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The Role of US Consumers and Producers in Food Sovereignty

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Abstract¹

Given food sovereignty's origin as a movement by farmers in developing countries, its expansion to other actors in the food system and to other geographic regions is not straightforward. This paper explores how the concept of food sovereignty has been applied to date in the United States. A case study describes how several towns in the state of Maine have passed "food sovereignty" ordinances that aim to enable small-scale farmers to sell their products directly to consumers, exempt from new food safety regulations. To date, 10 Maine towns have approved these food sovereignty ordinances; but state officials have contested them in at least one town. The ability to sell directly to one's customers seems to be only a small portion of legitimate food sovereignty claims in the U.S. The paper presents seven additional claims that could gain wider public support for food sovereignty by promoting farmers' and consumers' rights and linking with other social movements or interest groups. In addition, food sovereignty entails particular responsibilities for US consumers, to become achieved worldwide. These responsibilities include solidarity with developing country producers and consumers, political participation to increase food justice and sustainable consumption to ensure that resources are shared equitably. Consumer support for food sovereignty is critical in the US to gain sufficient political leverage to enact food sovereignty laws and overturn regulations that act to its detriment, in international as well as domestic policy.

Introduction

Food sovereignty originated as a movement by farmers in developing countries, and its expansion to other actors in the food system and to other geographic regions is happening in different ways around the world. This raises questions about the locus and flexibility of food sovereignty. Is it primarily a claim by marginalized producers in developing countries to gain power vis-à-vis other interests, such as those who profit from international commodity trading, financial speculation on land and commodity crops, land grabs and non-transparent price transmission in the food system? Can farmers in industrialized countries legitimately claim that their "sovereignty" is compromised, when these countries benefit most from international trade and financial regimes? Are there unique food sovereignty claims that apply to consumers, or is their role best characterized as solidarity with producers? At what scale can producers or consumers claim and exercise food sovereignty: city, state or country?

¹ *This paper is a work in progress, please do not share or cite without the authors' written permission.*

This paper explores how the concept of food sovereignty has been applied to date in the United States (US). The formation of the US Food Sovereignty Alliance is described; and a case study is presented from the state of Maine, where food producers have introduced “food sovereignty” ordinances at the town level that aim to enable small-scale farmers to sell their products directly to consumers, exempt from new food safety regulations that are especially onerous for small-scale producers. To date, 10 towns have approved these food sovereignty ordinances; but a state food sovereignty bill was recently struck down by a narrow margin and the state Department of Agriculture officials claim that town-level ordinances cannot exempt producers from state regulations.

The paper suggests additional food sovereignty claims benefiting both producers and consumers that might legitimately be made in the US, and discusses some of the barriers to moving them forward. It concludes with the argument that consumer support for food sovereignty is essential in the US to gain political clout, and the challenge to make food sovereignty more relevant to US consumers by linking it with other social movements.

Contrast between current US food system and food sovereignty

Food sovereignty has appeared in many forms around the world, but at least six principles have been held in common since participants at the 2007 Forum for Food Sovereignty in Sélingué, Mali, developed the Declaration of Nyéléni:

| SIX PRINCIPLES OF FOOD SOVEREIGNTY² | | | |
|---|------------------------------------|--|---|
| | Food Sovereignty: | is FOR | is AGAINST |
| 1. | Focuses on Food for People: | Food sovereignty puts the right to sufficient, healthy and culturally appropriate food for all individuals, peoples and communities, including those who are hungry, under occupation, in conflict zones and marginalized, at the center of food, agriculture, livestock and fisheries policies; | and <i>rejects</i> the proposition that food is just another commodity or component for international agri-business |

² From Synthesis Report, Forum on Food Sovereignty. Reproduced from the website of the International Planning Committee for Food Sovereignty at <http://www.foodsovereignty.org/Aboutus/WhatIsIPC.aspx>

| | | | |
|----|--------------------------------|--|--|
| 2. | Values Food Providers: | Food sovereignty values and supports the contributions, and respects the rights, of women and men, peasants and small scale family farmers, pastoralists, artisanal fisherfolk, forest dwellers, indigenous peoples and agricultural and fisheries workers, including migrants, who cultivate, grow, harvest and process food; | and <i>rejects</i> those policies, actions and programs that undervalue them, threaten their livelihoods and eliminate them. |
| 3. | Localizes Food Systems: | Food sovereignty brings food providers and consumers closer together; puts providers and consumers at the center of decision-making on food issues; protects food providers from the dumping of food and food aid in local markets; protects consumers from poor quality and unhealthy food, inappropriate food aid and food tainted with genetically modified organisms; | and <i>rejects</i> governance structures, agreements and practices that depend on and promote unsustainable and inequitable international trade and give power to remote and unaccountable corporations. |
| 4. | Puts Control Locally: | Food sovereignty places control over territory, land, grazing, water, seeds, livestock and fish populations on local food providers and respects their rights. They can use and share them in socially and environmentally sustainable ways which conserve diversity; it recognizes that local territories often cross geopolitical borders and ensures the right of local communities to inhabit and use their territories; it promotes positive interaction between food providers in different regions and territories and from different sectors that helps resolve internal conflicts or conflicts with local and national authorities; | and <i>rejects</i> the privatization of natural resources through laws, commercial contracts and intellectual property rights regimes. |

| | | | |
|---|-------------------------------------|---|--|
| 5. | Builds Knowledge and Skills: | Food sovereignty builds on the skills and local knowledge of food providers and their local organizations that conserve, develop and manage localized food production and harvesting systems, developing appropriate research systems to support this and passing on this wisdom to future generations; | and <i>rejects</i> technologies that undermine, threaten or contaminate these, e.g. genetic engineering. |
| 6. | Works with Nature: | Food sovereignty uses the contributions of nature in diverse, low external input agroecological production and harvesting methods that maximize the contribution of ecosystems and improve resilience and adaptation, especially in the face of climate change; it seeks to <i>“heal the planet so that the planet may heal us”</i> ; | and <i>rejects</i> methods that harm beneficial ecosystem functions, that depend on energy intensive monocultures and livestock factories, destructive fishing practices and other industrialized production methods, which damage the environment and contribute to global warming. |
| <i>These six principles are interlinked and inseparable: in implementing the food sovereignty policy framework all should be applied.</i> | | | |

La Vía Campesina (LVC), which originally proposed the concept of food sovereignty at the 1996 World Food Summit, set forth seven principles: Food: a basic human right, agrarian reform, protecting natural resources, reorganizing food trade, ending the globalization of hunger, social peace and democratic control. LVC also argues for a set of values that underlie food sovereignty principles, introducing other principles related to migrants, youth and the role of small farmers and peasants in mitigating climate change (LVC, 2009). While these sets of principles and values emphasize different things, they reflect a vision of a food system that works for the public benefit and respects nature, food providers, human rights and democratic control over food system decision-making.

These principles describe a food system that is very different from the dominant food system in the US. The US does not support the legal instruments that buttress these principles, such as international agreements spelling out the right to food, the Convention to Eliminate All Forms of Discrimination against Women (CEDAW) or the UN Declaration on the Rights of Indigenous Peoples. The US voted against Resolution 21.19 of the Human Rights Council on September 27, 2012, to establish an open-ended intergovernmental working group with the mandate of negotiating, finalizing and submitting a draft United Nations declaration on the rights of peasants and other people working in rural areas.³

Food providers—at least farmworkers, food processing workers, restaurant workers and farmers—are not “valued” in the US in the sense of either enjoying full social protections that other workers enjoy, or being guaranteed compensation for full-time work that is adequate to support a household. Farmworkers (and domestic workers) were excluded from the National Labor Relations Act, enacted in 1935, which mandated basic protections for all other workers (NLRB, n.d.). The Act has never been amended to include farmworkers. Their income and working conditions remain abysmal, reflected in a 1990 average life expectancy estimate for migrant and seasonal farmworkers of only 49 years, compared with a national average of 75 (Hansen and Donohoe, 2003; this estimate does not seem to have been officially updated since 1990). Immigrant workers, although considered essential to keep US agriculture in business, face added risks of deportation and inability to access basic services; and the growing militarization of the US border has added to their challenges (Hayden, 2013; Miller, 2013).

Small-scale farmers may earn an income sufficient to support a household under some circumstances, such as operating a successful community-supported agriculture organization or selling directly to customers through other means. But the mean farm income for all farmers in the US reporting farming as their principal occupation was far below the poverty threshold between 2008 and 2013 (ERS, 2013a). Small family farms grossing less than \$250,000 per year make up 88% of US farms and control 63% of US farmland (Hoppe and Banker, 2010). However, they farm in a policy environment that has favored large-scale commodity producers for at least four decades (Philpott, 2008). Secretary of Agriculture Earl Butz’s famous edict to “Get big or get out” in the 1970s was part of an orchestrated federal effort to increase farm supply, reversing earlier supply management policies instituted by Roosevelt’s New Deal. Small-scale farmers growing diversified or high-value crops under supply management could stay afloat economically; but once these policies were dismantled, small-scale farmers could no longer compete with economies of scale that worked to the advantage of large-scale farmers. Furthermore, commodity subsidies have favored the largest-scale growers who raise crops for

³ Resolution Adopted by the Human Rights Council 21.19. <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/G12/174/70/PDF/G1217470.pdf?OpenElement>

export, helping to push US agriculture into a bimodal structure of large-scale full-time farmers who earn incomes on par with or greater than other household incomes and small-scale full-time farmers who subsidize farming with off-farm jobs themselves or held by another member of their households (MacDonald et al., 2013).

The emphasis of food sovereignty principles on localization has been echoed under the Obama Administration with programs such as Know Your Farmer, Know Your Food and support for Farm-to-School sourcing. While a significant shift, these programs have never been more than a small fraction of total US Department of Agriculture spending. Similarly, although the US supports research and education on sustainable agriculture and organic agriculture, its support for agroecology *per se* is negligible. The proportion of funding that goes to organic or sustainable agricultural research is quite low and needs to be boosted (Pursell, 2012).

The most striking difference, perhaps, between food sovereignty principles and the reality of US food systems is in democratic control over decision-making related to food. On issues ranging from labeling of foods containing genetically-modified ingredients to siting of confined-animal feeding operations, policy-makers from the municipal to the federal level have disregarded strong opinions expressed in public polls and chosen policies that favor corporate interests and lobbyists. The US Congress has hit a nadir of dysfunctionality in its inability for nearly two years to pass a new Farm Bill, the omnibus legislation determining farm support, food assistance for low-income people, conservation programs, agricultural research, rural development and other issues that affect the food system. A skeleton year-long extension of the 2008 Farm Bill will expire on September 30, 2013; yet Congress was not able to cooperate on moving the legislation into joint committee for resolution between the House and Senate versions before leaving for the August recess this year, and the House stripped out the entire food assistance title from its version.

Of course, non-governmental actors and communities have not stood by complacently while government and corporate interests overran their rights, needs and wishes. On each of the issues mentioned above, individuals, non-governmental organizations and some municipal authorities in the US have raised awareness, created programs and policies that are in the public interest and that help marginalized people, and sometimes defied law to do what they think is right. These struggles could be consolidated under the rubric of food sovereignty, but this has not happened in the US as yet.

Development of food sovereignty in the US

Many people living in industrialized countries were attracted to the idea of food sovereignty when LVC proposed the concept at the 1996 World Food Summit. A sizable contingent from industrialized countries including the US attended the 2007 food sovereignty conference in Mali

in an expression of solidarity with small-scale producers from developing countries, and in hopes of crafting a version of food sovereignty appropriate to the context of their home countries. Food sovereignty movements and organizations that are not direct affiliates of LVC have emerged since then in Canada, Australia, the European Union (EU) and the US, with different emphases and origins. The common themes of these movements have been closing the distance between family farmers and their customers through facilitation of direct marketing, and to some extent improving access to healthy food for marginalized customers through subsidies, urban agriculture or better efficiencies of distribution. In Canada, Australia and the EU, organizations have gone farther by developing “people’s food policies” to counter federal policies that were weighted toward the interests of Big Food and Big Ag. The Australian proposal drew from the substantial earlier work in Canada to build support for a people’s plan and encourage broad input (Australian Food Sovereignty Alliance, 2012; People’s Food Policy Project, 2011). In the European Union, a “European Food Declaration: Towards a healthy, sustainable, fair and mutually supportive Common Agriculture and Food policy” was produced in 2010; its signers include hundreds of environmental, human rights, farming and anti-poverty organizations (Nyéléni Europe, n.d.).

Nyéléni Europe held the first European Forum for Food Sovereignty in Krems, Austria, in August 2011 (Nyéléni Europe, n.d.). This group expanded the already active European Coordination Via Campesina, which pulled together a large number of producer groups and producer-consumer solidarity organizations (described in Holt-Giménez and Patel, 2009, pp. 175-177). Nyéléni Europe is a communication node for organizations across the region, helping to mobilize and publicize work such as a recent report on land-grabbing and land access in Europe (Franco and Borras, 2013). Its declared purpose is to “work continuously in order to TRANSFORM our food system in Europe, and reclaim community control; RESIST the expansion of the agro-industrial food system; and BUILD our movement for Food Sovereignty in Europe” (Nyéléni Europe, n.d.).

Against this backdrop of other efforts in industrialized countries, people in the US have also taken steps to promote food sovereignty, sometimes from within existing organizations. Food First and the National Family Farm Coalition (NFFC) were the first organizations in the US to support and publicize food sovereignty. Food First published excellent Backgrounders on food sovereignty and LVC (Rosset, 2003; Desmarais, 2005) when the term was relatively unknown in the US. Food First has continued to promote food sovereignty in the US and other countries, showing similarities in the work, through publications such as *Food Rebellions! Crisis and the Hunger for Justice* (Holt-Giménez and Patel, 2009) and *Food Movements Unite! Strategies to Transform Our Food Systems* (Holt-Giménez, 2011).

NFFC is a member of LVC; and Dena Hoff of NFFC is co-Chair (with Alberto Gomez from the Unión Nacional de Organizaciones Regionales Campesinas Autónomas or UNORCA in Mexico) of the North American Regional Secretariat. Other US members of LVC that are listed on its website are the Border Farm Workers Project/Unión de Trabajadores Agrícola Fronterizos, Farmworkers Association of Florida – Asociación Campesina de Florida, and Rural Coalition. NFFC has been engaged for nearly a decade in activities that promote food sovereignty. The organization created a draft vision of food sovereignty at its Summer Board Meeting in 2005:

We envision empowered communities everywhere working together democratically to advance a food system that ensures health, justice and dignity for all.

Family farming is an attractive and viable livelihood that supports economically, environmentally, and socially diverse and sustainable communities where future generations will thrive. Farmers, ranchers and fishers will have control over their lands, water, seeds, and livelihoods, as well as the ability to steward the land, take good care of animals, protect biodiversity and conserve and increase farming knowledge.

Farmworkers and food workers have respect and decent incomes, and farmers have the first right to produce food for local and regional markets, so that the planet's energy and the soil are conserved. All people have access to healthy, local, delicious food.

Members continued to grapple with what food sovereignty meant to them and how they wanted to work for it over the next few years. NFFC collaborated with Grassroots International to develop a food sovereignty curriculum (available at www.foodforthoughtandaction.org) and booklet explaining what food sovereignty means. NFFC's more succinct vision of food sovereignty was included in the booklet:

We envision empowered communities everywhere working together democratically to advance a food system that ensures health, justice and dignity for all. Farmers, farm workers, ranchers, and fishers will have control over their lands, water, seeds, and livelihoods [and] all people will have access to healthy, local, delicious food.

Grassroots International also published a descriptive booklet, "Towards a Green Food System: How Food Sovereignty Can Save the Environment and Feed the World" (available at the organization's website).

NFFC worked with member organizations and allies to create a “Food from Family Farms” Act for the 2008 Farm Bill, and has continued to highlight policies that can help family farmers. For the 2013 Farm Bill, they produced a comprehensive package of priorities to promote equity in the food system (NFFC, 2013).

A group of activists and supporters, including representatives from NFFC, many of its member organizations and other allied organizations, formed a Working Group on the Food Crisis in 2008, as food prices rose rapidly and large numbers of people around the world were forced into hunger or food insecurity. The group included a few people who had worked on the International Assessment of Agricultural Knowledge, Science and Technology for Development, and had many contacts with activists in other countries. The group organized a daylong meeting in Washington, DC, in 2009 to discuss action steps, and decided to establish a US Food Sovereignty Alliance. We developed a call to action and a Coordinating Committee to carry the work forward. The US Food Sovereignty Alliance organized a session at the US Social Forum in 2010 in Detroit, and continued to meet on an annual basis. At present, it is organized into four working groups: Land & Resource Grabs, Immigrant Rights & Trade, Defense of Mother Earth and Racism & Leadership. LVC has made a commitment to strengthen its work in North America, and there are big questions about the best ways to mobilize US activists around specific issues. One of the current emphases is tracking TIAA-CREF investments in land grabs (Ozer, Personal Communication). Both the original Food Crisis group and the US Food Sovereignty Alliance operate listservs and share information with subscribers on issues and needs for action.

Although the people participating in these projects may not call their work food sovereignty, there are many points of intersection between the work of food justice and food sovereignty advocates. Christina Schiavoni (2009) of WhyHunger in New York City, one of the people and organizations most active in US food sovereignty, compared the efforts of urban farmers in New York City with what she had seen and participated in during the food sovereignty meeting in Mali in 2007. Other ongoing food justice work rooted in individual communities has strong connections with food sovereignty (For example, see Alkon and Mares, 2012, for descriptions of West Coast work.)

Many members of the Working Group on the Food Crisis, the US Food Sovereignty Alliance and food justice organizations were active members of the Community Food Security Coalition and served on its Board. We worked together in the International Links Committee, formed to raise awareness of how US actions hurt community food security prospects of people in other countries and to learn from international organizations. The annual conferences were important places to see each other regularly, hold workshops about US agricultural and trade policy, and host international visitors. The International Links Committee initiated a US Food

Sovereignty Prize in 2009, partly as a counterweight to the much-publicized World Food Prize. We accepted nominations each year and recognized the winner(s) and honorable mentions at the annual CFSC conference. With the demise of the Community Food Security Coalition in 2012, the US Food Sovereignty Alliance is carrying on the Food Sovereignty Prize. This year, they awarded it to the Group of 4, Dessalines Brigade/Via Campesina, working in Haiti and South America. Honorable mentions were awarded to Basque Country Peasants' Solidarity (EHNE), the Coordination of Peasant Organizations (CNOP) in Mali, and Tamil Nadu Women's Collective (TNWC) in India (US Food Sovereignty Alliance, 2013).

Interaction with producers, activists and scholar-activists in other countries has been extremely important to US-based food sovereignty advocates. NFFC has sponsored multiple exchanges of farmers between the US and Africa or Latin America, and the International Links Committee of CFSC brought international guests to each annual conference. The Food Sovereignty conference in Rome November 13-17, 2009, in conjunction with the 2009 World Summit on Food Security at the FAO, was an inspiring global gathering of producers, activists and others from around the world. Caucuses of women, youth, indigenous peoples and a working group on alliances met; and several parallel sessions explored the themes of who decides about food policies, who controls food-producing resources, how food is produced and who has and needs access to food. Several international and domestic conferences related to food sovereignty are held each year, supported by foundations, activist organizations and ecumenical organizations. They help to keep US food sovereignty work aligned with international efforts.

Food sovereignty in Maine – Case Study

Food sovereignty has become a lightning rod in the state of Maine, with several towns passing Local Food & Community Self-Governance or “food sovereignty” ordinances. Sedgwick, Maine, was the first town to pass such an ordinance, on March 5, 2011. It drew on Maine's state Constitution's Home Rule provisions for authority. The core language of the ordinance asserted:

We the People of Sedgwick have the right to produce, process, sell, purchase and consume local foods thus promoting self-reliance, the preservation of family farms, and local food traditions. We recognize that family farms, sustainable agricultural practices, and food processing by individuals, families and non-corporate entities offers stability to our rural way of life by enhancing the economic, environmental, and social wealth of our community. . . . We hold that federal and state regulations impede local food production and constitute a usurpation of our citizens' right to food of their choice.

Seven other towns have approved similar ordinances since then (O'Brien, 2013); and similar town-level resolutions have been passed in Barre City, Vermont; Santa Cruz, California; and Sandisfield, Massachusetts (Sourcewatch, 2012).

The sparking incident for this flurry of food sovereignty bills was the implementation of new food safety regulations in Maine. To protect small-scale growers and help more farmers sell poultry, the state had passed a law that allowed small-scale poultry producers who sold less than \$1,000 per year to slaughter the birds on their farms instead of taking them to a slaughterhouse. But when state regulators wrote up rules for how home slaughtering would work, it was apparent that the necessary facilities would cost a farmer \$30,000 to \$50,000 to put in place (Godoy, 2013; O'Brien, 2013). This was clearly infeasible for small-scale producers who were already struggling financially.

Several state bills that would have supported the local food ordinances were introduced in 2011, two sponsored by a State Representative from the county where most of the town ordinances were passed. LD 366 was a "raw milk bill [that] would have obviated licensing for the direct sale from farmer to consumer and protected small operations from overly burdensome rules recently imposed at the bureaucratic level." The state Agriculture, Conservation and Forestry Committee rejected it on May 11. LD 330, "An Act To Exempt Farm Food Products and Homemade Food Offered for Sale or for Consumption at Certain Events from Certain Licensing Requirements," died in committee on April 7, 2011 (Sourcewatch, 2012). Other bills introduced in 2011 focused on home-prepared foods for sale, refinement of the definition of a farm stand, and a resolution to study and streamline the laws governing small slaughterhouses (Mack, 2011). Of these, only the final one was approved; but the governor did not sign it.

Although these bills did not all pass, in June 2011 both the State House and the State Senate adopted HP 1176, a "Joint Resolution Expressing the Sentiment of the Legislature for Food Sovereignty" (Maine Legislature, n.d.; Sourcewatch, 2012) in support of the local ordinances. The state resolution declared that "the basis of human sustenance rests on the ability of all people to save seed and grow, process, consume and exchange food and farm products," and that the State legislative bodies *oppose* "any federal statute, law or regulation that attempts to threaten our basic human right to save seed and grow, process, consume and exchange food and farm products within the State of Maine."

The town food sovereignty ordinances have already been tested. On November 9th, 2011, Dan Brown, the owner of Gravelwood Farm in Blue Hill, was served notice that he was being sued by the state of Maine and its Agricultural Commissioner Walter Whitcomb. Brown's "crime" was selling food and milk without state licenses, specifically selling raw (unpasteurized) milk. Prior

to a 2009 rule change, farmers could sell unlicensed raw milk in Maine, as long as they didn't advertise; and Blue Hill had passed a Local Food and Community Self-Governance Ordinance on April 4 of that year. Brown milks one cow and sells the milk that is left after his and his family's needs are filled. There are no reported illnesses among his customers.

The state's lawsuit against Brown claimed that, "on July 26, 2011, an inspector from the Department [of Agriculture] . . . took samples of milk, cottage cheese and butter from the farm stand for laboratory testing" and that the samples "were tested by the Maine Milk Quality Laboratory and were found to be in violation of the standard for milk and milk products under the Department's rules." But Brown claimed that he was not informed of the test at the time the sample was taken, nor of its results until he received the notice of the lawsuit (Sourcewatch, 2012).

In testifying before the Agriculture, Conservation and Forestry Committee shortly before the Court's ruling in April, 2013, Brown explained his argument for selling unlicensed food directly to consumers (O'Brien, 2013):

The food system is not what we remember...I can't just sell my milk to my neighbor anymore. What's local? Face to face. You can't buy my product without coming to see me, whether it's at my farm, at the farmstand or at the farmer's market. Accountability? If I make the lobsterman down the road sick, I ain't gotta' worry about the police. He's gonna take a baseball bat to my head. That's accountability.

Hancock County Superior Court ruled against Brown and levied a \$1,000 fine against him for selling unlicensed, unlabeled raw milk and operating a food establishment without a license. He is appealing the Court decision, with the help of the Farm-to-Consumer Legal Defense Fund (O'Brien, 2013). Efforts to promote food sovereignty at the state level continue: LD 475, "An Act to Increase Food Sovereignty in Local Communities, was introduced to the Committee on Agriculture, Conservation and Forestry in 2013. It stated in part that "nothing in state law shall be construed as pre-empting [sic] the right of local government to regulate food systems via local ordinance." The bill received a 10-2 vote of "ought not to pass" (Moretto, 2013) and a 93-49 vote of "ought not to pass" in the full House of Representatives on May 15, 2013.

The Maine case raises many questions. Why is Maine at the front of this struggle to assert local control over the power of the State to regulate food? And do all farmers in the state favor the food sovereignty ordinances? The answer to the second question is a definite no; many farmers have gone on record as fearing that a publicized food contamination event could hurt all farmers in the state, even if only a few are trying to exempt themselves from state regulations. For example, Eric Rector of the Maine Cheese Guild stated during a hearing at the

State House: "If Maine's reputation for making high-quality cheese were harmed, that would adversely affect an entire industry that has been growing steadily over the past 10 years" (O'Brien, 2013). Some state lawmakers raised fears that if Maine relaxed its food regulations by allowing farmers and consumers to by-pass State law, then federal food-safety authorities might step up their scrutiny; presumably, producers would be better off dealing with state than federal inspectors (Godoy, 2013). The co-Chair of the Agriculture, Conservation and Forestry Committee stated, "If we let small farmers bypass the state, then the feds would come in and they would be in charge. You take something like raw milk— if the feds came in, we'd probably be out of the raw milk business" (O'Brien, 2013).

Maine's peculiar politics may help explain why food sovereignty ordinances have been so popular in the state. There are more "independent" voters in Maine than those who claim to be either Democrat or Republican (37% independent, 32% Democrat, 28% Republican); and the state often splits the party holding the governorship and Congressional seats (Richardson, 2012). Maine Senators and House Representatives have a reputation of crossing party lines in their votes.

Maine is a state with ample support for local food and this surely also helps to explain the success of food sovereignty ordinances. In a recent ranking of support for local food, Maine ranked second in the nation after Vermont, based on the number of farmers' markets, community-supported agriculture businesses (CSAs) and food hubs (Strolling of the Heifers, 2013). The Common Ground Country Fair organized by Maine Organic Farming and Gardening Association (MOFGA) attracts about 60,000 people each year. While MOFGA is the largest non-governmental organization in the state supporting local food and farming, it is joined by a number of other strong organizations such as the Eat Local Foods Coalition.

Resistance to regulations imposed by the government appeals to Maine's libertarian and conservative elements, as well as to those on the left side of the political spectrum who support local farmers and want regulations that threaten to put them out of business to be eased. During the last legislative session, Governor LePage (a Republican who ran for office with strong Tea Party support) was sympathetic to food sovereignty ordinances and allowed some regulations on small poultry producers and face-to-face sales of locally prepared foods to be relaxed. However, he vetoed a bill to allow small producers to sell unlicensed raw milk under certain conditions, citing concerns about a provision in the bill allowing the sale of raw milk at farmers' markets. In mid-August of 2013, one member of Maine's Republican National Committee, six state committee members and six registered Republicans collectively resigned from the GOP and called the governor's raw milk veto "the straw that broke the camel's back." In their resignation letter, the group wrote: "We want our God-given rights to buy, sell and

consume what we want protected by the law—not restricted by FDA or USDA directives" (O'Brien, 2013).

One of food sovereignty's strengths is that it can reach across political and other divisions to garner support. Yet the Maine case seems to be pitting farmer against farmer: even farmers selling raw milk and organic food are on opposite sides of the food sovereignty ordinances. Some farmers report that they do not feel comfortable speaking out, even if they have concerns. Joan Gibson, a cattle farmer and raw milk producer in Levant who operates the 200-year-old Milky Way Farm with her husband, is trying to mobilize other dairy farmers against the ordinances. She wrote to them in an e-mail: "Bullying, irrationality, lack of democratic principles, disregard for the law, disregard for public safety and disregard for legitimate businesses and long and well-standing farmers in our local Maine communities is [sic] the modus operandi of these folks [i.e., people supporting the food sovereignty ordinances]" (Moretto, 2013).

Other farmers have concerns about consumer safety: Clare Derosiers of Sunnyside Family Farm in Linneus raises, slaughters and sells all-natural chicken throughout the state. She says, "It is dangerous to assume small farmers and custom meat processors are more trustworthy than the average person...Licensing and annual inspection provide a measure of accountability that helps to ensure food processors provide food that is safe for consumers" (Moretto, 2013). Many supporters of local food rules feel safe in purchasing local products because of the relationship they have with the farmers. They know the people who grow or make the food, and they say that local farmers will go out of business quickly if they sell food that makes customers sick. Joan Gibson has little patience with that view: "That's ignorant. Food safety isn't about what a great relationship you have with your farmer. It's about biology" (Moretto, 2013).

Limits to the conceptualization of food sovereignty in the US

The term "food sovereignty" has become identified in Maine with efforts to bypass food safety laws that especially hurt small-scale farmers, and it is being used as an explicit label for only part of the ongoing work of changing the food system in the US. But there are many other actions across the country to support local food systems, farmers' rights, and some of the other principles of food sovereignty, particularly under the name of food justice. The scope and impact of the work differs from city to city, state to state.

The search for more direct connections with food and farmers is a reaction to the growing literal and metaphorical distancing between production and consumption in industrialized countries, where a smaller and smaller proportion of the population is engaged in food production, processing and meal preparation. It is a clear expression of the "ontology of

connectedness” that Nick Rose (2012) puts at the heart of food sovereignty. These values are common in many social justice movements; for example, Martin Luther King spoke of the “inescapable network of mutuality” when he said that “injustice anywhere is a threat to justice everywhere” (King, 1963).

While many people have tried to close this distance through measures such as buying directly from farmers and fishermen, many others have enjoyed—through low prices for food and the externalization of environmental and social costs—oblivion to the consequences of their purchasing and political choices. When workers and farmers are largely invisible to consumer, it is easy for marketers to externalize food system costs onto marginalized people, future generations, the environment or other countries.

Neoliberalism, and the pall it has cast over creativity in designing and practicing other economic possibilities, are responsible for many of the issues described in the section above on the contrast between the current US food system and food sovereignty. In this mindset, “market solutions” are all that matter and the efficacy and feasibility of public policy solutions are discounted in meeting food system challenges (Alkon and Mares, 2012; Jarosz, 2011). In compensation for such a limited scope of options, the public gets the sops of “consumer choice” and “cheap food”. Both of these have become perceived entitlements in the US, manipulated by various groups to block progressive legislation.

A downside of the elevation of “consumer choice” is that consumers may view buying fresh, locally grown produce as an expression of choice (for better food) rather than a civic duty to support a fair economy through buying direct from farmers or fishermen at fair prices. If buying foods at fair prices is no more than a choice, consumers can easily make other choices when circumstances change (such as farmers needing to charge a higher price in drought years or because they use labor-intensive practices rather than agrochemicals). Interest in healthy food is ubiquitous, not limited to “elites” (Monsivais et al., 2012); but willingness to pay more for healthy food or locally grown food doesn’t necessarily follow.

Food is cheaper in the US than in any other industrialized country as a proportion of average household income (ERS, 2013b), although the proportion a household spends on food rises with decreasing income level (Bureau of Labor Statistics, 2012). The “cheap food” expectation clashes with the need to provide fair prices (above costs of operation) to farmers. The clamor for affordable prices exists in an environment in which agribusiness is being heavily subsidized, and farmers are paying invisible subsidies to agribusiness and consumers (Wilson, 2013). In addition, the minimum wage is insufficient to raise a household above the poverty threshold, federal food assistance at its best is too low to cover the cost of a healthy diet and the amount of funding allocated to federal food assistance is under harsh attack. Unemployment remains

high in the US, despite assertions that the recession is over. In essence, cheap food prevents massive civil unrest during a time that the US has absconded from its responsibilities to ensure the right to food, the right to work and the right to fair compensation for work.

Food sovereignty stresses that human rights are at the core of solutions to the industrialized and globalized food system, not “market solutions”. Several authors have recognized the central role of human rights in food sovereignty and attempts to transform the US food system (Anderson, 2008; Patel, 2009; Alkon and Mares, 2012). A big challenge to building on human rights is US failure to recognize most economic, social and cultural rights. Neoliberals claim that they are provided through “the market”, yet this is an obvious instance of market failure.

The US government is obligated to respect, protect and fulfill the right to adequate food and nutrition for all even though there is no formal recognition of this right; accepting these obligations would fundamentally change the US food system and government’s role (Anderson, 2013). There is no widely accepted right to food produced through sustainable production methods; but the right to health could be extended to cover many of the instances in which the industrialized food system that food sovereignty rejects undermines healthy environments.

Neoliberals hold that improving one’s well-being and caring for one’s family are “personal responsibilities”, a convenient adage that allows the State to eschew responsibility for systemic problems that are far beyond the ability of individuals to solve. This is playing out in the most mean-spirited way possible in the US now, as Congress has sought to cut funding for the federal food assistance program, thus stripping millions of children and others from the rolls. The underlying conservative premise is that the State is not responsible for caring for people who are unfortunate or poor; misfortune is the fault of the victim and not of a recession, widespread unemployment and a torn safety net.

Other major barriers to understanding and accepting food sovereignty in the US have been discussed at length elsewhere. Chief among them are the co-optation of the democratic process by corporations and wealthy private interests, such as the Koch brothers, and co-optation of the free press. With high unemployment and a low minimum wage, many people are too busy or exhausted to engage in political action. Growing domestic militarization also threatens democracy: the Occupy Movement of 2012 that protested inequity was soon scuttled through police intervention and new policies to ban overnight gatherings on public property, orchestrated by the Homeland Security Department.

On the other hand, the rise of social media and increasing use of communications technology allows greater awareness of violations of human rights and helps people to mobilize against aggression. The number of non-governmental organizations has been increasing steadily over the last two decades; the US has about 1.5 million non-governmental organizations at present

(US Department of State, 2012). These are distributed across the political arena, of course: some are actively working against the principles that food sovereignty espouses.

Additional food sovereignty claims in the US: Benefits to producers AND consumers

The ability to sell directly to one's customers without State oversight or interference has become synonyms for food sovereignty in Maine and a few other states (Gumpert, 2013). However, there are several additional claims congruent with food sovereignty's principles that could be equally powerful and perhaps less divisive. Given the tensions in the US food system and pervasiveness of the neoliberal mindset described above, measures that move beyond market-based solutions, reaching into public policy and opening up the "solution space" to more creative options, and measures that serve both farmers and marginalized consumers are especially needed. In addition, food sovereignty initiatives that have good potential to serve as bridges with other social movements are vital to increase public support.

I suggest seven areas for potential food sovereignty work that would serve both producers and consumers and open up engagement with other movements in the US. These are listed roughly in order of difficulty, although each step would require confronting powerful actors who are benefiting from the status quo. Not surprisingly, they also move up the scale of leverage points or "places to intervene in a system" for long-term impact that Donella Meadows identified (Meadows, 2008). They begin with changes in rules and regulations, move into information exchanges, and end—at the most difficult yet most impactful level—with measures that require real shifts in core values.

- 1) Guarantee access to land and the resources (including training) needed to produce food for anyone who wants to grow food for his or her household, and provide low-cost access for anyone who wants to grow food to sell (with the cost proportional to income gained from production). This would provide an easy entry path for young farmers to get into farming, and put unused prime agricultural land into production. To some extent, towns are doing this already in public-access community gardens; but food sovereignty would require extending access beyond small urban plots to allow people to grow as much as they want to grow. It is possible that only a small fraction of the total population would take advantage of this access; but it would be mean at least some guaranteed food for those willing to work for it.
- 2) Set up public markets in favorable locations that link marginalized producers and marginalized consumers, such as the example of the West Oakland Farmers Market in Alkon and Mares (2012). Such markets could be subsidized to help provide income to farmers and healthy food to poor or otherwise disadvantaged customers.

- They might attract support from the healthcare industry for helping to reduce the incidence of diet-related diseases.
- 3) Prevent advertising of food with low nutrient quality, especially to children. Advertising budgets swamp the amount that the US invests in nutrition and health education now; and while adults can learn how to evaluate truth claims in advertising, children are quite vulnerable. Unhealthy eating patterns that are established at a young age are pernicious and lead to serious health consequences later in life. Regulating food advertisements would give farmers more equal access to customers, in addition to helping consumers to choose food based on their health qualities rather than advertising glitz.
 - 4) Provide widely accessible information on the true cost of food, internalizing the social and environmental costs incurred in production, processing and distribution that are now externalized. This would include labeling whether foods contain genetically modified ingredients and giving customers a way to find out how food was produced. Like #3 above, this would create a more level playing field between farmers and food manufacturers and allow people to choose the food they want to eat with full knowledge and without coercion.
 - 5) Better document and remove perverse subsidies that support the industrialized food system.
 - 6) Show respect for farm and food processing workers, comparable to the respect accorded to other skilled workers, by encouraging immigration of those willing to work into regions needing labor, with a guarantee of livable wages and guaranteed decent working conditions. This system would need to be monitored by workers themselves, with no fear of reprisal from supervisors.
 - 7) Create forums that build in an integrated way from the community to the national level to encourage full democratic participation in food system decision-making. These might extend current food policy councils, but would require that priority be given in each instance to facilitating participation of people who tend to be marginalized in the political process.

Are these suggestions impossibly idealistic? Each would take time and work to implement well, but we need to set our sights on bold alternatives to the status quo. Each of these suggestions could be implemented with sufficient political will and each has happened in other times and

places. Would they make food more expensive? Yes, in all probability. But this is where alliances with anti-poverty, living wage, labor and affordable healthcare/housing/education etc. campaigns are essential. People in the US spend only 6.6% of average annual income on food, according to the current estimates from the Department of Agriculture; so this is a place where people with discretionary income can afford to pay more. People without sufficient income to afford an adequate diet need to be subsidized by the State, not by farmers.

Consumers' rights and consumers' responsibilities

For every right there is a corresponding responsibility. For recognized human rights, the US bears the primary obligation to respect, protect and fulfill each. But other entities have obligations as well; for example, corporations also must respect and protect human rights, and under extraterritorial obligations, actions of the US must not countermand human rights in other countries.

What are consumers' responsibilities? I argue that consumer support for food sovereignty is a responsibility in the public interest. It is critical in industrialized countries to gain sufficient political leverage to enact food sovereignty laws and overturn regulations that act to its detriment in international as well as domestic policy. Consumer support for food sovereignty includes not only solidarity with developing country producers and consumers, but also political participation to increase justice in the US food system including fair wages for food providers and the eradication of health inequities caused by poverty and unequal access to healthy food.

Another obligation of consumers in the US is to work toward sustainable consumption, since the US consumes more resources per capita than any other country (Friends of the Earth, 2009). Social peace connects sustainable consumption with food sovereignty as a two-way principle. Food sovereignty advocates commit to work for peace; but peace cannot be achieved under conditions of gross inequity, such as when some people are starving and some are overfed. Social peace is obviously in the *public* interest of every country, although private transnational and national military industries benefit from warfare. Peace is impossible unless the US reduces its overconsumption of resources that are needed to allow others to simply survive. Much US military intervention is motivated by the desire to gain control over resources (especially petroleum), premised on the belief that there is not enough to go around. Yet fair distribution of existing resources could provide everyone on the planet with a decent quality of life.

Sustainable consumption, or suggestions that the US should reduce its share of global consumption by using less, using resources more efficiently, recycling more or self-provisioning what we need, is not at all popular in the US. But the choice is to continue denying the need to

move toward greater sustainability, or to have it forced on us when other countries reach the limit of what they are willing to tolerate.

Food sovereignty was originally developed by and for people who suffer from receiving less of the world's goods and services than their fair share, which may explain why sustainable consumption is not part of its principles. Ensuring that every person has enough—especially food, energy and water to meet basic needs for subsistence—requires that those of us with too much and the economic power to command more than our fair share cut back on our consumption levels of non-renewable resources, stop polluting resources beyond their ability to absorb waste, and stop using renewable resources beyond their capacity to regenerate.

Conclusion: A globally food sovereign future?

What is the future of food sovereignty in the US? Will it become a broad social movement that gains political leverage? This will only be possible only if farmers and those concerned with farm and trade policy form alliances with social movements addressing poverty, affordable healthcare, environmental degradation and labor rights. Farmers are too small a proportion of the US population now to sway public opinion, and the voices of those who claim to speak for farmers yet have little resonance with small-scale family farmers (such as lobbyists for the American Farm Bureau Federation and national commodity organizations) are too loud and well financed to allow the voices of small-scale family farmers to be heard.

Public participation in farm, food and trade policy is essential to avoid harm to vulnerable people in other countries and to US public interests in peace, equity, health and democracy. Yet how can the public interest be heard, when private money has such a stranglehold on US government processes? Food policy councils at the municipal, state and regional scales may be the best places to start building public participation. Perhaps they can work with other NGOs and socially aware citizens, in the same way that small streams flow into larger rivers and eventually gain the power to sweep away giant hurdles. So we must overcome the barriers to food justice and sovereignty through a US “people’s food policy”. Platforms that have been developed by progressive food and farming organizations can serve as the base, but the policy must reflect a wider span of interests and gain much broader visibility than any single progressive platform has now.

The levels of inequity that now exist in the US are unprecedented, and they create an unstable and unsustainable society. The practices of the industrialized food system are similarly unsustainable; it is not possible to continue degrading and wasting resources on a finite planet. Our options are to transform this unsustainable system soon, or stand by while those who benefit from business as usual amass even more power. Meanwhile, the dominant food system may collapse from its own contradictions and lack of resilience; but this is not a safe

assumption. Those who hold food system power now will fight with increasing ruthlessness to keep it. Food sovereignty shows a pathway to real transformation that can result in a food system that serves everyone, not only those who hold current power.

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FOOD SOVEREIGNTY: A CRITICAL DIALOGUE INTERNATIONAL CONFERENCE PAPER SERIES

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A fundamentally contested concept, food sovereignty has — as a political project and campaign, an alternative, a social movement, and an analytical framework — barged into global agrarian discourse over the last two decades. Since then, it has inspired and mobilized diverse publics: workers, scholars and public intellectuals, farmers and peasant movements, NGOs and human rights activists in the North and global South. The term has become a challenging subject for social science research, and has been interpreted and reinterpreted in a variety of ways by various groups and individuals. Indeed, it is a concept that is broadly defined as the right of peoples to democratically control or determine the shape of their food system, and to produce sufficient and healthy food in culturally appropriate and ecologically sustainable ways in and near their territory. As such it spans issues such as food politics, agroecology, land reform, biofuels, genetically modified organisms (GMOs), urban gardening, the patenting of life forms, labor migration, the feeding of volatile cities, ecological sustainability, and subsistence rights.

Sponsored by the [Program in Agrarian Studies at Yale University](#) and the [Journal of Peasant Studies](#), and co-organized by [Food First](#), [Initiatives in Critical Agrarian Studies \(ICAS\)](#) and the [International Institute of Social Studies \(ISS\)](#) in The Hague, as well as the Amsterdam-based [Transnational Institute \(TNI\)](#), the conference “Food Sovereignty: A Critical Dialogue” will be held at Yale University on September 14–15, 2013. The event will bring together leading scholars and political activists who are advocates of and sympathetic to the idea of food sovereignty, as well as those who are skeptical to the concept of food sovereignty to foster a critical and productive dialogue on the issue. The purpose of the meeting is to examine what food sovereignty might mean, how it might be variously construed, and what policies (e.g. of land use, commodity policy, and food subsidies) it implies. Moreover, such a dialogue aims at exploring whether the subject of food sovereignty has an “intellectual future” in critical agrarian studies and, if so, on what terms.

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