INTRODUCTION

The Law and Politics of Food Sovereignty

IN 2011, I crowded into the basement of a small church in downtown Oakland, California, with activists from across the country for the first US Food Sovereignty Assembly. It was just three years after a global food and financial crisis had upended the global economy. In a political moment gripped with concern over economic inequality, food was becoming a powerful symbol and site of social change. As people began to arrive at the church, I was immediately struck by those who had been invited. They did not resemble the hippies, hipsters, and affluent white consumers I had come to associate with "food activism." They included the people most marginalized and exploited by the industrial food system: migrant seasonal farmworkers, Indigenous communities, organizations of the urban food insecure, and small family farmers. These were not groups that had typically been politically aligned. In fact, they had often been pitted against one another as competing interest groups in US food and agricultural policy. Yet in the previous three years a small group of US-based activists with links to burgeoning global peasant movements had assembled these groups with the hope of uniting them over their shared grievances. Sitting in the back of the room as a volunteer notetaker, I watched with curiosity, wondering what it would mean for these groups to claim "food sovereignty."

Over the past two decades, millions of people across the world have taken up the claim of food sovereignty. The claim was first articulated in the

1990s by small-scale food producers in the transnational social movement La Vía Campesina, the International Peasants' Movement. Food producers initially united to oppose the threats to their lands, livelihoods, and diets posed by the liberalization of food and agricultural markets through the World Trade Organization. Almost immediately after it was articulated, however, the claim of food sovereignty quickly spread. By the mid-2000s, when skyrocketing food prices caused a global food crisis, other constituencies of food systems, including food-chain workers, fisherfolk, and poor urban consumers, also began to claim food sovereignty to demand local control over their food systems. Food sovereignty alliances now exist in almost every region of the world, making food sovereignty one of the most widely mobilized contemporary social justice claims.

The precipitous rise of movements claiming food sovereignty reflects the state of contemporary food systems. Today there is widespread agreement that our current global food system is socially and ecologically unsustainable. Despite the consistent global consensus of the need to end global hunger, more than 2 billion people in the world lack access to adequate food, including 37 million people in the United States.[1] Beyond food insecurity, malnutrition is also surging. If one combines both of its forms (over- and underconsumption), malnutrition now constitutes the world's number one cause of ill health.[2] Although powerful nations and corporations have consistently pushed the expansion of industrial agriculture, it is clear that this system has not only failed to address hunger but is also responsible for vast ecological devastation. The global food system is one of the largest contributor to global greenhouse gas emissions, deforestation, and the destruction of global biodiversity.[3]

These problems were made even more manifest during the coronavirus pandemic. During the worst of the crisis, newspapers in the United States printed stories of farmers dumping milk and euthanizing livestock alongside pictures of snaking lines of cars waiting outside food banks and workers jammed together at meat processing plants suffering from high infection rates. The US food system—once celebrated as the apotheosis of abundance and efficiency—was revealed to be a shaky structure crippled by corporate consolidation. In the United States we are witnessing growing monopolistic control over the food and farming sector. Four or fewer firms control the market for agro-inputs, beef and grain processing, and many major food

commodity chains.[4] Globally, four or fewer firms also control almost all commercial agricultural inputs. Just four companies control 60% of the global commercial seed industry and 90% of the global grain trade, and three companies control 70% of the agrochemical industry.[5] This centralization of control over food systems in the hands of so few is a driving factor in many of the problems that we are seeing today. As the International Panel of Experts on Sustainable Food Systems puts it, the industrial food system is just "too big to feed."[6]

The activists gathered in Oakland were all organizing in response to these issues. Many of them shared these same grievances. But over the course of the day-long meeting it became clear that they also had different priorities. Farmworkers on the West Coast were fighting for fair working conditions in the industrial food system, whereas Indigenous communities were seeking to rebuild their traditional food systems after centuries of settler colonialism and unhealthy donations from the commodity food system. Other groups, such as the Detroit Black Community Food Security Network, were working to dismantle racism in the food system and create consumer cooperatives and urban farms to promote urban food security. Even though the participants of the assembly came up with a long list of rights—from the rights of Mother Earth to the right to access land—none of these claims captured their disparate struggles. In a country in which the language of *rights* has served as the dominant grammar for social justice movements, the activists participating in the US Food Sovereignty Assembly wrestled to consolidate their demands into a single claim that simultaneously respected their diversity and united them into a movement.

As the debate unfolded, it was clear that they faced profound strategic questions: What would it mean to claim *sovereignty* rather than rights? How could they translate food sovereignty across their divergent contexts? And how could a claim that was developed in the global South be adopted and mobilized by activists in the very different political, economic, and agrarian context of the United States?

LAW AND SOCIAL MOVEMENTS IN AN AGE OF NEOLIBERAL GLOBALIZATION

Participants' struggle to reconcile their repertoires of rights claiming with the language of food sovereignty is a product of the way that social

movements have constituted social justice claims for the past few generations. In the 1950s and 1960s, rights mobilization became the dominant approach through which individuals and groups articulated claims on society and the state in liberal democracies. The civil rights movement, the women's movement, the LGBTQ movement, and the disability rights movement, among others, all drew on rights-based strategies to seek inclusion into society and demand economic redistribution.[7] By claiming rights, movements consolidated not only their demands but also their collective identities.[8] This "rights revolution" spread globally with the proliferation of human rights as a shared global language of social justice beginning in the 1970s.[9]

Today, however, both scholars and social movements are increasingly recognizing the limits of social and economic rights claims in the face of neoliberal inequalities. Rights-based approaches to social change are constrained by the shifting geographies of power produced by neoliberal globalization. Rights are premised on a vision of the world in which nation-states operate the primary regulatory authority. Since the 1970s, however, the state-centered hierarchical framework of public international law and national economic regulation has been rolled back through deregulation, privatization, and the liberalization of global markets. As Saskia Sassen describes, neoliberalism reorganized the relationship between territory, authority, and rights on a global scale by partly denationalizing some state capacities.[10] Today, as international law grows increasingly fragmented, rights operate as just one normative form through which power operates, amid proliferating forms of governance.

As a result, critical voices are increasingly questioning the emancipatory possibilities inherent in rights discourse. A recent wave of scholarship has revealed how human rights ascended as the primary framework for imagining social justice just as the architects of neoliberalism were institutionalizing the market economy as the principal and governing logic at the national and international level.[11] Analyses tracing the concurrent rise of human rights discourse and neoliberalism build on a long corpus of critical theory that has been skeptical of rights. Feminist and Marxist analyses have consistently argued that rights offer a narrow frame for social justice claims because they remain rooted in "liberal legalism," an ideology of law premised on individual rather than collective rights, private property, and

formal equality. Liberal legalism's endeavor to separate the "public" sphere of political equality and the "private" sphere of liberty—the domain of the economy and family—has consistently served as a stumbling block for generations of social movements seeking egalitarian social change.[12]

Postcolonial critics also challenge the transnational culture of modernity that human rights language often reproduces.[13] Rights discourses emerged from the European Enlightenment and colonial project and today still carry the values of Eurocentric modernity. They remain premised on a universal, secular vision of human nature and atomistic worldview that separates humans from nonhuman nature and privileges the individual as the primary legal subject.[14] Human rights have consistently been mobilized by powerful states in the global North to distinguish between "traditional" and "modern," "savage" and "savior," thereby reproducing a Northern-centered world order that maintains colonial hierarchies of power.[15] Although rights remain an important legal and symbolic resource, both social movements and sociolegal scholars are learning that rights are "not enough," as Samuel Moyn puts it, to challenge the overlapping inequalities produced through centuries of colonialism, capitalism, and neoliberalism.[16]

The organizers of the first US Food Sovereignty Assembly seemed to intuitively understand these constraints. Just as the assembly drew to a close and the participants became embroiled in a debate over their priorities, a handful of the assembly's organizers who had more contact with food sovereignty movements outside the United States intervened. One activist who had extensive experience organizing with La Vía Campesina in Latin America explained that food sovereignty did not take what she called a top-down "command and control" approach to political change but rather sought to decentralize control over food and agriculture. Another grassroots activist explained that food sovereignty was best understood through the "three P's"—people, places, and platforms. She said that food sovereignty was mobilized by marginalized peoples, was rooted in specific places and contexts, and offered a shared platform for struggle. At the time, I did not quite comprehend these activists' interventions. Yet over the next seven years, I began to understand that these activists were radically recalibrating their horizons of social justice and developing new practices of mobilization in response to the metamorphosis of capitalism and regulation in an era of neoliberal globalization.

CULTIVATING TRANSNATIONAL GOVERNANCE FROM BELOW

In this book I analyze how activists in the United States frame, claim, and mobilize food sovereignty. Food sovereignty movements combine rights claims with an expansive demand for "sovereignty," or control, over the social, economic, and ecological relations involved in food production and provisioning. This claim, I argue, cannot be understood outside the mutating global political and legal order of transnational governance, a global regulatory order that has emerged alongside neoliberalism and the spread of global capitalism.[17]

Over the past three decades, as neoliberalism has ascended to become the dominant ideology, it has transformed the legal and regulatory order across local, regional, and global levels. Although neoliberalism is often associated with the weakening of regulation, scholars have observed quite the opposite—more capitalism necessitates *more* rules and regulations.[18] Yet the forms that regulation takes have been reconfigured and rescaled. Through a suite of regulatory reforms promoted by states and international institutions in the global North, state-dominated approaches to national economic regulation have been increasingly replaced with *governance* through networks. States are now embedded in transnational networks that include a variety of nonstate actors—from transnational corporations to social movements—that compete to set nonbinding norms, rules, and standards through which political, social, and economic relations are ordered. The proliferation of governance through networks has reshaped the form, exercise, and operation of global power.[19]

Critical observers have described how the rise of transnational governance is reordering power and authority through the economic logics of the market and producing a new era of corporate rule, but few have attended to the ways that activists are responding to the changing cultural and symbolic politics of this regulatory order by producing new social justice claims and conditions of possibility. Indeed, as transnational governance blurs the boundaries once established by liberal legalism to establish constraints on power, it offers both new opportunities and constraints. On the one hand, transnational governance draws on symbols that appeal to social movements. The networked form of transnational governance implies

horizontal relations and social ties. It relies on collaboration, participation, and inclusion of actors beyond the state. By constituting claims in relation to transnational governance, food sovereignty activists demand the inclusion of those most marginalized in public policymaking. Moreover, they are able to articulate food sovereignty as a holistic social justice claim that transcends the divisions between public and private imposed by liberal legalism and Euro-modernism.[20] On the other hand, however, transnational governance is often initiated from the top down, by elites who seek to extend market logics and manage their "externalities," not radically upend them. For neoliberals the networked form of transnational governance provides a framework for the dissemination of neoliberal reason and market values.[21] As a result, transnational governance also enables the deeper domination by powerful market actors by dismantling previous institutional and symbolic forms of regulation that have endeavored to set limits on power.

Food sovereignty activists are well aware of this paradox. They encounter it continuously as they engage in multistakeholder and collaborative arenas of governance that produce the voluntary guidelines, private certifications, and codes of conduct through which transnational governance operates—all of which they are deeply skeptical of. Yet by dialectically constituting claims for food sovereignty in relation to these emerging forms of governance, I argue that they are cultivating decentralized, democratic networks through which they are reconfiguring relations between communities, nature, and markets. In doing so, they are producing what I call *governance from below*.

My analysis builds on sociolegal scholarship on law and social movements. Sociolegal scholars and anthropologists have illuminated how claiming rights generates culturally constitutive processes of meaning making, the effects of which often far exceed the outcomes produced through judicial or legislative arenas.[22] However, although sociolegal scholars have recognized that social movements frame their claims in relation to dominant legal forms,[23] studies of law and social change have curiously remained focused on state law. I therefore examine the mutually constitutive relationship between transnational governance and social movements. By accompanying food sovereignty activists as they made claims across local, national, and transnational arenas of governance and within different forms of governance, I show how they are constructing new practices of mobilization, or what I term *social practices of translation*, to leverage this new order. In doing so,

I offer a new methodological lens through which to examine how power and influence operate through the ethnography of governance networks.

My analysis is based on ethnographic fieldwork that I undertook with food sovereignty activists in western Washington State. Since the late 2000s the Puget Sound region has become home to one of the densest concentrations of food sovereignty activists in the United States. Drawing on my fieldwork, I describe how activists have developed a set of social practices through which they translate food sovereignty across these various geographic scales, contexts, and institutional arenas. Through these shared social practices of translation, food sovereignty activists cultivate governance networks that build new cross-sectoral, cross-territorial relations. By deploying these prefigurative practices of translation and legal mobilization, I show how food sovereignty activists are shaping the standards, values, and relations produced through transnational governance in powerful ways.

FOOD, LAW, AND SOVEREIGNTY

I first grew interested in the politics of food and agriculture not because of an agrarian upbringing but rather as a result of my first job. At age 14 I worked as a runner on the floor of the Chicago Board of Trade. For a few months over the summer, I donned a drab khaki and teal mesh vest and ran orders for commodity futures on the exchange floor. As brokers watched weather patterns over the Midwest corn belt, they would scribble coded orders on tickets for "July corn" or "August soy," which I then ran to traders who stood packed together in multilevel "pits" where they screamed over one another until someone fulfilled the trade. I was perplexed by the whole system. It seemed deeply disconnected from the actual object that they were trading—food.

In 2007 I was reminded of this experience when prices of rice, wheat, and maize—the three staple cereal crops on which much of the world depends—more than doubled and caused a global food crisis. Over 150 million people were suddenly forced into hunger, causing food riots in more than thirty countries.[24] The crisis was the confluence of many causes, including the increasing use of agricultural land for fuel crops, the volatility produced through trade liberalization, and speculation by the very grain traders for whom I had once worked.[25] It also coincided with a global financial crisis, leading to one of the greatest global recessions, the fallout of which we are

still managing today. In the aftermath of these converging crises, food not only emerged as a symbolic and material battleground over neoliberalism but also seemed to offer a practical way to build alternatives to it.

The 2007–2008 food crisis exposed the precarity of the industrial food system. It undermined the narrative that industrial food production—by which I mean the large-scale, input-intensive production of crops and animals that rely on commercially produced agrochemicals, antibiotics, and other inputs[26]—is indispensable to feed the world. Since then, contention around the global food system has only grown. Although agribusiness has sought to deepen its grip on global agriculture by forging past geographic and biophysical frontiers through new technologies and by promoting a Malthusian narrative about the need to expand global food production, small-scale food producers, rural workers, and urban consumers have increasingly coalesced around the claim of food sovereignty as a path toward just and sustainable food systems.

However, struggles over food are not unique to neoliberalism. The dual status of food as both a basic need and an economic good on which millions of people depend for their livelihoods has made it a unique object through which generations of people have assessed dominant regulatory systems. Attempts to assimilate food production and provisioning into the market-based values of capitalism have long motivated collective resistance. To protect their autonomy and livelihoods, peasants and small-scale food producers have unfailingly mobilized to oppose processes of enclosure and incorporation into capitalist markets. High grain and food prices for urban consumers have also unseated political regimes from the French Revolution to the Arab Spring. The historian E. P. Thompson famously argued that hunger engenders struggles in which popular classes articulate the proper balance between market and communal forms of provisioning—what he called "moral economies."[27] Food systems have always served as symbolic and material arenas of struggle through which societies have questioned, contested, and reconstructed dominant regulatory arrangements.

These struggles are not only about the price of food. Anthropologists emphasize the central role of food in people's everyday lives. Food is intimately connected to people's value systems. It reflects people's ties to place and to one another. As Heather Paxson describes, food is an object of value that "transcends quantitative measures, whether of kilocalories or grams

of fat, or in dollars and cents. . . . Through food, people solidify a sense of self and connectedness to (or distance from) others."[28] In short, food is deeply cultural. Food is profoundly bound up with people's conceptions of justice, whether that stems from peasants' beliefs about fair provisioning for their labor or consumers' expectations about access to fresh, healthy, and traditionally available foodstuffs.

Whereas agrarian scholars and rural sociologists have long been attuned to the central role of food and agriculture in organizing global power relations,[29] sociolegal scholars are only beginning to consider the role of food and agriculture in constructing dominant normative and regulatory orders. Recently, scholars have started to explore the cultural significance of food and agriculture as an underlying cultural framework for much liberal legal doctrine. For example, Brenna Bhandar has illuminated how "scientific" practices of commercial agricultural production in England played a critical symbolic role in providing not only the justification for racial and colonial capitalism but also theorizations of liberal sovereignty. As she explains, early liberal theorists, including William Petty and John Locke, rationalized the colonial dispossession of lands from the Irish and Indigenous peoples and justified the necessity of private property based on their failure to comport with English practices of land use.[30] Commercial practices of food production served as the symbolic foundation on which property and sovereignty were constructed based on culturally contingent ideologies of race, nature, and gender.

Drawing on these insights, a growing number of sociolegal scholars are turning to the study of food and agriculture as a legally constitutive site of struggle. I contribute to this emerging scholarship by demonstrating how food sovereignty movements are mounting a fundamental challenge not only to the industrial food system but also to the dominant frameworks through which international law and politics are organized.[31] In doing so, I show how activists claiming food *sovereignty* are challenging the culturally contingent visions of society, nature, and the market on which liberal sovereignty has been constructed over the past three centuries.[32]

TRANSNATIONAL GOVERNANCE AND THE NEW LEGALITY OF FOOD SOVEREIGNTY

When La Vía Campesina (LVC) originally developed the claim of food sovereignty in 1996, they did so to protest the incorporation of food and

agriculture into the agreements of the World Trade Organization and to demand the renationalization of food and agricultural policies. Yet, although LVC initially targeted the World Trade Organization, given its role in setting the legal rules for the liberalization of food and agriculture, LVC's claims for food sovereignty began to mutate alongside shifts in transnational governance. As neoliberalism transformed political and legal space, food sovereignty activists found themselves embroiled in a variety of arenas of governance constructed to develop regulations for food systems at the local and global levels.

As described earlier, the rise of transnational governance is a product of global capitalist expansion. The term *governance* signifies a shift away from the top-down forms of command-and-control state-led regulation that predominated during the mid-twentieth century toward more inclusive and voluntary forms of regulation, or "soft" law.[33] The proliferation of governance not only heralded the transformation of the state toward a more facilitative function in which it too was embedded in relational processes of governance but also led to the blurring of boundaries on which liberalism was premised. I use the term *transnational governance* to refer to a variety of regulatory processes at the sub- and supranational levels in which public and private actors collaborate in setting voluntary, nonbinding standards, including transnational private governance constituted through value chains[34] and market-driven forms of regulation through labeling and certifications.[35]

Although the concept of transnational governance includes different forms and arenas of regulation, they share a common form: the network. The construction of networked forms of transnational governance is the product of shifting cultural representations of socioeconomic organization that arose in the 1980s and 1990s.[36] Social scientists have long drawn on the concept of social networks as a descriptive framework to analyze human relations and social ties, but the aesthetic properties of networked structures—their horizontal, flexible, and open-ended features—became an organizational form that appealed to competing actors. Luc Boltanski and Eve Chiapello contend that the rise of networks is attributable not simply to the development of new information and communications technologies but also to the convergence of critiques on both the left and the right of the hierarchical Fordist mode of regulation.[37] By the late 1990s, scholars proclaimed networks as "the new social morphology of our societies" and the "new world order."[38]

Boltanski and Chiapello's insight is instructive for understanding struggles over transnational governance. In drawing on the networked form, contemporary forms of regulation and governance are premised on a set of cultural symbols that are mobilized by rival actors to both legitimate and resist neoliberalism. In their study of disputing arenas in the United States, Sally Merry and Christine Harrington describe how legal and regulatory "ideologies are formed through the mobilization of symbolic resources by groups promoting different projects."[39] In the context of transnational governance, the networked form is imbued with different meanings by competing actors. For transnational corporations, networks offer a representation of a boundaryless world of global markets and flexible specialization, whereas for transnational activists, networks provide a model for an egalitarian, decentralized system of participatory democracy. These competing meanings have enabled the network to ascend as both the dominant representation of social and economic life and the organizational form of transnational governance.[40] Transnational governance is thus not simply a set of institutional structures and practices; it is a site of social struggle. Hegemonic and counterhegemonic actors may embrace the networked *form* of governance, but they imbue networks with competing cultural meanings and practices through which they ultimately seek to instill networks with different rules and standards.

In the years after it was first articulated by LVC, social movements redefined food sovereignty in light of the rolling-out of transnational governance. In 2003 LVC redefined food sovereignty as "the right of *peoples* to define their own food and agricultural policies."[41] This definition not only offered a more inclusive framing but also expanded the meaning of sovereignty beyond the territorial Westphalian frame of sovereignty that privileges the nation-state. This redefinition of food *sovereignty* reflected changes in the way sovereignty was effectively exercised. Indeed, although sovereignty has been primarily understood as a claim to absolute authority over a political community—which in the Westphalian frame has corresponded to the nation—many scholars have acknowledged that sovereignty today effectively operates relationally, through global networks.[42]

Because activists reframed their demands to control food and agricultural systems through the language of food *sovereignty* rather than as a right to be granted by sovereign nation-states, some scholars suggest that

food sovereignty has produced a "new rights framework."[43] Priscilla Claeys describes how food sovereignty activists have purposefully framed their primary claim as *people's right to food sovereignty* rather than the human right to food because activists see the human rights framework as too individualistic and state-centered. Food sovereignty, she argues, is more radical because it allows movements to reclaim control over food and agriculture and promote egalitarian social change from the bottom up.[44] In making this argument, she cites an internal LVC document from 2008 that called for "a new legality and a new institutionality at the national and international levels."[45]

Although LVC activists were unlikely referring to the concept of "legality" developed by sociolegal theorists, their use of this term nonetheless resonates with the way that law and society scholars have understood the production of law, power, and authority. Patricia Ewick and Susan Silbey elaborated the concept of legality to describe the "meanings, sources of authority, and cultural practices that are commonly recognized as legal, regardless of who enacts them or for what ends."[46] They developed this term to emphasize the role of law as an emergent feature of social life and to show how law is constituted through everyday engagements and understandings of law, or what they call *legal consciousness*. As they explain, legality operates "as both an interpretive framework and a set of resources with which the social world (including that part known as the law) is constituted."[47] Although they first articulated the concept of legality in the domestic context, Ewick and Silbey's notion of legality is useful in the context of transnational governance because in this emerging neoliberal political and legal landscape, law no longer bears the authority that it did in the Westphalian liberal legal context.[48] As rival actors struggle to produce authority and deference, they do so by seeking to promote shared meanings, practices, and values—what Ewick and Silbey refer to as legality.

In addition to resignifying the claim of food sovereignty to reflect a democratic vision of transnational governance, LVC also took on a networked organizational structure to resist neoliberalism. Paul Nicholson, a farmer from the Basque Country and a leader in LVC, explains that LVC developed a "new organizational vision" that had intentionally weakened its international secretariat by moving it every four years to a new location. The aim in this was to emphasize the autonomy of movements at the

grassroots level: "The struggle for food sovereignty, which is common to all LVC organizations, requires a different strategy of alliances right from the local level, with horizontal decision-making in one's own organization. Food sovereignty is clearly a new democratic demand of citizens."[49]

Because food sovereignty activists prefigure the networked form of transnational governance, they imbue networks with distinct meanings and practices. Anthropologist Jeffrey Juris argues that the "alter-globalization" or "anticorporate globalization" movement was the first social movement to adopt a "cultural logic of networking," based on its veneration of digital networks as the technology, form, and political norm through which they imagined global justice.[50] Food sovereignty activists draw on a different model of connectivity: *agroecology*. Food sovereignty activists see agroecology as "the essential alternative to [the industrial model of food production], and as the means of transforming how we produce and consume food into something better for humanity and our Mother Earth."[51] The importance of agroecology as a symbolic template for food sovereignty activists' vision of political and legal organization was made clear by one activist who described to me the challenge that food sovereignty activists now face. Sitting in a café in Rome after a long week of negotiations in the UN Committee on World Food Security, he explained how the dominant socioeconomic forms of organization through which power has been constructed and contested are inadequate for food sovereignty movements. "The formats of social organization that we have in front of us are political parties, religious sects, and social networks, none of which is a format for people dealing with nature." Peasant movements, he said, are shaped by their desires for autonomy to determine their own agricultural practices; they seek to make their own decisions and speak their own languages. "But they are not a sector. They are dynamic and moving, because they are people in the field with nature."

His comments emphasized that agroecology has deeply shaped food sovereignty activists' visions of social transformation and modes of political organization.[52] Agroecology is not simply a technology of production; it is a transdisciplinary science, social movement, and practice.[53] It incorporates political and social values as well as ecological approaches to food system design to promote sustainable and equitable development.[54] For activists, food sovereignty and agroecology are two sides of the same coin. Their interconnectedness is captured by a mantra I often heard repeated by activists:

"Food sovereignty without agroecology is a political slogan, and agroecology without food sovereignty is only a technology of production." By drawing on agroecology rather than networked forms of technology, food sovereignty activists provide an alternative political representation through which to build new forms of governance, premised on their relationship with nature. Moreover, by drawing on agroecology, they also challenge the ideals of commercial agriculture that formed the symbolic and material foundations of liberal sovereignty. In contrast to both the forms of agriculture on which liberal sovereignty was premised and the digitalized networks that inspired alter-globalization movements' vision of global governance, food sovereignty activists draw on agroecology to offer a fundamentally different vision of global social organization rooted in decentralized, democratic practices of food production and provisioning.

MOBILIZING FOOD SOVEREIGNTY: FROM CLAIMS TO PRACTICES

Understanding how food sovereignty activists seek to institutionalize their claims in the polycentric landscape of transnational governance requires that we reassess how we understand the relationship between law and social change. In studying how social movements have responded to neoliberal globalization, Boaventura de Sousa Santos and Cesar Rodríguez-Garavito implore us to dispatch the distinction between law and politics and the focus on rights that has shaped the literature on legal mobilization. Maintaining this distinction, they argue, not only reproduces the boundaries constructed by liberal legalism but also fails to reflect how contemporary movements approach law as part of a broader political strategy for social and political transformation.[55]

Building on this approach, global sociolegal scholars have suggested that the focus on rights has also elided the critical relationship between rights and regulation.[56] The division between rights mobilization and regulatory struggles stems from liberal legalism's distinction between law and politics and from the way this has been reflected in the disciplinary division of labor between legal scholars and political science. However, transnational governance has reconfigured the relationship between rights and regulation. In her pioneering study of the water justice movement, Bronwen Morgan argues that the dominant framework through which sociolegal scholars

have approached disputes and legal mobilization—"naming, blaming, and claiming"—needs to be reworked in the context of transnational governance. She proposes that movements engaged in redistributive struggles must also engage in "rulemaking, monitoring, and enforcement." Although rights "frame basic value conflicts," she argues that the operational reality of provisioning takes place in the context of regulatory governance.[57] Movements seeking redistributive justice must therefore engage in both rights *and* regulation in their social struggles.

Scholars in other fields have framed the limitations of rights-based approaches to transnational governance in different terms. In his study of network power, political scientist David Grewal argues that rights have limited efficacy in the context of networked forms of governance because networks are based on relations. He suggests a relational approach to rights, which requires those promoting social change to ask more nuanced questions about distribution, such as "*who* is free, *from* what restraint (or *because of* what enabling condition), to perform which action."[58]

These analyses provide critical insights into the claim of food sovereignty and why activists have articulated justice claims beyond rights. In contrast to the atomistic view of society endemic to liberal legality, food sovereignty is a relational practice. In their analysis of the Potato Park of the Peruvian Andes, Alastair Iles and Maywa Montenegro de Wit describe how food sovereignty activists use a "'relational' ontology . . . in their work to unseat dominant institutions." They argue that food sovereignty "is not an extraneously existing object but is a living process[;] it foregrounds the conscientious building and maintaining of relationships between people, institutions, technologies, ecosystems, and landscapes across multiple scales."[59] Similarly, based on her fieldwork among Venezuelan food sovereignty activists, Christina Schiavoni describes how activists approach food sovereignty as a *process*, one that is constantly being reshaped over time.[60]

But how do food sovereignty activists construct these relations? And with whom? How do they decide when to strategically mobilize rights language and when to mobilize food sovereignty? And how do they institutionalize their values? In her analysis of the water justice movement, Bronwen Morgan suggests that the processes through which activists engage in rights and regulation are best understood as a set of *social practices* through which activists articulate "generalized claims upon the social

order."[61] Approaching claims as social practices not only offers a more realistic understanding of the ways that claims are made meaningful across different contexts—as anthropologists have revealed about the practice of human rights mobilization[62]—but also suggests that we must pay attention to the specific practices through which social movements seek to influence the norms and standards constituted across plural and overlapping governance networks.

TRANSLATION AS SOCIAL PRACTICE

Building on this scholarship and my ethnographic fieldwork with activists in the Pacific Northwest of the United States, in this book I argue that we can understand food sovereignty as a set of *social practices of translation*. Sociolegal scholars have increasingly turned to the metaphor of translation to describe how power is constructed and contested across divergent meaning worlds and local contexts. Food sovereignty scholars have also embraced the concept of translation, acknowledging that food sovereignty "is *always* in the process of translation."[63] The growing salience of this metaphor is a product of the networked form of transnational legality; networks are, after all, communicative structures woven together through shared interpretive frameworks and meanings.[64] Rival actors compete to exercise control in this context by translating their ideas and values across several overlapping regimes of governance. As John Braithwaite and Peter Drahos explain in their study of transnational business regulation, "Power in global regulatory systems arises from enrolling organizational power, rarely from commanding it. The enrolling occurs through webs of dialogue and persuasion, not through webs of reward and punishment."[65]

Sociolegal scholars have developed a variety of different theories of translation to explain how actors assemble networks and construct constituencies around shared norms. For example, in the context of human rights mobilization Sally Merry draws on linguistic approaches to translation to describe how activists mediate the meaning of rights claims between global and local contexts to make them salient for local populations.[66] Her approach to translation is particularly attentive to the actors—their backgrounds, ideologies, and resources—that mediate meaning. In the context of regulatory governance scholars have drawn on a different approach to translation by building on actor-network theory and Foucauldian theories

of governmentality.[67] This framework draws on a more abstract notion of translation to describe the ways in which actors are enrolled in networks based on shared knowledge, norms, and standards.[68] Combined, these two approaches illuminate how translation operates as an interpretive process in which individuals and communities exercise power by constituting networks based on shared meanings, knowledge, and relations.

Yet, even though scholars recognize that translation is a legally constitutive process, they do not distinguish between different *practices* of translation. Attending to these differences is critical because translation is not a singular practice. Subaltern and feminist scholars emphasize that translation is always an act of power—that "any process of description, interpretation, and dissemination of ideas and worldviews is always already caught up in relations of power and asymmetries between languages, regions, and peoples."[69] Building on these insights, linguistic anthropologist Susan Gal notes that translation is a metaphor that refers to a variety of metasemiotic processes through which actors aim to create equivalences across meaning worlds.[70] Equivalences, she explains, can be subsumed and interpreted by actors as a universal or a "general equivalent" among diverse contexts, or they can be recognized by translators as a contingent and unstable articulation.[71] Put more simply, how translation configures different meanings—whether by subsuming difference or acknowledging it—has profound political implications.[72]

Moreover, scholars of social movements and globalization have also suggested that counterhegemonic activists have developed particular practices of translation. Based on his observations at the World Social Forums, de Sousa Santos argues that without a shared consensus of social transformation, social movements have turned to translation to build alternative social and economic structures. Translation, he argues, "is the procedure we are left with to give coherence and generate coalitions among the enormous diversity of struggles against neo-liberal globalization when there is no . . . general theory of progressive social transformation."[73] By engaging in translation, social movements "create intelligibility, coherence, and articulation in a world that sees itself enriched by multiplicity and diversity."[74]

These insights suggest that actors develop specific *social practices of translation* in their efforts to cultivate social relations and influence institutional arenas. By elaborating the counterhegemonic "translocal" practices

of translation developed by food sovereignty movements, I demonstrate how these practices serve as a form of mobilization in the blurred boundaries of transnational governance. I show that social practices of translation operate as a form of metagovernance—the governance of governance[75]—through which social movements and other actors constitute shared networks, meanings, and norms and seek to encode them within institutional arenas.[76]

In chapter 1, I elaborate the practices of *translocal translation* of food sovereignty activists. These practices are shaped by three values of food sovereignty: a demand for self-representation by people's movements, a commitment to local and Indigenous forms of knowledge, and a desire to promote the autonomy of different peoples and constituencies of food systems. I argue that these values are operationalized as semiotic practices of translocal translation through what I describe as representational practices, epistemologies, and practices of commensuration. In each of the coming chapters I examine how food sovereignty movements deploy these practices of translation to constitute governance networks and influence institutional arenas of governance from below.

THE ETHNOGRAPHY OF GOVERNANCE NETWORKS

This is a transdisciplinary book. I draw on scholarship from legal anthropology, sociolegal studies, and agrarian studies to examine how food sovereignty movements have constituted new visions of social justice and practices of mobilization in dialectical relation with changing forms of transnational governance. I build on a tradition of critical, interpretive sociolegal research that has focused not on legal institutions as the primary unit of analysis but on everyday experiences and engagement with legality.[77] Analyzing how activists conceptualize and engage in struggles for social change reveals how law and governance emerge from the everyday practices of people. This tradition of research is increasingly important for understanding transnational governance as public international law becomes increasingly fragmented.

Methodologically, the book develops what I describe as the ethnography of governance networks: an empirical transcalar approach for analyzing the formation and constitution of global legality through networks. Networks are therefore both the unit of analysis in this book and the method of study. To understand how activists articulated and strategically mobilized claims

for food sovereignty, I needed to participate directly in activist networks. I chose to ground this study in the United States to examine how the nascent food sovereignty movement is uniting with larger transnational activist networks to challenge the US dominance of the global food system. This book joins a small but growing number of empirical studies on food sovereignty in the United States.[78] More specifically, I decided to focus on the Puget Sound region of Washington State as the base for this research because of its historical role as the birthplace of the alter-globalization movement in 1999, when hundreds of activists from across the world flooded Seattle to protest the World Trade Organization. The region remains deeply connected to transnational networks. Today, it is home to the densest concentration of food sovereignty activists and organizations in the country.

The bulk of the research for this book was conducted over twenty months of intensive ethnographic fieldwork from 2013 to 2015 in the Pacific Northwest of the United States, but my research is ongoing. The ethnographic component of this research comprised three activities. First, I engaged in participant observation in two local food sovereignty organizations, by volunteering with them and conducting more than sixty interviews with food activists in the Puget Sound region. Second, I observed how food sovereignty activists engage in food governance at the local, regional, and global levels. This included monthly meetings that I observed, recorded, and transcribed in Seattle as well as annual meetings of the UN Committee on World Food Security in Rome—a critical convergence point for transnational food sovereignty activists. Finally, I participated in transnational food sovereignty networks by attending movement convergences and by participating in online networks in which strategic mobilization was coordinated. Participating in and observing food sovereignty networks from local, national, and transnational vantage points revealed how activists' unique networking practices became embedded in the very claim of food sovereignty.

This approach to studying social movements, which involves direct participation in them, might strike some social scientists as odd. However, anthropologists have shown how such forms of engaged research can yield important insights. Jeffrey Juris and Alex Khasnabish argue that ethnographic analysis that is undertaken "*within* rather than outside grassroots movements for social change, is able to uncover important empirical issues and generate critical theoretical insights that are simply not accessible

through traditional objectivist methods."[79] They highlight a crucial feature of anthropological research that distinguishes it from other disciplines, namely, that anthropology's critical and reflexive stance toward knowledge production is based on the understanding that knowledge always reflects particular positionalities, politics, and relations of power. Although this epistemic humility is a product of the discipline's dubious history as a handmaiden to colonialism, today it serves to challenge the epistemic domination that is often naturalized by claims to objectivity and authority. Moreover, as de Sousa Santos emphasizes, objectivist approaches to research can reproduce the "cognitive empire" of the global North. He calls on scholars to draw on "epistemologies of the South," in which knowledge is born from social struggles.[80] It is this knowledge that I sought to attend to through my ethnography of governance networks.

PRECARITY, PARTIALITY, AND POWER IN TRANSNATIONAL GOVERNANCE

By using the network as the method of research, I encountered many of the same challenges as those confronted by activists engaged in translocal translation, namely, the partial perspective that is endemic to the network. This partiality inherent in the networked form has motivated some critical political theorists to suggest that the networked vision of justice emergent in contemporary transnational movements is flawed. For example, Luc Boltanski and Eve Chiapello argue that because networked perspectives are always partial, "there is very little chance of it providing acceptable solutions in terms of social justice on its own, precisely because the network does not offer an overarching position allowing for consideration of those who find themselves on its margins, or even disconnected."[81] In other words, the network has no outside that serves as a horizon for social justice.[82]

A similar perspective has led some analysts to critique the rise of networked and transnational governance as postdemocratic or postpolitical. Critical geographers and political theorists such as Eric Swyngedouw and Wendy Brown have argued that, even though new forms of transnational governance create the veneer of democracy through more opportunities to participate in governance and policymaking processes, these forms of governance in fact serve to deepen neoliberal hegemony by suppressing

political dissensus and by privatizing the public interest.[83] This account of the postpolitics of network governance suggests that networked forms of governance transform political conflicts into problems that can be managed technocratically, effectively reproducing the status quo.[84] These critiques of neoliberalism and transnational governance offer important insights into the potential of governance to reproduce entrenched asymmetries of power. They often do.

However, these theoretical accounts also offer overdetermined critiques of the networked representation of society and economy and of capitalism's power. As feminist geographers J. K. Gibson-Graham ask in their study of postcapitalist possibilities, "Why [would] anyone who opposed capitalism . . . theorize it as all-embracing, leaving nothing outside?"[85] Building on these insights, I argue that we must be careful not to reproduce the totalizing modernist assumptions that underlie much critical political and legal analysis. Food sovereignty activists reject these values and challenge the mechanistic worldview that has driven universalizing claims of both science and jurisprudence.[86] They offer a new vision of social and environmental relations that opposes decontextualized visions of social transformation and instead embraces a relational ontology of egalitarian plurality.

As food sovereignty activists enter the postliberal landscape of transnational governance, however, the precarity of this vision of social justice becomes clear. In dismantling liberal walls of separation, they enter a terrain of political struggle that at once allows for deeper visions of democratic social transformation and may also facilitate more profound forms of domination. Yet from this precarity emerges new visions of justice and collective social life. As Anne Allison points out in her study of postindustrial Japan, there is "an emergent potential in attempts to humanely and collectively survive precarity: a new form of commonwealth (commonly remaking the wealth of sociality), a biopolitics from below."[87]

Just as food sovereignty activists have cultivated new emancipatory claims and practices from the economic and ecological precarity endemic to our contemporary era, sociolegal analysis too must recognize this contemporary condition. Precarity is "*the* condition of our time," Anna Tsing argues. She urges us to think *with* this precarity: "Thinking through precarity changes social analysis. A precarious world is a world without teleology. Indeterminacy, the unplanned nature of time, is frightening, but

thinking through precarity makes it evident that indeterminacy also makes life possible."[88] Acknowledging precarity, ontological humility, and epistemological diversity while at the same time holding onto the differential distribution of privilege and precarity requires new ways of thinking about law, governance, and justice.

Sociolegal scholars have often adopted the modernist and universalizing assumptions endemic to Western jurisprudence in analyzing projects of resistance. When confronted with popular or alternative legalities, they have often critiqued them for resting in the shadow of state law. Yet sociolegal scholars are beginning to recognize that such a perspective also blinds us to their emergent potentialities. Simon Halliday and Bronwen Morgan remind us that oppositional legal consciousness and the forms of legality produced through political and legal disputes are just that—a *struggle*.[89] These conflicts have the ability to promote collective feelings of agency that can have a profound effect on structures of legality when viewed beyond the limited temporalities of most academic studies. These interventions emphasize that as scholars and students, our analyses of these movements and representations of law are also constitutive. After all, we are embedded in the construction of the legal fields that we seek to study.

And what better object through which to reimagine law, society, and economy than food? We all need to eat. Few would oppose creating food systems that promote environmental resilience, treat animals more humanely, provide livable wages to those who produce food, and enhance the collective well-being of humanity by ensuring access to healthy, fresh, and culturally appropriate food for all. As the poet and agrarian writer Wendell Berry writes, "Eating with the fullest pleasure—pleasure, that is, that does not depend on ignorance—is perhaps the profoundest enactment of our connection with the world."[90] In a time of profound economic inequalities and existential threats to planetary health, rebuilding these relations based on the pleasure of mutual solidarity is necessary now more than ever. Ultimately, it is through this empirical study of food sovereignty activism that I demonstrate how food sovereignty activists are doing just that—culturally constituting these relations and new practices of governance from the bottom up. By mobilizing food sovereignty in relation to new forms of transnational governance, activists are producing

new political constituencies, values, and forms of knowledge that are necessary for a political and legal order rooted in more just social and ecological relations.

THE CHAPTERS AHEAD

In the chapters ahead I analyze how food sovereignty activists translate food sovereignty across different constituencies, sectors, and geographic scales and thereby shape governance from the bottom up. In chapter 1 I situate the rise of food sovereignty networks in the Pacific Northwest and elaborate the concept of translocal translation. I describe how activists in the Pacific Northwest first began to develop social practices of networking in the 1970s with the emergence of the alternative agriculture movement, but a new generation rekindled the holistic vision of radically transforming food and agricultural systems by drawing on the practices and repertoires developed by peasant movements in the global South. From there, chapters 2 through 5 examine how food sovereignty activists deploy different dimensions of translocal translation in relation to a variety of forms and arenas of transnational governance—from multistakeholder standard setting to private governance through global value chains to transnational regulatory networks. Chapter 2 focuses on the local level, examining the ways activists leveraged an arena of collaborative local food governance to redefine the local through their networking practices. Chapters 3, 4, and 5 scale upward from the local to the global. These chapters detail how activists are engaging in governance to revalue agricultural labor, protect people's knowledge, and, finally, democratize institutions of global governance.

Chapters 2 through 5 also dwell on the paradoxes that activists face as they engage in different forms of governance. Activists consistently face the challenge that the forms of governance in which they engage sit in the shadow of neoliberal legalities—regimes of international and state law that have been constructed to facilitate market-based forms of social and political organization. Indeed, local arenas of collaborative food governance, global value chains, transnational regulatory networks, and multistakeholder governance have all been born from regulatory rollbacks and market liberalization. As a result, they often reflect the power asymmetries produced by neoliberalism. Corporations, philanthropies, and Northern governments

all attempt to mobilize mechanisms of governance to set standards to ultimately stabilize and enhance market coordination.

Yet transnational governance cannot be reduced to neoliberalism. As described earlier, transnational governance is a terrain of struggle constituted through the convergence of critiques of former models of regulation. Its networked structure may serve to entrench market-driven inequalities, or it may deepen democratic claims and spaces of freedom once walled off by liberal legalism. Ethnographically attending to the ways that North American and transnational food sovereignty activists are translating food sovereignty in relation to a multiplicity of arenas of transnational governance reveals how food sovereignty activists are productively engaging in these arenas. I show how they are producing political constituencies and relations, undermining the forms of value supposed by global value chains, opposing the dominant forms of agricultural knowledge that have historically constituted private property and liberal sovereignty, and ultimately reimagining global governance by centering the voices of those most marginalized. Put in other terms, through their interactive and dialectical practices of engagement with transnational governance, they are actively transforming regulation to reflect their vision of decentralized, diverse, and democratic systems of food governance. As food sovereignty movements continue to spread La Vía Campesina's message to "Globalize Hope! Globalize Struggle!" they are not just revealing that another world is possible. They are actively building it.