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Resisting Food Waste

A socio-legal study of how dumpster divers' legal consciousness influences their narration of legitimizing dumpster diving

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Abstract

Today, about one-third of all produced food and drinks are neither eaten nor drunk and turn into food waste. To put this number into perspective, the amount of wasted food would feed three billion people each year. From 2012 to 2018, Swedish grocery stores have more than doubled their amount of food waste, now reaching 100 000 tons per year. This is an outcome of deeply rooted norms of hygiene and edibility, as well as competitive forces leading to overproduction and overconsumption of food. A group of people who challenge these conventional consumer patterns are dumpster divers. In this study, dumpster diving is referred to as “the activity of searching through dumpsters or other large containers holding waste, to find food that can still be eaten” (Cambridge Dictionary n.d). Dumpster diving is considered to be a transgressive activity and is often done illegally. This has led to the research questions for this study: What does the legal consciousness of voluntary dumpster divers in Sweden look like when narrating their experiences of dumpster diving? And: How do voluntary dumpster divers in Sweden legitimize dumpster diving through their legal consciousness? The research questions are theory bound, building on Patricia Ewick and Susan S. Silbey’s threefold concept of legal consciousness: before, with, and against the law. Interviews with both active and former dumpster divers were conducted to answer the research questions. It became evident that the dumpster divers’ legal consciousnesses are plural and fluctuant, building on elements from all legalities. Most evident in the dumpster divers’ narration, was the against the law and with the law legalities. Depending on the character of their legal consciousness, the dumpster divers legitimized their actions in different ways, such as through the law, posing critique, or by making profits.

Key Words: dumpster diving, legal consciousness, Patricia Ewick, Susan S. Silbey, sociology of law

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1. Introduction

Food waste exists within all sectors of Swedish society, ranging from “primary production, at wholesalers, suppliers, shops, restaurants and commercial kitchens as well as in households.” (Naturvårdsverket n.d). The largest amount of food waste is located within the households where approximately 19 kg of edible food is thrown away each year, and an additional 18 kg of food and drinks are poured into the sink each year per person. (Livsmedelsverket 2021). Regardless of households being the main producer of food waste, other sectors are also responsible for the unsustainable treatment of food. Swedish grocery stores have now reached 100 000 tons of food waste per year, which means they have more than doubled their amount of food waste between the years of 2012 to 2018. (Naturvårdsverket n.d). Ungerth (2021) writes that the food production generates large amounts of “greenhouse gases, nutrient leakage to air and water, reduced biodiversity and contribute to water scarcity” (ibid). This occurs unnecessarily because much of the food produced is not eaten as presented above. However, not only the environment is treated unsustainably, the money put into producing the food is also wasted (ibid). In a reportage by Axelsson (2021), he writes that food waste is an outcome of the capitalist economy, where people expect all food to be available at any time in the stores, no matter the season. The high expectations and the mass production of food has caused food to lose its value. “What nourishes us and allows us to live satisfying lives is valued so low that people throw it in the trash.” (ibid).

A group of people who challenge these conventional consumer patterns are dumpster divers, who act to counter the unsustainable treatment of the environment by diving into containers to collect the food that was thrown away. Dumpster diving is defined as “the activity of searching through dumpsters or other large containers holding waste, in order to find food that can still be eaten or objects that can still be used.” (Cambridge Dictionary n.d). For the purpose of this study, I will hereafter focus on dumpster diving for food. Dumpster diving is often recognized with poverty, low status, and homelessness. Within a capitalist society, the activity of eating food that other people have been throwing away is viewed as disgusting, degrading and unhealthy. However, when studying dumpster divers, they express a different image of dumpster diving. Dumpster diving seems to be a strategy to challenge existing conventional consumer patterns and contribute

to a more sustainable planet (Thomas 2010; Barnard 2011; Edwards & Mercer 2013; Nguyen, Chen & Mukherjee 2014).

1.1 Significance

Based on the searches for this study, no research has assessed dumpster diving from a socio-legal point of view. Further, no research on dumpster diving in Sweden was found during the searches. Thus, it seems highly relevant to investigate dumpster diving in a Swedish context and investigate it from a socio-legal perspective. The socio-legal relevance is to be found in the transgressive nature of dumpster diving. Dumpster diving is not illegalized in Sweden, however there are four laws in the Swedish criminal code that could criminalize the act of dumpster diving: vandalism, theft, littering or trespassing (SFS 1962:700). Dumpster diving is considered to be a legal grey area where both legal actors as well as the dumpster divers themselves are unsure about its legal status (Lehtonen & Pyyhtinen 2021, p. 453; Gustafsson 2016; Karlsson 2021). Besides the legal grey area, jumping into dumpsters to collect food that has been thrown away is a marginal and stigmatized practice in society, often considered to be highly transgressive (Gollnhofer 2017, p. 156). Of interest is then that dumpster divers defy social norms and (possibly) formal norms, still being proud of their activity. This increases the socio-legal relevance of this study, as dumpster diving is considered to be a transgression and (possibly) a legal violation.

Further, about one-third of all produced food and drinks are neither eaten nor drunk and turn into food waste. Food waste contributes to 8-10 % of the total greenhouse gas emissions (Livsmedelsverket 2021). Dumpster divers are eating food that would have gone to waste, meaning that they are taking initiatives to decrease waste. There is thus a great significance in studying dumpster divers, as they have taken initiatives to facilitate a more sustainable treatment of food. Such initiatives should be highlighted in studies as they could contribute to enlightening and informing people about the need to develop a more sustainable society. This also raises socio-legal questions of the need to defy laws to live sustainably.

1.2 Research Aim

This study aims to understand dumpster divers' legitimization of dumpster diving, from a socio-legal perspective. The socio-legal theory chosen to investigate this, is Patricia Ewick and Susan S. Silbey's theorizing on legal consciousness. Thus, this study aims to investigate how dumpster divers legitimize their dumpster diving through their legal consciousness. By investigating dumpster divers, this study also contributes to a greater understanding of food waste, consumerism, and sustainability. This will be investigated through qualitative interviews and the sampled group has been delimited to dumpster divers who are or have been dumpster diving in Sweden. Further, only people who dumpster dive voluntarily have been sampled, excluding those who dumpster dive out of economic necessity to overcome food insecurity.

1.3 Research Questions

- What does the legal consciousness of voluntary dumpster divers in Sweden look like when narrating their experiences of dumpster diving?
- How do voluntary dumpster divers in Sweden legitimize dumpster diving through their legal consciousness?

2. Background

This section will firstly provide background knowledge about Sweden as a consumer society and its effects on the environment. This is crucial information in understanding the logic behind dumpster diving, which will become evident throughout the thesis. Secondly, a broad overview of dumpster diving is presented to provide the reader a sufficient understanding of what dumpster diving entails both ideologically and practically. Thirdly, the legal framework related to dumpster diving is presented and its implications on this thesis will be elaborated. The information presented in the background chapter is meant to provide the reader a sufficient foundational understanding, from which the rest of the thesis builds on. The presented information will further facilitate the understanding of the literature review as well as the analysis.

2.1 A Growing Consumer Society

Food that is produced to be eaten but is for any reason not, is called food waste. Food waste can be used for rot, compost, or combustion, but regardless of the possible usage of the waste, it is more sustainable to decrease the waste and consume the food that is produced. (Jordbruksverket n.d). Further, food waste contributes to 8-10 % of the total greenhouse gas emissions (Livsmedelsverket 2021). Food waste exists within all sectors of Swedish society, ranging from “primary production, at wholesalers, suppliers, shops, restaurants and commercial kitchens as well as in households.” (Naturvårdsverket n.d). The largest amount of food waste is located within the households. Mostly, it is fruits, vegetables, bread, and leftovers that are thrown away, but also coffee, tea, and dairy products (Livsmedelsverket 2021). Regardless of households being the main producer of food waste, other sectors are also responsible for the unsustainable treatment of food. From 2012 to 2018, Swedish grocery stores have more than doubled the amount of food waste which has now reached 100 000 tons per year (Naturvårdsverket n.d).

Strid, Eriksson, Fogelberg and Hernant (2013) explain that the food thrown away in grocery stores mostly occurs before it ends up on the shelves in the store. There are high standards of the food that can be put on the shelves and food with any beauty flaws will be cleared away. Further, food with a short expiration date or food that simply does not sell fast enough is also picked from the

shelves and thrown away. This entails that edible food is cleared away due to high competition between stores to have perfect food on the shelves, it is more economical to clear away food that is not selling and put more sellable food on the shelves (ibid., 4-5). This unsustainable behavior regarding food is an outcome of the consumer society. Defined as “A society in which the buying and selling of goods and services is the most important social and economic activity” (lexico.com). Carolsfeld and Erikson (2013) explain that in today's western capitalist society, the overproduction of food is created by design. The food-for-profit market is consciously producing food in an externality to maximize profit. Thus, food is no longer the means to feed people, but the means to gain power and profit (ibid., 246-247). This wasteful behavior is influenced by policies, regulations, and norms about the food system. Even retailers “need” to overstock, rather than understock their stores in fear of losing customers. The wasteful behavior toward food is thus integrated into many sectors of society (ibid).

2.2 What is Dumpster Diving?

Dumpster diving as it was defined in the introduction, is the activity of scavenging food and objects that can still be eaten or used from large containers. Vinegar, Parker and Mccourt (2016, p. 241-243) explain that countries in the western world have started to produce a large amount of food waste. Paradoxically, increasing amounts of people in western countries have started to search for food in waste streams, such as dumpster diving. Searching for food in waste streams has long been a stigmatized activity, recognized with food insecurity or extreme poverty. For many dumpster divers, the activity is linked to ideology and activism, a way to stand up against food waste, whilst for others it is a necessity to overcome food insecurity (ibid). Carolsfeld and Erikson (2013, p. 249) explain that dumpster diving is often said to be a reaction to the overproduction and overconsumption in the capitalist consumer society. Dumpster divers are repulsing the dominant unsustainable food system by scavenging discarded food. They explain that the key motivation for dumpster diving is often found within the larger social and political arena:

Dumpster diving defies dominant economic and conventional trends of food acquisition and challenges deeply embedded social prohibitions concerning hygiene and edibility [...] Learning more about diving and why people do it helps us understand relationships between food and broader societal, economic, and political changes. (Carolsfeld and Erikson 2013, p. 246).

To dumpster dive, is in contrast to its actual purpose, often recognized with poverty, low status and homelessness. The activity of eating food that other people have been throwing away is by capitalist society viewed as disgusting, degrading and unhealthy. (Barnard 2011; Edwards & Mercer 2013; Nguyen, Chen & Mukherjee 2014). Vinegar et al. (2016, p. 243) writes that within the limited research conducted on dumpster diving, few have focused on who the dumpster divers are. They present their study and show that the divers are primarily “Caucasian, university students, holding an “alternative” identity, and without a full-time job or children.” (ibid., 241). Nonetheless, it should be noted that there were variances in “gender, age, cultural and ethnic background, socioeconomic status and history, occupation, and housing arrangements.” (ibid., 244). Nonetheless, the divers are often people who do have food security, rather than people with food insecurities.

Vinegar et al. (2016, p. 245-246) explain that the most common reasons that prevent dumpster diving are “physical inaccessibility of waste receptacles, lack of time, awareness, or knowledge, and negative social norms or stigma associated with diving.” (ibid). The most common barrier that prevents diving is the physical nature that jumping into dumpsters, climbing fences or breaking locks entails. Further barriers were non-physical and related to social connections and skills. The diver needs skills in how to proceed with the dumpster dive, and these skills are commonly spread and shared among other dumpster divers. Hoffman (1993) illustrates the importance of having skills when diving in his book. The dumpster diver should have the right clothing and gear, as well as the skills to properly and safely dumpster dive (ibid., 39-45). This entails that to gain skills, one must also have connections to other dumpster divers. Vinegar et al. (2016) explain that such communities often occur on social media and are established around the shared beliefs and morale surrounding food and food waste (ibid., 249).

Another type of community where dumpster diving is common is the so-called freegan community. Within the freegan ideology, dumpster diving is a key tool to criticize the consumer

society, often from a left-sided political agenda. (Thomas 2010, p. 2-3). The word ‘freegan’ originates from a combination of the words ‘free’ and ‘vegan’ and the logic behind the fusion is described as “while vegans protest animal exploitation by abstaining from consuming animal products, freegans protest over-consumption by abstaining from consuming anything that must be purchased.” (Barnard 2011, p. 421). Nguyen et al. (2014) explain that within the freegan ideology, members reverse the stigma towards capitalist consumerism. Thus, freegans accept the stigmatization caused by eating food that has been thrown away, to enable a reversed stigmatization of consumers. They describe the reversed stigma as “when a stigmatized group inverts or recreates a value system such that the dominant cultural other is stigmatized” (ibid., 1878).

Nonetheless, the stigma and labeling of dumpster diving as filthy, unhealthy, and disgraceful, is also a non-physical barrier that prevents divers from dumpster diving (Vinegar et al 2016, p. 246). Some dumpster divers feel ashamed or insecure about telling other people that they are dumpster diving and keeps it a secret. Ideas of property, purity, and wealth have made the stigma of dumpster diving strong, leading to their informants not communicating about dumpster diving with outsiders (Lehtonen & Pyyhtinen 2021, p. 452). Further, Lehtonen & Pyyhtinen (2021) argue that there are four types of transgressions related to dumpster diving in a wealthy capitalist society. Firstly, eating ‘waste’ is challenging the social norms about hygiene and healthiness. Secondly, through dumpster diving, one is automatically perceived as poor or homeless. Thirdly, some argue that dumpster diving is ‘stealing’ as the food has already been paid for by retailers and the customers. Fourthly, dumpster divers are challenging the boundaries of legality. They are at a place where they are not supposed to be, and the disposal of food belongs to waste management firms after it is thrown away to become e.g., biogas. Thus, it is argued that dumpster diving is always theft. (ibid., 452-453). Regardless of whether dumpster diving is legal or illegal, dumpster divers are stigmatized as transgressors by capitalist society.

Vinegar et al. (2016, p. 248) explain that the dumpster diving round is often described in two different ways, either as an organized mission or as a spontaneous route. When described as a mission, the divers use cars, bikes, or trailers to target multiple containers at various grocery stores that are known to have desirable goods. These typed of missions were often carried out in a group,

at night to gather large quantities of food. When described as a spontaneous route, the divers generally use a bike or walk. It entails minimal planning, is often done alone and it happens in daytime when passing a suitable store. (ibid). The dumpster divers commonly dived for baked goods, fresh fruits, vegetables, prepared food, meat, and dairy products. Also, many dived for frozen foods, eggs, seafood, snacks, beverages, post-consumer food from restaurants, and dry staples. (ibid., 247). The dumpster divers in the study were much more cautious about what food to dumpster dive and did never take any food that they assumed could have gone bad. Further, after a dumpster dive, the divers clean, cook and freeze the food that they brought home to ensure that the food will stay good. Eighner (1992) writes about his own experiences of dumpster diving and explains that three prime principles are important when deciding what food is safe to eat. One must use her senses, be familiar with the dumpsters in the area and check them frequently and one should always think about why the discarded food is thrown away. (Eighner 1992, p. 88).

2.3 The Legal Status of Dumpster Diving

Certain laws in the Swedish criminal code (SFS 1962:700) become relevant when discussing the legal status of dumpster diving: theft, trespassing, vandalism, and littering. This would mean that dumpster divers could commit a crime if they were to e.g., damage a dumpster, litter, or break into a fenced area. Further, by breaking into a dumpster or breaking into a fenced area, the dumpster diver could fulfill the prerequisite for theft. Thus, there seem to be four possible laws that would criminalize dumpster diving in Sweden.

Lehtonen & Pyyhtinen (2021 p. 452-453) argues that dumpster divers are challenging the boundaries of legality and their actions can be interpreted as illegal because they are at a place where they are not supposed to be, and the disposal food belongs to waste management firms after it is thrown away. However, Thomas (2010, p. 47-49) argues that goods that appear to be abandoned, most often are abandoned, and it cannot be argued that one commits theft by taking them. Further, he argues that dumpster diving cannot be seen as a criminal act because it does not harm anyone. However, in many studies, dumpster diving is described as a legal grey area and the dumpster divers themselves do not know if the activity is legal or not. Neither are they concerned

with the legal question and would not stop dumpster diving if they found out it was illegal (Lehtonen & Pyyhtinen 2021, p. 453).

For this study, it should be noted that laws per se are not important, but rather how the dumpster divers understand the law and act thereof. Therefore, laws are often referred to in general throughout the thesis and when referring to laws relating to dumpster diving it is the four laws mentioned above: theft, trespassing, vandalism, and littering.

3. Literature Review

Firstly, in this chapter the choice of literature review, search words and criteria for the searches will be discussed. Secondly, this literature review will present previous research conducted on voluntary dumpster diving and relate them to how dumpster divers legitimize and make sense of their experiences of dumpster diving. Specific categories were found when reviewing the articles on dumpster diving: ecological, political, economic, and hedonistic. Thirdly, there will be a short concluding discussion about the chosen articles.

3.1 Traditional literature review

This literature review takes the form of a traditional review, meaning that it will summarize and evaluate the previously written literature. As Li and Wang (2019) write, the purpose of a traditional literature review is trifold “(1) to contextualize the study to be conducted, (2) to inform the study design, and (3) to help the researcher interpret the results in the discussion section.” (ibid., 125). Thus, to fully understand the legitimization of dumpster diving, it is crucial to contextualize the practice and understand what has previously been done. Secondly, the contextualization will facilitate the choice of research design for this study. And thirdly, it will enable a discussion and comparison of this study's results and previous research results.

3.1.1 Databases, criteria for searches, and search words

To find the literature on dumpster diving for this review, the databases LUBSearch and Google Scholar have been used. The criteria for the searches were: published after 2010, peer-reviewed, in English or Swedish. On LUBSearch all literature found has been read and reviewed, whereas the relevant literature has been assessed in this review. The search words used were:

NO RESULTS / NO RELEVANT RESULTS	RELEVANT RESULTS
(dumpster diving + legislation)	(dumpster diving)
(dumpster diving + legitimization)	(dumpster diving + subculture)
(dumpster diving + Sweden)	(freegan)
(dumpster diving + europe)	
(dumpster diving + moral)	

When searching literature on Google Scholar, there were many results, which made it impossible to review all literature. The search criteria were; published after 2015, in English or Swedish, and articles published as research (meaning bachelor and master theses were not reviewed). Many relevant articles from Google Scholar were already found on LUBSearch. However, as there were many results on Google Scholar, all literature could not be reviewed. It was thus necessary to provide fewer and more precise searches, which means that relevant literature could have been missed. The searches were:

NO RESULTS / NO RELEVANT RESULTS	RELEVANT RESULTS
("dumpster diving" + "subculture" + "sweden" + "legitimization")	("dumpster diving" + "legitimization" + "sweden" + "sociology")
	("dumpster diving" + "legislation" + "sweden" + "legitimization")
	("dumpster diving" + "subculture" + "sweden" + "freegan")
	("dumpster diving" + "law" + "sweden" + "legitimacy")

3.2 Dumpster Diving

In this literature review, previous literature on dumpster diving is presented. The review is here divided into four subcategories: ecological, economic, political, and hedonistic. Each category is related to how dumpster divers enable a legitimization of the transgressive (and sometimes illegal) activity of dumpster diving. To do this satisfactorily, it is important to define what this review refers to when stating 'legitimize'. The Cambridge Dictionary (n.d) defines 'legitimize' as "to

make something legal or acceptable”. Thus, when writing ‘legitimize’ in the review, I refer to the researchers’ description of how dumpster divers reason to make their dumpster diving an acceptable practice. For the purpose of this study and to simplify how the categories are relevant, I chose to divide them. Nonetheless, the categories are difficult to divide as they are highly intertwined with each other.

3.2.1 Legitimization through ecological reasoning

All articles on dumpster diving clarify that the environmental aspect is the most pressing reason for dumpster diving (Barnard 2011; Gollnhofer 2017; Edwards & Mercer 2013). Dumpster diving embodies a criticism of today's irresponsible treatment of the environment in the form of overproduction and overconsumption (Thomas 2010, p. 2-3). The dumpster divers in this study describe the overflow of food spills as a horrible situation where so much food is thrown away that it is possible to be picky and prefer a specific diet when dumpster diving. The overflow leads to many feeling bad about having to leave fully edible food behind when dumpster diving. The interviewees express a sense of moral obligation to save the food that has been thrown away and express feeling good about themselves when managing to save it (Lehtonen & Pyyhtinen 2021, p. 449-450). In an earlier article, they write that dumpster divers explain that their dumpster diving is a way to show respect to the food and the resources that have been put into producing it (Lehtonen and Pyyhtinen 2020, p. 214). Further, Edwards and Mercer (2013) found that dumpster divers are not only picky about their choice of food whilst dumpster diving, but also the location. They write that their interviewees are well informed about “Company histories, labor conditions, the environmental and social background of the products they sell, and the sheer volume of waste generated” when choosing a dumpster dive location. (ibid., 184). Thus, the dumpster divers are both sustainable and ethically conscious about the food disposal, but also where they can find such disposal food.

Lehtonen and Pyyhtinen (2020) provide an interesting analysis of how dumpster divers use an alternative system of valuation when dumpster diving. They explain that dumpster divers value all edible dumpster food, but several factors affect the value of the food, such as “sorting, picking up, transporting, washing, peeling, freezing, and cooking, for example, are integral to valuation” (ibid.,

216). This is relevant to ecological reasoning as it challenges western ideals of edibility, hygiene and worth. Where the consumerist society sees trash, the dumpster diver sees value.

3.2.2 Legitimization through political reasoning

Dumpster diving is explained as a criticism against the capitalist society's irresponsible treatment of the environment. Dumpster diving is a part of the so-called 'freegan' ideology, entailing that many dumpster divers recognize themselves within this community. (Thomas 2010; Barnard 2011; Edwards & Mercer, 2013; Nguyen, Chen & Mukherjee, 2014). The freegan ideology is for some practitioners an anti-capitalist ideology, whilst for others a strategy to live more sustainably (Barnard 2011, p. 421). Nguyen et al. (2014) argue that freegans have developed an ideology that understands excessive consumerism as an outcome of "political ideologies of social imbalance and exploitation" (ibid., 1879). They explain that dumpster diving is often recognized with poverty and dirtiness within the wealthy capitalist society. However, the freegan ideology enables its members to reverse the stigma towards capitalist consumerism. They argue that people have become enslaved under the capitalist economy and are blinded by a system that has led them to consume unsustainably. The freegans describe themselves as enlightened, whilst consumers are manipulated victims of capitalist consumerism. Thus, freegans accept the stigmatization caused by eating food that has been thrown away, to enable a reversed stigmatization of consumers. Nguyen et al. describe the reversed stigma as "when a stigmatized group inverts or recreates a value system such that the dominant cultural other is stigmatized" (ibid., 1878).

Lehtonen and Pyyhtinen (2021, p. 456) explain that dumpster divers, even though they are critical of other people's consuming habits, are not always keen to change the consumer society. This became evident when the informants explained that their lifestyle is dependent on capitalist overconsumption and unsustainable habits (ibid). This finding stands out from other articles (see e.g., Thomas 2010; Barnard 2011; Edwards & Mercer 2013; Nguyen, Chen & Mukherjee 2014), as their informants are describing that they are trying to reach social change. Lehtonen and Pyyhtinen (2021, p. 445) observe this deviating finding and explain it to be a result of their informants not being active in any social movement against consumerism. They describe it as follows:

[...] dumpster diving is not primarily about social activism, although it is often part of a lifestyle that can include squatting and strong commitments to ecological awareness, if not full-fledged radicalism. But if a social movement is about gathering people together around an issue and giving it a public voice [...], such aims are at best marginally significant in relation, if not completely irrelevant, to what our informants do. (ibid).

This said, I want to acknowledge the two contrasting ways of using political reasoning to legitimize dumpster diving, where one is on the private level and the other is on the public level. Dumpster divers belonging to a social movement against consumerism (e.g., freegans) criticize the capitalist economy and demand social change. They are in that sense public and wish to be seen and heard to change society. On the other hand, there are dumpster divers who are operating on the private level, wishing to be anonymous and hide their activity. Interestingly, they are still critical of consumer society and use political reasoning to legitimize their dumpster diving, although they do not themselves work to change society. Lehtonen and Pyyhtinen (2021, p. 445) use Joost de Moor's concept of lifestyle politics and explain that dumpster diving is a critical practice that often works inwards and indirectly. Meaning that dumpster diving as a practice alone is done more privately, whilst being active in any social movements against consumerism is what makes the practice work outwards and direct.

Barnard (2011, p. 421) frames the freegan community as a New Social Movement (NSM), a concept emerging from changes in societies' productive systems. Many argue that the NSMs are "post-industrial, post-modern, post-materialist, post-Fordist [and] post-class" (ibid., 422). NSMs often use cultural means to change society rather than calling for legislative changes. In the case of freegans, they dumpster dive to politicize the question of food waste and overconsumption. They legitimize the claims of their NSM by being active in the media, trying to spread their word. However, Barnard acknowledges that political reasoning is not the only reason for dumpster diving, but the creation of identity and collective action are important for the dumpster divers. He explains that dumpster diving enables people to alter a new alternative identity that opposes the capitalist economy and is highly concerned with overconsumption and sustainability. (ibid., 437).

3.2.3 Legitimization through economic reasoning

The dumpster divers are middle-class people, holding degrees or other forms of education. Their dumpster diving is not a result of economic hardships but being able to stay outside of the capitalist economy seems to be a crucial reason for dumpster diving (Vinegar et al. 2016, p. 243). Many dumpster divers wish to be outside of the money economy and depart from the dependence on capitalist consumerism (Thomas 2010, p. 2-3). However, this is a paradox, as the dumpster divers are as dependent on the capitalist economy as the consumers. Their interviewees explain that they are critical of consumer society but are simultaneously aware that their lifestyle is dependent on the capitalist economy. One informant describes himself as a parasite in a parasite economy (Lehtonen and Pyyhtinen 2021, p. 446-450). Nguyen et al. (2014) also write about the paradox of the dumpster diving ideology. Freegans often legitimize their dumpster diving by claiming to be autonomous and independent of the capitalist economy. They argue that their independence from this economy enables them to minimize their ecological footprint by dumpster diving. However, dumpster diving as a practice is dependent on the overflow of food that is being thrown away. Dumpster diving is thus a way to position oneself outside of the capitalist economy, whilst still being dependent on the unsustainable treatment of food (ibid., 1880).

Lehtonen and Pyyhtinen (2021) argue that except for distancing themselves from the capitalist economy, eating for free seems to be an important argument when legitimizing dumpster diving. Their informants explain that they are calculating how much money they have saved by dumpster diving. It seems to be the rationality and cleverness of dumpster diving that attracts the informants, rather than saving money. Some dumpster divers had to buy some groceries in the store and express feeling dumb and irrational for doing so. Also, the informant questions why not everyone dumpster dives, and especially those who are unemployed or homeless (ibid., 447-450). Nguyen et al. (2014) describe the freegan distinction drawn between voluntary dumpster diving and dumpster diving for economic necessity. They explain that there is a hierarchy of dumpster diving, where voluntary dumpster divers are keen to distinguish themselves from the stigma of being poor and homeless (ibid., 1878). Similarly, Barnard (2011) explains how strong the stigma of dumpster diving is when interviewing a homeless man, who says he would never do such a degrading thing as going through other people's trash. Thus, voluntary dumpster diving can be for economic reasons, firstly because of the liberation from the capitalist economy, and secondly because it makes it possible to eat for

free. However, homeless people, with actual economic issues, would not dumpster dive, because it would be disgracing (ibid., 427). To conclude, the possible difference between the dumpster divers and the homeless, could be the ideological beliefs that drive dumpster divers to eat disposal food.

3.2.4 Legitimization through hedonism

All of the above-mentioned reasons for dumpster diving are highly relevant, however, they do not take into consideration the pleasure of the activity. In Lehtonen and Pyyhtinen's (2020, p. 214; 2021, p. 447) study, their informants explain that dumpster diving is a fun activity done with friends. Thus, the dumpster divers do not only value the morals supporting their conduct, but also the practice itself. Dumpster diving is done collectively, partly driven by the pleasure of being social with friends. One informant explains that she had gone dumpster diving alone, but the pleasure of the activity was lost (ibid). Nguyen et al. (2014) similarly explain that dumpster diving has an adventurous and hedonistic component. They argue that some informants dumpster dive because it is "an adventure, a game... like a treasure hunt." (ibid., 1879). Further, Barnard (2011) argues similarly about the freegans:

[...]freegans are marked not just by an ideological orientation but also their 'dress, lifestyle politics, and whom they socialize with' [...], and, as in other youthful anti-capitalist subcultures, participants are motivated not just by a desire for social change, but also community and fun (ibid., 423).

Edwards and Mercer (2007) found similar results when investigating dumpster divers as a part of a subculture. They found that dumpster diving entails a fun and social activity, where the importance is the connection to friends, similar to what Lehtonen and Pyyhtinen found. They explain that the socializing occurs e.g., on "...dumpster dinners, the establishment of dumpster households and the redistribution of DD food to DD-friendly households" (ibid., 283). They show that it is not only the dumpster diving per se that is fun and socializing, but also other activities and events are available for these dumpster divers. Thus, to legitimize dumpster diving through hedonism means that the activity seems to be a way of having fun, whilst socializing with friends. Furthermore, Lehtonen and Pyyhtinen (2021) explain that dumpster diving in a group is common as it allows for dividing the tasks and covers a greater area for dumpster diving. After the dumpster

dive, they explain that it is common to have a “trash party” where the group is enjoying what they scouted (ibid., 451). They also explain that the dumpster diving community is rather closed from the outside, however for those on the inside, the togetherness is strong. They write that in dumpster diving groups online, new members often ask questions about where and how to dumpster dive. These questions are rarely answered publicly because the other members are afraid that shop owners would access the information. Thus, socialization seems to occur in more private forums from the inside and is protected from the outside (Lehtonen & Pyyhtinen 2020), p. 209).

Another hedonistic reason for dumpster diving is how it makes the informants feel about themselves. Dumpster diving becomes a part of their lifestyle, and it makes them feel ecological, politically, and economically reasonable. As the informants describe these reasons for dumpster diving, they do so by explaining how it makes them feel good to be sustainable. To dumpster dive and to be enlightened about the impacts of food waste from an ecological, political, and economic perspective facilitate altering an identity of reason and responsibility. Thus, we can assume that dumpster diving is a way to create an identity that makes the informants feel good about themselves.

3.3 Discussion

The studies presented in the part on dumpster diving, are all using qualitative methods, ranging from interviews, observations, and document analysis. The reason for this has been to enable an in-depth understanding of dumpster diving. The studies have however targeted dumpster diving from various angles and lifted different aspects of the activity. Based on my searches of dumpster diving, no articles have been assessing dumpster diving from a socio-legal point of view. Further, no articles on dumpster diving in Sweden were found during the searches. To repeat myself, only articles and studies conducted on a research level have been assessed (excluding bachelor's and master's theses). The knowledge gap regarding dumpster diving in a Swedish context and the lack of studies adapting a socio-legal perspective increases the relevance of conducting this study.

4. Theoretical Framework

In this section, I will firstly present Patricia Ewick and Susan S. Silbey's critical approach to legal consciousness. Secondly, I will relate their theorizing to this study's understanding of legitimization. Thirdly, I will provide a theoretical discussion to justify the choice of theory.

4.1 Legal Consciousness

Patricia Ewick is a professor at Clark University, in the department of sociology (Clark University n.d), and Silbey is a professor at the Sloan School of Management in behavioral and policy sciences. (Massachusetts Institute of Technology n.d). Together they have provided the most empirically rich theorizing on legal consciousness within the critical approach. Halliday (2019) writes that the critical approach focuses on investigating why and how law can sustain legitimacy, even by those who are systematically oppressed by the law. The critical approach assesses a pluralistic view on the understanding of "legal", as it refers to both formal laws and informal laws, capturing hegemonic struggles between legal orders. Within the critical approach, it is common to investigate the legal consciousness of ordinary people that are a part of a disadvantaged or marginalized group. People from such groups are often sampled as they make visible the existing hegemonic struggles. (Halliday 2019, p. 864). Chua and Engel (2019) refer to the critical approach as the hegemony school, and state that "[...] the purpose of legal consciousness research is to reveal the workings and expose the far-reaching yet often invisible effects of law in the thoughts and actions of ordinary people." and "reveal how some individuals resist law's powerful effects, albeit in ways that reinforce or leave intact law's superordinate power." (Chua and Engel 2019, p. 339). This is possible because tactical resistance operates within the logic of the law, meaning that by resisting the law, state law's legitimacy and power is reproduced. The primary goal for Ewick and Silbey was to illustrate law's hegemonic power over social life. Nonetheless, many hegemonic scholars have instead tried to elucidate tactical resistance (Chua and Engel 2019, p. 339).

Ewick and Silbey (1998, p. 17-22) present their theorizing on law and legality, to illustrate that legality is a part of human relations rather than an external force steering social life. They argue that legality is to be found in commonplace schemas of everyday life and not exclusively in legal

affairs such as the formal law or court decisions. Disputes are most often handled without the involvement of official legal agents and outside of courtrooms, meaning that most legal activity is found in commonplace activities (ibid). Hertogh (2018) criticizes contemporary research conducted on legal consciousness as it often follows the spirit of Ewick and Silbey. He argues that the increasing number of laws and regulations in our society, leads to ambiguousness and a process of legal alienation. Within this ‘legal explosion’, people can no longer find their own voice in legal matters and law cannot be understood as a reflection of people’s everyday experiences. Thus, Hertogh rejects the idea of law as ever-present, and argues instead that law is becoming more salient in people’s everyday experiences (Hertogh 2018, p. v-vi).

Nonetheless, Ewick and Silbey (1998, p. 17-22) argue that law emerges from society itself, meaning that law is ever-present in social life, nonetheless often subordinate. However, by recognizing law in everyday practices does not necessarily mean illustrating the power of the law. Ewick and Silbey differentiate “law” from “legality” in the following way:

Rather than “law”, we will use the word “legality” to refer to the meanings, sources of authority, and cultural practices that are commonly recognized as legal, regardless of who employs them or for what ends. In this rendering, people may invoke or enact legality in ways neither approved nor acknowledged by the law. [...]. We will use the word “law” specifically to refer to aspects of legality as it is employed by or attributed to formal institutions and their actors (Ewick & Silbey 1998, pp. 22-23).

Ewick and Silbey found that people tell three types of stories when defining, thinking about, and using the law. These different legalities are called before the law, with the law and against the law and each represents different normative ideals: objectivity, interested representation, or power. (ibid., 28-29). Legal consciousnesses become visible in both what people do, as well as in what they say. Further, the legal consciousnesses are collectively constructed and dependent on historical and social contexts, and thus embody a complex and fluctuating shape. Depending on the situation, a person may find themselves having contrasting consciousnesses, meaning that the legal consciousnesses should be treated as plural and context dependent. However, the contrasting and sometimes contradictory legalities should not be understood as a weakness but rather an illustration of its power, and the possibility of having multiple interpretative schemas. (ibid., 46, 50-51).

4.1.1 Before the Law

Ewick and Silbey (1998) explain that for people whose consciousness is before the law, law is characterized as something separate from social life, it stands outside of *time* and *space*. The law is authoritative, predictable, fixed, impartial and impervious to individual action. *Normativity*, describing the moral basis for legality, is thus the impartiality and objectivity of the law. People who find themselves before the law often express acceptance and loyalty to the law because they believe in the fairness of legal procedures. However, they do not always agree with the outcomes of the law. This can sometimes result in an experience of powerlessness because law's authority overrules individual action. This shows how the law is *constrained*, because legality is found in the legitimacy of legal procedures, human action becomes limited and there are things that the law cannot do. Notwithstanding its constraints, law can produce powerful effects that a single human could never do (ibid., 83-95).

4.1.2 With the Law

Ewick and Silbey (1998) explain that a game has a clear beginning and end, it has specific rules, and it requires knowledge and skill to win. People who find themselves with the law interpret legality similarly, law is a game to be played. Importantly, playing the game of law entails both playing by the rules, and playing the rules. The *normativity* lies in that law is seen as a pre-existing set of rules that can be played and manipulated to serve the self-interests of the player. They also recognize that legality is differently accessible to different people, meaning that legality is more burdensome or more advantageous for certain people. Rationality plays an important role because the person finding himself with the law, must always calculate the utility of his actions. Further, people with this consciousness also tend to act in accordance with their moral compass, thus assessing values, rights and justice for themselves or others. Lastly, legality is used as the mean itself, because playing with the law is satisfying and thrilling (ibid., 132-159).

For someone with this consciousness, law is bracketed from everyday life and respondents seem to find legal constructions legitimate only for limited situations. However, these people seem less concerned about the legitimacy of the law, and more concerned about legal procedures' capacity to satisfy their desires. Legality is often interpreted as amoral and apolitical. It produces a

systematic bias because it is based on social inequality. In similarity to the game, rules define what actions can be taken without cheating, and in reality, rules *constrain* what can be done legally. Legality is socially and historically constructed, vulnerable to change and easily manipulated for personal desires. Law's *capacity* to produce legal outcomes is dependent on skill and resources, often giving people the ambition to improve. The capacity to produce satisfying outcomes are more successful as a group, meaning that people who stand with the law usually seek to act collectively. To make use of law's capacity, people who play with the law often make new rules that can help them reach their desired ends. Legality is occurring simultaneously as in real life and the players use *time* and *space* to strategically make use of it. (ibid., 132-159).

4.1.3 Against the Law

The third and last legal consciousness observed by Ewick and Silbey (1998, pp. 181-219), is one where the people feel trapped within the law and experience being up against it. The *normativity* is thus the understanding of legality as a product of power. However, people with this legal consciousness still recognize the *constraints* of legality. Often these people explain that the law is unable to coordinate disputes that happen in everyday life, leading to lost faith in the law's effectiveness. Within this consciousness, legality is seen as untrustworthy and arbitrary, and should be avoided. Resistance against the law takes three features. Firstly, it entails a consciousness of being in less power than the opponent. Secondly, it takes a consciousness of opportunity which means that one should be able to take advantage of the resistance. Lastly, it involves a consciousness that pays attention to the unfair consequences that the power has produced, and one feels a responsibility for the situation. To fight the law, these people assess schemas not controversially used. Commonly used means to resist the law are: "Foot-dragging, omissions, ploys, small deceits, humor, and making scenes" (Ewick & Silbey 1998, p. 48). Further, the stories told about the resistance to the law are often inherently filled with humor and passion, which passes on the message that it is possible to oppose legality (ibid).

The reasons for standing up against the law are diverse and for some it is about remaining dignity and honor, getting revenge, or to avoid the law and its consequences. "Thus, in plotting to remake an unfair situation as it stands, resistance lies at the intersection of the power of legality and the

possibilities for escaping it” (Ewick & Silbey 1998, p. 184). The *capacity* of this legality lies in masquerading, rule literalness and inversions, meaning that people who find themselves against the law often take on specific roles to manipulate power hierarchies. Legality is experienced as an ever-present deprivation of private life, entailing that it takes up both time and space. However, people who belong to this legal consciousness often occupy both time and space to resist the law, in cases of e.g., foot-dragging (Ewick & Silbey 1998, pp. 181-219).

Fritsvold (2009) investigated radical environmentalists and argues for an expansion of Ewick and Silbey’s theorizing by including an under the law consciousness that is more radical than the against the law consciousness. For people who find themselves against the law, law is unable to produce effective changes. However, people who possess an under the law consciousness argue that the law is consciously created that way and is causing harm to those who challenge its status quo. Fritsvold states:

An Under the Law legal consciousness is exemplified by a belief that codified law, law enforcement, and the court system are actively protecting and defending a larger social system that is fundamentally corrupt and fundamentally illegitimate. (Fritsvold 2009, p. 813).

Because these people find the whole system corrupt, they have low trust in the law and legal procedures. The legal system is hypocritical as it is constantly engaging in illegitimate actions that undermine its own legitimacy, whilst simultaneously expecting legitimacy. Within the consciousness against the law, law is seen as a product of power, however the under the law consciousness expands further: “the law and legal system knowingly allow environmental crimes to persist because of the undermining influence of corporate wealth” (Fritsvold 2009, p. 815). The legal system then oppresses people such as radical environmentalists as they do not view the world in a similar way (ibid).

Ewick and Silbey (2020, pp. 5-7) respond to researchers’ ambitions to expand their theorizing on legal consciousness, such as Fritsvold. They argue that these studies are not inherently wrong, but rather rich and complex. However, they tend to focus predominantly on categorizing legal

consciousnesses among social actors but fail to recognize how the legal consciousnesses are intertwined with the social structure of legality (ibid). Thus, Ewick and Silbey state:

The contribution of recent work lies not, therefore in identifying yet another narrative of legality; rather, by focusing on group interactions within local settings such work promises to reveal more about the collective processes through which law and legality are constructed. In other words, if legal consciousness is talked and acted into existence, this will always occur within groups who are simultaneously situated in multiple domains of meaning. (ibid., 6).

4.2 Legitimization

As the reader might have noticed, there is no chosen theory on legitimization. This is a conscious choice, as I have chosen to investigate how the dumpster divers themselves narrate about legitimizing their actions in relation to their legal consciousness. To understand how the dumpster divers legitimize their dumpster diving and answer the second research question, I have used Ewick and Silbey's theoretical framework. As presented above, the different legal consciousnesses influence how people relate to the law and act thereof. A definition of 'legitimize' is provided by the Cambridge Dictionary as "to make something legal or acceptable". Thus, when writing 'legitimize' in the analysis, I refer to how the respondents make dumpster diving acceptable in their narration in relation to their legal consciousness.

Because this might be confusing for the reader, I will provide a short example of how I used Ewick and Silbey's theoretical framework together with my data to understand how legitimization emerges from the respondent's legal consciousness. Helena mostly expresses a consciousness before the law and understands the law and legal procedures as legitimate. Because she feels loyal to the law and its procedures, she is careful to not break any laws whilst dumpster diving. Helena tells me that her dumpster diving is legal, and she can thus legitimize it through the law itself. However, Mia instead has a legal consciousness against the law, and states that laws are not important to her. Thus, Mia and Helena legitimize their actions differently, depending on their legal consciousness.

4.3 Theoretical justification

The critical/hegemonic approach is much useful in understanding the dumpster diver's legal consciousness, and how they legitimize dumpster diving. This is because dumpster divers represent a stigmatized and marginal group that challenges conventional understandings of food and edibility. The critical approach is often used to investigate groups that pose resistance to societal norms. The primary goal for Ewick and Silbey is to illustrate law's hegemonic power over social life. When exploring dumpster diving through previous research, the logic behind dumpster diving is found within the larger social and political arena, making visible the hegemonic power that the law has produced. Nonetheless, many hegemonic scholars have instead tried to elucidate tactical resistance, such as Fritsvold. Ewick and Silbey criticize such studies for focusing too much on mapping out new legalities. This said, this study will pay attention to Ewick and Silbey's critique and make visible the hegemonic power that the law has produced when investigating dumpster diving, instead of following Fritsvold's way of assessing legal consciousness. Further, Hartogh poses a sharp critique against Ewick and Silbey's theoretical framework because of the legal explosion that makes people legally alienated. His critique has been lifted to illustrate contrasting interpretations of the research field regarding legal consciousness. However, the research questions for this study are bound to Ewick and Silbey's theoretical framework, meaning Hartogh's critique, as well as Fritsvold's concept of under the law did not fit the analysis of the data. Instead, both Hartogh and Fritsvold's contributions will be shortly discussed in the concluding chapter.

5. Method

The chosen methods for this study are online semi-structured interviews. Bryman (2018) explains that the purpose of qualitative research is to understand the informants' experiences and how they attribute meaning to them. Qualitative research focuses on details and thick descriptions, which will enable a contextualized picture of the studied phenomenon (ibid., 479). Kvale (2007, p. 11) writes that interviews are particularly advantageous when trying to achieve this contextualized picture. Thus, interviews have been chosen to enable an understanding of the dumpster diver's legal consciousness and how they legitimize dumpster diving.

This study has adopted an interpretivist epistemology, which entails that knowledge production is a result of the researcher trying to understand how the informant experiences and interprets parts of his life (Mason 2019, p. 8, 226). The purpose is to understand how dumpster divers themselves make sense of their dumpster diving and how they legitimize it. Further, this study does not claim that the data material is collected and objectively interpreted. Instead, it acknowledges that the material is generated and subjectively interpreted, influenced by the interpreter's reference frame, meaning that there are various ways of understanding the data (Pernecky 2016, p. 103). Thus, this study will not claim to portray any objective facts about the world, and dumpster diving, but is rather one way of interpreting dumpster divers' legal consciousness and how they legitimize their dumpster diving. As well as it portrays one way of interpreting norms surrounding food waste, edibility, and consumerism. Shortly it should also be noted that I have never dumpster dived myself even though I have an interest in issues of food waste and sustainability. Throughout the thesis I am striving to be as objective as possible, even though I acknowledge that my interpretations of these issues are influenced by my already existing understanding food waste and sustainability.

5.1 Interviews

As this study strives to understand how dumpster divers legitimize their practices of dumpster diving, interviews with them seem to be the most relevant method. Kvale (2007, p. 11) explains that interviews are a powerful way to produce knowledge about a phenomenon by having a conversation with someone else. Interviews enable the researcher to gather information about the

informant's own experiences (ibid). This suits the purpose of this study as it strives to understand how dumpster divers themselves legitimize their dumpster diving. To access such information, Kvale (2007) writes that the qualitative interviews, if done correctly, can produce rich data material of descriptiveness, specificity, and qualified naïveté. This means that the qualitative interview will provide a nuanced and precise image of the dumpster divers' legal consciousness and legitimization of dumpster diving. It also entails that the interviews will be flexible, and the questions asked will be shaped in relation to the informants' answers, thus the informant will be able to lift what (s)he finds important about her/his dumpster diving experiences (ibid., 13). Dalen (2015, p. 16) further explains that the degree of access to the informant's experiences is dependent on how much (s)he wants to open up, as well as how much background knowledge the interviewer has on the subject. As the literature review was conducted before the interviews, I as the interviewer had background knowledge based on previous studies. As mentioned in the literature review, one of its purposes was to facilitate the research design. Meaning that the choice of method, as well as the interview guide was influenced by the literature review.

Kvale (2007) notes on the importance of being aware of knowledge production. An interview situation is an abnormal event where knowledge is constructed between the interviewee and the interviewer. The information constructed in one interview situation, may not be the same in another (ibid., 14). This entails that when conducting the interviews, I construct knowledge together with the dumpster diver, and we will simultaneously affect each other.

5.1.1 Online Interviews

The interviews were conducted online, via zoom which has some advantages. It is beneficial as the interviews are recorded, and in contrast to a regular interview the conversation will be recorded with both video and sound. Further benefits are lifted by James and Busher (2009) who explain that some informants are more willing to participate in interviews if they are online, also the possibility of conducting interviews with dumpster divers from all around Sweden is enabled (ibid., 95-96). Further, informants might feel more comfortable and willing to open up when they are being interviewed at home. However, there is a greater risk that technology will fail, which would make it difficult to conduct the interviews (Kvale 2006, p. 482, 593). James and Busher

(2009) lift another potential risk involved when conducting online interviews, regarding the construction and presentation of identity. They explain that online, people can alter identities that they would not have altered if the interaction took place face to face. They explain that online interviewing is a rather new phenomenon and people still feel unsure about the rules and conduct one should follow in such situations. (ibid., 95). To avoid this confusion, I tried to be as clear and transparent as possible both before, during and after the interviews, which is discussed more thoroughly under Ethical Considerations. A further risk involved when conducting online interviews is related to the wide geographical possibilities, which allows me to get in contact with people that I would have not been able to interview face to face. This possibility also increases the risk of misunderstandings due to contrasting cultures. Rather, it entails that many respondents must conduct the interview in a language that is not their mother tongue, possibly making it more difficult to express oneself and might lead to a feeling of powerlessness (ibid., 89). Regarding this thesis, the sample narrowed the geographical area, decreasing the risk of cultural misconceptions. Further, during the interviews held in English, both I and the respondent used a language that was not our mother tongue, decreasing the possible power hierarchies related to language.

Nonetheless, Mason (2018) discusses power dynamics in relation to the interview setting and explains that there is a strong asymmetric power distribution between the interviewee and the interviewer. The interview is a one-sided dialogue where the interviewer rules the interview by deciding the topic and posing the questions. The interviewee only serves as an instrumental means to provide narratives and descriptions to facilitate the study. Further, the researcher has a monopoly on the interpretation of the interviews, which also constitutes a strong power asymmetric. (Mason 2018, p. 93). Kvale (2006) suggests that the researcher can decrease the effect of the power asymmetry by doing 'member checks' (ibid., 484-485). This entails that during the interviews with the dumpster divers, I explained my interpretation of what they said to ensure that I understood them correctly. However, I am still aware that my own interpretation of the legitimization of dumpster diving might not always correspond to the interpretations of the dumpster divers.

5.1.2 Structure of the Interview

The interview was divided into two parts, one with open-ended questions and one shorter part with closed questions. In the first part of the interview, the narrative interview format was assessed. Wengraf (2001) writes that the narrative interview emphasizes the informant's stories and experiences. The role of the interviewer is passive in the narrative interview, giving the informant room to tell his stories. The interviewer does however have to steer the discussion by asking questions and follow-up questions, but the main purpose is to let the informant speak rather freely. The role of the interviewer is to structure the stories so that they will be able to produce data that can answer the research questions (ibid., 111-112). The interviews are thus semi-structured, as they suggest a certain degree of structure and standardization, but still it allows for an openness in the responses given by the informants (ibid., 62).

In the second part of the interview, the questions are instead closed and not open for elaboration and discussion. The informant herself answered these questions via a form that I sent out. The questions asked were general questions about civil culture, including questions about both law and society. These interview questions were borrowed from a survey, previously used when studying civil culture (Baier and Serrano 2015), see Appendix 2 for closed interview questions. However, I used the questions as a part of the qualitative interviews and treated the data as qualitative. These questions enabled a foundational understanding of the informant's legal consciousness, and the open-ended questions allowed for contextualization. The closed questions have been important during the analysis process as they enabled a mapping of each informant's general legal consciousness. This general understanding facilitated the interpretation of the open-ended questions and allowed for a well-grounded contextualization of the dumpster divers' legal consciousnesses. Entailing that the closed questions have enabled a thoroughly grounded analysis of the open-ended questions. However, the closed questions have predominantly worked to facilitate the analysis of the open-ended questions and are thus rarely referred to in the analysis chapter of this thesis. Ewick and Silbey (1998) assessed a survey at the end of their interviews, with questions linked to the respondents' "formal legal knowledge, formal legal experiences, and perception of the effectiveness and legitimacy of legal procedures." (ibid., 27). Instead, this study included a set of closed interview questions addressing the same issue, to gain a clearer picture of the respondent's legal consciousnesses.

5.1.3 The Interview Guide

As the interviews are semi-structured, it is common to use an interview guide with some themes and questions (Bryman 2018, p. 563). The interview guide was used to assist the interview and ensure that the desired themes were discussed. However, the order of the themes and questions was dependent on the informant's answers. As some interviews were conducted, new questions emerged, and others became less important. This entails that all interview questions were not brought up during all the interviews. The themes were: initial questions, questions based on the findings in the literature review (environment, economy, politics, social), during dumpster diving, informal rules and legality, and lastly the closed questions. To investigate legal consciousness', questions should be related to responsibility, cause, and motive of the respondents' actions (Ewick & Silbey 1998, p. 26). Thus, many of the questions are related to responsibility, cause, and motive when dumpster diving to enable an understanding of their legal consciousnesses.

The reason to put the questions directly linked to legality at the end of the interviews was based on how Ewick and Silbey (1998, p. 26) conducted their interviews. They argue, that one should not artificially introduce questions about law and legality in the interviews. Rather the informants should speak freely about everyday activities, so that the researcher can unfold how the law unconsciously influences their lives (ibid). The closed questions were also related to law and legality, which is why they were not asked at the beginning of the interview. Thus, the logic behind this type of set up, is to enable an understanding of the dumpster diver's legal consciousness without the interference of artificially introducing questions of law and legality that could influence the rest of the interview. See Appendix 1 and Appendix 2 for the full interview guide.

5.1.4 Sampling

To find participants for the interviews I wrote a message that was posted on a Facebook group for dumpster divers. Thereafter, dumpster divers who were interested in participating as informants contacted me. This strategy is called purposive sampling, meaning that the sample was narrowed by specific categories (Bryman 2018, p. 498). The targeted group was purposely chosen because it was a group of dumpster divers. The sampled people did not have to currently be dumpster diving but must have had several experiences of dumpster diving before. When getting in contact

with informants, they acted as gatekeepers and helped me find more participants, also called a snowball sampling (ibid., 245).

Nine people were interviewed for this study, and the number of interviews was decided when data saturation was reached, entailing no more new data was generated (Bryman 2011, p. 655). Two of the respondent's dumpster dive each week, five of the respondents tell me they dumpster dive more sporadically when they find the time and two of the respondents told me they are no longer dumpster diving. However, in the analysis I will be referring to all respondents as dumpster divers. Four of the participants were male and five females, the age ranged between 25 to 38 and all of the interviewees had been or were at the time undertaking university education. Six of the interviews were held in Swedish and three in English.

5.1.5 Reliability and Validity

Online interviews might influence the participant's self-presentation. However, the authenticity is as credible as if (s)he was interviewed face to face, but one can have in mind the possible variances (James & Busher 2009, p. 82). Kvale (2007) argues that the concept of validity and reliability is too embedded with positivist conceptions of science. He therefore reconstructs the meaning of validity and reliability to better suit the interview format. For interviews to be reliable, he argues that they should be consistent and trustworthy, meaning that similar answers should be provided if the interviews were conducted by another researcher. Also, the question of reliability arises when analyzing the interviews as the results should be similar regardless of the person conducting the analysis (ibid., 122). With regards to the chosen interpretivist epistemology, I acknowledge that the informant and the interviewer construct the dialog together, influencing each other. Further, the analysis is influenced by my interpretation. Thus, this study cannot claim a high degree of reliability, and is neither trying to achieve it.

Kvale (2007) argues that validity in social science “[...] pertains to the degree that a method investigates what it is intended to investigate, to ‘the extent to which our observations indeed reflect the phenomena or variables of interest to us’...” (ibid., 123). Instead of validating the research based on a fixed set of criteria, interviews should be evaluated based on the quality of the

material. The validation of interviews can be done by three criteria: checking, questioning, and theorizing. By doing checks, I have critically examined the dumpster divers' statements to rule out falsifiable explanations, meaning that I ensured that their statements were credible, plausible, and trustworthy. This was enabled because I worked close to the material, moving from the smaller to the larger parts, facilitating a better understanding of plausible explanations. It is also important to know what I want the answer to when conducting the interviews, thus what should be questioned. This is important because different questions will generate different answers and thus the validation of the results is dependent on if the right questions were asked. For the purpose of this study, the focus lies in understanding the individual experiences of the interviewed dumpster diver. Thus, the questions asked are related to the dumpster divers' experiences of dumpster diving.

Lastly, it is important to theorize whilst conducting the interviews, to verify the statements. As previously stated, the theory was embedded into the interview guide itself, to facilitate a successful answering of the research questions. Thus, the theorizing came naturally, because to answer the posed questions, theorizing had to be present. To enable high validity, it is thus necessary to check, question and theorize constantly during the whole research process, as it will embed validity into the research itself (Kvale 2007, p. 124). As this study draws conclusions abductively, it has been moving between theory and data (Timmermans & Tavory 2012, p. 171). This has facilitated a constant theorizing and led to a strong validity. It is thus possible to argue that this thesis would be generalizable to studies. However, the purpose of this study is not to reach high generalizability, but it can be assumed that generalizing is possible on dumpster divers in a similar context.

5.1.6 Ethical Considerations

This study has been conducted with regard to the four ethical principles for research in social science. These are presented by Forskningsetiska Rådet (2002, pp. 7-14) and entail the requirements of information, consent, confidentiality, and utility. The requirements are in line with the Swedish law (SFS 2003:460) on ethics in research regarding humans. This study is covered by the student exception rule, entailing that there are no legal requirements to follow the principles (SFS 2003:460 §2). However, the principles are useful guidelines and will be assessed to secure an ethical treatment of the informants.

To fulfill the requirement of information, I informed the interviewees about the purpose of the study and how their statements would be used. Beforehand I made clear that if I got information about illegal dumpster diving from my informants, I had decided to not report it, which I explained by referring to the secrecy. Secondly, I made it clear that participating in the interviews was voluntary. This also means that the informant can withdraw his/her consent at any time before or during the interview. Further, I explained that if the informant does not want to answer a question or address a specific topic, that is his/her choice, and I will not touch upon the topic again. However, none of the informants skipped any questions or topics during the interviews. To ensure confidentiality, all personal information or other information that could be linked to the informant was anonymized by being changed or removed. In the analysis, this means that the names presented are pseudonyms. The reason for the anonymization is that the potential risks outweigh the potential benefits. Only I as the interviewer have had access to the recorded videos to ensure as much secrecy as possible. Lastly, the requirement of utility entails that the interview material can only be used for the purpose of this study.

5.2 Method of Analysis

The analysis of the data was done through a thematic analysis, where both predetermined themes were used as well as new themes were generated. The predetermined themes stem from the theory and the themes generated in the literature review. Further, new themes were generated during the analysis of the data. The analysis was conducted through the data program for qualitative analysis, Nvivo, which facilitated rich and complex coding of the data. Bryman (2018) explains that coding is to find patterns in the data that are of practical or theoretical relevance to the phenomenon investigated. Codes are a simple way to label, separate, compile and organize the data into manageable categories (*ibid.*, 690). Practically, this entailed creating nodes in Nvivo which represented each predetermined theme. When reading through the transcriptions, I created references to the nodes, thus linking specific statements to specific themes. All transcriptions were thoroughly read through multiple times and the references to the nodes changed through the process, as well as new nodes emerged. To fully understand the dumpster divers and to properly make use of the data, the interviews were, as stated transcribed (Kvale 2007, p. 94; Bryman 2018, p. 577; Dalen 2015, p. 69). Transcriptions of the interviews are highly time consuming, but the

benefits weighed heavier than the constriction of resources. Because three of the interviews were conducted in English and six were conducted in Swedish, I had to translate the quotes from the Swedish interviews. A risk involved in doing this, is that the meaning of the statement gets lost in translation. To decrease this risk, I have been thoroughly interpreting each statement to properly translate the quotes. Further, some quotes were not translated word for word, but were instead translated to maintain the essence of the quote. This was done to conserve the meaning of the quote while still making the quotes comprehensible in English.

The research questions are: What does the legal consciousness of voluntary dumpster divers in Sweden look like when narrating their experiences of dumpster diving? And: How do voluntary dumpster divers in Sweden legitimize dumpster diving through their legal consciousness? To successfully answer the research questions and investigate the dumpster divers' legal consciousnesses, it was necessary to use predetermined themes related to the theory: before the law, with the law and against the law. As Ewick and Silbey use normativity, capacity, constraint, time and space to identify specific legal consciousnesses, these were used as predetermined sub themes within the three main themes. Further, to answer the second research question, I had to use more themes to enable a complex understanding of the dumpster divers' legitimization. Here, I used the themes generated in the literature review: ecological, economic, political, and hedonistic. However, as I analyzed the data, I found new themes in relation to legitimization and understood their connection to each other differently. Therefore, presented in the analysis are instead the following themes: legitimization through the law, legitimization through legal actors, legitimization through ecological critique, legitimization through political critique, legitimization through profit and legitimization through reinvented norms. These themes have emerged by looking for repetitions, differences and similarities and things that were not said, in relation to how the dumpster divers legitimize their dumpster diving. An illustration of the themes used are provided in table 1 and 2 below:

Themes	Before the Law	With the Law	Against the Law
Sub-themes	Normativity	Normativity	Normativity
	Capacity	Capacity	Capacity
	Constraint	Constraint	Constraint
	Time and Space	Time and Space	Time and Space

Table 1: illustrates the predetermined theory bound themes and sub-themes used when investigating the legal consciousness of the dumpster divers.

Predetermined themes used to analyze the data	Themes generated through the analysis
ecological	legitimization through the law
economic	legitimization through legal actors
political	legitimization through ecological critique
hedonistic	legitimization through political critique
	legitimization through profit
	legitimization through reinvented norms

Table 2: illustrates the themes used and generated when analyzing how the dumpster divers legitimize their dumpster diving. The left column presents the themes generated through the literature review and used as predetermined themes in the analysis process. In the right column, the themes that were generated through this analysis are presented. It is the themes from the right column that are presented in the analysis chapter.

Kvale (2007) explains that the researcher should start the analyzing process in advance, before the interviews are conducted and continue the analysis both during and after them. Thus, the analysis becomes a part of the interview situation itself and the final analysis will become thoroughly grounded (ibid., 102). This process moves backward and forwards to enable a contextualized understanding of dumpster divers' legal consciousness. The transcriptions were analyzed through an interpretative reading of the material, which means that the understanding went beyond the literal meaning of the transcripts. This entails that the transcriptions were not only sorted on the grounds of what is written, but also what can be interpreted by them (Mason 2018, p. 191).

6. Analysis

Firstly, I analyze the respondents' narratives in relation to the before the law consciousness and clarify that only fragments of this legality can be found in the dumpster divers' consciousnesses. Secondly, I explore the against the law legality in relation to the dumpster divers and argue that the resistant consciousness is common among the dumpster divers in their narration. Thirdly, I explore the dumpster divers' legality in relation to the with the law consciousness and will argue that the dumpster divers essentially assess this legality whilst dumpster diving. After each part on legal consciousness, I also analyze the dumpster divers' legal consciousness in relation to how they legitimize their dumpster diving. As Ewick and Silbey (1998, p. 46) wrote, legality becomes visual in both what people do, as well as in what they say. This has come to have great importance in analyzing the dumpster divers' legal consciousnesses, as will become visible when differentiating between the with the law legality and the against the law legality. By analyzing this, I will be able to answer the posed research questions:

- What does the legal consciousness of voluntary dumpster divers in Sweden look like when narrating their experiences of dumpster diving?
- How do voluntary dumpster divers in Sweden legitimize dumpster diving through their legal consciousness?

During the analysis, it became evident that none of the dumpster divers have one static inherent legality, but rather they assess two or three of the legalities and often the legalities are intertwined and hard to categorize as one legality. However, in the analysis below, I illustrate that the dumpster divers' legal consciousnesses are fluctuant and plural, mostly taking on the shape of with or against the law. Important to note is that the interpretation of legalities, is based on how the dumpster divers treat the relation between themselves and the law. This entails that the analysis is not based on whether the dumpster divers have broken any laws or not, but rather grounded on their understanding of if, how and why they break the law or not. The four laws that could criminalize dumpster diving in Sweden are: theft, trespassing, vandalism, and littering. However, because the laws per se do not have an analytic value for this study, laws are generally referred to in the analysis.

6.1 Before the Law: Law's Influence on Dumpster Divers

For people who find themselves before the law, legality originates from law itself and creates *normativity* (Ewick & Silbey 1998, p.83). The law is the moral compass legitimizing action and is impervious to individual action. However, the dumpster divers were more concerned with acting in accordance with their moral compass and showed less concern about what law imposed. Nonetheless, their moral compass often seemed to correspond to the injunction of the law. All of the respondents answer that they almost always act in accordance with the law, and they believe it is always easy. Further, none of the dumpster divers answered that admiration for the law influences their behavior, instead what influences their behavior is the feeling of well-being when following one's conscience or social recognition. The dumpster divers' legal consciousness can thus not be said to sprung from a before the law legality, as their legalities are founded elsewhere. Daniel's statement below illustrates how his morale corresponds to what is prescribed by the law. However, he does not find the law against littering legitimate because of the law, but rather because it corresponds to his sense of right. Daniel responds to the question if he consciously avoids breaking any laws when dumpster diving, as follows:

Completely, as far as I'm aware. Because it is, the other laws are like, I think they are good.
Littering is a great thing to avoid. – Daniel

Throughout the interviews it became evident that the dumpster divers did not share much with the consciousness before the law. Essentially since they recognize the law in everyday practices, particularly when dumpster diving. However, many of the informants still expressed loyalty to the law and its righteousness. The dumpster divers express that it is rarely justifiable to break the law, if it is not to help one's family or to fight an unfair rule or government. Thus, law seems to have some inherent legitimacy. Law's *constraint* is found in the legitimacy of legal procedures (Ewick & Silbey 1998, p.88). By interpreting Anna's and Helena's quotes below it is possible to distinguish how the legitimacy of legal procedures has an influence on the respondents whilst dumpster diving:

There are generally good reasons for not being allowed to break in, and then it might be dumb to make an exception for dumpster divers. I think that police can refrain from

prosecuting, I think they should make it easy to dumpster dive so that you do not break any laws. - Anna

It's more if you break in and so on, many lock things up nowadays. And I don't think you should do that. If it's locked, that's it. [..]. Then there is a line that you have to respect.
-Helena

The statements above illustrate that the law, even though subordinate to their actions, has an authoritative and legitimate status whilst dumpster diving. Anna's quote shows her loyalty to the law and the fairness of legal procedures and Helena's quote shows her interest in not breaking any laws. Interestingly, many of the respondents express the same sentence during their interviews "It should be illegal to throw away food, not to dumpster dive". By stating this, the respondents point toward how the law has produced unfair consequences and they suggest a change. They also express a sort of legitimacy towards the law, as they find value in making it illegal to throw away food and make it legal to dumpster dive. However, many respondents criticize law's *capacity* to produce powerful effects, which will be discussed in the next section. The interviewees are thus rather ambiguous in their beliefs in law's capacity to change consumer habits but are generally suggesting a change. For people who find themselves before the law, it is more often common to believe in the capacity of the law and in its ability to produce effective outcomes (Ewick & Silbey 1998, p. 91), which does not correspond to the interviewees.

For people with this consciousness, law is characterized as something separate from social life, it stands outside of *time and space*. Law is authoritative, predictable, fixed, impartial and impervious to individual action (ibid., 95). The dumpster divers are all aware of the law and how it penetrates social life, and it can thus not be argued that it is external to *time and space*. The respondents recognize law's fluctuant shape, and how it is a part of social life. Daniel states:

Dumpster diving is not actively supported by the law as something that one should or may do. Well, I come from the view that the law is not always right. There are lots of examples of how laws develop after social movements. Ehm, and how to redefine what is right or wrong. - Daniel

What Daniel expresses in the quote is common for the dumpster divers. To dumpster dive is to take part in the change, and many of the respondents have also taken part in environmental politics, voluntary work, been active in marches or demonstrations, as well as participated in NGO:s to create a more sustainable society. By taking part in changing society, the dumpster divers acknowledge law in everyday practices and do not view it as the ground for legitimacy.

To conclude what has been stated in this section, is that the interviewed dumpster divers do not share much with the before the law consciousness. They do believe in the fairness of legal procedures, and they tend to act in accordance with the law. However, they do not act in accordance with the law primarily because they believe in law's legitimacy, but rather because it corresponds to their sense of morale.

6.2 Legitimation Through the Law

In this part the dumpster divers' narrating of legitimization will be analyzed in relation to what has been stated above on dumpster diving and a before the law consciousness. Two themes were generated for this part: legitimization through the law and legitimization through legal actors.

6.2.1 Legitimization Through the Law

Many of the respondents explained that dumpster diving, per se, is not illegal, but that other laws can be broken when dumpster diving. Thus, when dumpster diving, they can avoid breaking these laws, and their dumpster diving becomes legitimate in the eyes of the state law. In that sense, the dumpster divers assess a legality before the law, being able to legitimize their actions because they are legal. The dumpster divers who legitimized their actions in this way, tended to have a greater trust in legal procedures and showed higher loyalty to the law. As one respondent explained:

We thought it was right to dumpster dive and we didn't think we did anything wrong. But messing up and making it hard for those who work there, was never a part of it. -Pontus

Pontus' quote illustrates that breaking laws by littering or disturbing the employees at the store, was never a part of dumpster diving. Thus, he legitimizes his dumpster diving by explaining that his actions were never illegal in the first place. For respondents who assessed this feature of the before the law consciousness, legality is found in the law, and if no rules are broken during dumpster diving, it can be legitimized.

6.2.2 Legitimation Through Legal Actors

Another observation when interpreting the data was how the informants legitimized their dumpster diving in relation to the authorities (police and security guards). Many respondents explained that the police and security guards were nice and treated them respectfully. The dumpster divers argue that the police and security understand dumpster diving as doing something good and use that as a further legitimization of their actions. For example:

But also, that the police do nothing about it. It's not something they care about either.
-Helena

[Answers to how it feels getting caught]. Sometimes it's a little bit of adrenaline but as I said, they usually don't even talk to you. So, it doesn't really feel like you're being caught.
- Mia

The statements by Helena and Mia are used to legitimize dumpster diving, because if the authorities do not treat dumpster diving as an illegal offence, it must be a legitimate practice. Thus, they use acceptance from the authorities to legitimize dumpster diving when assessing features of before the law. Because the authorities are representatives of the law, their uninterest in dumpster diving can be interpreted as legitimization. However, it should be noted that not all the dumpster divers had had a nice experience with the security and the police, but most had. Further, Liam also legitimizes his dumpster diving by referring to the lack of information and steering from the municipalities:

But the municipality has a responsibility to speak up on another level if they don't think this is morally right. And they do not really do that. They don't lead individuals to go other directions. - Liam

6.3 Against the Law: Resisting Food Waste

Ewick and Silbey (1998, p. 183) explain that resistance against the law takes three features. Firstly, it entails a consciousness of being in less power than the opponent. Secondly, it takes a consciousness of opportunity which means that one should be able to take advantage of the resistance. Lastly, it involves a consciousness that pays attention to the unfair consequences that the power has produced, and one feels a responsibility for the situation. To fight the law, these people assess schemas not controversially used (ibid). All these three features are present in the interviews. Below there is a quote provided by Mia who expresses a resistance against the law.

Like laws are not that important to me personally. If it's not like, for me it's like morals are more important than laws. And for me morally this [dumpster diving] is a really good thing to do. - Mia

She explains that laws are generally not important in steering her actions, rather she lifts the importance of following one's conscience and acting morally right. In fact, the respondents often express that following one's conscience is the most important influence on their behavior. Further, some of the respondents view the law as an obligation imposed by a few, which is what Ewick and Silbey explain as the *normative* beliefs within the consciousness against the law (ibid., 189). Liam expresses a consciousness of being in less power than the opponent (society) and describes being trapped within the law.

It has felt like I have a large part of society behind me in what I do. Because I do what I do for what I believe is a very good reason. I also see the problem when stores do not allow this [dumpster diving]. After all, it still happens that you go against a set of rules. But I have felt pushed by these regulations, like how it is with civil disobedience in general perhaps. -Liam

Liam's quote on normativity has some similarities to Mia's. Liam expresses feeling trapped within the law and explains that it has pushed him to instead challenge conventional laws related to dumpster diving. He brings up civil disobedience as an example of how breaking laws can result in important social change. Common for this consciousness is to make aware of unfair consequences that the power has produced and take on the responsibility to change or fight the situation. Most of the respondents state that it is justified to break the law when it is the only way

to publicly fight an unfair law or government. Dumpster diving can here be viewed as an uncontroversial schema to stand up against the unfair law and its consequences.

Regarding the opportunistic possibilities of dumpster diving, there is an obvious economic profit when dumpster diving. As one respondent put it “everything you dumpster dive, is one less thing you have to buy”, meaning there is an economic profit. Nonetheless, none of the respondents found it justifiable to break the law for economic profit. This could be interpreted as the respondents not understanding their dumpster diving primarily as an economic profit, but rather as something else. Liam explains that when discussing the possible profit of dumpster diving it is important not to forget the “real reason” behind dumpster diving for people who resist the law. To repulse the unsustainable treatment of food and food waste, is the prime reason for dumpster diving for people with a consciousness against the law. This was made clear by Liam in his last comment for the interview:

It's so damn important that the reason for dumpster diving as a climate-friendly concept, can never end up in the shadow of anything else. Regardless of whether you talk about laws, rules, adrenaline, I mean it's a huge climate problem. And that can't get lost.
- Liam

Thus, as the respondents find it justifiable to break the law to fight an unfair regulation or government, and not if the reason is to gain economic profit, it can be argued that they see dumpster diving primarily as an eco-friendly concept rather than a strategy to gain economic profit. One of the most common themes throughout all the interviews was related to the unsustainable and unjustifiable treatment of food. To lift the unfair consequences that the law has produced was a common theme in the interviews and it illustrates how the dumpster divers are willing to resist the law to challenge unfair regulation or government. Maria explains this in the following quote:

I mean nowadays, with the consumption we have, we always expect that even though we are in Sweden in the middle of the winter, we still expect to see tomatoes and bananas on the shelves. And of course those come from abroad and have a big big eco footprint behind them, and still we want to get there and we want a lot. And we go to the supermarket and see one banana, that's not what we want. You're always expecting an all you can eat buffet at the supermarket, right? - Maria

Maria continues:

So, I think dumpster diving goes really really against that because it shows that we can, it's a disease you know. Look at the amount of food we are throwing away, and it's edible food. Food that would have gone to waste if we were not there, just taking the things out of the dumpsters. So we throw too much, and it takes a lot of resources to produce all that. It's so much resources that we use to produce it and in the end it all goes to waste.
- Maria

What Maria lifts is the feeling of responsibility that all respondents express to some extent. When discussing the feeling of responsibility many respondents explain that if they go to a grocery store, they consciously buy the food that they believe no other customers will buy. Anna calls this strategy *affärs-dumpstring*, translated to store-dumpster diving. David explains the philosophy behind store-dumpster diving:

I also go into a store and look at the products, and then just like no, it was ugly. And then I remember that this is part of my philosophy, I should buy the ugly products. No one else will do it unless I do it. - David

Dumpster diving can be interpreted as a ploy to fight the unjustifiable treatment of food. Many of the respondents also lift laws *constraint*, and its low effectiveness to change the irresponsible food waste. Frequently, the laws and regulations are brought up during the interviews to attribute blame for food waste.

I think its stupid that the law doesn't allow it more. I can see that there are some health risks of course. There could be a law so that supermarkets are not responsible or like you're responsible yourself. -Agnes

I think, above all, that the law that allows you to throw away food is morally wrong. I don't think dumpster diving should even exist. It's a product of being allowed to throw away food and such. Well, I don't know how much a law against throwing away food would have helped. Ehh, but all the laws that stand in the way of dumpster diving, I don't care about.
- Karl

Ewick and Silbey (1998) argue that people who find themselves against the law often lift the law's ineffectiveness in coordinating disputes that happen in everyday life, leading to the understanding of law as untrustworthy and arbitrary (ibid., 190). This becomes evident in the quotes above, as they clearly illustrate how the respondents view law's constraints in relation to dumpster diving. Law's capacity to reduce food waste seems slim, and by dumpster diving the respondents take responsibility for the situation. Regarding law's arbitrariness, many respondents illustrate this when talking about the legal grey zone of dumpster diving:

Well, I know in Sweden it's not really illegal, but I know it wasn't legal - Maria

Also, I don't have a good idea of what the laws look like, but it probably depends a bit on what the dumpster diving site looks like, if you break in and stuff - Anna

I have searched on it [On dumpster diving and the law]. And I see it as a grey zone. I understand that ehh it can be seen as vandalism [...] But also that the police do nothing about it. It's not something they care about either. -Helena

Cause, I think anyone who dumpster dives doesn't listen to this law and even the security people that you meet they are like super nice. But they can of course not say please stay and take whatever food, they say please go away. But they are pretty nice, so they don't see it as a big law break. It's just annoying that they have this restriction. - Agnes

Both Maria, Anna and Helena express their confusion or uncertainty about the laws and regulations surrounding dumpster diving. This confusion is common among people who find themselves against the law, essentially because the law is arbitrary and unpredictable regarding dumpster diving. Helena and Agnes also bring up a further dimension of arbitrariness when explaining that neither the police nor the security acts to counter dumpster diving. The ranking of dumpster diving as a minor law break creates confusion and arbitrariness among many of the respondents. Liam responds to this arbitrariness when he explains that stricter laws and higher security will send out a message that dumpster diving is morally wrong. However, he also argues that stricter laws, per se, will not have an effect without a discussion surrounding the reasons for the stricter law:

But I think it would be necessary to have a debate or a discussion where the municipalities or the stores openly explained. Or that lawmakers explain why these laws exist and why they are the way they are. Then maybe I think you would better understand why it is like it is. And it would probably feel less morally right, I think. So, I don't think that stricter

laws in themselves would help or that you put up more protection, it probably just provokes more. You have to justify it in a different way. -Liam

Commonly used means to resist the law are: “Foot-dragging, omissions, ploys, small deceits, humor, and making scenes” (Ewick & Silbey 1998, p. 48). It entails taking up both *time and space* from other people to challenge the law. This is often done by taking on roles and masquerading to manipulate power hierarchies (ibid., 205, 215). What Ewick and Silbey explain is not found in the interviews with the dumpster divers. Whilst dumpster diving, the respondents rather explain that it is important to keep a low profile and not be seen, and neither do they take on specific roles when dumpster diving to manipulate power hierarchies. However, the dumpster divers explain that they often tell other people that they dumpster dive, if they feel like it is the right social association. Thus, keeping a low profile is no longer necessary when the ploy has been executed. This can be related to roles, as many respondents carefully choose whom to tell or not. Many respondents told me that they would not share information about being a dumpster diver when being at work or when meeting new people whom they wish to be liked by. In other cases, they explain that they speak very freely and try to convince others to join dumpster diving. It can thus be stated that the dumpster divers take on specific roles but choose carefully when deciding whom to share their dumpster diving experiences with. Karl explains this in the following quote:

I don't tell everyone. You have to draw a line between your employer and like your partner's relatives. Like more formal events. And you can tell all your friends.[...] If it's at work, maybe I don't want there to be a strange atmosphere at work. So it's a bit more common sense not to talk about it instantly or with everyone.- Karl

To shortly sum up what has been stated in this section, all respondents express an against the law consciousness in some sense, some more than others. All of the dumpster divers criticize the unsustainable treatment of food that the constraints of the law have produced. Dumpster diving is thus a way to take responsibility for the situation because laws are ineffective in reducing food waste. However, the dumpster divers do not take up time and space to resist the law, but rather take on a low profile to go unnoticed. When the respondents share their views on dumpster diving and the law, they often assess an against the law consciousness. However, when they share their

practical experiences of dumpster diving, they more often assess the legality with the law, which will be explicated in a later section.

6.4 Legitimization Through Resistance

I argue that the resistant legality is legitimizing itself, because it pays attention to the unjustifiable treatment of food, which the dumpster divers take on responsibility to change. Dumpster diving becomes an uncontroversial scheme to fight the unfair law or government (Ewick & Silbey 1998, p. 183). For the dumpster divers, legitimization through resistance takes on both ideas of ecological and political critique.

6.4.1 Legitimization Through Ecological Critique

Some were probably completely ideological, that I could legitimize my behavior as a consumer completely ideologically. [...] Then ideologically, a third of all the world's food is wasted as well, it's pretty black on white. And it is almost completely sick that Swedish stores do not have a structural management of food waste, as they have in other countries. Ehm, there were also several of the dumpster divers who took and gave to the shelters and so on, and I realized that there were several dimensions to it. -Liam

Most things I do have an environmental aspect. That's why I think it's fun to dumpster dive. To produce food takes so much resources. Then there is also the fact that how ridiculous it is that food is thrown away when people are starving in other parts of the world. But it is not above all what I am thinking about, but instead the waste of natural resources it entails to throw away food. - Anna

Both statements above illustrate how the unsustainable treatment of food waste legitimizes dumpster diving. Their resistant narration against the treatment of food, enables them to legitimize dumpster diving. People who resist the law tend to act in accordance with their conscience, which is what the dumpster divers are doing. They take responsibility for the unfair consequences that the law has produced and can thus legitimize their dumpster diving. The law is unable to provide effective solutions to fight the existing environmental issues. Thus, the most evident ground for legitimizing dumpster diving is standing up against food waste. To legitimize dumpster diving

through ecological critique seems most present when the respondents narrate about dumpster diving and morals.

Legitimization through ecological critique is a distinct feature for all the dumpster divers when assessing an against the law and legality. Food waste and the environmental impacts are the most evident themes of legitimization throughout the interviews. Legitimation through ecological reasoning is thus related to the food waste and as long as there is food waste and no sustainable solutions, dumpster divers can legitimize their dumpster diving.

6.4.2 Legitimization Through Political Critique

Further, the dumpster divers who expressed an against the law legality also legitimized their actions by referring to the unfair capitalist consumer system that causes and allows for the unsustainable food waste. Mia and Maria's statements are provided below:

I can also do good because I'm not gonna give money to big companies and I get food there instead of buying it. [...] Because the big supermarkets and you look at what they do to small scale farmers and all these things. [...] I think it's kinda trying to get around the system a lot. - Mia

Well, I think it's very very important to do this, and it can be downplayed by society, especially in specific social contexts. But honestly, it's so important to go against the systemic. So morally you, as any person living in the world, and one should do their part for the environment. You don't have to dumpster dive, but you could avoid doing this kinda wasteful behavior. And also, if you don't wanna dumpster dive, you can support the people who do. And ask for things to change from the government as well. -Maria

Mia, who assesses a clear against the law legality, criticizes big food companies for overruling local small-scale farmers. By dumpster diving she can “play” the big companies in the same way they “play” small scale farmers. Maria also criticizes the existing unsustainable system and points toward the importance of dumpster diving as it entails resisting conventional norms. She states that it is important to go against the systemic structures that allow for food waste in such large amounts, meaning it is important to resist unfair situations that the power of the law has produced. Both Mia and Maria legitimize dumpster diving to pose a critique towards unsustainable politics.

And legitimization through political reasoning becomes evident. Pontus, who stopped dumpster diving, explains how legitimization through political critique no longer worked to legitimize his dumpster diving:

And maybe that I felt that I was in more opposition to society before, I was more political and more critical of different things in society. Maybe what the state was doing or something like that. Now I'm more, I see a greater value in adapting to what most people do. -Pontus

Pontus illustrates that legitimizing dumpster diving through political reasoning, entails resisting conventional norms in society and putting oneself outside of it. However, he has discovered that assessing a resistant consciousness also entails some sacrifices that he is no longer willing to take. This illustrates how legal consciousnesses are plural and fluctuant, as Ewick and Silbey (1998, p. 46) have stated, and when one changes legality, one also changes the grounds for legitimization.

6.5 With the Law: Playing the Game of Dumpster Diving

As stated in the previous section, many of the dumpster divers express a legality against the law when talking about ideological and moral beliefs, but when talking about their practical experiences of dumpster diving, they seem to assess a legality with the law. Ewick and Silbey (1998) explain that a game has a clear beginning and end, it has specific rules, and it requires knowledge and skill to win. People who find themselves with the law interpret legality similarly, it is a game to be played. Here, *normativity* lies in that law is seen as a pre-existing set of rules that can be played and manipulated to serve the self-interests of the player (ibid., 132-133). Based on the interviews the dumpster divers played the laws every time they were dumpster diving, both in cases where laws were purposely broken and in cases where the respondent did not actively break any laws. The game-like character of dumpster diving becomes evident in the quotes below:

And, yeah, it's also fun, it's a treasure hunt and you're always excited to see what you find.
-Agnes

It was fun, it didn't feel like it was a job that needed to be done. Or sometimes it was like that, but also sometimes like you were on a small mission. -Pontus

The informants often describe their dumpster diving experiences in game-like terms, often as if they are on an adventure or mission. To play the game is by Ewick and Silbey (1998, p. 134) often described as fun or thrilling, meaning that playing with the law could be an end in itself. This corresponds well to what the dumpster divers have described during the interviews. To dumpster dive is often described in terms of fun, exciting, thrilling, adventurous or getting the adrenaline pumping. However, other respondents explain that dumpster diving enables them to gain an identity of being critical toward consumer society, and society overall. Further, many of the respondent's dumpster dive in a group, meaning the activity also becomes a way to socialize and meet people. Ewick and Silbey further explain that rationality plays an important role because the person finding himself with the law, must always calculate the utility of his actions (ibid., 133). This calculation of utility and viewing dumpster diving as an end in itself is also evident in the interviews. Some of the respondents are no longer dumpster diving, and the reasons behind this can be linked to the utility calculation. For those respondents who stopped dumpster diving, they explained that the reason for stopping is that their life situation has changed. For example, moving, getting a new job, earning more money, or no longer having the time to dumpster dive.

I switched to dumpster diving in more accessible places. And then I switched to not dumpster diving. Partly, I think because I didn't have that many friends to do it with, it became a bit hard to do myself. Partly, because I just became comfortable. And realized that I could work with consumption patterns and climate policy in other ways. - Liam

The quote by Liam captures what many of the respondents who stopped dumpster diving express, that the utility of dumpster diving no longer outweighs the inconvenience of dumpster diving. Thus, dumpster diving is no longer seen as the end in itself. Interestingly, in this quote, Liam also states that he realizes that he can work with climate issues without challenging the boundaries of legality. This would mean that instead of working against the law, he tries to work with the law to change it. For many of the respondents who stopped dumpster diving, the ambition to live a sustainable life is still present, and they have started to use other strategies to reduce their environmental impact, such as: buying expired food, buying local and buying ecological food. Thus, the dumpster divers' morale is the same, but they have chosen to assess other strategies to reach their goals. As Ewick and Silbey (1998, p. 133) argue, people with this consciousness tend

to act in accordance with their moral compass, thus assessing values, rights and justice for themselves or others. This has become evident in previous quotes, and Pontus puts it:

It's illegal but it's not wrong, on the contrary it's good. It's a waste to throw it away when it's obviously still good. So, what we do is nothing bad, we do something good. - Pontus

In similarity to the game, rules define what actions can be taken without cheating, and in reality, rules *constrain* what can be done legally (ibid., 146). Many of the respondents recognize the distinction between legal and illegal in relation to dumpster diving, for example Pontus above. Pontus describes a legality that differentiates between legal and illegal. However, the regulation surrounding dumpster diving seems to be somewhat unclear to many dumpster divers, which has been discussed previously. Which entails that what can be done legally is hard to put into words. Instead, the respondents seem to rely on their moral compass to legitimize their dumpster diving, which is common for people who find themselves with the law or/and against it.

When dumpster diving, laws exist that constrain what they can do legally (Ewick & Sibey 1998, p. 146). Playing the game of law entails both playing by the rules and playing the rules. Thus, people who play with the law often make new rules that can help them reach their desired ends (ibid., 151). These norms or rules constitute an independent regulation that most of the dumpster divers follow and can be interpreted as a way to engage with the law. For the dumpster divers, context dependent rules exist that are external to the formal law. The norms or rules relating to the importance of time, avoiding personnel and keeping it clean. These three categories could be interpreted as self-interested norms, that enable the dumpster divers to keep a low profile whilst dumpster diving. Ewick and Silbey (1998, p. 215) explain that people who find themselves against the law often occupy time and space to resist it. Regarding dumpster diving, the informants rather explained the importance of keeping a low profile. All the interviewed dumpster divers explained that it was important to not be seen or heard:

Well, responsibility is to not make it difficult for those who work there, I don't wanna ruin their working day. And that means leaving it in that condition or nicer than when you arrived. [...]. I leave it nice behind me. - Karl

You should keep it clean and you should not bother anyone. The staff should not feel uncomfortable, you have to leave it as it was when you got there - Helena

Similar comments are found in all the interviews, and it shows how the dumpster divers strategically use time and space to enable dumpster diving. Ewick and Silbey explained the occupation of time and space for people against the law is a way to resist it, however the dumpster divers instead work strategically to avoid occupying time and space from people around them, e.g. personnel or security. By working strategically, the respondents can manipulate the law to enable dumpster diving. Many of the respondents explained that the norm to keep a low profile was directly linked to self-interests, because if the personnel get bothered, they will make it harder for people to dumpster dive. Mia responds to the question of why these norms exist:

To keep it going because I think if you would make a mess every time it would piss off the supermarkets even more. And then they would probably lock stuff even more. Ehm, so it's just like self-interested rules. - Mia

To describe the norm to keep a low profile as self-interested rules, corresponds well to the game-like consciousness. Essentially since people who find themselves here strategically use the legality to reach their desired end (ibid., 159). Thus, the self-interested rules are a strategic way to enable dumpster diving. To successfully play the game of dumpster diving, one must not only follow the norms, but one must also have skills. The quotes below both illustrate how the dumpster divers are dependent on skills and knowledge to successfully manipulate the game:

We felt a bit like professional dumpster divers there at the end, because we had a lot of practice. And if there came someone else there and just ohh, having a small bag in their hands, and yes it felt like people didn't know what they were doing. - Pontus

They [security] were a bit threatening so we put the stuff back in the bins and then we biked back there a few hours later and picked up the stuff again. So, we just left to not get in trouble. -Karl

You take a large backpack, preferably over 65 liters, it is nice to have on your back and then you take a lot of plastic bags that you don't care about. Then you have some clothes that you're ready to get dirty in. Suggestively rubber boots, pants, rain jacket, headlamp. Or like Pontus, you dumpster dive a microwave, take out the magnetic plate and put some dumpster dived LEDs on it [...] and put it in the ceiling of the container. – Liam

Both Karl, Pontus and Liam's quotes make visual the importance of having the correct equipment as well as having knowledge about how the security guards work. It thus entails knowledge and skills to enable the manipulation of the game. Ewick and Silbey (1998, p. 151) argue that law's capacity to produce legal outcomes is dependent on skill and resources, often giving people the ambition to improve. The capacity to dumpster dive, is dependent on skills, in similarity to how Ewick and Silbey explain it. Further they explain that the capacity to produce satisfying outcomes are more successful as a group, meaning that people who stand with the law usually seek to act collectively (ibid., 156). This is also true for many of the dumpster divers, as they explain that dumpster diving in many cases is a team effort. To dumpster dive in a group seems to on the one hand instill a feeling of security and comfort, but on the other it facilitates the dumpster diving in regards to keeping watch, helping each other climb over fences and dividing tasks. Thus, the capacity to successfully play the game of dumpster diving, is in some cases favored by being a group effort. However, one respondent, Karl, who usually dumpster dives alone, explains that dumpster diving as a group can be a disadvantage because a group makes more noise than one person.

To sum up what has been stated in this section, the respondents assess a legality with the law whilst dumpster diving. They play and manipulate the laws surrounding dumpster diving, and self-interested norms have been established that enable a strategic use of time and space. Some of the informants play the game of dumpster diving with an ambition to not break any laws, whilst others do not. In this analysis I have assessed the concept of with the law, both as a way to describe how the respondents use the law to not break any laws, but also how they have used informal laws and norms to enable dumpster diving.

6.6 Legitimation Through the Game

Legitimizing dumpster diving through the game-like consciousness, mostly entails legitimation through profit of some kind. In the following section's first part different types of profits whilst dumpster diving will be discussed. All the examples provided in this part are related to the possibilities of gaining something of value when dumpster diving. It can thus be both material and non-material profit but are all things that can be used in the calculation of utility when dumpster

diving. For people who find themselves with the law, the benefits must outweigh the possible negative consequences of dumpster diving. Secondly, this part will discuss how the reinvention of new rules facilitates the legitimization of dumpster diving.

6.6.1 Legitimization Through Profit

The most obvious profit that the dumpster divers made whilst dumpster diving was the economic profit. Essentially one respondent, Karl explained that the prime reason for his dumpster diving was economical.

I know those who do it for more ideological reasons, that they do not want food to be thrown away that can be eaten. And you can have that in the back of your mind, but it's rather because it's free that I do it. Yes, and that it's good too, if it had only been potatoes and onions that I found, I might not have done it as much. - Karl

Karl legitimizes his dumpster diving in terms of economic profit. Throughout the interview Karl was still discussing the unsustainable food waste but was clear that the profit of dumpster diving was the prime reason. In contrast to the other respondents, Karl put the economic profit as the prime reason whilst the others understood the economic profit as a byproduct, many of the respondents did explain that getting food for free was important when dumpster diving, but not the prime reason for dumpster diving. Mia and Maria explain:

If that were a systematic thing that stores throw away less, they may sell stuff cheaper when they are close to dates, that would be great. It would also mean that I get less food so it's kinda like personal interest versus communal interest, so I'm a little bit in conflict maybe. But overall, I think it's a good thing to take it when there is food there. -Mia

I think socio-economic reasons as well. Like when I was a student here, I didn't have so much money. So, dumpster diving really helped me having my flow of money. So, I only bought oats and dry things like those things and it's really, it was really really good for me. -Maria

The public versus private interest of dumpster diving is shown in Mia's statement. It illustrates how the possibility to get access to food when dumpster diving is crucial to the game. If there were no food to be taken, dumpster diving for food would not exist. Thus, the possibility to get food

when dumpster diving does serve as a legitimizing ground for dumpster diving. Maria also points to an interesting theme in the interviews, when the respondents had less money, they were more willing to dumpster dive. However, when the dumpster divers got a new life situation, most often being a job after graduating, they had more money and would no longer legitimize their dumpster diving through economic profit. As Ewick and Silbey (1998, p. 133) stated, those who find themselves with the law, must always calculate the utility of their actions. For the respondents who stopped dumpster diving, the possible profit of dumpster diving no longer outweighs the inconvenience of dumpster diving.

Further, to play the game is by Ewick and Silbey (1998, p. 134) often described as fun or thrilling, meaning that playing with the law could be an end in itself. This can be linked to the legitimization through gaining satisfaction, as dumpster diving becomes a thrilling and fun adventure. One respondent who only dumpster dives alone describes both the legitimization through economic profit but also the legitimization through seductive profit:

But then it's also fun because it's a treasure hunt as well, and you don't know what to find. And often you want certain things, like a little extra pepper. And quite often there is. Like should I buy Halloween candy? No, I dumpster dive first and see what I find. So, it's a little fun. – Helena

It is fun and thrilling to play the game of dumpster diving, it can be legitimized because it is the end in itself. Another part of the seductive profit is that it is fun to dumpster dive because it is a social activity with friends. As described in a previous section, it is more practical to dumpster dive in a group, as one can divide tasks. However, this also entails that dumpster diving becomes a way to socialize. Agnes, Pontus, and Maria's statements illustrate the legitimization through seductive reasoning below:

It wasn't so much money wise; it was more of a fun activity together with friends that were also dumpster diving. - Agnes

And then sometimes others would join so it could be quite socially fun and so on. -Pontus

It was always fun, nice, and I really liked it. Once I went with my friends and she went into the dumpster, and she stepped on an egg haha. And it was so smelly and bad, but everyone was like that's so funny. Like we never cared, it was like always nice. - Maria

Furthermore, many of the dumpster divers describe that their diet becomes more varied and interesting because they dumpster dive. This can also be explained as a part of the utility calculation that Ewick and Silbey present. To dumpster dive thus enables a more creative diet, making it fun and adventurous to dumpster dive:

And you get to eat other things as well, sometimes you find weird vegetables you don't usually use and that's also fun. -Agnes

It's cheaper and you get a more creative diet. You find things that you wouldn't have spent money on otherwise. Which makes the food much tastier and more fun. -Liam

The last example of how profit legitimizes dumpster diving is how dumpster diving enables a strengthened self-esteem and identity. Dumpster diving can be legitimized by its practitioners because they can portray themselves in a certain way and gain an identity or higher self-esteem. However, it should be noted that not all respondents expressed gaining identity through dumpster diving, but rather dumpster diving was an outcome of their already established environmentalist identity.

But it was like I found my affiliation or identity in more limited parts of society. Not specifically dumpster diving but it was a part of those situations. The situation of being politically active and criticizing the consumer society and other aspects of society. -Pontus

I'm more capable. It gives me a little self-confidence. Like, I can support myself even if I were without money and a job. So, it's a feeling that you're not, yeah but that you can go through a little shit to get food on the table. My self-esteem has simply improved and I feel that I can manage things. -Karl

6.6.2 Legitimization Through Reinvented Norms

Ewick and Silbey (1998) argue that playing the game of law entails both playing by the rules and playing the rules. Thus, people who play with the law often make new rules that can help them

reach their desired ends (ibid., 151). For people who assess the game-like consciousness, rules define what can be done legally. As presented previously, specific context dependent rules about dumpster diving have been established that highlights the importance of time, avoiding personnel and keeping it clean. When the respondents are asked about the responsibilities one has as a dumpster diver, they all bring up these norms. By following the reinvented norms, the dumpster divers are following the rules of dumpster diving, which can be interpreted as acting legally. Many of the dumpster divers explain that the rules are self-interested, entailing that they exist to facilitate reaching the desired goals. Nonetheless, the norms are also strongly founded in the belief that it is not legitimized to destroy someone else's workday. By assessing these norms and keeping a low profile, one can legitimize her actions because no one gets hurt or disturbed by the law break. Agnes and Pontus put it:

I mean you are not hurting anyone. [...]I don't know, as long as you're doing it I mean you need to of course leave the place clean afterwards and not throw garbage everywhere. But I mean if you do it with some kind of respect then I don't see a problem with it at all. - Agnes

As long as I'm not hurting anyone, I don't care if it's legal. - Pontus

The reinvented rules facilitate the legitimization of dumpster diving because they ensure that the police, security, or grocery store staff do not get disturbed or hurt by their actions. Thus, dumpster diving can be legitimized because it does not hurt anyone.

7. Conclusion

To answer the research questions for this study, I have conducted interviews with dumpster divers. In the first part of the analysis, the generated data made it possible to answer the first research question: What does the legal consciousness of voluntary dumpster divers in Sweden look like when narrating their experiences of dumpster diving? Further, building on the first research question, the second part of the analysis enables answering the second research question: How do voluntary dumpster divers in Sweden legitimize dumpster diving through their legal consciousness? To answer the second research question, I understood ‘legitimize’ in relation to how the respondents make dumpster diving acceptable in their narration and analyzed it within the framework of legal consciousness. When answering the research questions, it became evident that the dumpster diver’s legal consciousnesses are plural and fluctuant, meaning it has been difficult and complex to analyze.

It can be concluded that all of the dumpster divers assess a resistant consciousness when narrating about dumpster diving. This consciousness pays attention to the unfair consequences that the power has produced (laws and government), and the dumpster divers feel a responsibility to fight the unsustainable treatment of food. Thus, legitimization through a resistant consciousness entailed posing criticism towards the unsustainable outcomes of the laws and the government. However, when narrating their practical experiences of dumpster diving, they seem to assess a consciousness with the law. The dumpster divers strategically use time and space to enable dumpster diving and reach their desired ends. The dumpster divers can legitimize their actions through a game-like consciousness through reinvented rules or profits. Such profit could be economic, social, a creative diet or identity building. Among the dumpster divers, the least common consciousness was before the law. These dumpster divers believe in the fairness of legal procedures and tend to act in accordance with the law. To legitimize dumpster diving, could thus be done by referring to dumpster diving as legal in the eyes of the law and acceptance by legal actors.

Shortly, I wish to relate the results back to Fritsvold’s (2009) concept of under the law. To find oneself under the law, entails viewing the law as fundamentally illegitimate as it actively protects and allows environmental crimes to persist because of corporate wealth. The dumpster divers did

generally not perceive the law as illegitimate, as became evident in the analysis. However, the capitalist system was often brought up as a reason for food waste, which is a key feature of the under the law legality. Nonetheless, I argue with Ewick and Silbey and state that different features will always become evident when investigating various groups. What Fritsvold states about the under the law consciousness, do not necessarily have to conflict with the against the law consciousness. Therefore, I would argue that the under the law consciousness is a radical feature of the against the law consciousness, rather than being its own legality. This entails that the dumpster divers do have features of the under the law consciousness, as it builds of the against the law legality. Thus, I see similarities between Fritsvold's concept and the dumpster divers' statements.

Concerning Ewick and Silbey's critique of how researchers have been using their theorizing on legal consciousness wrongly, I have tried to properly follow their recommendations and not create new categories of legalities, but rather tried to recognize how the legal consciousnesses are intertwined with the social structure of legality. For this study, it has meant understanding how the dumpster divers' legal consciousnesses work to legitimize dumpster diving. Legality is understood as "meanings, sources of authority, and cultural practices that are commonly recognized as legal" (Ewick & Silbey, p. 22-23), and will thus influence how the dumpster divers understand and legitimize dumpster diving. By asking how their legal consciousness enables the dumpster divers to legitimize dumpster diving, is thus to recognize how the legal consciousnesses are intertwined with the social structure of legality.

The dumpster divers are opposing unjust in society, but in an uncontroversial way. Normally, people who resist the law take up time and space from other people and make themselves heard, much like civil disobedience. Interestingly, dumpster diving is not civil disobedience in that sense as they keep a low profile. As many of the informants told me, the employees, security, and police know about the dumpster diving, and maybe that is enough resistance? Nonetheless, the game-like consciousness contributes to a dimension of rational thinking and has great importance during the dumpster dive. This means that the dumpster divers avoid the public resistance that civil disobedience often entails. Thus, dumpster diving might be interpreted as a non-public civil disobedience. Regardless of the dumpster divers' low profile, employees, security, and police are

aware of their actions, leading to the protest of unfair rule and government that civil disobedience strives to achieve. This is interesting in relation to the critique posed by Hertogh (2018), that people are becoming legally alienated due to the legal explosion. The legal explosion has caused people to become ambiguous and not able to find their own voice in legal matters. The ambiguousness about the laws concerning dumpster diving is true, however, this has not led the dumpster divers to become alienated and totally neglect the law. Instead, I would argue that the dumpster divers have a good idea of their own legal position and are taking part in this non-public civil disobedience.

It can be stated that this study's results are much in line with previous research conducted on dumpster diving. The grounds for legitimization generated in the literature review were ecological, economic, political, and hedonistic. These categories were all "found" when analyzing the results of this study, and interestingly the participants from my study narrated about legitimization of dumpster diving similarly as the participants in previous research. In similarity to the results of this study, previous research has concluded that the ecological ground for legitimization is the most common and solid reason to dumpster dive. The legitimization through economic reasoning was similarly evident in both previous research as well as in this study. The economic reasons for dumpster diving are a motivation, but not the prime reason for dumpster diving. For my thesis, it should be noted that all respondents were all voluntary dumpster divers. However, only one of them stated that the material and economic profit of dumpster diving was the prime reason for dumpster diving. Further, it became evident in this study, that the dumpster divers did not only gain economic profit, but non-material profits such as social interaction or identity-building. These non-material profits are instead described in the literature review as the hedonistic reasoning but were categorized as legitimization through profit in the analysis of this thesis. In the previous literature the legitimization through political reasoning was divided into two categories, where one group of dumpster divers operated openly and the other group privately. Regarding the results of this study, many of the respondents did pose critique towards the government but did so on the private level. Dumpster diving as an activity was never used to publicly pose critique, instead those respondents who were publicly posing critique, did so in other ways (e.g., NGO: s or marches).

However, I was able to distinguish more grounds for legitimization from my material than from previous research, legitimization through the law, legal actors and reinvented norms. There could be several reasons for this, for example: the research aim in the previous studies did not focus on legitimization whilst it did in this study or did the previous researchers interpret and present their results differently from me. Nonetheless, this study has contributed a new perspective on dumpster diving that (based on my searches) has not been done before. This study has increased the knowledge about how dumpster divers legitimize their actions depending on their legal consciousness. Understanding this, entails increasing knowledge about how and why people dumpster dive despite its transgressive nature. Further, this raises interesting and highly relevant questions about sustainability, food, and edibility.

During the interviews, a common topic that the dumpster divers brought up as possible solutions to reduce food waste and decrease one's environmental impact. This topic did not fit this study due to the research questions' delimitations. Nonetheless, they often discussed solutions that would entail dumpster diving, without having to hide, sneak or break laws in the middle of the night. Many of the respondents tell me that it should be possible to dumpster dive without breaking any laws. Almost all of the respondents bring up one or more suggestive solutions to dumpster diving in a less transgressive form. Which on the one hand would make it safer for the dumpster divers as they do not have to climb fences or jump into large containers. On the other hand, it would decrease food waste and encourage more people to buy or take expired food. I believe that my respondents, and many other dumpster divers and environmentalists occupy enormous amounts of knowledge that should be researched and explored more thoroughly. Therefore, I hope that future research will consider taking dumpster divers' knowledge into account when conducting research on food and food waste. As dumpster diving is a transgressive and sometimes illegal practice, it is still useful to assess a socio-legal framework to fully explore and increase the knowledge surrounding laws and food waste.

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Appendix

1. Interview guide (Open-ended Questions)

Initial questions

- What is your age, work, education?
- Where do you live?
- What is dumpster diving?
- How often do you dumpster dive?
- When did you start dumpster diving?
- Why did you start dumpster diving?

(For respondents who stopped dumpster diving)

- Why did you stop dumpster diving?
- How is your life different from when you were dumpster diving and now?

Reasons for Dumpster Diving

Environment

- How do you view yourself in relation to environmental impact?
- How does it feel to see the food thrown away when dumpster diving?
- How does it feel to take home food that has been thrown away?

Economy

- How do you view yourself in relation to the consumer society?
- Do you buy anything in the grocery store?
- Do you save money on your dumping?

Politic

- How do you view environmental policy?
- Are you part of any social movements?
- How does it feel to be involved?

Social

- Can anyone dumpster dive?
- Who are you dumpster diving with? Alone?
- Do you tell other people that you dumpster dive? How and why?
- Have you experienced any social consequences of dumpster diving? How and why?
- Does dumpster diving affect how you view yourself in any way?

During Dumpster Diving

- Can you describe what a regular dumpster diving round looks like, from start to finish?
- When do you dumpster dive?
- Feelings during dumpster diving? Atmosphere?
- What food do you choose when dumpster diving?
- Which food do you not choose?

Informal rules

- What are your responsibilities as a dumpster diver?
- Are there norms or unwritten rules when dumpster diving? What?
- Why are there such rules?
- Should such rules be taken into account? How and why?
- What happens if you break the unwritten rules?

Legality

- How do you view dumpster diving and the law?
- Why do you see dumpster diving as legal / illegal?
- Is it morally right to dumpster dive?
- What would make dumpster diving illegal or morally wrong?
- When is it not okay to dumpster dive?
- Should it be legal to dumpster dive? Why?
- Would you dumpster dive whether it was legal or not?
- Have you ever been confronted when you dumpster dived? What happened? How did it feel?
- Have security or police officers confronted you? What happened? How did it feel?

2. Interview Guide (Closed Questions)

12. How would you react in the following situations that may occur? (Select only one option.)

Situations	You would tell the person	You would try to get someone else to tell the person	You would not do anything, because it does not matter to you	You should not do anything, because it is not your job to reprimand others	You would not do anything out of fear of the reaction	You would not do anything, because you do the same yourself
Someone is cutting the line	[1]	[2]	[3]	[4]	[5]	[6]
Someone is throwing rubbish on the street	[1]	[2]	[3]	[4]	[5]	[6]
Someone arrives late for an agreed meeting or meeting	[1]	[2]	[3]	[4]	[5]	[6]
Someone buys contraband or pirated goods	[1]	[2]	[3]	[4]	[5]	[6]
Someone is crossing the street where you should not	[1]	[2]	[3]	[4]	[5]	[6]

13. If someone corrects you about one of the following behaviors, how would you react? (Select only one option.)

Situations	You accept the correction	You do not accept the correction, because no one will tell you what to do	You do not accept, because you think the error is harmless	Don't know / no answer
You cut the line	1	2	3	4
You accidentally litter	1	2	3	4
You arrive late for an appointment or meeting	1	2	3	4
You buy contraband or pirated goods	1	2	3	4
You cross the street where you are not allowed	1	2	3	4
Riding a motorcycle or bicycle without a helmet	1	2	3	4

16. The words "rule" and "regulation" generally evoke a feeling in you that is:

1. Very positive	2. Positive	3. You are indifferent	4. Negative	5. Very negative
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17. Do the statements below never, almost never, almost always or always agree with you?

Statements	Never	Almost never	Almost always	Always	Don't know
You act in accordance with the law	1	2	3	4	5
You find it easy to act in accordance with the law	1	2	3	4	5
You agree to be sanctioned if you break the law and your conscience tells you that you did the right thing	1	2	3	4	5
You easily act in accordance with your conscience	1	2	3	4	5
You accept to be sanctioned if you break the law and your conscience tells you that you acted wrongly	1	2	3	4	5
What the law prescribes is in accordance with customs and usage	1	2	3	4	5
What the law prescribes is consistent with what your conscience prescribes	1	2	3	4	5

18. Would you help bring about a law or a change in the law?

Yes [1] No [2]

19. A law is in your opinion (Select only one option)

- a. An obligation imposed by a few [1]
- b. An expression of the collective will [2]

20. Do you think it is justified or not to break the law:

	Yes	No
a. when this is the only way to achieve one's goals	[1]	[2]
b. when this is the only way to help the family	[1]	[2]
c. when this is the only way to publicly fight an unjust law or government	[1]	[2]
d. when this is very economically advantageous	[1]	[2]
e. when one's religious beliefs allow it	[1]	[2]
f. when it occurs in response to a violation of one's honor	[1]	[2]
g. when it is fairly certain that one will not be punished	[1]	[2]
h. when it has been successful for someone else who has done it	[1]	[2]
i. when it's what people usually do	[1]	[2]
j. to repay a favor	[1]	[2]
k. to defend property or belongings	[1]	[2]

21. People usually enter agreements or arrangements with each other. These are often informal agreements (eg oral agreements without a written contract). Other times it is a formal agreement.

Do you prefer to enter such agreements?

Always	Almost always	Never	Almost never
1	2	3	4

22. When you enter into an agreement, what do the circumstances usually look like?

Statements	Always	Sometimes	Never
a. It is clear to the parties what they have agreed on	1	2	3
b. The agreement is free and voluntary	1	2	3
c. Both parties trust that the other party does what it is supposed to	1	2	3

23. When you break a contract, you usually:

1. Never 2. Almost never 3. Almost always 4. Always (select the corresponding number in the box)

Situations	1	2	3	4
a. avoid the other person	1	2	3	4
b. come up with an excuse	1	2	3	4
c. expect understanding and do nothing	1	2	3	4
d. try to compensate for the damage	1	2	3	4
e. have feelings of guilt	1	2	3	4
f. be afraid of legal sanctions	1	2	3	4
g. explain why you have not been able to fulfil the agreement	1	2	3	4
h. enter into a new agreement	1	2	3	4
i. feel ashamed	1	2	3	4
j. be afraid that the other party will punish you	1	2	3	4

24. When someone else violates an agreement that he or she has entered with you, you usually:

1. Never 2. Almost never 3. Almost always 4. Always (select the corresponding number in the box)

Situations	1	2	3	4
a. understands and do nothing	1	2	3	4
b. accepts any excuse	1	2	3	4
c. invites the person who has violated the agreement to dialogue	1	2	3	4
d. request explanations as to why the other person has not fulfilled the agreement	1	2	3	4
e. tries to make sure that the other person compensates you or corrects the damage	1	2	3	4
f. takes legal action to enforce the agreement	1	2	3	4
g. avoids the other person	1	2	3	4
h. makes sure the other person feels guilty	1	2	3	4
i. tries to embarrass the other person in public	1	2	3	4
j. enters into a new agreement	1	2	3	4

25. How often do you think people in your city fulfill their contracts or agreements?

Never [1] Almost never [2] Almost always [3] Always [4]

31. If you see the neighbor beating his wife, what do you do? (Select only one option)

- a. You intervene to stop the violence [1]
- b. You call an authority [2]
- c. You prefer not to get involved and do nothing [3]
- d. don't know / no answer [4]

32. If you see the neighbor beating his/her son or daughter, what do you do? (Select only one option)

1. You intervene to stop the violence [1]
2. You call an authority [2]
3. You prefer not to get involved and do nothing [3]
4. don't know / no answer [4]

34. Here are some situations that have to do with taxes. Answer whether you completely agree, agree, neither agree nor disagree, disagree or completely disagree.

Situations	Agrees completely	Agrees	Neither agrees or disagrees	Disagrees	Disagrees completely	Do not know / no answer
pay the taxes on time to avoid fines and penalties	1	2	3	4	5	6
pay taxes so that all residents of the city will have access to public services	1	2	3	4	5	6
c. I pay taxes because it is a civic duty	1	2	3	4	5	6
d. Many do not pay taxes, and nothing happens to them	1	2	3	4	5	6
e. I pay as little tax as possible	1	2	3	4	5	6

35. What do you do if you are offered to buy something for a lower price without a receipt?

- a. You accept and it feels good [1]
- b. You accept but get feelings of guilt [2]
- c. You accept but would be ashamed if others found out [3]
- d. You accept but are afraid of legal sanctions [4]
- e. You do not accept, because you are afraid that others will distance themselves from you [5]
- f. You do not accept, for principle reasons [6]
- g. You do not accept, because you need the receipt [7]
- h. You do not accept, because you are afraid of legal sanctions [8]
- i. Other? [9]

36. Would you enter into agreements with the following people or institutions?

- | | Yes | No |
|---------------------------------|-----|-----|
| a. neighbors | [1] | [2] |
| b. relatives | [1] | [2] |
| c. colleges from work or school | [1] | [2] |
| d. unknown people | [1] | [2] |
| e. the state | [1] | [2] |

37. Generally, do you trust people? Yes [1] No [2]

38. How much trust do you have in the following institutions?

Institutions	Very much	Much	Little	None
a. The Swedish Church	1	2	3	4
b. The military	1	2	3	4
c. Teachers	1	2	3	4

d. Police	1	2	3	4
e. Municipal management	1	2	3	4
f. The regional management	1	2	3	4
g. The government	1	2	3	4
h. Press	1	2	3	4
i. Priests	1	2	3	4
j. The Riksdag	1	2	3	4
k. Public officials	1	2	3	4
l. Judges	1	2	3	4
m. Courts	1	2	3	4
n. Politician	1	2	3	4
o. Radio	1	2	3	4
p. Trade unions	1	2	3	4
q. Religious organizations	1	2	3	4
r. TV	1	2	3	4

39. Generally, do you trust:

		Yes	No
a.	neighbors	[1]	[2]
b.	friends	[1]	[2]
c.	relatives	[1]	[2]
d.	colleges from work or school	[1]	[2]

41. During the past year, have you participated in any of the following activities?

	Yes	No
a. Collective activities (marches or demonstrations)	1	2
b. Arranging cultural, entertaining, or sporting events	1	2
c. Activities in the local community to increase security	1	2
d. Activities to improve or build common facilities and take care of public places	1	2
e. Participated in political groups or parties	1	2
f. Participated in policy governing and supervisory bodies in matters of public affairs (eg civic review bodies, co-determination of budgetary matters, local council assemblies, civic consultations)	1	2
g. Participated in voluntary organizations	1	2

42. On a scale of 1 to 10 where 1 is unimportant and 10 is very important, how important are societal issues in your life?

Not important 1_2_3_4_5_6_7_8_9_10_ Very important

43. Which has the biggest influence on your behavior? (Select only one option)

a. Admiration for the law	1
b. The feeling of well-being when following one's conscience	2
c. social recognition, to be accepted	3
d. Fear of fines or imprisonment	4
e. Fear of guilt	5
f. Fear of social punishment or social distancing	6

44. Which has the greatest influence on the behavior of others? (Select only one option)

a. Admiration for the law	1
b. The feeling of well-being when following one's conscience	2
c. social recognition, to be accepted	3
d. Fear of fines or imprisonment	4
e. Fear of guilt	5
f. Fear of social punishment or social distancing	6

45. Do you think it is justified to use force in these situations:

	Yes	No
a. to collect a debt	1	2
b. when this is the only way to achieve their goals	1	2
c. to help the family	1	2
d. when this is the only way to publicly fight an unfair law or government	1	2
e. to gain economic benefits	1	2
b defend their religious beliefs	1	2
g. when it occurs in response to a violation of one's honor	1	2
h. when it is fairly certain that one will not be punished	1	2
i. to gain recognition from others	1	2
j. when it comes to self-defence	1	2
k. to defend an unknown person against an attack	1	2
l. to defend property or belongings	1	2

47. Which do you think is most serious - stealing from a neighbor or stealing from the state?

- a. It is most serious to steal from the neighbor [1]
- b. It is as serious to steal from the neighbor as from the state [2]
- c. It is most serious to steal from the state [3]