary nutrition. Substantive food equality therefore requires both recognition and material adequacy.

7. Public institutions and the household boundary

The hardest institutional question is how far the state should reach into household food relations. Liberal legal systems have traditionally treated the household as a private sphere. Human rights law, however, has increasingly recognized that discrimination and violence do not cease to be public concerns merely because private actors are involved. CEDAW expressly requires states to address discrimination by persons, organizations, and enterprises, and to modify discriminatory social and cultural patterns. In food governance, the appropriate response is not direct surveillance of meals but rather program design that anticipates household power dynamics.

Social protection provides one example. Transfers targeted to women can increase their control over resources, but the legal significance lies in effective control rather than the name printed on a beneficiary list. Programs should therefore evaluate whether women can access payments, retain necessary identification and accounts, make spending decisions, and use grievance systems without retaliation. Monitoring should examine not only household food expenditure but also women's dietary diversity, maternal nutrition, and other individual-level outcomes.

School meals offer a different opportunity. A school meal is supplied outside the household and can therefore establish a public norm of equal nutritional entitlement. If meals are provided on equal terms, schools communicate that girls and boys possess equal claims to nourishment. But the value of a school meal should not be overstated. It cannot compensate for all household inequality, and monitoring must ensure that discrimination based on gender, disability, ethnicity, poverty, or other status does not reappear in implementation.

Maternal nutrition services are especially important because pregnancy creates distinct nutritional needs and intensifies social regulation of women's diets. The recent Bangladesh evidence suggests that

interventions should not address pregnant women as isolated decision-makers. Rayna et al. (2025) included pregnant women, husbands, mothers-in-law, and healthcare workers and found that family understanding and counselling could enable taboo-breaking. This supports a relational model of nutrition education. Counselling can remain centered on the pregnant woman's rights and agency while engaging those whose approval or support affects what food is purchased and consumed.

Agricultural programs also matter because food access begins upstream. Women's bargaining power within households is influenced by assets, income, recognition of labor, and participation in production decisions. Qanti et al. (2022) show that women's agricultural decision-making is strongly shaped by social norms. Johnson et al. (2016) demonstrate that market-oriented agricultural interventions can produce mixed gender effects and may inadvertently reproduce stereotypes. A food-equality strategy should therefore connect nutrition policy with women's land rights, agricultural extension, market participation, and access to productive resources.

This point is central to human dignity. Food justice cannot be separated neatly into "production" and "consumption." Gendered labor links them. Women may cultivate vegetables, manage poultry, prepare meals, care for children, and absorb food shortages, while formal agricultural policy recognizes only selected productive activities. Bruckner and Paia (2025) describe the value of gendering foodscape research precisely because women's livelihood practices and knowledge can disappear within conventional analytical categories. If women's work is invisible, their claims on food-system resources can also become invisible.

Public awareness campaigns can support change, but messaging should be evidence-based and avoid shaming. The appropriate target is not "backward culture" but specific beliefs and power relations associated with preventable nutritional harm. Community health workers, schools, local women's groups, agricultural extension services, and trusted community figures can all participate. The strongest interventions are likely to combine information with material capability. Telling a woman to eat a diverse diet has limited value if she lacks income, if nutritious food is unaffordable, or if she cannot influence household purchases.

Accountability is the final element. Public programs should have accessible grievance procedures, but complaints alone are insufficient. Many beneficiaries will not complain about a family member or local official if doing so threatens social relationships or access to benefits. Programs, therefore, need proactive monitoring. Sex- and age-disaggregated indicators, confidential beneficiary feedback, qualitative evaluations, and periodic household-level research can reveal patterns that formal complaints miss.

The household boundary should thus be treated neither as impenetrable nor as an invitation to coercive state control. The state's role is enabling and protective: structure public programs so that women possess meaningful access and agency, produce information that makes inequality visible, and support social change where norms create serious nutritional disadvantage.

8. Comparative lessons: entitlements, justice, and institutional fit

Comparative experience is useful when it identifies institutional possibilities rather than when it assumes that legal models can simply be transplanted. India is especially relevant because constitutional litigation transformed food programs into enforceable entitlements through the People's Union for Civil Liberties right-to-food proceedings, and Parliament later enacted the National Food Security Act 2013 (India 2013). The Indian statute is notable for combining subsidized food-grain entitlements with maternity and child-related provisions and for identifying the eldest adult woman as head of the household for ration-card purposes. These mechanisms do not eliminate intra-household inequality, but they demonstrate how food policy can be designed to recognize women as rights holders rather than only as caregivers.

The broader lesson is that entitlements matter. A discretionary benefit can be withdrawn or inconsistently delivered without a clear legal remedy. A rights-based entitlement identifies a duty bearer, a beneficiary, an eligibility rule, and a mechanism of accountability. Beuchelt and Virchow (2012) distinguish food sovereignty from the human right to adequate food and emphasize that the rights framework supplies legally grounded claims and state obligations. For Bangladesh, the relevant question is not whether to reproduce India's statute wholesale but whether core nutrition and food-access programs should contain clearer legal entitlements and review mechanisms.

Food-justice scholarship adds a warning. Formal entitlements can remain exclusionary if they are designed around an imagined universal beneficiary. Smith (2019) argues that food justice must confront intersecting systems of race, class, gender, sexuality, and agricultural power. Coulson and Milbourne (2021) similarly show that justice is plural and contested. Applied to Bangladesh, this means that gender cannot be separated from poverty, rurality, disability, ethnicity, age, marital status, or exposure to climate and economic shocks. A woman in an urban middle-income household and an Indigenous pregnant woman in a remote area may encounter entirely different barriers to adequate food.

Comparative analysis also reinforces the importance of institutional fit. Food-safety agencies should regulate contamination and unsafe products; health services should address maternal and child nutrition; social-protection institutions should secure transfers and entitlements; education authorities should ensure equitable school meals; agricultural institutions should address women's productive resources and decision-making. Coordination is necessary, but institutional mandates should not be blurred. The problem of gendered food access is cross-sectoral precisely because no single regulator can solve it.

Finally, comparison demonstrates the value of reframing food policy from charity to rights. Anderson (2008) argues that food-system reform should be assessed by its contribution to the realization of economic, social, and cultural rights. Van Esterik (1999) places women's food responsibilities within a rights framework. Together, these perspectives suggest that women should not be viewed merely as efficient channels for delivering nutrition to children. Women possess independent rights to food, health,

agency, and dignity. A policy that values women only instrumentally, because better-nourished mothers produce healthier children, remains normatively incomplete.

9. From principle to practice: substantive food equality in Bangladesh

A workable reform agenda should begin with measurement. Bangladesh should incorporate individual-level and sex-disaggregated nutrition indicators more systematically into food-security and social-protection evaluation. Household food-security measures remain useful, but they should be complemented by indicators capable of detecting whether women, girls, older persons, or other groups experience lower dietary diversity or reduced access. Qualitative monitoring is also necessary because numerical intake data cannot fully explain authority, sacrifice, taboo, or coercion.

Second, maternal nutrition policy should explicitly address food taboos and household decision-making. Counselling materials should distinguish culturally neutral preferences from restrictions that create nutritional risk. Programs should engage husbands, mothers-in-law, and other influential relatives without displacing the pregnant woman as the primary rights holder. Recent studies on Bangladesh provide a strong empirical basis for this relational approach (Rayna et al. 2025; Tripura et al. 2025).

Third, social protection programs targeted at women should be evaluated for effective control. Digital payment systems can reduce some forms of diversion, but are not automatically empowering. Access to phones, accounts, identification, digital literacy, and freedom from household coercion must be considered. Beneficiaries should have confidential grievance channels and clear information about entitlements. Where programs distribute food rather than cash, monitoring should examine actual receipt and use, not merely dispatch.

Fourth, school nutrition programs should be treated as equal institutions. Standards should require non-discriminatory provision, transparent menus and portions, inclusive access, and complaint mechanisms suitable for children and parents. Monitoring should be attentive to gender as well as poverty, disability, ethnicity, and geographic exclusion. School meals can also be linked to age-appropriate education about nutrition and equality, allowing public institutions to model shared entitlement rather than household hierarchy.

Fifth, agricultural and food policy should strengthen women's agency upstream. Access to extension services, productive assets, credit, markets, farmer organizations, and decision-making should be treated as part of food equality. Programs should be audited for gender-role reinforcement. If men receive training in commercial production while women receive only household nutrition messages, policy may reproduce the very division it seeks to overcome (Johnson et al. 2016). Gender-responsive agriculture should value women as producers, decision-makers, knowledge holders, and rights holders.

Sixth, Bangladesh should clarify the legal status of the right to adequate food. A constitutional amendment is one route, but even without one, legislation could establish defined food and nutrition

entitlements, duties, monitoring obligations, and remedies. Such legislation should not attempt to criminalize ordinary household inequalities. Its function should be to bind public authorities, structure programs, prohibit discrimination in the provision of public food, and require attention to vulnerable groups. The Constitution's Articles 15 and 18 would provide normative support, while Articles 27 and 28 would supply the equality framework.

Seventh, equality obligations should be allocated to the right institutions. The Bangladesh Food Safety Authority should remain focused on safety, standards, and risk. Gendered nutrition should be coordinated through health, food, social protection, women and children affairs, education, agriculture, and local government institutions. A cross-ministerial mechanism could establish common indicators and reporting requirements. Coordination should have a defined legal basis rather than depend solely on ad hoc committees.

Eighth, public communication should move from generalized "awareness" toward participatory norm change. Bruckner and Paia (2025) and Aare et al. (2025) illustrate the analytical value of feminist and dialogical approaches that take women's knowledge and care seriously. In Bangladesh, interventions should begin by asking why a practice persists, who benefits, who fears change, and what alternatives communities themselves regard as legitimate. This can reduce resistance and avoid the assumption that expert knowledge alone transforms behavior.

These reforms can be summarized as five tests of substantive food equality. First, material access: can the person actually obtain food? Second, adequacy: does the diet meet nutritional and life-stage needs? Third, non-discrimination: is a disadvantage patterned by gender or another protected status? Fourth, agency: can the person participate meaningfully in decisions about food and resources? Fifth, accountability: when public institutions fail, is there a realistic mechanism for correction? A food system that performs well on national availability but poorly on these tests remains only partially secure.

The framework also clarifies what the law cannot do. Law cannot by itself produce egalitarian family relationships, eliminate every taboo, or guarantee that household members share food according to a single formula. Nor should it try. Its contribution is to establish public norms, distribute resources and capabilities, prevent discrimination in state programs, support informed choice, and make structural disadvantage visible. The ultimate objective is not identical meals but equal human worth in the social organization of food.

10 Conclusion

The question "who eats last?" reveals a dimension of food security that aggregate indicators can miss. Food may be available nationally, present in a market, and purchased by a household while an individual's effective access remains constrained by gendered authority, care obligations, dietary taboos, or unequal control over resources. Bangladesh's experience shows why food insecurity should be understood not only as scarcity but also as a problem of distribution, recognition, and agency.

The legal foundations for a stronger response already exist. The Constitution connects the State to basic necessities, nutrition, public health, and equality. ICESCR establishes the right to adequate food without discrimination; CEDAW links gender equality to nutrition, health, rural women, and the transformation of discriminatory social patterns; and the CRC protects children's nutritional rights. The difficulty lies in translation. Food safety and consumer statutes address important but distinct problems, while nutrition and social protection programs do not consistently make intra-household inequality visible.

The evidence also requires precision. Gendered food discrimination is a serious concern in Bangladesh, but it should not be described through sweeping claims that all women eat last or that a single religious, philosophical, or historical tradition explains contemporary practice. Recent studies of pregnancy-related food taboos show both persistence and change. They demonstrate that women's choices are embedded in relationships with husbands, elders, health workers, economic constraints, and beliefs about maternal and fetal wellbeing. This is precisely why culturally respectful, rights-based intervention is preferable to punitive legalism.

Substantive food equality offers a way forward. It asks whether individuals possess material access to adequate food, whether disadvantage is discriminatory, whether people have agency in food decisions, and whether public institutions can be held accountable. It also connects consumption with the wider food system: women's access to land, income, agricultural knowledge, markets, social protection, and decision-making all shape what happens at the table.

Gendered food discrimination in Bangladesh illuminates a broader proposition. Food justice is not limited to farms, supply chains, markets, or state distribution systems. It is also produced in everyday relationships of care and authority. A food system cannot be fully just when those expected to feed others have a weaker claim to be fed themselves. The dining table is therefore not outside food governance. It is one of the places where the values of the food system become most visible.

Declarations

Use of generative AI: During preparation of the manuscript, the author used Grammarly and ChatGPT to assist with language refinement, organization and drafting. The author carefully reviewed and edited the resulting text, verified the legal propositions and cited sources, and accepts full responsibility for the content of the manuscript.

Author Contribution

Abu Noman Mohammad Atahar Ali conceived and designed the study, conducted the literature review and legal and normative analysis, developed the conceptual framework, and wrote and revised the manuscript. Abu Noman Mohammad Atahar Ali approved the final manuscript and accepts full responsibility for the integrity and accuracy of the work.

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