

INTRODUCTION

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A cynic might argue that the recent flurry of law school interest in food and agriculture is a flavor-of-the-month novelty. The next big thing after the climate change bubble, if you will. But, I say: What took so long?

Is there anything more basic, more necessary than food? Yet, food is a necessity from which Americans have been strangely disengaged, leading to an epidemic of obesity and related diseases in America, not to mention tremendous environmental consequences. Our distance from food— and from agriculture in particular—did not occur overnight, but rather as an inexorable process, fueled by industrialization, exodus to the city, consolidation of farms, and a federal legal policy structure designed (with mixed results) to shore up commodities. Indeed, the last century was about moving away from the source of food. At the same time, the American mythology of the pastoral farm persisted, leading to a fundamental disconnect with the reality of corporate farming— the result of our demand for cheap food.

In the new millennium, a confluence of events has occurred which has begun to wake us up from our collective food coma. We did not wake-up abruptly in the year 2000 as foodies, however. The threads of awareness have been years in the making. When I think back to my own food awakenings, I think of Julia Childs. This may seem to some a strange confession for Law Review. But I do not think her contribution to America's changing relationship with food can be overstated. In the early 1960s, her PBS cooking show brought America back into the kitchen, experimenting with and savoring food. She invited the viewer to a seat at her table. Her pioneering opened the door for chefs and food movements, notably the mother of the farm-to-plate, Alice Waters. Ms. Waters is the product of 1960s counterculture, a movement that led to many mainstream ideas of today, including personal computing and organics. It is easy to forget that the now icons of these movements were outliers. Julia Childs as a revolutionary. What a thought.

In some ways, America's reconnection to the land belongs to women. When I look at the folks who attend Vermont organic conferences, I (a former Washingtonian) am struck by the number of young women farming, stewarding the land. I am compelled to ask what is at the root of this new pioneering spirit—the desire to own the creative process, a deeper

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connection to the land, or hard-won freedom? One thing is for sure—there is a millennial movement to reconnect to traditional, farming ways with a post-modern twist. Permaculture farms marketing via blogs, read globally.

Any new movement needs a legal structure to facilitate and shape it. And for a movement to be truly progressive and improve upon the established alternative, the legal framework must be crafted carefully. Thus, the task before us with this new “coming to the land” is to develop a legal framework that facilitates the growth of local, diversified foodsheds in a way that is both economically and environmentally sustainable. This will take creative thinking on the part of legal practitioners, an entrepreneurial ethos to match the new generation of farmers taking to the land.

Forget what you thought you knew. Pay attention to the earth. After all, it eventually swallows us all whole, and from it new life begins.

And with that, I am pleased to introduce to you to the articles in this volume, an important addition to our critical dialog on how to feed a growing world, while conserving natural resources and planning for a changing climate that will radically alter where and how we produce food.