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CAN FOOD AS A COMMONS ADVANCE FOOD SOVEREIGNTY?

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Introduction

In 1996, La Vía Campesina raised the call for *food sovereignty*, the right of peoples to determine and control their own food systems. Food sovereignty challenged the concept of ‘food security’ and the privatization of land, seeds and water and advanced an array of environmentally sustainable and socially equitable alternatives to the destructive practices of the corporate food regime. The call became a global movement that today includes several hundred million small and medium food producers and hundreds of thousands of consumers. Food sovereignty is one of the pillars of the global counter-movements to neoliberalism.

The rejection of both industrial agriculture and of neoliberalism’s tendency towards corporate privatization has led many food sovereignty advocates to embrace complementary concepts, like agroecology and the Right to Food. Parallel and overlapping notions have also emerged, like ‘food justice,’ the ‘good food’ movement, ‘Slow Food’ and ‘food democracy’. These are often associated (or confused) with food sovereignty. Recently, some Right-to-Food scholars have introduced the notion of a ‘food as a commons,’ in which the commons is used both as a noun (shared resources) and as a verb (i.e., ‘commoning’ in which food is a common good) (Ferrando and Vivero-Pol, 2017).

At first glance, food sovereignty and the food commons have, well, much in common. Both are a rejection of the corporate food regime’s tendency to manufacture food scarcity and both revive the histories and traditions of the Commons. Both reject the commodification of food and uphold food as a human right. Both propose transformative models for equitable and sustainable food systems as a basis for a new society.

But the etymologies of food sovereignty and food as a commons are not congruent. Food sovereignty is a call for resource equity emerging from the organized demands of peasants, pastoralists and fishers, while the food commons is a call for equal food access, emerging primarily from the professional community for human rights (mostly urban). The former has structural proposals addressing production (agrarian reform and farm parity, fair wages and decent working conditions for farm and food workers, the exemption of agriculture from free trade agreements and the dismantling of corporate power), while the latter focuses much more on normative valuations, distributive consumption and alternative nodes of governance. *La Vía Campesina*, whose 164 peasant organizations serve 200 million farmers around the world, is the social and

cultural cornerstone of food sovereignty, while the food commons is known amongst a relatively small, but influential cadre of professionals and activist intellectuals (La Via Campesina, 2011).

Nonetheless, the two concepts are closely aligned and a clear political alliance between them might create a new lever for social change. Can the food commons help in the construction of food sovereignty? What are the conceptual, practical and political bases for such an alliance? Answering these questions requires assessing the notion of a food as a commons through the political-economic lens of food sovereignty and of the Commons itself.

The renewal of the Commons

Amidst the ongoing privatization of public, common pool and open access resources, the notion of the Commons is increasingly celebrated (Federici and Caffentzis, 2014). The renewed popularity of the Commons results from a widespread disaffection with the modern political and economic governance of both socialism and capitalism (Caffentzis, 2010). As an emergent key concept, the Commons symbolizes a platform to re-imagine access, use, community and values associated with governing resources (Cumbers, 2015). While the Commons may be celebrated for its unifying properties, the various forms of emerging commons that are being developed also demonstrate a confluence of political allegiances (Federici, 2011).

Whereas conventionally the Commons refers to both land-based resources and the rules, rights and obligations governing them, emerging commons range from local initiatives organized around principles of communal sharing to environmental commons that conceptualize ecological interdependencies at global scales of governance (Holder and Flessas, 2008).

More recently, the Commons have been broadened to include the more intangible aspects of social life, epitomized in the so-called ‘creative,’ ‘cultural,’ ‘knowledge’ and ‘digital’ commons (Bresnihan, 2015). Notably, the products of these immaterial commons are seen as continuously reproducible through recombinant technologies and human creativity, meaning one person’s use does not subtract from somebody else’s, but rather tends to increase the availability and productivity of common goods (De Angelis and Harvie, 2014). By presenting the act of sharing as a valued asset in and of itself, the commonwealth created in these immaterial commons offers a vision of society based on principles of abundance (Hardt and Negri, 2011). As such, these emerging commons act as an ideological counter-force to globalized markets, subverting the meaning and function of access and sharing within liberalized economies (Holder and Flessas, 2008; Caffentzis, 2010).

The call for ‘food as a commons’ integrates a variety of existing and emerging commons, from community gardens to recipes, under an overarching claim to the Right to Food (Ferrando and Vivero-Pol, 2017). Unlike traditional common property regimes, food commons asserts the right of individuals to not be excluded from resource use (Holder and Flessas, 2008). Deploying a language of rights, entitlement and justice, the vision of food as a commons is less defined by the specific actors and rules and more by the political claim to food as a common good (Vivero-Pol, 2017a). Significantly, arguments for a food commons question the capacity of both states and markets to ensure the right to food, and articulate a moral claim for food to exist outside of the capitalist mode of production and exchange (Vivero-Pol, 2013). While recognizing the lack of food access as the most pressing issue, the food as a commons argument departs from typical food security arguments based on an assumption of scarcity, asserting that ‘the assumed private nature of food’ is the root cause of hunger (Vivero-Pol, 2017d, p. 346).

This approach is novel—and bold—because previous work on the role of the Commons in securing food access mostly concerned land held in common, from which users derived multiple food and non-food products (Mosse, 1997). Proposing food *itself* as a commons does

not ground the product to an actual place, but rather conceptualizes it at an aggregated, global supply scale. Taking the category of food as a whole (somewhat like water or air) provides conceptual space to develop the notion of food as a commons, to which human entitlement can appeal. Everyone should have the right to food. Can the right to food be secured through a commons framework? Possibly. But a number of questions need to be addressed regarding food and property regimes.

Food as property

Food is a physical good, embedded within property regimes used to govern its production and use. The materiality of food grounds its many meanings (e.g. as a commodity, a cultural expression, a basic need, etc.), but also sits objectively *outside* these meanings. Recalling Elinor Ostrom's measure for classifying the materiality of goods, private goods are characterized by the ease of excluding others and high subtractability of use—meaning gains obtained by one actor will reduce availability to others (Vatn, 2015). In comparison, public goods refer to resources for which individual behavior does not influence the shared resource base significantly and exclusion of actors is difficult, which may imply a certain level of detachment between users and governance of resources (Ostrom and Ostrom, 2015). Common-pool resources are those goods for which use is subtractable, but there is difficulty of exclusion—at least from within the site-specific group.

Food is a private good because the use of a food-substance reduces immediate availability to other actors and excludes others from consuming that particular food-product. Granted, when food supplies are abundant, the food-consumption by one individual does not significantly influence its availability to others and subtractability becomes low or insignificant (Vatn, 2015). This, however, does not change the materiality of food itself, but is the experience and aggregation of food-supplies in a given place and at a particular time.

Importantly, food as an essential material object embodies value (in the form of energy) from the sun, sea, sky and soil and labor (McMichael, 2013). The production of food thus inevitably utilizes a multitude of common-pool, public and private, ecologically interdependent resources, which may be governed under a wide variety of different property forms (Ostrom and Hess, 2007). Food also contains value as embodied *labor power*—the human effort used to collect or produce it. This is important because when food is exchanged, the *value* of this labor power is distributed among producers, middlemen, processors, retailers, distributors, shopkeepers and consumers. Even when food is shared freely, the value of labor power is shared (though it is socialized rather than privately appropriated). The different ways food is produced, distributed and consumed are, consciously or unconsciously, politically determined. Under modern capitalist regimes, private goods like food can be governed as commodities as well as public or common property.

While the material characteristics of a good do not determine the rules governing its use, the attributes of a given resource shape the relative benefits and costs associated with constructing and maintaining a given property form (Vatn, 2005). At the same time, governance of goods shapes the individual experience of degrees of excludability and subtractability of the good; on the one hand, human made technologies and legal constructs enable enclosures, on the other, political means can ensure access (Pistor and Schutter, 2015). As such, property regimes define whose interests are protected and provide means to coordinate competing uses (Vatn, 2015). While these rules are often so ubiquitous as to seem natural (e.g., the market), they are no more than socially constructed, normative instruments.

Relatively recent in human history, food scarcity became a function of the market, rather than of productive, infrastructural, or political conditions (Moore Lappé and Collins, 2015). The call

for food as a commons recognizes this ‘scarcity’ of food under capitalism as a market fiction used to allocate otherwise abundant food supplies on the basis of economic demand, rather than need (Vivero-Pol, 2017d). It opposes the exclusions resulting from private property regimes in which access to food is made contingent upon purchasing power, as well as the added subtractability of food when food-products are used for more profitable, non-food purposes (Vivero-Pol, 2014). Accordingly, the call for food as a commons makes a moral argument for food to be considered as a common good, arguing that property regimes—as well as distinctions between private, public and common-pool resources—are social constructions (Vivero-Pol, 2017c).

This is true, and significant, but while individuals shouldn’t be excluded from food, this doesn’t mean that food itself is a non-excludable, non-rivalry good. While commodities are changeable human constructs, the material characteristics of food existed prior to those norms, rules and technical developments that accentuate, alter and capitalize on the physical attributes of food and remain crucial in the labor process, consumption and politics of food.

It is precisely the embedded materiality and systemic complexity of food that leads to its inescapable politics. Any proposal for resistance or transformation—whether ideational (like the food as a commons) or materially based (like food sovereignty)—will need to address the value, regimes and materiality of food. The social construction of the Commons (food or otherwise), and its relation to private property, is no less complex.

The Commons as Social Relations

Elinor Ostrom’s ground-breaking analysis of common property regimes introduced the Commons as an alternative governance model to the state and the market and informed the design principles for the global commons, polycentric governance models and food as a commons (Ostrom, 1987; 1990; Ostrom et al., 1999). Ostrom’s response to Garret Hardin’s ‘tragedy of the commons’ identified common property as regimes in which members of a clearly defined group own the right to exclude non-members. This distinguished the Commons from ‘open access’ regimes that pose no limits on use. Her empirical work showed that the Commons operate by a set of social relations that mobilize the social differentiation among members, as well as between members and non-members, to regulate use and management of shared resource systems (Hardin, 1968; Ostrom, 1987, 1990).

Because common property regimes tend to harbor multiple, often conflicting uses, inter-dependencies and overlapping rules, rather than presuming attributes of governance based on property form, Ostrom tried to account for the ‘bundle of rights and obligations’ that governed resources. These she defined as the rights to access, to withdraw, to manage, to exclude and to alienate. Allocated differently among members of a commons, the bundle held by a given actor shapes their position to resources and to other actors (Ostrom and Hess, 2007). The ‘right to access’ regulates use by members and might be differentiated between areas, seasons or time of day; while the ‘right to withdraw’ specifies who can harvest what resource and for what purpose (Schlager and Ostrom, 1992). Further, there may be multiple, co-existing rules for a particular good. The ‘right to management’ then provides the right to regulate such use-patterns—decisions that potentially produce, increase or mitigate tensions between different users and uses of shared resources. Given the place-specific nature of these entitlements, restricting access by limiting members’ ‘right to alienation’ (the right of a member to sell their entitlement to the Commons) and maintaining the ability to exclude non-members are often considered foundational to the sustainability of the Commons (Ostrom, 1987).

Ostrom’s work countered dominant theories of human action. She showed that locally embedded institutions are complex systems of incentive structures amongst members—beyond

the individual weighing of costs and benefits ascribed to open access and private property regimes (Ostrom, 2014). Desirable outcomes are not pre-determined but shaped by relationships between different members of a commons (Ostrom, 1990). Reciprocal expectations among actors, embodied through ethics, norms, trust and habit, create situations in which it becomes rational to cooperate, rather than compete, thus enabling sustainable use and management of the Commons (Ostrom, 1992).

Following on Ostrom's work, other researchers have pointed out that rules governing resources held in common do not merely arise as the preferable means to govern resources, but *emerge from existing structures of power* (Mosse, 1997). Members of a commons tend to occupy asymmetrical positions and the ways in which individuals relate to each other and common resources arise from existing social structures, shaped by divisions of labor and differential status based on gender, ethnicity, class and age (Nightingale, 2010). Members' respective bundle of rights are thus shaped by a wider set of social relations than those aimed at governing the Commons and may be better conceived as bundles of powers (Ribot and Peluso, 2003). The heterogeneity among actors' bundles of entitlements and responsibilities within a commons does not only reflect existing social structures, but inscribes these back upon the landscape in various ways, such as in the production of 'gendered crops' following gendered divisions of labor on commonly owned lands (Howard and Nabanoga, 2007). Actually, existing Commons thus defy simplistic notions of power as an outside force, disrupting and impinging upon an otherwise harmonious community; rather, the material resources and property regimes used to govern those resources constitute a domain through which *existing* relations of power are continuously enacted and transformed (Brown, 2007; Nightingale, 2014).

Common property regimes often govern resources where multiple activities are pursued under different property arrangements and products from commonly owned resource systems are privately appropriated and sold on markets (Ostrom and Hess, 2007). Common property regimes are rarely self-contained systems (Mosse, 1997; McCay, 2002). The resulting resource regimes do not resemble any set of property rights in their ideal form, but emerge through overlapping and combined property regimes (Smith, 2000; Fennell, 2010). Atavistic notions of a commons as an autonomous, rule-based system with clearly defined, relatively homogenous social groups organized around a circumscribed resource base, simply do not reflect the dynamic and ambiguous realities of resources held in common. Instead, the Commons often constitute a domain through which to navigate changing parameters of market conditions, the environment, social reproduction and the behavior of exogenous actors. We see this, for instance, by the way in which, just as value from 'rights to benefits' of members within a commons extend outwards through the sale of private goods and labor, the sustenance of the Commons may be sustained by the fulfillment of obligations with outside resources, such as immigrant remittances (Caffentzis, 2010).

While the limits and needs negotiated through the Commons are neither inherent nor abstract, understanding the dynamics of a commons requires locating user-groups within broader political and economic dynamics in which the Commons are embedded, and which shape long-term strategies and day to day decisions of its members (Turner, 2017). Rather than rules and norms operating autonomously, these are 'situated choices' and the evolving product of social and material realities. The Commons are not merely humanly constructed sets of rules nor a physical area of resources nor the perceptions actors have of these, but the way in which these are all combined and enacted. The 'situated interdependence' of actors and the Commons allows them to negotiate, in imperfect ways, changing, conflicting and uncertain needs, capacities and obligations (Bresnihan, 2015).

The Commons, capitalism and peasant resistance

The Roman Empire divided property into *res publicae*, *res privatae* and *res communes*: state, private and commons. Those things that couldn't be possessed and were available to all (open access) were *extra patrimonium* (Holt-Giménez, 2017). The Romans left some common property to people and villages because they understood its integral role to the production of an expropriable surplus and to the overall stability of the imperial regime. For thousands of years, the Commons ensured the food security that private property and government wouldn't or couldn't provide. In many ways and in many places around the world, the Commons still does.

The Commons can supplement food, fiber and other resource needs of small-scale farmers, pastoralists and fishers, lower their livelihood costs and allow them to sell their products cheaply, thus helping them compete with large-scale, capitalized production. However, this 'subsidy' from the Commons can cut both ways. If the Commons is used primarily to produce goods for market rather than for subsistence, low prices in the market can lead to the over-exploitation of the Commons. Also, when small-scale producers or their family members work for industrial wages, the Commons can enable industry to obtain peasant labor power more cheaply—essentially allowing industry to exploit workers by appropriating the food subsidy of the Commons. So, under certain conditions, the market and the private sector may indirectly benefit from the Commons. In recessionary or deflationary times capital may seek to privatize the Commons in order to put its wealth in land rather than hold it as money. Under periods of economic expansion, capital can use the power of the state to enclose the Commons in order to force smallholders to sell their land and move them into the labor market. Thus, while the Commons is a historic refuge for non-capitalist and non-state relations in the food system, it always has a relationship with capital and the state. At the same time, the Commons allows for increased agency, resiliency and room for maneuver among the peasantry, smallholders and villagers.

While it is fashionable to understand the Commons as a pre-capitalist sanctuary of un-commodified products and egalitarian social relations, this was not necessarily the case and the porous relation between the Commons and the changing modes of production and political organization in which it is embedded, is less often appreciated. With the capitalist mode of production and the industrialization of societies, the Commons and its livelihood functions were destroyed or increasingly marginalized. Nevertheless, the role of the Commons in the formation of capitalism is as important as the much more celebrated role of capitalism in the destruction of the Commons. The Commons was *pivotal* to both the destruction and the survival of the peasantry—a massive social force needed by capitalism for its labor, its nascent capacity to buy industrial products and its ability to fill the ranks of armies. Cheap food produced by the peasantry was not just important for the industrial take-off in cities, but also for the development of industrial agriculture in the countryside. Following the work of Kautsky, as late as the 1970s, Alain de Janvry characterized the peasant-capitalist relationship of Mexico's widely celebrated Green Revolution as 'functional dualism' (Janvry, 1981).

The persistence of the peasantry throughout the agrarian transitions of the seventeenth through the twentieth centuries cannot be understood simply through Kautsky's theory of self-exploitation of peasant family labor, but must also be understood through the role that the Commons played in the survival of peasant families (Kautsky, 1988). Whether in its reinstated forms (such as the Mexican *ejido*) or its many remnant forms (like the *acequia* system in the Southwestern United States), the Commons—however it was internally defined—has played an integral role in the interaction of the peasantry with whichever colonizing power was extracting their labor, food and resources. The function of the Commons in peasant society, since before

the dawn of capitalism, has served both as a means of resistance *and* a means of exploitation. The balance between these two functions has depended on the correlation of forces between peasant production and capitalist production.

Just as the Commons has had a dynamic history with the dominant modes of production, it also has an extensive social and political history with hegemonic forms of state governance, notably with democracy. Capitalism and democracy evolved together. The particular form of democracy associated with capitalism is *liberal democracy*, based on the rights of property and the rights of the individual (or corporations that are treated as if they are individuals). The combination of capitalism and liberal democracy is inherently contradictory because the tendency of capital to concentrate wealth is antithetical to the distribution of power essential to democracy. This contradiction is managed by the *liberal nation-state* through forms of representative democracy.

Since the flowering of Greek democracy in 4 BC, private property has also been the basis for citizenship and power. But the protection of private property depends in no small degree on the existence of public property, that is, the state. Establishing and maintaining public property is not easy; the governed have to consent to be governed and although coercion can work for a while, unless there is a *social contract*, force is unsustainable in the long run. So the question is: how can the state reconcile the private ownership of the production of essential goods and services with the pursuit of the public good for all its citizens?

[Private] property is continually in need of public justification—first, because it empowers individuals to make decisions about the use of scarce resource in a way that is not necessarily sensitive to others' needs or the public good; and second, because it does not merely permit that but deploys public force at public expense to uphold it.

(*Waldron, 2004*)

Without the power of the state, individuals and corporations could not enforce their exclusive claims to property's uses and benefits. This is still the condition for private property. Public property—which theoretically belongs to all citizens—also requires the power of the state to ensure the production of public goods and services. Liberal democracy has a variety of legal structures for Commons protection and management, among them: trusts, reserves and forms of consuetudinary governance (e.g., *usos y costumbres*). The existence of Commons within liberal democracy depends on the liberal state and in no small measure on the regulatory frameworks for public goods. While private property, particularly under neoliberal regimes, is on one hand antithetical to the Commons, it is questionable whether the Commons could exist without the same nation-state that ensures the existence of private property (Holt-Giménez, 2017).

While the Commons is frequently described as a localized, democratic institution, it is not safe to project the conventions of liberal democracy onto the Commons. Not only were women frequently excluded from the Commons, the social relations of liberal democracy and the social relations of the Commons are historically and structurally distinct. In the face of the former's universality, the latter is specific to particular sets of social relations, geographies and cultures. The point is that the Commons is a social relation that is historically—and contentiously—embedded within a larger social relation. Today's liberal democracies and Commons are no strangers to each other and, while it is tempting to treat the Commons as something operating *outside* the current corporate food regime, it is and has been a subjugated part of our food systems for a very, very long time.

The call for a food as a commons

The call for food as a commons emanates not just as a reaction against neoliberal capitalism, but as a social expression both *within* and critical of liberal democracy. Indeed, the claim to the Right to Food itself is normatively possible thanks to liberal democracy's rights-based structure, while the very notion of a food commons defies the validity of liberal states as representative institutions. Can liberal democracy—an institution founded on private property and individual rights—promote a socialized property regime like the food commons?

The vision of a food commons notably differs from previous discourse on the Right to Food, not the least in its claim that capitalist market economies restrain the democratic capacity of liberal states and popular demands cannot be reconciled within the state-market duopoly (Vivero-Pol, 2014; Ferrando and Vivero-Pol, 2017). The food as a commons narrative scrutinizes the constitutional surface of the liberal state under which corporate actors are the primary architects of our food supply. Pointing to the limits of liberal multilateralism in which the World Trade Organization continues to overpower the United Nations' efforts to secure the Right to Food, the food commons declares the inherent tensions of liberal democracy as irresolvable through liberal constitutionalism alone.

As an alternative, the food commons envisions a broader 'communicative realm' not confined to liberal constitutionalism, but focused on the way 'discursive sources of order' can influence governance (Dryzek, 2000). The food commons thus proposes 'discursive democracy' in which civil actors democratize governance by contesting established conventions and influence decision-making bodies through rhetorical—rather than electoral—means.

The challenge taken up by food commons advocates then, is to somehow discursively construct a socialized and de-commodified food regime within the capitalist regime of commodity production—while working within a corporately compromised political structure designed for individual rights and private property. This is no trivial task, especially in countries where the constitution is routinely violated, where state violence reigns or where there is no social contract. Further, the history of the Commons has not been to alter hegemonic structures of capitalist or liberal-democratic dominance, but to provide a space of resistance for communities attempting to protect themselves from these very structures. The food commons as a political proposal rests on volatile and uncharted grounds.

The food commons narrative claims the reduction of food's multiple dimensions into a singular conception of food as a commodity is the 'discursive source of order' that drives hunger. Therefore, the proper valuation of food as an inalienable human right itself provides a weapon for transformation. Here, revalorizing food's multiple dimensions (and the rejection of food as a pure commodity) brings together a diversity of actors who, once enlightened with the rationale of food as a commons, assume agency as 'food citizens' (Vivero-Pol, 2017a).

The shift from liberal constitutionalism to the reflexive agency of civil actors exhibited in the vision of food as a commons is illuminated in the proposal for 'tricentric governance', in which 'self-regulated, civic collective actions for food' gain an increasing leverage over the state and market (Vivero-Pol, 2017d, p. 345). In essence, tricentric governance rebalances the political forces between government, economy and civil actions by re-appropriating public space from markets and the state, whereby civil actors engaging in collective action become an agency of their own.

Reaching below and beyond the surface of allegedly fractured states, the food commons ties in a diverse set of initiatives, movements and practices that preserve and rediscover commons-based solution as drivers of the transition to a food commons regime. While ranging widely, these are broadly classified as 'customary food movements' of indigenous communities; subsist-

ence and small food producers resisting enclosures; and ‘contemporary collective innovations,’ such as alternative food networks, urban gardening, etc. (Ferrando and Vivero-Pol, 2017). The concept of food as a commons further includes a variety of food-related things that may already be commonly understood as public goods (such as recipes and genetic resources) that are anticipated to provide a space for actors to converge around the multidimensional value of food.

Giving way to a ‘mounting force of citizens’ actions to reclaim food, the state is re-functioned from facilitator of the capitalist ‘accumulation through enclosure’ to regulator of capital interests and provider of enabling frameworks for food citizens (Vivero-Pol, 2014). The food commons is then tasked not only with socializing food, but also with transforming the liberal democratic state. This assumes the state is responsive to the demands of its citizens. For example, during the transition phase towards a new food regime, the state should provide incentives and enabling frameworks, such as basic food entitlement and food security floors, to support commoners as they initiate alternative means of food production and food-sharing at local scales and to ‘re-commonify’ the structures that govern the food system, effectively pushing back the influence of both state and market (Vivero-Pol, 2013).

These collective actions for food are admittedly based in different traditions and localities. The forms of food production and food sharing vary and they draw from different civic, market and state sources. The notion of collective action in polycentric governance thus counters models of governance based on the aggregation of individual interests, operating instead as ‘nodes’ of connected but autonomous food-centers. Once such commons have gained ground, the thinking goes, this ‘third pillar’ of governance will evolve into self-regulated and diffuse collective action, replacing mechanisms of demand and supply with diverse, hybrid models of governance, effectively ‘crowd-feeding the world’ (Vivero-Pol, 2017d).

In a global food commons coordinated through a polycentric governance model, self-organized groups under self-negotiated rule develop ‘food democracies’, operating through ‘nodes’ of connected but autonomous food-centers, achieving—at last—a free association between producers and consumers (Caffentzis, 2010). At this point, the role of the state as regulator and provider of enabling frameworks can decrease and both markets and states are relegated to one of many ways of allocating resources.

The concept of tricentric and polycentric governance thus operates by a vision in which the valuation of food as a common good unites otherwise diverse actors within and across borders of nation-states and across neo-colonial world orders and elevates food above the capitalist mode of production in which it is currently embedded. The food as a commons narrative thus believes that if food could be considered as a commons, the global food system (and capitalism) would change (Vivero-Pol, 2017a). The extraordinary political agency placed in the proper valuation of food implies the proposal of food as a commons itself convinces both the rights-holder and beholder by “the unforced force of the better argument” (Habermas, 1996, p.306). Accordingly, the conception of food as a common good is assumed to morally bind existing legal frameworks for the Right to Food and enable new international treaties (presumably between liberal nation-states) to secure food’s multiple valuations.

Unpacking food as a commons

The ‘food as a commons’ sweeping vision for a food-centric global transformation is perhaps more ‘persuasive’ than ‘convincing’ (Ferry, 2012). Either way, to consider its utility in the struggle for food sovereignty, a number of foundational assumptions need to be addressed. Foremost in the food as a commons narrative are the co-constitutive assumptions that food sharing is the material basis for the transformation of the capitalist food regime and that the ideational power

of discursive democracy is a sufficient driver to refashion the regime's governance structure (Fuchs and Glaab, 2011). These basic assumptions give rise to a host of corollary suppositions. All should be interrogated.

First, in its critiques of capitalist fictions, the food as a commons discourse replicates a dis-embedded concept of food as well as a form of liberal politics that it presumes is 'common sense,' effectively removing these from the sphere of discursive struggle. Granted, the food-as-a-commons counter-movement deconstructs the hegemony of market liberalism and its representation of people as consumers, by which it recognizes the lack of food-access as socially constructed and incorporates alternative operating categories of human action and food (Ferrando and Vivero-Pol, 2017). Most obviously, its identification of food as a social construct with open and fluid boundaries serves to dislodge privileged notions of food as a commodity (Vivero-Pol, 2017b). Reacting against scarcity discourses and their legitimization of the industrial food-complex, the food-as-a-commons discourses poses food as an abundant, renewable resource to which all have sufficient access (Vivero-Pol, 2014). Likewise, the emphasis on shared values and cooperation amongst actors pushes against the rationale of individuals as merely self-interested, self-maximizing actors of competitive market structures. However, while food-supplies at the global scale may be continuously replenished, privileging 'the category of food as a whole' assumes the exchangeability and immediate availability of food (Vivero-Pol, 2017d, p. 340). This abstraction of food from its physical and geographical realities dis-embeds food from the labor process and from society (much as the capitalist food regime does) and arguably loses political and material ground that is historically essential to the Commons.

Second, in assuming that discursive, deliberative democracy will lead a transformation towards more sustainable and ethical forms of production, the political agent in the food commons narrative is the western 'eater' or food citizen. This seems like an uncomfortable projection of consumer politics upon the communities who produce most of the world's food. That food sharing—rather than ownership of the means of production or the redistribution of assets—be chosen as the lever for structural or transformation change is arguably an inherently liberal notion. And to the extent that the food commons narrative fails to address the roles of land and labor, it leaves much of capital's power intact (Turner, 2017).

While the *refusal* to consume food (boycotts, hunger strikes, etc.) is indeed a powerful economic and political tactic, this does not mean that a call for food as a commons in and of itself is necessarily a structural or even a strategic lever for transformation. Consumer calls for greener, healthier, less waste-producing food products, for example, are easily incorporated into the capitalist marketplace. Villagers living in poor rural communities throughout the developing world frequently prefer cheap, industrial products to their home-grown foodstuffs. In Cuba, where the state supports multiple, innovative forms of healthy food commoning, there is a growing desire for newly introduced industrial food commodities from the United States. None of this assumes that the majority of people *couldn't* prefer healthy, locally produced food over globalized, industrial food, but to assume that they do—and that this will drive systems transformation—is a heroic projection of values.

The food-as-a-commons literature makes risky assumptions about the nature of social change. The collective choice models applied portray institutional change as sequential, in which users' experiences and commitments generate expectations by which participants forge more beneficial arrangements (Johnson, 2004). This assumes property regimes are the product of an equitable selection process, in which stakeholders reciprocally construct the institutions best suited to the needs of the community. It also assumes a remarkable homogeneity of power within and between the nodes of polycentric governance.

Food—its production, consumption and means of exchange—has long been a tool of power, oppression and differentiation, sometimes through or within the Commons. Where commons and collective action models are regularly understood to require some level of trust, a shared past and expectations for the future, as well as a notion of mutual vulnerability, these attributes cannot be assumed to be common amongst all food citizens on the basis of being ‘eaters’ (McCay, 2002). To the extent that the idea of food as a commons provides a space for ‘customary food movements’ resisting ongoing enclosures and contemporary ‘collective innovations’ to converge around the multidimensional values of food, this kind of cross-sectoral convergence demands recognizing differences in position, how these came about and how they are sustained (Vivero-Pol 2017a). Any claim to commonality that obscures difference and embedded asymmetries between actors is likely to reproduce them.

In particular, the idea that social relationships found successful in one particular community can be transferred to higher scales of governance elides the implications of actors’ embeddedness in a specific place and as *part of* larger political, economic and cultural structures (Mosse, 1997). While plurality and shared values around food may—potentially—be the basis for commoning *within* nodes in the polycentric mode of governance, the relations *between* different nodes will by no means be equal. If this is to be done at local scales (possibly with local, time-based currencies?), how will these communities equitably exchange goods with other localized food systems? What about states in which there is no social contract or limited fiscal capacity to secure public goods such as food baskets? These concerns are anathema to many governments, beyond the competencies of localized food nodes and certainly outside the political capacity of the United Nations system.

While there may be agreement on the essential nature of food as substance for life, there is little agreement on the different mechanisms of production and governance of food. In practice, ‘self-regulated civic collective actions’ decisions on ‘appropriate’ combinations of governance mechanisms inevitably draw on the existing structures of power and privilege (Johnson, 2004). The political ability and desirability to ‘scale up’ and ‘scale out’ local experiments to achieve the ‘right combination’ of collective action, government rules and incentives and private entrepreneurship are thus likely over-assumed. What may be a progressive collaboration between civil actors and innovative market enterprise to some, is exclusionary and symptomatic of oppressive market structures to others. Without adequate attention to privilege and power and their synergies with capital, the kind of polycentric governance proposed by the food commons runs the risk of advocating a kind of ‘libertarian municipalism’ (Cumbers, 2015).

Further, the notion that defining food as a public good provides sufficient ideational power to elevate it above the arena of capitalist market structures, is a belief that is poorly substantiated by past and contemporary examples of common and public goods and global public goods especially. Instead, we see public goods advanced through a rights-based structure of liberal constitutionalism and as such remain subject to the state’s internal contradictions.

The main contradictions in the food-as-a-commons consumption-transformation proposal thus concern value, relations and scale. Accounting for these requires refraining from presuming any prior set of entitlements and foregrounding social and political-economic processes which substantiate, undermine or deny entitlement (Johnson, 2004). That is, sustained efforts aimed at democratizing food regimes demands a shift in focus from prescriptive ‘right to benefit’ to a descriptive understanding of the ‘ability to benefit’ (Ribot and Peluso, 2003). Constituted of various ‘extra-legal mechanisms,’ abilities to benefit from institutions and resources are shaped by class, social identity, access to capital, markets and technical means and networks which in turn shape the way food is produced, the flow of benefits and the capture of rents along value-chains (Ribot, 1998). To farmers, the ability to realize entitlements requires access to resources, infrastructure and markets as well as leverage over price. Because a proportionally larger amount of labor goes into

producing food on smallholder farms compared to large industrial farms, recognizing the value of labor—an important aspect of food sovereignty—should be of special concern.

Finally, the food commons' discursive democracy approach to social change seems not to account for the global crisis of democracy, evident in the rise of right-wing populism and the extreme levels of material inequality in the world today (thanks to the neoliberal excesses of liberal democratic regimes). The masses are not clamoring for democracy (or equality), but political and economic *equity*. This is what is behind the revival of the Commons in the first place. But the conflation of discourse, democracy and equality within the food commons narrative prevents their strategic assessment. Any effort at 're-commonification' to construct a food commons, in fact, entails the de-commodification and dismantling of existing regimes of capital and power. Which is to say, anti-capitalist commons are, and will have to be, the product of class struggle (Federici and Caffentzis, 2014).

Food sovereignty, commoning, and class struggle

The notion of food sovereignty comes from a long history of peasant struggle that began, notably, with the struggle for the Commons in the face of enclosures pushed by large landowners and textile manufacturers beginning in the sixteenth century. The enclosures were bitterly contested by peasants, exploding in riots and rebellions in the face of the Enclosure Acts of the eighteenth and nineteenth centuries. The enclosures undermined the ability of people to feed themselves and created a destitute landless class that was obliged to work for wages. The battle over the Commons was at the core of a centuries long, anti-capitalist, class war. Any attempt to resist enclosures—or to reinstate a commons—is necessarily a chapter in this struggle.

The concept of food sovereignty is openly grounded in class. The 'sovereign' is the smallholder, struggling to assert control over productive land and resources, their own labor power and the value of their product: food. Because smallholders both consume and sell the food they produce, the call for food sovereignty addresses not only food as a right but food as a saleable good. Smallholders—like all workers—seek to be fairly compensated for the food they sell (parity).

As a component of class struggle, the Commons has taken many different forms over time. The de-commoditized role of food in revolutionary struggles has been significant, not only as a key component of resistance, but as a model for new social relations based on mutual aid. On the eve of the Spanish Civil War, peasants from the National Confederation of Labor (CNT) and the Federation of Land Workers pressured the new Republican government to implement land reform by carrying out massive occupations on half a million acres of farmland. When Nationalist forces led by General Francisco Franco rebelled against the Spanish Republic in July of 1936, anarchists formed worker-peasant militias to fight the fascists. As the Republic struggled to stay in power, in Aragon and in the Levante, peasant militias seized the property of the Church and large landowners, bringing them under collective rule. Tens of thousands of acres of municipal land were worked in common. Money was abolished. Food produced on the collectives was distributed freely and equally through ration cards. Labor, tools, goods and militia members flowed between collectives as needed. Commissions for the production and sale of dairy, livestock, rice, oranges, potatoes and other crops set quotas and arranged distribution. In the Levante alone, the Regional Federation of Agricultural Collectives managed five hundred collectives from fifty-four sub-cantonal federations and five provincial federations (Guerin, 1998). The CNT and the Land Workers Union paid wages to farmworkers and sold the surplus at cost to workers' unions in the cities. Similar experiences in agrarian collectivization took place in Castile and the Extremadura. The anarchist agrarian collectives established 'a new social

order based on direct control of the country's productive resources by workers' committees and peasant assemblies' (Bookchin, 1994).

Food commoning was a deeply embedded political strategy constructed within a revolutionary movement for a new, classless society, governed on anarcho-syndicalist principles. While the collectivization of land and food was forged in the crucible of anti-capitalist revolution and an anti-fascist war, the social relations for the egalitarian administration of land, labor and the sharing of food built on longstanding peasant traditions (Bookchin, 1977). Two things become immediately clear; first, that the food as a commons was not the guiding principle, but a corollary system of organization of resources, and secondly, that the practice of food commoning was grounded in the practice of collectivization, itself part of traditional forms of mutual aid and village-scale Commons regimes.

Brazil's Landless Workers Movement is another example of anti-capitalist struggle in which the de-commodification of food plays a key role (Wright and Wolford, 2003). In 1984, a strong convergence of movements came together in 1984 to form the Brazilian Landless Workers' Movement (*Movimento dos Trabalhadores Rurais Sem Terra*, or MST). Taking advantage of the 1964 Constitutional Land Statute, in which land must serve a 'social purpose,' the MST organized hundreds of thousands of landless workers to occupy idle and socially unproductive lands belonging to the *latifundios* (large landed estates) (*ibid.*). With its roots in socialist activism, Liberation Theology and the popular education theories of Paulo Freire, the MST is at the forefront of agrarian reform. The MST identifies and occupies underutilized or empty lands to gain legal title and bring it into productive use using agroecology. Once underused land is successfully occupied, schools, cooperatives and credit unions are set up and the land is farmed to grow fruits, vegetables, grains, coffee and livestock. Present in 23 of Brazil's 25 states with over 1 million members, the movement has formed over 2,000 settlements, settling over 370,000 families with an estimated 80,000 more awaiting settlement. The MST has established a network of approximately 2,000 primary and secondary schools, partnered with 13 public universities, 160 rural cooperatives, 4 credit unions, food processing plants and retail outlets (Carter, 2015). Food, shared within and between settlements, is still sold in capitalist markets, however, and provides important income to MST farm families.

Like the Spanish collectives fifty years prior, the MST's food commoning meets members' immediate needs by socializing the means of production, as part of a larger political project for social transformation. It is strongly grounded in place (the settlement).

Today in Cuba, production cooperatives meet state production targets, sell in private markets and also donate a considerable surplus to schools, hospitals and retirement homes. They are able to do this because land has been de-commodified and is not a cost of production and because farmers enjoy state-enforced price floors that are close to parity. They also benefit from free health care, free education and highly subsidized housing, thus lowering their living costs. Food is one of many public goods that are regulated by the state and managed at local, regional and national scales. The peasant and cooperative sector was instrumental in overcoming Cuba's food shortages following the fall of the Soviet Union and the end of the massive food and petroleum subsidies. Food and food production are deeply embedded in socialist social relations in which unlimited access to land, water and markets, combined with free social services, protect and promote the smallholder farmer class. These conditions—addressed in other, non-state and intra-state ways by the examples of Spain and Brazil—may be *sine qua non* for the existence of a food commons.

There are many other examples—from the Commons in liberated Zapatista areas of Chiapas, Mexico to the Aymaran and Quechuan *ayllu* connected to indigenous resource struggles in the Andes—in which food and the Commons serve an integral role in the struggle for sovereignty.

Connecting the lessons and the politics of these existing experiences should be a central task for the food commons proposal.

Conclusion: Can the food commons advance food sovereignty?

The answer to this question rests, of course, with the social movements for food sovereignty. The central concerns from both a theoretical and historical perspective revolve around embeddedness, grounded-ness and political relevance. Is the notion of food as a commons embedded within the social relations of smallholder production? Is it grounded in material agrarian structures of food production? Does it serve a strategic political role in the construction of food sovereignty and liberation from the corporate food regime? In short, can food as a commons protect peasant, fisher and pastoralist livelihoods from the ravages of the market and from capitalist dispossession and can it help ensure their access to basic food-producing resources (land, water, forests) and can it build cross-sectoral solidarity, materially and politically?

These questions are admittedly less overarching than the proposals for a polycentrically governed global food regime based on food commoning. But in addressing them, we can begin to imagine how food commoning *could* help link rural and urban struggles fighting for land, social justice and political power. This exercise also releases the food as commons from the confines of its present meta-narrative and opens the possibility of food commoning as a strategy for the class, race and gender liberation struggles at the heart of the food sovereignty movement.

An embedded food commons should constitute, or at least reflect, the aspirational social relations of food sovereignty. One can imagine how food commoning could help link urban and rural struggles, strategically facilitating material and political alliances between agricultural and industrial sectors in non-exploitative ways that share costs, benefits and solidarity. It is less clear how this could happen at international scales. There is still much social learning to do prior to proposing a global food commons.

The strategic question for a possible alliance between the food sovereignty movement and food commons advocates is, how can the Commons—as a means rather than an end—help existing frontline struggles create a new, non-capitalist mode of production that is not built on the exploitation of labor, women and people of color? The viability of food as a commons will depend on whether or not actors from the front lines of struggles actually incorporate the food commons into their respective causes.

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