



Vol 6, #3

Winter 2015

Justice Rising

Grassroots Solutions to Corporate Rule

Local Rules for Local Food

Communities Hold On To Food, Tradition & Democracy

Americans have sensed that corporate America may be poisoning them, a revolution is underway.

David E. Gumpert,
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In Maine and beyond, groups are breaking capitalism's rules.

Raj Patel, Page 8

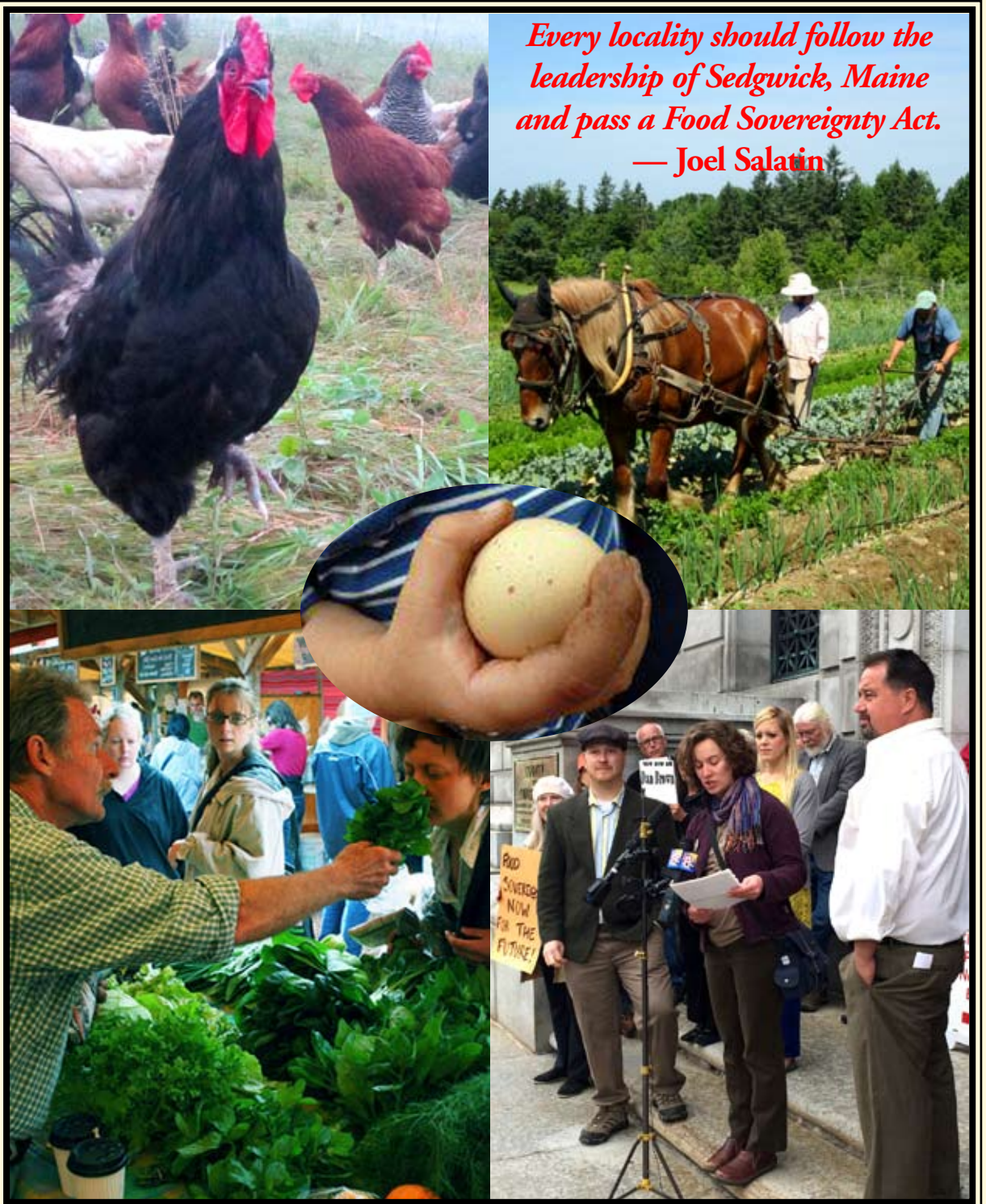
I helped write the ordinance because I believed in the farmers who were seeking solutions in my community.

Larissa Reznick,
Page 9

It takes an entire community to feed an entire community.

Craig Hickman, Page 14

A Publication of
Alliance for
Democracy



Every locality should follow the leadership of Sedgwick, Maine and pass a Food Sovereignty Act.
— Joel Salatin

"The issue is not the issues; the issue is the system." — Ronnie Dugger



Alliance for Democracy (AfD). Since 1996, AfD has focused on liberating our cultural, economic and political systems from domination by trans-national corporations and the wealthy 1%. Working with our members and chapters, and in alliance with like-minded groups, AfD is building a strong national peoples' movement to end corporate rule and develop positive alternatives.

AfD's Four Major Campaigns



Corporate Globalization/Positive Alternatives. We are campaigning to stop two trade agreements - the Trans-Pacific Partnership (TPP) and the US/EU Trade and Investment Partnership (TTIP/TAFTA) that would extend corporate/financial rule to much of the world and further trample local democracy. Building local resistance through TPP/TTIP Free Zones is key, as is stopping "fast track" approval by Congress.



Public Banking. We must also end the stranglehold which Wall Street has on small businesses, our homes, and our communities. Public banks create public money for the public good. AfD is supporting local and state campaigns to create public banks.



Community Rights Not Corporate Rights/Local Food Ordinances. To promote community rights, not corporate rights, AfD is supporting the local movement of resistance to the federal/state regulatory system which serves the interests of corporate agriculture and harms local farmers. This resistance includes local laws to protect local farmers and their customers.



Defending Water for Life. Water is a fundamental right for people and nature, not to be commodified or privatized for corporate profit. AfD supports local community resistance, including rights-based law. We are also campaigning against the proposed East-West Super Corridor in Maine, which could be used for the commercial export of water.

AfD Provides Resources for Active and Concerned Citizens

AfD's Media Programs Go National. Populist Dialogues, the Portland Chapter's cable TV program, and Corporations & Democracy, the Mendocino Chapter's radio program, feature lively interviews on critical issues you won't hear on corporate-owned TV and radio. They are available at www.PopulistDialogues.org and <http://afdradio.org>



AfD Website. To keep current with these campaigns, to bring AfD's media programs to your community, and to find organizing resources, make the Alliance website—www.thealliancefordemocracy.org—one of your favorites.



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Local Rules for Local Food

By Jim Tarbell

Small farmers have long formed the backbone of popular democracy. The Diggers displayed this fact 350 years ago during the English Civil War when they planted vegetables on privatized commons declaring to the agribusiness elites of their day that “we are resolved to be cheated no longer, nor be held under the slavish fear of you no longer, seing [*sic*] the Earth was made for us.”

Small farmers in Western Massachusetts began the American Revolution by throwing the British authorities out of their towns, months before Lexington and Concord. Then these same farmers rose up as Shay's Rebellion when monied interests usurped the American Revolution. They instituted a long debate in American politics — who decides, an elite aristocracy or the common people?

Yeoman farmers spread American democracy across the continent over the next century. Then, after the Civil War, when the robber barons of the corporate railroad and industrial trusts used their money to commandeer American economics and politics, small farmers rose up in protest again.

Using a series of institutions beginning with the Grange and moving on to the Farmers' Alliances and finally the People's Party, farmers coalesced into the Populist Movement. Forming the largest organized stance against money power in American history, they instituted regulations to countermand the power of the railroad corporations. Then, in an attempt to redesign the oppressive financial system of the New York Banks and their middlemen, Populists suggested a whole new currency system based on the value of a farmer's crops. They elected governors and congressmen, and their 1892 Presidential candidate received over a million votes.

As Populist power threatened to instill a democracy in America that would look after the common good rather than corporate profits, Wall Street bankers and their industrial allies literally bought our democracy. Led by Rockefeller's friend and Wall Street speculator Mark Hanna, who inaugurated big corporate money in politics by collecting \$3.5 million from his Wall Street cohorts, monied interests outspent their popular competition 5 to 1 in the presidential election of 1896. That effort instituted a campaign finance model that still dominates our politics today.

Over the last hundred

years small farming communities have been destroyed by this political system. They have seen predatory agribusiness co-opt the regulatory system and use it to put small farmers out of business.

Once again, however, small farmers are fighting back. This issue of Justice Rising tells their story. It is based on the experiences of courageous small farmers in Maine whose survival is threatened by corporate-driven regulations. In response to this threat, these farmers developed the Local Food and Community Self-Governance Ordinance (see pages 18-19) that rejects corporate use of the regulatory system as a mechanism to put small farmers out of business. They eschew the corporate-controlled regulatory system and instead promote a system that depends upon the farmer/customer relationship.

Their enthusiasm and creative approach to subverting corporate power caught the attention of the global food sovereignty movement and globally-known activists like Raj Patel and farmer Joel Salatin rallied behind their effort. Their wisdom as well as that of engaged academics, allied legislators and the inspiring farmers of Maine all contribute to making this a *Justice Rising* you will want to read.

They highlight the ethos and rationale behind this new food movement, which aims to: regain democratic participation and “voice” in our political system; promote the survival of small-scale farming; institute scale-appropriate rules around food production; build community resilience; strengthen local economies; and expand personal freedom of choice about food.

Heather Retberg and Bonnie Preston spent hundreds of hours putting this issue together. We thank them for their spectacular effort.

This new food movement aims to regain democratic participation and “voice” in our political system.

Then & Now

Maine Ag Commissioner Walt Whitcomb says the current food sovereignty activists remind him of earlier radical farmers' movements, saying, “I think the difference now is that it's consumers and farmers fighting together to benefit consumers and farmers.... Consumers want better local food and farmers want enough income to survive. The whole idea of eliminating the middle man, that's kind of age-old.”



photo: Migrantjustice.net

Can Local Food Survive America's Food Oligarchs?

By David E. Gumpert

At first glance, the United States appears to have a safe and well regulated food supply. After all, we think we can go into any supermarket or other food store, confident that the food we buy won't make us immediately ill.

Yet the US Centers for Disease Control says 48 million people get sick from food-borne illness each year, and that the incidence of auto-immune and other chronic conditions like asthma and diabetes, perhaps caused by agribusiness practices, are spreading at epidemic levels.

How do we explain these contradictions? Imagine these examples:

- Imagine if chicken were our most dangerous food for transmitting food poisoning, and that nearly all the chickens distributed through supermarkets were tainted with pathogens like campylobacter and salmonella. Surely public health authorities would do something to force the corporate chicken producers to clean up their act, wouldn't they?
- Or imagine if the more widely we sprayed a pesticide on genetically-modified crops like soy and corn, the higher the incidence of children born with autism. Surely we would seek to get to the bottom of this ominous correlation, wouldn't we?
- Or imagine if we had an epidemic of a serious auto-immune disease like asthma — with 10% or more of the nation's children afflicted — and we found, through large-scale European research on more than 20,000 children, that pure unpasteurized cow's milk could significantly reduce asthma's incidence. Surely we would launch a research effort to learn more about milk's benefits, wouldn't we?

It turns out that none of these scenarios is imaginary. American chicken has been repeatedly shown to be badly tainted. GMO crops are being sprayed with Monsanto's Roundup, whose primary ingredient, glyphosate, has shown in its sales growth close correlations with the rising rates of autism. On the raw milk scenario, it turns out there has been in-depth research strongly suggesting, that there is a "protective effect of raw milk consumption on asthma."

There have been no official actions of substance to counter these disturbing trends. In fact, it's quite the contrary. Not only does tainted chicken still flood our supermarkets every day, but it's much the same on the GMO-Roundup-glyphosate front. As for follow-up research on raw milk's potential for countering our asthma epidemic, there is nothing in the works because no serious researchers will even propose such research, for

fear they will be black-balled from receiving research funds of any kind.

It's not as if the public health authorities haven't taken action against food producers.

But they have acted in a strange way. They have gone after small food producers who sell chickens *without* pathogens, or milk that is *unpasteurized*.

What's going on? The top 20 food processors, which are also the biggest American corporate food brands, are almost all oligopolies — where a very few companies control an entire industry. The meat business is controlled by four companies. The dairy business is essentially controlled by one corporation — Dean Foods. Similarly, the cereal business is controlled by only three corporations, and the beverage business by two — Coke and Pepsi.

As Americans have sensed that corporate America may be poisoning them, a revolution is under way, with growing numbers of people migrating from factory food to healthy food. The shifts in people's food habits is having an effect. A number of food oligarchs are experiencing financial setbacks.

To accomplish real change, though, we need to break the oligarchs. That will require serious actions on the part of consumers, including not only a willingness by people to sacrifice convenience, but also a willingness by more people to participate in the politics of food.

It may sound crazy in this age of seemingly all-powerful food oligarchs, but we can transition to community-based food. We need to spread the word, educate more and more people, and be willing to make the commitment. It's a huge task, but the end result is certainly a worthy goal.

David E. Gumpert is a writer specializing in the politics and business of food. He is author, most recently, of Life, Liberty and the Pursuit of Food Rights. His blog is www.thecompletepatient.com



It may sound crazy in this age of seemingly all-powerful food oligarchs, but we can transition to community-based food.



photo: tcdailypianet.net

Outsourcing

The ultimate outsourcing is the outsourcing of decision making. Right now, the average piece of farmland is being governed by people who will never set foot on it or see the ramifications of their decisions. They don't ever have to see it, smell it, or live with it. — Joel Salatin

Small Farmers Fight Corporate-Driven Regulations

By Jim Tarbell

Corporate power threatened the livelihood of small farmers on many levels in the late 1800s, leading small farmers to initiate the drive to create our federal regulatory system. Now, 120 years later, corporate executives and their lobbyists have captured control of state and federal regulatory agencies and are writing rules that make it prohibitive for small farmers to operate at all.

All of the citizen-based pro-democracy groups that have risen to fight corporate power in the last 20 years, including the Alliance for Democracy, Move to Amend and the Community Environmental Legal Defense Fund, identify our corporate-captured regulatory system as a key element of corporate power.

Giant agribusiness presents a crystal clear example of how corporations corrupt the regulatory system. Since 1990, they have contributed over \$750 million to elect federal politicians friendly to Big Ag. Much of this went to congressional members sitting on the Senate and House Agriculture Committees that oversee the regulatory agencies. In 2014, agribusiness gave over \$8 million to members of the House Agriculture Committee, double the next largest group of donors. On the Senate side, Food and Ag were far and away the biggest campaign donor to Senator Pat Roberts, the new chairman of the Agriculture Committee, giving him a whopping \$662,560.

In 2013, Big Ag spent \$150 million on lobbying regulatory agencies and Congress. According to the Center for Responsive Politics (CRP), agriculture services and food processing corporations, "have steadily increased lobbying expenditures during the last few years as Congress has considered new food safety regulations and disclosure requirements that would affect their products." CRP also points out that agribusiness gave lucrative jobs to 771 former public servants, who mainly worked for the agencies regulating corporate agriculture or the House and Senate Agriculture Committees. Agribusiness has made our federal government the major training institution for agribusiness lobbyists.

Corporate agriculture's most reliable mechanism for capturing regulatory agencies, however, is their ability to place their executives and lobbyists into top positions at the regulatory agencies. Monsanto has revolved 15 of its executives and consultants into major federal policy-making positions, including Michael Taylor who has worked in many agribusiness and federal regulatory positions including a stint as the administrator of the US Department of Agriculture Food Safety and Inspection Service.

Food safety policies have been one of the access points Big Ag uses to stop small farmers from taking away agribusiness market share. Agribusiness does this by instituting huge cost barriers that stop small producers of agricultural products from entering the industry. The regulatory stance against small raw milk producers was initially championed by John Sheehan, the director of the Food and Drug Administration's division of Plant and Dairy Food Safety. At one point, Sheehan told a legislative hearing in Maryland that "raw milk should not be consumed by anyone, at any time, for any reason."

David E. Gumpert had to file a Freedom of Information Act request to find out that Sheehan came to the FDA directly from the dairy industry's Leprino Foods, which spent \$300,000 on lobbyists in 2013, and has been a substantial contributor to political campaigns.

Big Ag's campaign to stop consumers from drinking raw milk produced by small farmers is taking on a movement that Sally Fallon, of the Weston A. Price Foundation, says includes "about 500,000 Americans—about 5 percent of milk drinkers," and she adds "the number is growing exponentially." Mark McAfee, the Executive Director of the Raw Milk Institute, points out that "pasteurized 'white milk' sales dropped by an astounding 4.3% nationally. This is a very real indicator of market collapse and dollar voting by consumers."

This helps explain the regulatory aggression against small dairies like Dan Brown's. He became the state of Maine's test case against the Local Food and Community Self-Governance Ordinance (LFCSGO, see pages 18-19). After the first three towns passed the LFCSGO, Ag Commissioner Whitcomb determined to "do something about those food sovereignty farms." Just four months later, the state of Maine initiated a lawsuit against Brown for selling his farm products without a license. The case made its way to Maine's Supreme Court, which ruled against Brown, yet avoided pre-emption of the LFCSGO.

After 100 years, corporate power has turned the regulatory structure envisioned by small farmers to control corporations, into a corporate weapon putting small farmers out of business. But, small farmers are fighting back. We can help by demanding our rights to eat the food we want, and by shifting from centralized, corporate rule-making to local rules.



graphic: Matt Wuerker

Giant agribusiness presents a crystal clear example of how corporations corrupt the regulatory system.



John Sheehan, former executive of Leprino Foods and subsequent director of the FDA's division of Plant and Dairy Food Safety.

photo: David E. Gumpert

The Food Safety Modernization Act

By Ryan Parker

This law will shutter many small farms by preventing them from entering the marketplace, not because they are the problem, but because compliance will be too expensive for them.

The Food Safety Modernization Act (FSMA), signed into law on January 4, 2011, is nearing completion of the rule making process and will soon be fully enacted. While the nation's food system does need a serious safety overhaul, the FSMA will fall drastically short in achieving this goal. This is not hyperbole from a critic but government projection.

Of the 48 million people the Centers for Disease Control (CDC) says are annually sickened by food, 128,000 are hospitalized and 3,000 die. According to Food and Drug Administration (FDA) estimates, implementation of FSMA will lead to only 1.75 million fewer people becoming infected by food pathogens. The FDA estimates the cost to achieve this 3.6 percent reduction at \$1.6 billion dollars.

More importantly, the agency also acknowledges that implementation of this law will shutter many small farms by preventing them from entering the marketplace, not because they are the problem, but because compliance will be too expensive for them. While shuttering so many small businesses will have profound economic repercussions in countless communities, the greatest cost will be,

ironically but predictably, loss of food safety.

The CDC's Food Outbreak Online Database shows that food borne illnesses do not come from the small farmers, but from the processors, packers and very large farms that can afford to implement the changes called for. On top of this, the World Health Organization reports in "Terrorist Threat to Food" that agribusiness' centralized control and production increases the likelihood of contamination affecting greater numbers of people.

The FDA also claims it will be using a "science based" approach to food safety. But the

FDA Says

"There is no absolute right to consume or feed children any particular food."

"There is no 'deeply rooted' historical tradition of unfettered access to foods of all kinds."

"[The] assertion of a fundamental right to their own bodily and physical health...is unavailing because [consumers] do not have a fundamental right to obtain any food they wish."

agency's science previously determined that feeding ground up cow parts to cows was safe, but that practice led to Mad Cow Disease. And politics at the FDA often bury science, as with its approval of rBGH and GMOs.

Further, the language of the proposed rules on the safe handling of produce is filled with terminology that belies the agency's use of the word "science." FDA proposes that the safety of water be "adequate." Adequate is subjective, not scientific. What is "adequate" to one person may be inadequate to another. The 46.25 million people still annually sickened by food will probably judge whatever the agency decides is "adequate" to be otherwise.

The hopes of the FSMA are pinned to what has been voluntary Good Agricultural Practices (GAP). Now the FDA plans to make these practices mandatory rather than voluntary.

The problem with using the GAPs as the center of the FSMA was made glaringly obvious nearly two years after FSMA was signed into law. In late November 2012, Wegmans Food Markets Inc. recalled organic spinach and spring mix due to an outbreak of E. coli O157-H7. The CDC reported 33 people in five northeastern states were infected, nearly half of them hospitalized and two suffering kidney failure. The greens in question were sourced from State Garden Inc., which is required by Wegmans to meet GAP specifications. But obviously the GAP was not adequate.

Compliance with GAP is overseen by the Department of Agriculture's Specialty Crops Inspection (SCI) Division. According to the agency's website, in 2011 the SCI performed 3,000 audits across 46 states and Canada. It is extremely troubling that, with all these audits, there are still 48 million illnesses. Who decided what constitutes Good Agricultural Practices? The FDA in consultation with the food industry.

The FSMA will ensure that the science, politics and history of the FDA will replace the safe vegetables and fruit from your local farmer as an honored guest at your table.

Ryan Parker is a former staff member of the United States House of Representatives. Currently, he writes in Central Maine where he and his family own and operate Parker Family Farm, a diversified, micro-scale endeavor.



graphic: Farmageddon

“Free” Trade Agreements, Small Farms, and America’s Eaters

By Bonnie Preston

The so-called “Free” Trade Agreements — NAFTA and its children — including the up-coming Trans-Pacific Partnership (TPP) and Transatlantic Trade and Investment Partnership (TTIP) are not about trade. Devon Peña, who blogs at Food First, calls them “Free [to exploit] trade treaties.” In broad terms, they are a plan to establish corporate sovereignty, giving the largest multi-national corporations (MNCs) the power to run the world. They are already more powerful than most governments, and wealthy enough to buy the US government.

One of the most critical aspects of these agreements, and one of the biggest challenges to local and national sovereignty, is the imposition of intellectual property rights by MNCs. Leaked documents have shown that requirements under the TPP can lead to MNCs patenting life itself. It already includes patents on seeds, including Monsanto’s GMO seeds. Under terms of TTIP, Europe could be forced to allow GMO seeds into Europe, if Monsanto sues them. If the TTIP comes into force, laws requiring labeling of GMOs or banning GMO use could be outlawed in the US.

One of the most devastating enforcement mechanisms of these agreements is investor-state-relations, which gives a corporation the right to sue a government for “future lost profit.” Think about that for a moment. Isn’t a basic premise of capitalism the idea that investors are taking risks? Capitalism provides no guarantee of profit.

So, if any country involved in the TPP, tries to protect its indigenous life forms and some multi-national corporation decides that this protection impinges on their future profits, India could find itself in a punishing law suit that is decided by a secret tribunal of trade lawyers.

At the same time, these trade regimes are a license for MNCs to exploit people and nature. This happened after NAFTA came into force in January 1994. In only a few years, millions of Mexican peasant farmers were forced off their land as US subsidized products flooded into their country and sold for less than local foods. These farmers found work at sub-poverty wages, in the maquiladoras along the border, or on a corporate-owned farm in Mexico or the United States. This destruction of farmers’ lives is being repeated around the world on a massive scale.

Those of us who eat (do you eat?) are also exploited. Trade agreements have decreased the

safety and health value of food, and this will only get worse as more countries fall under the sway of free trade. This is a two-way street. Some US policies seriously compromise our health and will be forced on other countries, while lack of food safety in other countries will threaten us. Unhealthful industrial food will become even more dominant everywhere.

The massive agribusiness operations that rule farming are devastating the environment, and they are strengthened by current trade principles. Fred Kirschenmann has said that we must farm in harmony with nature, a law of nature that industrial agriculture violates. Results include dead soils, which do nothing but hold up plants instead of nourishing them — and therefore us — and dead zones in the ocean, which kill massive quantities of sea life.

Numerous reports over the last decade have shown that only small-scale, diversified, closed loop farming can feed the world as the population grows. Using all waste products from a farm (closed loop farming) creates healthy soil without any outside inputs. A focus on small, local farms feeding their communities will cut the greenhouse gas emissions of industrial agriculture. It will put people to work in a productive way, and enrich local economies. It is a win/win/win that current trade policies, with the strengthened rights and greater reach coming with new trade agreements, will short-circuit. We cannot let that happen.

Bonnie Preston is the AfD representative on the board of the Maine Fair Trade Campaign.

Biopiracy (is) biological theft; illegal collection of indigenous plants by corporations who patent them for their own use

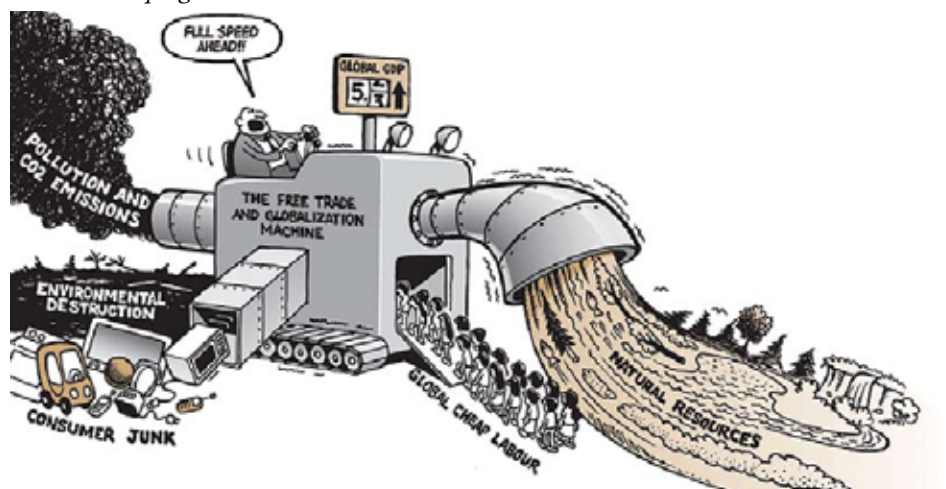
— Vandana Shiva



Trade regimes are a license for multi-national corporations to exploit people and nature.

Strength

Trade increases the wealth and glory of a country; but its real strength and stamina are to be looked for among the cultivators of the land. — William Pitt



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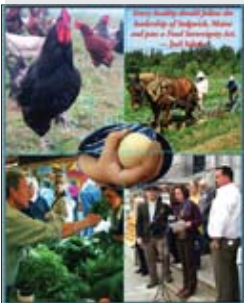
JUSTICE RISING is a publication of **the Alliance for Democracy**, whose mission is to end the domination of our politics, our economics, the environment, and our culture by large corporations. The Alliance seeks to establish true economic and political democracy and to create a just society with a sustainable, equitable economy.

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The cover, clockwise from the top left: Quills End Farm Maine rooster, photo by Heather Retberg; Horsepower Farm Maine, photo by Donna Birdsall; ; Heather Retberg addresses the press in front of Maine Supreme Court, with Portland City Councilor David Marshall,

left and Dan Brown right, photo by David E. Gumpert; and farmer John Hay in Matakana, New Zealand, photo by Phil Walter, Getty Images.

Good Faith Innovation

By Bonnie Preston and Heather Retberg



Let's turn our local governments into what Justice Louis Brandeis famously termed "laboratories of democracy" that act as innovators to create good public policy. With some 15,000 towns and 3,000 counties across the country, we have an important opportunity to create a great number of such laboratories.

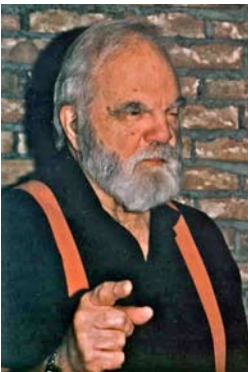
Maine is one of the strongest home rule states in the nation making us a natural 'laboratory' for policy innovation. Legal scholar Paul Diller calls the reasonable attempt of towns to solve a problem "good faith policy innovation." He lists a wide variety of other issues that began locally and either spread outward to other cities and towns, or upward to other levels of state/federal government. These "good faith experiments" include: smoking bans in restaurants, living wage laws, workers' rights, public campaign finance, trans fat regulation, and affordable housing among others. Without the possibility of local policy experimentation, these policies might never have been tried.

We had a lot to learn, and so will you. Find the dusty tools of local governance in your own state, polish them off, and—USE them.

- **Participate.** First you must know your rights. Familiarize yourself with your state constitution and its bill of rights. Most states drew from the Declaration of Independence for a related clause in all our states' constitutions about the inalienable right of the people to self-governance. Maine's is called Power is Inherent in the People (see pages 18-19). New Hampshire's related clause is called The Right to Revolution. Imagine acting on these rights secured for us by another generation. These clauses are a clarion call to engage in our democracy!
- **Learn.** Find out if your state is a home rule state. It may be in your constitution or in statute or both. In Maine, this statute is called "Ordinance Power." Read Paul Diller's article, "Intrastate Preemption," in the *Boston University Law Review*. That will help you understand how strong your home rule law is, and provide the historical context for it. Read your state's laws on agriculture, and co-operative agreements between your state agriculture department and the USDA, FDA, corporations, or any private parties. Read history. The grange movement laid out a powerful framework to take up.
- **Organize.** Dare to dream about food and political systems that embrace innovation and experimentation. Share what you are learning about your state's constitution, home rule, relevant laws and your local structure of governance with others who want to protect the traditional ways we exchange food.

Go Local—with food and policy innovation! Embrace the experiment of democracy!

JR Dedicated to Al Krebs, 1932-2007



Albert Valentine Krebs, Jr., founding member of AfD and long-time AfD Council member, affectionately known as "Al," would have been thrilled to write for this issue of *Justice Rising* on local food, and proud to support the dissemination of the Local Food and Community Self-Governance Ordinance (see pages 18-19). Throughout an almost 50-year-long career as an investigative journalist and historian of corporate agribusiness, Al was a

tireless advocate for the family farmer and rural communities.

His profession was journalism, but the "passion of his life was family farm agriculture." In 1992, when Al published *The Corporate Reapers: The Book on Agribusiness*, Merle Hansen, then with the

North American Farm Alliance, said that to many it became the "bible"...it was "the magnum opus on the history of exploitative corporate agribusiness and established him as the intellectual and activist genius of the family farmer advocacy movement."

Al put it this way once in his on-line periodical *AgBiz Tiller*, "Whereas family farming/peasant agriculture has traditionally sought to nurture and care for the land; corporate agribusiness, exclusive by nature, seeks to "mine" the land, solely interested in monetizing its natural wealth and thus measure efficiency by its profits, by pride in its "bottom line." Family farmers, meanwhile, see efficiency in terms of respecting, caring and contributing to the overall health and well-being of the land, the environment, the communities and the nations in which they live."



graphics: Community Rights Coalition of Jefferson County WA



photo: Michael Johnson Geneseo NY

Home Rule is Local Power

By Bonnie Preston

In the Local Food and Community Self-Governance Ordinance (see pages 18-19), Maine's Home Rule laws and Maine's law on the establishment of the Department of Agriculture, Food, and Rural Resources are both cited for authority. We have always been convinced that these laws meant that the ordinance is actually more supportive of Maine law than the new regulations are.

After the state sued Dan Brown as a test case of the ordinance, we heard from a 2014 doctoral candidate from the University of Maine School of Law that he was working on an article for the *Maine Law Review* about the case. We met him and talked with him in February, 2013 at the Food Law Colloquium. When his article appeared, it repeated, in great depth, the arguments we had made, and concluded that the State could have found in favor of the defendant on the basis of home rule.

We also met Associate Professor of Law at Willamette University College of Law, Paul A. Diller at the Food Law Colloquium. Professor Diller has written frequently about home rule, and is a supporter of home rule because it allows municipalities to be laboratories of inno-

vation. States are often seen this way, but Diller has tracked many areas of law in which local laws have diffused from one municipality to others before percolating up to state and federal levels. This was his focus at the Colloquium. It gave us great hope. Not being lawyers, however, it did take a while to gather the courage to read some of his articles, and then re-read them to more fully understand them. We were greatly rewarded, particularly by his article in the *Boston University Law Review*, "Intrastate Preemption." In it, he detailed a history of home rule in the United States.

Maine's Home Rule laws came in the second wave of home rule, which occurred in the 1950s and '60s. These new laws gave towns the right to exercise any power or function not denied to them either expressly or implicitly. Courts may still decide on preemption, and Diller believes the best test for them to use is the doctrine of "substantial interference." Diller points to Maine's ordinance power as an example of the use of substantial interference. The law states, in part, that "the legislature shall not be held to have implicitly denied any power granted to municipalities... unless the...ordinance in question would frustrate the purpose of state law."

The Maine law establishing the Department of Agriculture, Food, and Rural Resources (DAFRR), in 1979, states that "the survival of the family farm is of special concern to the people of the State, and the ability of the family farm to prosper, while producing an abundance of high quality food and fiber, deserves a place of high priority in the determination of public policy. For this purpose there is established the [DAFRR]."

Clearly, the local food ordinance does not frustrate the purpose of state law. Nor has a court in Maine pre-empted it. Maine's Home Rule laws are being trumped by a regulatory system favoring industrial food production. Diller postulates that good local laws will move first from town to town, then move up to the state level, and finally to the federal level. This is systemic change, and as we change the system, it will come to a place where it does work to support small, local farms and traditional foodways.

This is systemic change, and as we change the system, it will come to a place where it does work to support small, local farms and traditional foodways.

Maine Home Rule

§3001. Ordinance power

Any municipality, by the adoption, amendment or repeal of ordinances or bylaws, may exercise any power or function which the Legislature has power to confer upon it, which is not denied either expressly or by clear implication, and exercise any power or function granted to the municipality by the Constitution of Maine, general law or charter.

1. Liberal construction. This section, being necessary for the welfare of the municipalities and their inhabitants, shall be liberally construed to effect its purposes. 2. Presumption of authority. There is a rebuttable presumption that any ordinance enacted under this section is a valid exercise of a municipality's home rule authority. 3. Standard of preemption. The Legislature shall not be held to have implicitly denied any power granted to municipalities under this section unless the municipal ordinance in question would frustrate the purpose of any state law.



photo: nofracking way.us

Rule Breaking

By Raj Patel

These are skills that you'll need not just when the government imposes Draconian laws. They're skills that help you fight the Draconian laws that are already on the books.

There's a story about Yale anthropology professor James C. Scott that I've retold often. In this story, the professor has a ritual. Every fall, he addresses his freshman class of anthropology students, explaining to them that, "the world is changing. It's becoming more unjust, more unequal, more corrupt. You might be able to pinch your noses and live in this mire for now, but there will come a time when a rule is laid down that you cannot abide. Something will happen that strikes to your moral core."

"My worry, ladies and gentlemen," James Scott continues, "is that when that rule is written, you won't know how to break it. You will have become so complacent, so inured, so used to doing what you're told, so used to swallowing your bile that, when the time comes, you'll be powerless to stop a world that has come to rule you." The class is hushed.

"My advice to you," the professor continues, "is simple: every day, break a rule. Cross the road where you shouldn't. Plant something where it doesn't belong. Take from the rich and give to the poor. Do something to keep yourself sharp. These are skills that you'll need not just when the government imposes Draconian laws. They're skills that help you fight the Draconian laws that are already on the books."



It was only a small disappointment that, when I was able finally to meet Jim Scott, he told me the story wasn't true. Well, even if he doesn't say it to his students, I've said it to mine. And they seem to understand the force of the call to break rules.

Rule-breaking isn't just a clever way to prepare for some future counter-insurgency, some sort of psychological survivalist calisthenics. The most potent parts of breaking rules are these: they're a way to take a step back and see how many decisions are already made for us, how many rules we follow without thinking and, ultimately, a gateway to imagining what our social rules might look like.



photo: pixgood.com

We live in a capitalist society. To imagine something different, think about the cardinal institutions of capitalism: private property, finance, the state, the gendered division of labor.

See? It's hard to think about all that. The ideas are technical and abstract. They still govern much of what we imagine to be possible in the world today, to be sure. But it's hard to imagine a world beyond them because it's hard to see the rules that keep them ticking. It's only in their breach that we see what these institutions look like, in silhouette, lit by a different world behind them.

Yet in Maine and beyond, groups are breaking capitalism's rules in ways that make it easy for people to see: Abolishing corporate personhood; defying the Food Safety Modernization Act; socially controlling flows of investment funds; collectively governing; managing resources in common; reinventing family and work in the home. These are all ways of piercing the veil that late capitalism drapes between us and our imagination of a better world. These are examples of justice rising. And they're worth breaking rules in order to see.

Raj Patel regularly writes for The Guardian, and has contributed to the Financial Times, NYTimes.com, and The Observer. His first book was Stuffed and Starved: The Hidden Battle for the World Food System and his latest, The Value of Nothing, is a New York Times bestseller.

Agriculture Commissioner, Walter Whitcomb

"It's clear that Whitcomb has sympathy for local producers who want to buck state-licensing requirements — at one point, he half-jokingly suggests that the state offer a grant so all can comply, rather than waste much larger sums of money on lawyers' fees." — Deirdre Fulton in *The Portland Phoenix* reporting on the state of Maine's response to the LFCSGO in a "test case" lawsuit brought against Blue Hill farmer Dan Brown. — Commissioner Whitcomb was listed as a plaintiff in the 2011 suit against Brown (ed.).

Fighting for Food Freedom

By Larissa Reznick

I marched against climate change at the United Nations Climate Change Conference in 2005. I was studying environmental planning and outraged by the injustices our society was doing against the environment. I also volunteered at a local farm, helped start an organic garden at my college and co-ran a student-led food cooperative. I quickly made the connection that the greatest act I could make against climate change — and towards creating a more just world — was to choose to put food on my plate that was sustainably grown, by people I knew, on fields that I could walk.

When my classmates headed to big cities, I moved to a small agricultural community on the coast of Maine with the vision of a life where I could know my farmers (if not be one myself one day), and have the choice to eat the kind of food that I wanted to eat — food that came straight from the field and pasture, without chemicals or preservatives or pasteurization of any sort: Whole foods; Real foods; Foods that would never see a supermarket or travel miles to my plate; Foods that didn't require an ingredient list or nutrition labels; Foods that I believed, and still believe, deeply nourish my family and me.

It took only a few short months to know many of the local farmers and realize that the freedom of choice, when it comes to the food we eat, is not a given right. In many states, we are not free to buy a chicken raised and slaughtered by a friend in their backyard or consume fresh cheese from milk that has not first been pasteurized (never mind drinking the milk raw). New food safety laws, in particular, are

crippling small-scale farmers. And many of the rules being developed make it harder and harder for the farmers I had come to rely on, to continue farming.

They taught me that our food system is snarled with rules and regulations and laws that favor corporate food giants and agricultural systems over family farms and sustainable farming methods. Even in a community far, far away from the mainstream, no farmer was immune from these regulations.

I helped pen the local food ordinance not because I thought that every farmer I knew was farming in a way that was improving rather than depleting the land, or because I trusted the quality of all the local products that made it to market. The very fact that I didn't think that all food was equal was at the core of my desire to support the farmers I had come to know and admire. I helped write the ordinance because I believed in the farmers who were seeking solutions in my community; I wanted to be part of a movement that advocated for our freedom to choose what foods we put into our bodies and to support a way of life and families that weren't just talking about a better future, but working tirelessly towards it every day. I wanted to have a choice about what was on my plate.

Surely, the ordinance we wrote was not for every town or community; it was written for and supported by the community we lived in with a vision of the community we wanted to cultivate and sustain. But it was a start—a small uprising. And now, more than ever, we need a groundswell of consumers demanding a better food system and farmers willing to fight for it.

Larissa Reznick lives in Orford, New Hampshire. She has a masters degree in environmental planning with a focus on local food systems and has worked with farmers and food producers for the past eight years in an effort to create a more sustainable future. She was the principal researcher and composer of the LFCSGO (see pages 18-19).



Dan Brown and Sprocket, bought from Maine dairy farmer Walter Whitcomb. When Walter Whitcomb became Maine State Commissioner of Agriculture, he sued Dan Brown for selling Sprocket's milk without a license. In June of 2011, an inspector's report of his visit with Brown at a pop-up farmers' market in Blue Hill was passed up the chain of command resulting in the answer, "Sounds like we have our first test case [for the LFCSGO]." By November 2011, the lawsuit against Brown was filed.

I quickly made the connection that the greatest act I could make against climate change — and towards creating a more just world — was to choose to put food on my plate that was sustainably grown, by people I knew, on fields that I could walk.

Food Imperialism

It comes down to autonomous personhood. If I don't have the freedom to feed my three-trillion-member internal community of microbes in the manner I choose, then the infringement of other rights, such as freedom of the press and freedom of religion, can't be far behind.

It is important that small farmers be able to reach people who want to practice personal autonomy, because the regulatory climate is marginalizing, demonizing, and criminalizing much of this heritage-based, indigenous type of food production.

Today we view the farm as a production unit, responsible only for sending raw materials across the globe for processing, often to be disseminated back to within a few miles of the farm. I call it "economic apartheid." It's colonialism. As the processing has moved off the farms, the farms have become the new colonies.

— Joel Salatin



Substantial Change and the State

The Evolution of Community Self-Governance of

"Those who write the rules are those that profit from the status quo. If we want to change that status quo, we might have to write rules that are available to us have been structured precisely to make sure we don't make substantial change."

By Heather Retberg

One rainy November day in 2009, an inspector came down our driveway and threatened to eliminate the better part of our livelihood with a pencil. A combination of rule changes on poultry and an internal agency review on milk policy would take away more than half of our farming income unless we could comply, taking on a debt load that made little sense for the income generated from our dairy and chicken enterprises.

The inspector advised that we should "gather our people," go to Augusta, and weigh in on the rule-making for a new poultry exemption law. On that cold and dismal day, I didn't think I had any people to gather. I had never been to our state capitol. I couldn't imagine speaking out loud in front of a legislative committee. If we were to continue, however, it became important to find my voice and "gather my people." I wrote to our customers. I called our friend, the director of Food for Maine's Future. He sent my letter through the organization's network. It led to a public outcry. Over 50 people came during Christmas week to testify about slaughter rules for poultry. This had hit a nerve.

Despite the thoughtful testimony that followed, the state's response was that they must make rules "equal to or greater than" the United States Department of Agriculture (USDA) rules or risk losing federal funding for Maine's meat inspection program. The existing regulatory structure, with money attached, made the voice of the people ineffectual.

This experience in our State House pointed us toward the local level of government. In Maine, we still have a bona fide annual town meeting where town residents vote on local matters that affect our health, safety and welfare. Maine statute and our state constitution grant our towns the authority to pass ordinances that deal with matters "local in nature." Local food raised in our town is certainly "local in nature," as Maine statute requires, and certainly affects our health, safety and welfare. Together



Rally in front of Blue Hill Town Hall calling on the State of Maine to drop the laws against farmer Dan Brown. photo: [unclear]

with a small, but committed group, the Local Food and Community Self-Governance Ordinance was drafted.

Community organizing led to national networking that led to alignment with a global food sovereignty movement. This led to a new understanding that smallholder, peasant, and family farmers all over the world shared a common analysis of and struggle against the industrial, globalized, corporate-controlled food system. Attending a conference on food sovereignty, I nearly jumped out of my seat when Basque Country farmer Paul Nicholson spoke of farmers' response in his country to the corporate food system. We had come to the same conclusions! He spoke of food sovereignty as the farmers' proposal to society, that it was dynamic, that it was always bottom up. It was a proposal that puts people who eat and people who grow food at the heart of decision-making policy about food, instead of corporate agribusiness.

Because of our experiences in our state legislature, a whole system of corporate/government collusion in rule-making was made visible to us. As we shared our experiences and what we were learning about the structures of governance, many more voices joined ours in our common proposal. It started jumping town lines — our "proposal to society" resonated. It took us from our tiny towns of Sedgwick, Penobscot and Blue Hill that first spring of 2011, across



Ben Retberg milking his cow, Paula

photo: Greg Asbed

atus Quo: Food

ve to work outside of those rules because the legal pathways
— Tim DeChristopher



quit against
Peter Robbins

Maine in the following years as more towns adopted the LFCSGO (see pages 18-19).

We began accepting invitations to share our efforts with people all over Maine, and beyond. People from as far away as Pennsylvania, California, Utah, Arizona, Virginia, New Mexico and Texas called to learn more. Eventually, our proposal to society was included in a global forum at the Yale Food Sovereignty Conference in 2013 and at the first Food Freedom Fest in Virginia in 2014. The support for our work grew nationally to organizations like the National Family Farm Coalition, The Greenhorns, Family Farm Defenders, Why Hunger in NYC, and the Farm to Consumer Legal Defense Fund.

Our proposal to society started moving up as well. In 2012's legislative session, there were two bills put forward that mirrored the ordinance in content. By 2014, there were close to half a dozen bills that aimed to create or preserve a legal space for small-scale farmers and their customers to continue to exchange food directly and determine the parameters for those exchanges.

In the LFCSGO, we have asserted that the communities in which we live have the authority to define ourselves and protect our traditional ways of exchanging food and knowledge. We have acted under home rule in our state law, which provides that town ordinances shall be "liberally construed to affect their purposes." Our message keeps spreading out. As our farming practices return, necessarily,

to decentralized production, so too must the decision-making about that food. Local Rules for Local Food!

Heather Retberg owns and operates Quill's End Farm together with her husband Phil and their three children, Alexander, Benjamin and Carolyn. Quill's End is a 100 acre, grass-based farm founded on ecological principles of stewardship of land and animals. Heather home-schools the children and is the campaign organizer for the continuing work of Local Food RULES, the organization formed to promote the passage of the Local Food and Community Self-Governance Ordinance.



photo: Kyle Chick



Mass pig burial as South Koreans fight disaster caused by their Industrial agricultural system

photo: kbmaeil.com

LFCSGO Brings Family to Penobscot

By Andy Felger

In August of 2010, our son was born in Korea, and when he was 6 months old, our young family decided it was time to move back to the US. We were on the lookout for someplace beautiful, clean, affordable and safe to raise a family, where we could produce pottery and have a small farm to feed ourselves and our neighbors. We started to look around the Blue Hill Peninsula in Maine

As we were looking for a place in the US, foot-and-mouth disease was sweeping Asia. The South Korean government killed masses of animals, including 1.4 million pigs — many buried alive — in an effort to stop the spread of this deadly disease. Simultaneously, Korea was dealing with H5N1 bird flu. Millions and millions of chickens and ducks were culled in South Korea over the years of 2007-2010 to stop the spread of bird flu. Government workers rolled down streets, spraying disinfectant from massive tanker trucks.

Korea's repeated disease outbreaks seemed like a logical result of an industrial agricultural system based on animal confinement. I knew that Korea's modern industrial agricultural system was a post-war import of America's industrial agriculture complex, which continues to forge down the same path: confine animals; sterilize; spray, modify genes if necessary.

This model of industrial agriculture, with a toxic soup of abiotic soil and synthetic chemicals, was the opposite of what we wanted when we decided to put down roots in Maine's strong organic farming community.

In the spring of 2011 we chose a small, tight house in Penobscot that faced the sun and had a masonry wood heater. On March 11, 2011 the citizens of Penobscot became one of the first to pass the Local Foods and Community Self-Governance Ordinance. This forward-thinking town decided it was time to take back control of food safety and on-farm processing. They asserted the right to produce, process, sell, purchase and consume local foods; to promote self-reliance; preserve local traditions; and asserted their inherent right to self-governance. This was our kind of community.



Andy Felger gives his son Tobyn a close look at safe, small-scale animal husbandry in Maine

Legislative Irrationality

By Ralph Chapman

As a research scientist, I am comfortable with data analysis, logical processes, and reasoned conclusions. As a state legislator, I have had to learn the nature of human decision making and of irrationality in public policy making. Contrary to my prior belief that decisions are made intellectually, I now understand that most decisions are made emotionally and then rationalized. Further, citizen involvement may encourage more rational behavior amongst policy makers.

My good fortune is that the district I represent is home to many independent-minded, thoughtful, capable activists, several of whom brought the Local Food and Community Self-Governance Ordinance (LFCSGO, see pages 18-19) to the Selectmen in my town for inclusion on the ballot at town meeting. The ordinance they

brought forth is now local law in about a dozen Maine towns.

A concern about the ordinance, expressed often at discussions and public hearings, is the relationship of this local law to state or federal law, and whether it is better to have state or federal legislation rather than local legislation create the intended outcome of supporting local food producers' and food consumers' ability to interact directly without cumbersome regulation.

Prior to becoming a legislator, I spoke to this issue at a public hearing by pointing out that it is appropriate to work towards improvements in our communities at all levels, that the matter would be introduced at the state level in the coming term, and that a leading show of support at the local level would make it more likely to achieve support at the state level.

What I did not sense at the time was the empowering importance of citizens exercising control of their own lives by exercising the mechanisms of policy making through local government. Nor had I any experience with the clash of the state constitutional right of home rule with the often assumed hierarchical legal structure giving supremacy to federal and state laws over local laws.



During the last term, more than a half dozen state-level legislative initiatives to help mirror the intent of the LFCSGO, failed. Despite overwhelming majority support in towns across Maine, and hours-long testimony with great public turnout in favor of protecting the direct exchange of food, progress at the state level was thwarted. Interference came from all angles: departmental bureaucrats, committee chairs, the Governor, party leaders, and some licensed food producers.

Although others' intent can never be known, it seems implausible that the stated reasons for opposition to the proposed legislation tells the whole story. Food safety was often cited but no risk information was ever discussed. Fears of federal retribution due to the terms of cooperative agreements between the state and federal agencies are hard to reconcile since those terms were not produced through a public process and are largely unknown. In the case of one of the Governor-vetoed bills, the Governor stated his support a few hours prior to his veto.

Curiously, many policy makers talk of their interest in stimulating the state's economy, attracting young people to the state, and reducing bureaucratic barriers to businesses. Allowing local communities to assert their right to allow food producers to sell directly to the end consumer advances all of the above goals. Overcoming the disconnect between goals and actual policy-making behavior will require further communication and education. Perhaps the strength of locally-led initiatives is that small groups of people are able to monitor and maintain the rationality of their processes.

Two separate, but parallel strategies are suggested by my observations: first we need an infusion of citizen involvement in the policy making processes at the state level. Secondly, we need a continuation and expansion of legislative initiatives at the local level. Both types of activity can be empowering for those who engage, and both may be able to facilitate positive change.

Representative Ralph Chapman, Maine House District 133, represents Blue Hill, Brooklin, Brooksville, Castine, Sedgwick, and Surry.

Political Intrigue

In the 2013-14 Maine Legislative session, pressures from the food industry and campaign politics overshadowed good law-making. Both chambers easily passed a bill to allow direct sales of fresh milk with no licensing or inspection requirements. Governor LePage, after calling farmer Heather Retberg to voice his support for the bill, vetoed the bill causing a row in the Republican party and several key members publicly left. But — in his veto letter, the governor said he would introduce his own "raw milk bill" in the next session, one that would leave farmers' markets out of the direct sales provision.

Fast forward to election year 2014 — Governor LePage never introduced such a bill, but Representative Noon did. Everyone was on board this time and testified in favor: The Maine Farm Bureau, members of the Maine Cheese Guild, the Maine Organic Farmers and Gardeners' Association, and the Department of Agriculture, Conservation and Forestry. The Committee worked hard and late until they could recommend its passage. This bill was not, however, to see the governor's desk. Would he anger the dairy industry if he did sign it? And, if he didn't, would his lack of support for small farms and his failure to keep his word become visible to all? The dairy industry went to the state house and threatened to "score" the bill, black marking all who voted in favor. The Farm Bureau changed its tune and lobbied against it. The fix was in. Once the public went home, this bill never stood a chance.

Beyond Speaking Truth Be the Power

By Deborah Koons Garcia

Speaking truth to power is a fine idea, an admirable activity, one that is highly praised in certain segments of society. However, given what's happened to truth and power in the 21st century, speaking truth to power is a fool's errand. Power retains the right to, in the words of Jon Stewart, "make shit up" or, as Stephen Colbert says, indulge in "truthiness." It says something about the state of the world that we go to comedians to make sense of it.

But the difference between true and false and their relationship to power is no laughing matter. These days, people telling the truth about abuses by the Corporate State can be harshly punished. The more power an entity has, the more right that entity claims to not only ignore the truth, but replace it with blatant falsity.

The antidote to this state of affairs is to tell the truth meticulously, to tell the truth about Power in ways that remove power from Power and allows us, the citizens, the people, the individual within an informed collective, to be the power. On our side, we have our sense of community and the Internet, which can reveal what's true and help us consolidate our power as a voice that must be reckoned with.

For the past 15 years, I have concentrated on making films about agriculture, the food system and soil to explain why we need to move away from corporate control of agriculture, including the GMO regime, and move towards more wholesome systems. The local food sovereignty movement is the single most important development in our food system today. The farmers, activists and citizens in Maine passing municipal ordinances to protect their right to grow and sell the food they want is an excellent example of fighting back against the grasp of corporate control. At the very least we need to be able to feed ourselves in a way that strengthens and nourishes our bodies as well as our communities.

My first sortie into the world of food activism was my film *The Future of Food* which came out

People Power

Article I, § 2 of the Maine Constitution: "All power is inherent in the people; all free governments are founded in their authority and instituted for their benefit, [and that] they have therefore an unalienable and indefeasible right to institute government and to alter, reform, or totally change the same when their safety and happiness require it."



graphic: sayitinpics.com/frankenfood

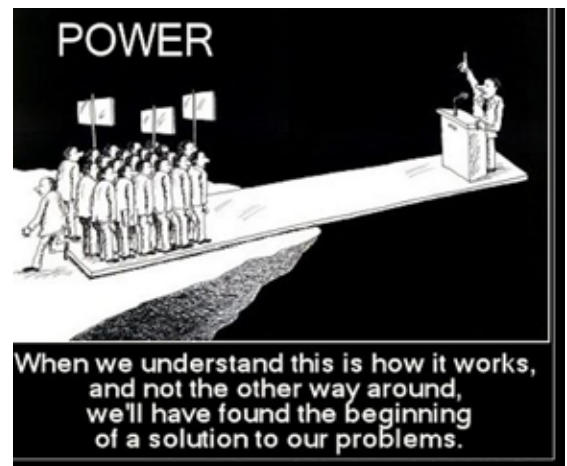
ten years ago. This is the first and most thorough film to present clearly the many problems with the corporate GMO regime: patenting seeds, corporations buying up seed supplies, the release of untested, unlabeled genetically engineered products into our food supply and the massive increase in pesticide use because of GMOs. If someone is looking for an example of blatant falsities on the part of corporations in order to gain control of a whole swath of our lives — what we grow and eat — agricultural genetic engineering is the place to start. The hype surrounding genetically engineered crops has been going full force for nearly 20 years. These companies have spent billions of dollars trying to convince people to accept GMOs and it's really sad for them that most countries on earth are rejecting GMOs and their toxic corporate regime. In this country, millions of people want this stuff out of our fields and food supply for very good reasons.

The regime which is hijacking our food system is also destroying our soil. My latest film, *Symphony of the Soil*, gives people a deep understanding of this miraculous substance and our relationship to it.

Local control and protection of these resources is essential and that happens by gaining political power. We can't let them stop us. The campaigns the people in Maine have taken on and succeeded with are an example that should be followed in every town and city and state in this country. Speak the Truth! Be the power!

Deborah Koons Garcia is a highly acclaimed documentary filmmaker and deeply concerned professional dealing with the global food system.

Local control and protection of these resources is essential and that happens by gaining political power.



graphic: UKIP Daily

Food Is Life

By Craig Hickman

When you read Representative Hickman's story, you will understand why he is so passionate about the issue of food sovereignty as an approach to ending hunger. Mr. Hickman is an organic farmer, operates a fresh food bank and inn, and is an author, artist, chef and a state representative for District 81 in Maine. He has been a relentless advocate for small farmers and farm patrons in the Legislature. In his first term in Maine's House of Representatives, Mr. Hickman submitted LD 475 An Act to Increase Food Sovereignty in Local Communities. LD 475 fell just one vote short of passage in the Senate. He persisted in including the language of food sovereignty, drawn from the LFCSGO (see pages 18-19), in the final version of a bill that merged the Department of Agriculture with Conservation and Forestry.

I couldn't believe how fast the girl devoured it all. It was an image that stuck with me, like good preaching.

A wise man once said, "There's a hunger beyond food that's expressed in food, and that's why feeding is always a kind of miracle."

Back when I was a kid in Milwaukee, Wisconsin, our family struggled to make ends meet. My father worked the first shift at Pabst Blue Ribbon Company in the mail room. A World War II veteran with little education, he was basically the company mailman. My mother held a string of part-time jobs to help put food on the table for their two children. As hard as they both worked, and they worked hard, we needed food stamps in order to survive. Still, my parents made clear in both word and deed that no matter how little we had, someone else had less and we needed to help them however we could.

I will never forget the day a young girl who smelled of dried urine knocked on our door. I was about three or four years old. My father was at work, my sister at school. My mother let the girl in and escorted her to the bathroom where she drew a bath for the girl, who couldn't have been more than 12 years old. After bathing her, my mother gave her a blouse and a pair of pants and sat her down at the kitchen table for a steaming bowl of Cream of



photo: Saad Akhtar

Wheat, bacon and toast. I couldn't believe how fast the girl devoured it all. It was an image that stuck with me, like good preaching. She ate another bowl of cereal and then my mother let her take a nap on the couch. Later, when it was time for her to leave, my mother handed the girl a brown paper bag with a change of clothes and a peanut butter and jelly sandwich inside.

I couldn't count how many girls came knocking on our door over the next months, but they came nonetheless. My mother cared for each of them in almost the exact same way, like ritual. Our home was a stop on an underground railroad for throwaway girls.

It's no surprise, then, that I would turn my current home into a place where anyone, no matter their need, can come at any time, no questions asked, and receive food.

If it takes a village to raise a child, it takes an entire community to feed an entire community.

Craig Hickman's beloved mother, Minnie Juanita Hickman, died as this issue is going to press. He commemorated her passing by saying, "Thank you, Mama, for showing me the miracle of feeding people. I will always love you."

Hunger

"Our real hunger challenge today is to raise incomes and sustain the livelihoods of small-scale food producers, enabling them to feed themselves and local people sustainably. Facing this challenge, the 'food sovereignty' movement has emerged as an incredibly effective alternative to the industrial food system...food sovereignty promotes community-control of resources and access to land for small-scale producers. It prioritizes peoples' ownership of their food policies. Importantly, it demands the right to healthy and culturally appropriate food produced through agroecology — the application of ecological principles to farming. The solution to global hunger is within our grasp, but it requires a fundamental reform of the global food system: a wholesale shift from industrial farming to agroecology and food sovereignty."

— Kirtana Chandrasekaran and Martin Drago



photo: Emma Altman

Extending Justice to the Problem of Hunger

By Frederick Kirschenmann

The popular press regularly features the problem of hunger with a singular question: “How are we going to feed nine billion people by the year 2050?” The implication is that hunger is simply a problem of production and so we need to further intensify our modern system of agriculture to further increase the yields of a few crops that “saved the lives of billions of people” during the past half century.

There are, of course, several important misperceptions with this scenario. First, on a calorie per capita basis we are currently producing enough food to feed ten billion people and yet almost a billion are chronically hungry. Second, while we are producing enough food to feed ten billion people almost 40 percent of it is currently being wasted. Third, in both “developing” countries, like Africa, and “developed” countries, like the United States, there is a direct correlation between hunger and poverty. Furthermore, as de Schutter’s UN report *Agroecology and the Right to Food* points out, the problem of hunger will never be solved apart from people having the ecological resources and information to feed themselves and being “entitled” to such resources.

Of course, ultimately, we also have to pay attention to the “carrying capacity” issue. How many humans can the planet accommodate and still sustain a healthy biotic community in which we can be healthy? In other words, the question of a growing human population cannot be reduced to a simple question of whether or not we can feed everyone, but whether or not the self-renewing capacity of nature can be sustained.

All of this suggests that hunger is at least as much of a question of justice as production. Since

seventy percent of the world’s farmers are women, it is essential that we empower women in their own communities throughout the world so that they are entitled to the resources and information necessary to feed their families. Since food and water are essentials, they should not be allowed to be commoditized and financialized like other commodities. Food and water should be a right guaranteed to every person on the planet.

While this may seem like a daunting task to many of us, numerous recent UN reports, as well as cogent observations by many individuals, have pointed out that we can extend justice to the problem of hunger by investing a relatively small portion of our global wealth in the health and well-being of children, the empowerment of women, and in “social impact bonds” (early education, health care for all, appropriate job training, etc.). As numerous studies have pointed out, we could fund such “justice” issues by diverting a tiny portion of our current military spending to such efforts.

As Wendell Berry has reminded us, single tactic solutions to problems, (like just producing more food) never solves problems because problems are never isolated phenomenon, they are always a “pattern” of problems. Consequently, we have to “solve for pattern.” Extending justice to the problem of hunger is one of the most effective ways of identifying the complex, but interdependent, ways of solving the problem of hunger.

Frederick Kirschenmann is a longtime national and international leader in sustainable agriculture. He is a Distinguished Fellow for the Leopold Center and is President of Stone Barns Center for Food and Agriculture. He also continues to manage his family’s 1,800-acre certified organic farm in south central North Dakota.

We are currently producing enough food to feed ten billion people and yet almost a billion are chronically hungry.

Agroecology

The International Symposium on Agroecology for Food Security and Nutrition was held in Rome, September 18-19, 2014. One of the speakers, Gaetan Vanloqueren, is an agronomist who was an adviser to former U.N. Special Rapporteur on the Right to Food, Olivier de Schutter. He said that, “agroecology includes a set of practices, such as diversifying of species and genetic resources and the recycling of nutrients and organic matter, [but it is also] more than the scientific study of ecology applied to agriculture.... The principles of autonomy, the importance of the combination of traditional knowledge and economic knowledge, the co-construction of solutions by peasant organizations, researchers and citizens are key in defining agroecology.... Agroecology is about social equity and democracy.”



Local Rules for Local Food — Groups —



Local Food Rules (LFR), Food for Maine's Future (FMF), and La Via Campesina (LVC) represent a multi-scale approach to deal with the problems of small farmers. The mission of LFR is to secure and promote the right of community self-governance of food and traditional food exchanges through municipal ordinances and other mechanisms of local governance. LFR formed out of five people who drafted the Local Food and Community Self-Governance Ordinance, and eventually organized into county chapters of Food For Maine's Future. It has now grown a state-wide following in Maine and put together this issue of *Justice Rising*. Get more information at www.localfoodrules.org.

FMF is a statewide organization in Maine that is made up of advocates and activists for small farmers, farm workers and their patrons against corporate-food monopolies. FMF seeks to build a just, sustainable and democratic food system that benefits all Maine farmers, communities and the environment. FMF is part of a growing international movement for food sovereignty and is working to build solidarity and alliances between rural people in Maine and around the world. Get more information at www.foodformainesfuture.net. Their work is informed and strengthened through their relationships with their allies in La Via Campesina.



La Via Campesina is the international movement which brings together millions of peasants, small and medium-size farmers, landless people, women farmers, indigenous people, migrants and agricultural workers from around the world. It defends small-scale, sustainable agriculture as a way to promote social justice and dignity. It strongly opposes corporate-driven agriculture and transnational companies that are destroying people and nature. See www.viacampesina.org/en



The mission of **Family Farm Defenders (FFD)** is to create a farmer-controlled and consumer-oriented food and fiber system, based upon democratically controlled institutions that empower farmers to speak for and respect themselves in their quest for social and economic justice. To this end, FFD supports sustainable agriculture, farm worker rights, animal welfare, consumer safety, fair trade, and food sovereignty. FFD has also worked to create opportunities for farmers to join together in new cooperative marketing endeavors and to bridge the socioeconomic gap that often exists between rural and urban communities. For more information see www.familyfarmers.org



National Family Farm Coalition (NFFC) says US farm and food policy must change in order to reverse the economic devastation currently faced by our nation's family farmers and rural communities. In addition, our international trade policy must recognize each nation's right and responsibility to make their own decisions about how to develop; protect the capacity to grow food; sustain the livelihood of food producers; and feed the people within its own borders. NFFC envisions empowered communities everywhere working together democratically to advance a food and agriculture system that ensures health, justice, and dignity for all. Future generations will thrive when the family farm is an economically viable livelihood supported by environmentally sustainable and socially diverse vibrant rural communities. See <http://nffc.net>

WhyHunger is a leader in building the movement to end hunger and poverty by connecting people to nutritious, affordable food and by supporting grassroots solutions that inspire self-reliance and community empowerment. WhyHunger brings its unique assets and history to building a broad-based social movement to end hunger. Our set of core values rests on the understanding that solutions and innovation are often found in the grassroots. WhyHunger's programs work to support these community-based organizations as they grow and develop. It also brings new ideas and practices to creating a just food system that provides universal access to nutritious and affordable food. See www.whyhunger.org



Farm-to-Consumer Legal Defense Fund®

The objective of the **Farm to Consumer Legal Defense Fund** is to defend the rights of sustainable family farms and artisan food producers to make their products available to consumers in a manner that protects, preserves and enhances the environment and its natural resources. Products covered include, but are not limited to, meat and meat products, poultry, eggs, raw milk and raw milk products, fruits and vegetables, lacto-fermented foods and beverages, prepared foods, and bread and other baked goods sold directly to consumers without a license or permit. See www.farmtoconsumer.org

The Complete Patient's mission is to provide news and analysis about food rights and raw milk. Increasingly, our access to privately available food is under attack by government and industry forces that seek to impose their choices on us. The Complete Patient seeks to provide up-to-date information and encourage the development of community to maintain traditional food acquisition options. See thecompletepatient.com

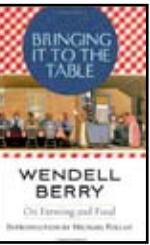
The Complete Patient
THE BUSINESS OF YOUR HEALTH

Books — Communities Hold onto Food, Tradition & Democracy

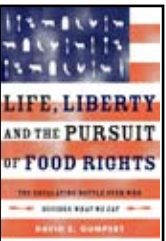
By Bonnie Preston & Heather Retberg



Cultivating an Ecological Conscience, by Frederick L. Kirschenmann, a collection of the author's writings, is a thoughtful and intelligent look at the problems facing agriculture today and what must be done to solve them. It is a philosophical exploration leading the reader to understand why he has come to his conclusions. He is, at heart, an educator, and a brilliant one.



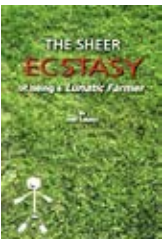
Wendell Berry is farmer, poet and essayist of the first order. He was one of the early writers warning about the dangers of our industrial food system and encouraging the use of traditional practices to counteract the system. His writing is spare and straightforward; his visionary understanding of what is needed is complex, with an emphasis on the "cultural" aspect of agriculture. In *Bringing It To the Table: On Farming and Food*, he calls "the need to promote a general awareness of everybody's agricultural responsibilities" urgent. The urgency has grown in the 10 years since he wrote those words. We must respond.



David E. Gumpert is a journalist who wrote for the *Wall Street Journal* before taking up his crusade in favor of raw milk. In *Life, Liberty and the Pursuit of Food Rights: The Escalating Battle Over Who Decides What We Eat*, he chronicles various efforts of activists fighting for the right of people to choose what foods they eat and buy from farmers who are responsibly producing that food, without government interference. In telling their stories, he chronicles the overreach of federal regulators. He relates the story of the early years of the Local Food and Community Self-

Governance Ordinance. He remains apprised of the ongoing food sovereignty movement in Maine and of the movement toward food freedom across the country. He blogs about all of it at

TheCompletePatient.com



The Sheer Ecstasy of Being a Lunatic Farmer by famous farmer and food rights crusader Joel Salatin is an evangelical call for holistic, ecological grass-farming and direct exchanges of food with customers without governmental agency interference. This book looks at: nurturing the earth; nutrient density and taste vs. shipability; food and farming as a healing ministry; and promoting community. Joel's enthusiasm for farming in harmony with nature is infectious.

Harvesting Justice: Transforming Food, Land and Agricultural Systems in the Americas, by Tory Field

and Beverly Bell, is a wide-ranging look at food sovereignty efforts around the globe including Maine's expression of food sovereignty through community self-governance of food exchanges. It contains short essays on community or organizational efforts from Maine to South America working toward a more just food and farming system. On their web site, harvesting-justice.org, is a curriculum which can be used by schools, churches, and public interest groups to teach people about the issues raised in the book. The appendices provide many other sources of information, as well as specific action steps which can be taken to help.



Movies

The Future of Food (2004) portrays the conflict between farmers and food industry technology, as well as market and political forces, which are changing what people eat. The film describes the disappearance of traditional cultural practices, opposes the patenting of living organisms, and criticizes the cost of the globalized food industry on human lives around the world. It states that international companies are gradually driving farmers off their land, that monoculture farming might lead to human dependence on food corporations, and that there is an increased risk of ecological disasters caused by a reduction of biological diversity. Subsidized GMO corn is replacing local varieties in Mexico while farmers around the world are held legally responsible for crops being invaded by "company-owned" genes.

Symphony of the Soil (2012) draws from ancient knowledge and cutting-edge science in an artistic exploration of the miraculous substance — soil. By understanding the elaborate relationships and mutuality between soil, water, the atmosphere, plants and animals, we come to appreciate the complex and dynamic nature of this precious resource. The film also examines our human relationship with soil, the use and misuse of soil in agriculture, deforestation and development, and the latest scientific research on soil's key role in ameliorating the most challenging environmental issues of our time. Filmed on four continents, featuring esteemed scientists and working farmers and ranchers, *Symphony of the Soil* is an intriguing presentation that highlights possibilities of healthy soil creating healthy plants creating healthy humans living on a healthy planet.

Food, Inc. (2008) is an American documentary film directed by Emmy Award-winning filmmaker Robert Kenner. The film examines corporate farming in the United States, concluding that agribusiness produces food that is unhealthy, in a way that is environmentally harmful and abusive of both animals and employees. The film is narrated by Michael Pollan and Eric Schlosser.

Farmageddon (2011) tells the story of small, family farmers providing safe, healthy foods to their communities who were forced to stop, often through violent actions by agents of misguided government bureaucracies. The movie succinctly poses and addresses the question "why is this happening in 21st century America?" Evoking both sympathy and anger for those farmers violently shut down by overzealous government policy and regulators, *Farmageddon* stresses the urgency of food freedom. Though the film deals with intense scenes and dramatic situations, the overall tone is optimistic, encouraging farmers and consumers alike to take action to preserve individuals' rights to access food of their choice and farmers' rights to produce these foods.

You Wanted to be a Farmer: A Discussion of Scale (2012) is a video by No Umbrella Media along with Sap Pail Publishing and Food for Maine's Future of a field trip to Blue Hill to talk with local people affected by the food sovereignty issues surrounding the State of Maine lawsuit against Blue Hill farmers Dan and Judy Brown.

The following ordinance is a template to be used by any municipality that wants to reclaim control of its local food exchanges. There is more to it than just inserting your name in the blank, however. You must gather your people and make the document reflective of what you are trying to protect in your community. Our communities aimed to protect a right to foods of our own choosing and our traditional foodways. Local farmers and small-scale food producers had to decide what they needed to be viable, and customers had to decide what relationship they wanted with farmers and their food. Writing your ordinance will take a great deal of time and effort, but will pay off in making it easier to organize your locality toward passage. Check out the Local Food RULES web site for more info at www.localfoodrules.org. Feel welcome to contact Heather Retberg (phabc@localnet.com) or Bonnie Preston (bonniepreston@earthlink.net). We can arrange a conference call with a group of you. Proceed knowing that you will not be alone in this work; you will be part of a national food freedom movement and a global movement for food sovereignty.



LOCAL FOOD AND COMMUNITY SELF-GOVERNANCE ORDINANCE OF 2018

An Ordinance To Protect The Health And Integrity Of The Local Food System

In The Town Of _____, _____ County, Maine

§1. Title

This ordinance, adopted by the town of _____ (hereinafter "the Town"), shall be known and may be cited as the "Local Food and Community Self-Governance Ordinance."

§2. Preamble

We, the People of the Town 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 offer stability to our rural way of life by enhancing the economic, environmental, and social wealth of our community. As such, our right to a local food system requires us to assert our inherent right to self-government. We recognize the authority to protect that right as belonging to the Town.

We have faith in our citizens' ability to educate themselves and make informed decisions. We hold that certain federal and state regulations unnecessarily impede local food production and constitute a usurpation of our citizens' right to foods of their choice. We support food that fundamentally respects human dignity and health; nourishes individuals and the community; and sustains producers, processors, and the environment. We are therefore duty bound under the Constitution of the State of Maine to protect and promote reasonably unimpeded access to local foods.

All individuals have a natural, inherent, and unalienable right to acquire, produce, process, prepare, preserve, and consume the food of their own choosing for their own nourishment and sustenance. Furthermore, all individuals have a right to barter, trade, and purchase food and to save and exchange seed from the sources of their own choosing for their own physical health and well-being. Every individual is fully responsible for the exercise of these rights, which may not be infringed.

§3. Purpose

It is the policy of this State to encourage food self-sufficiency for its citizens. The purpose of the Local Food and Community Self-Governance Ordinance is to:

1. Through local control, preserve the ability of individuals and communities to save and exchange seed, to produce, process, sell,

purchase, and consume locally produced foods;

2. Ensure the preservation of family farms and traditional foodways through small-scale farming, food production, and community social events;

3. Improve the health and well-being of citizens of this State by reducing hunger and increasing food security through unimpeded access to wholesome, nutritious foods by encouraging ecological farming;

4. Promote self-reliance and personal responsibility by ensuring the ability of individuals, families and other entities to prepare, process, advertise, and sell foods directly to customers intended solely for consumption by the customers or their families;

5. Enhance rural economic development and the environmental and social wealth of rural communities; and

6. Protect access to local food through direct producer-to-consumer transactions.

§4. Definitions

As used in this ordinance, unless the context otherwise indicates, the following terms have the meanings stated below:

A. COMMUNITY SOCIAL EVENT: An event where people gather as part of a community for the benefit of those gathering or for the community, including, but not limited to, a church or religious social, school event, potluck, neighborhood gathering, library meeting, traveling food sale, fundraiser, craft fair, farmers' market, agricultural fair, and other public events.

B. DIRECT PRODUCER-TO-CONSUMER TRANSACTION: An exchange of local food within a local food system between a producer or processor and a patron by barter, trade, or purchase on the property or premises owned, leased or rented by the producer or processor of the local food; at roadside stands, fundraisers, farmers' markets, and community social events; or through buying clubs, deliveries or community supported agriculture programs, herdshare agreements, and other private arrangements.

C. LOCAL FOOD SYSTEM: A food system that integrates food production, processing, consumption, direct producer-to-consumer transactions, and traditional foodways to enhance the environmental, economic, social, and physical health of the municipality and its residents.

D. LOCAL FOOD: Any food or food product that is grown, produced, processed, or prepared by individuals who exchange that food directly with patrons.

E. PATRON: An informed individual who acquires local food directly from a processor or producer.

F. PROCESSOR: An individual who processes or prepares products of the soil or animals for food or drink.

G. PRODUCER: A farmer or gardener who grows or raises any plant or animal for food or drink.

H. TRADITIONAL FOODWAYS: The cultural, social, and economic

Democratic Wisdom

"When, in some obscure country town, the farmers come together to a special town meeting, to express their opinion on some subject which is vexing the land, that, I think, is the true Congress, and the most respectable one that is ever assembled in the United States." — Henry David Thoreau

practices related to the production and consumption of food and the conveying of knowledge regarding food production and preparation.

§5. Authority

This ordinance is adopted and enacted pursuant to the inherent, inalienable, and fundamental right of the citizens of the Town to self-government, and under the authority recognized as belonging to the people of the Town by all relevant state and federal laws including, but not limited to the following:

The Declaration of Independence of the United States of America, which declares that governments are instituted to secure peoples' rights, and that government derives its just powers from the consent of the governed.

Article I, §2 of the Constitution of the State of Maine, which declares inter alia: "all power is inherent in the people; all free governments are founded in their authority and instituted for their benefit, [and that] they have therefore an unalienable and indefeasible right to institute government and to alter, reform, or totally change the same when their safety and happiness require it."

Article VIII, Part Second of the Constitution of the State of Maine, which establishes Home Rule: "The inhabitants of any municipality shall have the power to alter and amend their charters on all matters, not prohibited by Constitution or general law, which are local and municipal in character."

§1-A of Title 7 of the Maine Revised Statutes, which states inter alia: "The survival of the family farm is of special concern to the people of the State, and the ability of the family farm to prosper, while producing an abundance of high quality food and fiber, deserves a place of high priority in the determination of public policy. For this purpose there is established the Department of Agriculture, Forestry, and Conservation"

§1-B of Title 7 of the Maine Revised Statutes, which states inter alia: The [...] preservation of rural life and values in the State [is] to be the joint responsibility of all public agencies, local, state and federal, whose policies and programs substantially impact the economy and general welfare of people who reside in rural Maine, such as the development and implementation of programs that assist in the maintenance of family farms [...] and improve health and nutrition.

§284 of Title 7, Chapter 8-F, Maine Food Sovereignty Act, which states inter alia: "a municipality may adopt ordinances regarding direct producer-to-consumer transactions and the State shall recognize such ordinances by not enforcing those state food laws with respect to those direct producer-to-consumer transactions that are governed by the ordinance."

§3001 of Title 30-A of the Maine Revised Statutes, which implements Home Rule and grants municipalities all powers necessary to protect the health, safety, and welfare of the residents of the Town where those powers have been conferred on the towns by the Legislature or not otherwise limited.

§6. Statements of Law

A. Right to Self-Governance. Citizens the Town have the right to a form of governance which recognizes that all power is inherent in the people, that all free governments are founded on the people's authority and consent.

B. Right to Acquire and Produce Food. Citizens of the Town possess the right to save and exchange seed and to produce, process, sell, purchase, and consume local foods of their choosing.

C. Exemption from Licensure and Inspection. The producers and processors of local food intended for direct producer-to-consumer transactions in the Town governed by this ordinance shall be exempt from state licensure and inspection. In accordance with Section 284 of the Maine Food Sovereignty Act, the State of Maine shall not enforce those state food laws, rules, or regulations with respect to those transactions as defined in Section 4. The transactions enumerated in

Section 4 are governed by this ordinance and provide the context otherwise indicated as stated in Section 282 of the Maine Food Sovereignty Act

D. Meat and Poultry. This ordinance is not applicable to any meat or poultry products that are required to be produced or processed in compliance with the Maine Meat and Poultry Inspection Program.

This ordinance is applicable to shared animal ownership agreements in compliance with the federal acts as defined in Title 22, Chapter 562-A, §2511 of the Maine Revised Statutes and similar private contractual agreements, herdshare agreements, and buying clubs.

E. Liability Protection. Producers and processors of local food may enter into private agreements with patrons to waive any liability for the consumption of local food .

§7. Civil Enforcement.

Any individual citizen of the Town shall have standing to enforce any rights secured by this ordinance which have been threatened or contested by any person, whether natural or juridical, and may seek relief both in the form of injunctive and compensatory relief from a court of competent jurisdiction.

§8. Effect

This ordinance shall be effective immediately upon its enactment.

§9. Severability Clause

To the extent any provision of this ordinance is deemed invalid by a court of competent jurisdiction, such provision will be removed and the balance of the ordinance shall remain valid.

§10.Repealer

All inconsistent provisions of prior ordinances adopted by the Town are hereby repealed, but only to the extent necessary to remedy the inconsistency.

§11.Human Rights and Constitutionality

Nothing in this ordinance shall be construed as authorizing any activities or actions that violate human rights protected by the U.S. Constitution or the Constitution of the State of Maine.

§12.Mutual Recognition and Inter-municipal Government Collaboration

The Town hereby recognizes producers and processors of local foods in other municipalities that have also adopted a Local Food and Community Self-Governance Ordinance. Those producers and processors of local foods from other municipalities operating under a similar ordinance may also operate under this ordinance.

Rights Based Ordinances

Rights-based ordinances (RBOs) look to state constitutions, which declare the inherent right of the people of a state to self-governance. Most states now also have home rule, which confers varying degrees of power to towns, cities, boroughs, townships or counties to govern themselves. Rights-based ordinances secure these rights over the supposed rights of corporations and claimed authority of regulatory agencies, which are dominated by corporate influence. RBOs reinforce the civil and political rights of people in their communities, and allow them to make determinations about the health, safety and welfare of their town. The LFCSGO used language from ordinances in Shapleigh and Newfield, Maine, as a template. These RBOs prevented Nestle from taking water from their shared aquifer to bottle and sell back to them. These were ordinances drafted by the Community Environmental Legal Defense Fund, which pioneered the use of RBOs. Food freedom bill proposals from Wyoming and Florida also provided inspiration for the text of the LFCSGO

Making Traditional Foodways Visible

By Hilda Kurtz

While the language of the Local Food and Community Self-Governance Ordinance (LFCSGO, see pages 18-19) is straightforward, the implications of the ordinance have been more complex. The passage of the LFCSGO in multiple towns has catalyzed political debate, legislative efforts, and litigation, leaving the future of the ordinance and small-scale agriculture in Maine uncertain.

Adding to the ambiguity, the intent of the ordinance seems misunderstood in many quarters. Mainstream media accounts commonly caricature the ordinance as a libertarian rejection of government intervention in order to privilege individual freedoms. While the ordinance finds support from across the political spectrum, my interviews with 30+ people thinking carefully about the LFCSGO, limit a libertarian interpretation and underscore the importance the ordinance places on relationships of trust and respect between members of communities. My interview participants suggest that it is a deeply populist policy instrument that radically challenges business as usual in food and agricultural regulation.

Two key themes around what the ordinance is intended to protect emerged from the interviews. First, it protects people's relationships and their own judgment. A majority expressed willingness to accept the consequences of any mistakes or accidents that might occur, and rejected the idea that they should allow a state apparatus to infantilize them by eliminating or marginalizing their own capacity for judgment about a neighbor's farming practices.

Second, the ordinance protects people's social networks built on trust, care and respect, which are fostered through exchanges of farm food. As

As people come to rely on one another's care and judgment in producing food safely, they form strong and enduring social bonds with one another.



people come to rely on one another's care and judgment in producing food safely, they form strong and enduring social bonds with one another. Within the deeply localized food systems at stake in the ordinance struggle, people explained, any problems with a given farm's food can be quickly traced to their source, and the

farmer entrusted to remedy the problem. If the farmer doesn't do so, then social and economic networks will respond accordingly. What people are describing is the social embeddedness of market relations, in which non-market social relationships shape economic relationships, and vice versa. Such mutually reinforcing relationships in turn foster strong communities.

The social embeddedness of market relations is invisible to neoliberal capitalism, which assumes a deeply atomistic human existence, in which individuals act only in relation to themselves and their own needs. The neoliberal world view was starkly described by British Prime Minister Margaret Thatcher when she asserted that "there is no such thing as society, only individuals." If Thatcher were right, then perhaps extensive and intrusive agrifood regulations would be called for. But try as neoliberal capitalism might, Thatcher's vision of rank individualism does not hold water — except perhaps on Wall Street and K Street. The social fabric of mutual trust, respect and neighborliness in places like rural Maine, and countless others like it, embeds economic exchanges in social relationships, and sustains age-old mechanisms for sustaining rural communities and producing farm food safely.

Such multi-layered social relationships are not only invisible to neoliberal capitalism, they are also unrecognized by state regulatory apparatuses, which rely on schematic simplifications to control territory and populations, and in the case at hand, food and farming. The LFCSGO rejects these simplifications and calls for recognition of the socially embedded local food networks which enrich life in rural Maine. In this way, the ordinance has opened important debates about the character and capacity of populist politics now and in the future.

Hilda Kurtz is an Associate Professor of Geography at the University of Georgia, where she studies and teaches about alternative food networks.

Transformative Right to Food

In Olivier de Schutter's final report as the UN Special Rapporteur on the Right to Food in January 2014, called *The Transformative Potential of the Right to Food*, the conclusion is made that ensuring the right to food rests on developing food sovereignty at multiple geographic scales and levels of governance. The report notes that "empowering communities at the local level, in order for them to identify the obstacles that they face and the solutions that suit them best, is a first step."

Let Me Feed You

Community vs Commodity Food

By Phil Retberg

Community food is a resurgence of what used to be: the direct exchange of food from producer to patron; Vitality in our rural places; A sense of place; Roots. It aims to reduce the emptiness of our rural places, the anonymity of our food, and the nutritional void of volume over quality. It values interconnectedness, variety, symbiosis. It seeks to reward stewards, makers, artisans, and above all—eaters. It all comes down to the pleasure of a meal, and the gain from it.

Commodity food, as it has become since WWII, has been a boon for the food processing industry, the chemical industry, and most recently, the patented seed industry. However, for every corporate entity that it has enriched, the rural communities and farms, from which commodity agriculture extracts products, suffer.

*The difference is the food customer.
The method of production is our choice.*

Monocultures, confinement feeding operations, GMO's, centralized slaughter, and mass distribution have given the consumer convenient, but bland and nutritionally deficient, food. These methods have made the farmer faceless. They co-mingle the best and the worst and charge the least, to be subsidized to profitability. They have made our farms lonely places, which children leave, once the hazardous materials signs go up. They have bankrupted our farms, monetarily and spiritually.

*We have all suffered the consequences.
The method of production is our choice.*



When our rural places are re-invigorated, they are repopulated. Varieties of flora and fauna, of people and businesses, of ages and experiences all converge to fill the void left by the blight of misuse, neglect, or willful destruction. Dependence occurs, and we grow for it. Healing occurs, and we and nature thrive. And the food nurtures us, heals us, strengthens us, and pleases us.

As a farmer, I love that I know my patron's names, and their kids' names, and their pets' names. I take seriously their ailments, their struggles, and their successes. I nurture them, their unborn children, and their dying grandmother. My living is through their support, both financial and moral. All of us want to do the best for each other. A community is built around a farm. Its successes and failures are shared. That produces ownership.

*Support, which in turn supports your community.
The method of production is our choice.*

For the resurgence of local eco-agriculture to continue, and succeed, we all need to row in turn. Corporate agriculture cannot co-opt local as it has organic. It will fight. One of the weapons of corporations is to use their government to place obstacles in the way of "competitors." In many places around the country, community food movements are flourishing despite the bureaucratic hurdles.

*Let me feed you.
The method of production is our choice.*

Philip Retberg is a community food farmer and conductor of Quill's End Farm in Penobscot, ME.

All of us want to do the best for each other. A community is built around a farm. Its successes and failures are shared.

Husbandry

The husband, unlike the "manager" or the would-be objective scientist, belongs inherently to the complexity and the mystery that is to be husbanded, and so the husbanding mind is both careful and humble.

—Wendell Berry



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Why You Should Care

Industrial Agriculture Is Not Sustainable

Our current system of agriculture, which substitutes chemicals for living soil, is not sustainable. It is killing soil, creating dead zones in the oceans, pouring greenhouse gases into the environment, and destroying biodiversity. The earth is our only home, and we must learn to relate to it as a living system, not as an environment we can exploit for profit, while killing its ability to regenerate.

Corporate Agriculture Is Not Healthy

We are having epidemics of health problems created by modern agriculture, especially obesity, diabetes, heart disease and cancer. We need healthy soil to raise healthful food, both plant and animal. Food-borne pathogens, the only form of unsafe food recognized by the Food and Drug Administration, is the least of our worries. Those causing the problems are also telling us how to eat, and a great deal of what you think you know about that is wrong.

Local Food Brings Local Prosperity

Our oligarchic food system sucks money out of our local communities and concentrates it in the hands of a few multi-national corporations. Eating locally-produced food circulates money locally and strengthens local economies. A thriving local food system means more jobs and a more vibrant and healthy economy. It also builds the resiliency needed when times get tough. Local food tastes good, too!

Food Strengthens Communities

Breaking bread together is a time-honored way of celebrating life in community. Church suppers, bake sales, Grange pig roasts and all of the other gatherings bring people together. It is hard to be disagreeable to people when you are all eating together! And when people care about food, they care about people, and find ways to make sure that everyone gets to eat.



What You Can Do

Pass an Ordinance

Put your community in charge by passing a local ordinance that strengthens your food system. Tailor the Local Food and Community Self-Governance Ordinance to your community and its needs and get it passed. You will be told you can't do that. Do it anyway. Then persist.

Move Your Food Dollars

Never shop at Walmart. Find your local farmers and farmers' markets. Create a community garden. Stay away from the processed foods in the supermarket; learn to cook. Say good-bye to McDonald's and Burger King, etc. Form a food circle with friends and help each other to eat only food sourced within a given radius (except for chocolate, of course!).

Educate Yourself

Study your state constitution, agriculture laws, and local governance structure. Learn more about nutrition, but not from sources that use the USDA food pyramid. Inform yourself about the connection of industrial agriculture and climate change. Read the history of the Grange and the Populist movement. Find out about food co-ops and their place in our economy.

Create a Food Community

Grow veggies for your local food pantry. Save and exchange seeds. Host a food swap — trade some of your dilly beans for your neighbor's cookies. Host a seasonal, local food potluck. Share what you know about food, farming and history. Form a local food policy council. Bake for community events. Ignore political affiliations. Feed the hungry. Raise food of all kinds. Share food.