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# EATING IN PUBLIC

PRICE  
**\$0<sup>00</sup>**

The gentry are all round,  
on each side they are found,  
This wisdom's so profound,  
to cheat us of our ground.

Stand up now, stand up now,  
Glory here, Diggers all.

excerpt from a song  
of the 17th century Diggers

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3rd edition

# EATING IN PUBLIC

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[www.nomoola.com](http://www.nomoola.com)

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## Part 1: Autumn

In November of 2003 we planted twenty papaya seedlings on public land near our house in Kailua, Hawai'i. In doing so, we broke the existing laws of the state that delineate this space as 'public' and thereby set the terms for its use. Our act has two major purposes: one is to grow and share food; the other is to problematize the concept of 'public' within public space.

Our questioning of public space may, at first glance, seem odd, perhaps even reckless. Many progressives, after all, see the defense of all things public as a necessary response to neo-liberal assaults on state-funded spaces and services. The maintenance of resources as 'public' is seen as working against processes of privatization. These sentiments are based upon two assumptions: that public space is the antithesis of private property, and that the existence of public space represents a victory of 'the people' over nefarious special interests. The concept of the 'public,' however, is a corollary of nationalist ideologies of state power that legitimate and sustain unjust social relationships, particularly those organized through private property rights.

The liberal democratic national state, in particular, is camouflaged as a political apparatus, indeed the political apparatus, designed specifically to serve 'the people.' The legitimacy of modern state power within liberal democracies, such as those of Canada and the United States, is widely regarded as being derived from popular, public consent. Concomitantly,



the 'public' is touted as holding the power to revoke this legitimacy through their votes or their participation in the state's daily operations. The idea that the national state exists because of the will of 'the people,' however, conflates the existence of the national state with the actions of political rulers/administrators of the moment and promotes the assumption that all have equal access or say in the making of decisions. It also obfuscates how the historic formation of national states is rooted in the struggle over land, labour and life—a struggle lost by those who fought against capitalism and for common, rather than private or state (i.e. 'public') property (Hardt and Negri, 2000). Finally, the conflation of the state and 'public will' conceals that the 'public' is never the sum of all those who are born, live, work and die in any given space, but is limited to members of an always gendered and racialized discourse of 'citizenry'.

Historically, the creation of public spaces came at the expense of commonly owned property and alongside efforts to annihilate multi-faceted, broad social movements mobilized to protect a communal way of organizing life in spaces that were simultaneously local and global. Contrary to contemporary popular belief, common land was not only reorganized as private property but also as public space. Nascent national states expropriated common lands as their newfound property. The always violent enclosure of common lands preceded the formation of both the national state and global capitalist markets for labour and for trade. Everywhere, what had been known as "the commons" was converted into sites of either private/capitalist or public/state power. Thus, while public land is said to exist as the goodly opposite to the theft that is private property, the two different ways of relating to space are actually mutually constitutive.

On the one hand, private property laws legislated by national states secure the personal investments of those with capital. On the other hand, public property serves a host of purposes (although, it too is often used as a resource-rich haven for capitalists). Perhaps most importantly, property 'owned by the public' serves the ideological purpose of assuaging a large number of people who otherwise are exploited and oppressed into believing that the territorial nation state is indeed theirs, and is acting in their best interest—even as it is the main regulatory mechanism for ensuring the rights of private property owners.

To this day, the common understanding of public land use is narrowly defined by the state within the confines of leisure activities: soccer, picnicking, admiring the view, walking a dog, being edified by the display of commissioned artworks. In this way, the public comes to be understood as that group that already has access to private property, where they can conduct all the other activities that life demands: sleeping, working, having sex, growing food—all those things banned from public space. For those without private homes, or reliable, secure access to food, or for those performing activities prohibited in public for other sets of reasons, the 'public space' becomes a zone of criminality. Like us, the planters of prohibited papaya seedlings, all such 'trespassers' can be charged with being a nuisance to 'the public,' thereby eradicating them from this supposedly all-encompassing category and making them legitimate targets for state coercive force.

In planting the papaya seedlings, we invoke the name of another group who were maligned simultaneously as insignificant and a massive threat to the security of 'the public': the Diggers.



The first Diggers organized themselves as such in the seventeenth century in one part of the space reorganized as 'England' during this time. Their movement rose in defense of 'the commons' that were being systematically destroyed by the violent land reforms, privatizations and thefts characteristic of the formative period of industrial capitalism and the ongoing consolidation of European colonialism. We see our planting of papayas in 'public' space as a continuation of their struggle. By making many of the same points, we are trying to recall and revamp their methods of resistance.

Common land belonged, in perpetuity, to the community as a whole. Self-sustenance was dependent on the ability of people to common (i.e. to hunt, graze, forage, fish and, later farm). Commoning was well understood as the only way of life in which people could remain free from complete bondage. The Diggers knew that the continued existence of the commons was vital to the independence of individuals and collectivities from the arbitrary demands of rulers. The retention of lands as a commons was equally essential to their freedom from hunger and desperation. The liberatory politics of the Diggers thus integrated a politics of eating.

The Diggers came together to fight against the expropriation and transformation of their common lands into either parcels of private property or into the public property of the nascent national state. The Diggers and their allies (the Levellers, the Ranters, the urban rioters, the rural commoners, the fishers, market women, weavers, and many others) were waged in a battle that was about no less than trying to retain (or regain) a communal life.



The Diggers therefore raged against the drive to entrap displaced people as either slave or wage labour in the nascent factories, plantations and ships of the emerging capitalist system.

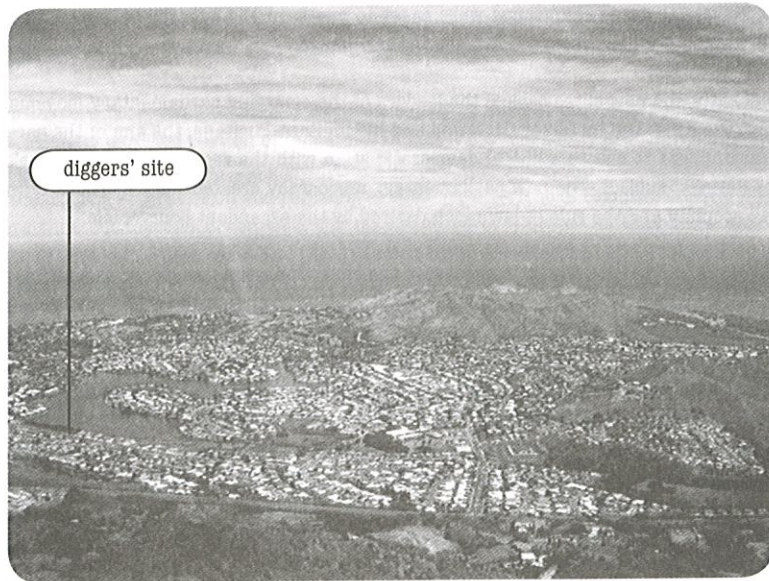
The Diggers movement organized itself on behalf of all—not only one subsection of an increasingly parceled portion of humanity. In fact it seemed subtly aware that during the early seventeenth century the nascent idea of what was ‘European’ was integrally related to the ongoing appropriation and parceling of land characteristic of colonization. The Diggers were thus equally concerned with the dispossessed of ‘Europe’ as they were with the diverse people in Africa, Asia and the Americas being dispossessed and enslaved through colonial expansion. Theirs was neither a prototypical version of Eurocentric universalism nor simple charitable humanitarianism. Instead, the movement articulated the radical call for self-determination for all people and the recognition of their increasingly global inter-connections. The Diggers then, were as much opposed to the project of making ‘Europe’ as were those who would be colonized by it in the centuries to come.

One of the signature actions of the Diggers was to sow the ground with edible foods, such as parsnips, carrots and beans. A simple gesture, no doubt, but their goal was no less than global justice, freedom for all and the self-sufficiency of all producers. By planting on land previously stolen from commoners, the Diggers gave notice that the battle over what kind of property laws would prevail was far from over (see Linebaugh and Rediker 2000). In taking direct action to reclaim their stolen land, the Diggers came up against

some of the most powerful forces in society at the time: the merchants, lesser gentry and early industrialists. These groups were eager to overturn the existing ruling structure and bring about a new world order made in their image.

Significantly, the new elites backed the leaders of the emerging parliamentary movement against the King. Led by Oliver Cromwell and his militant Puritans, the aim of the parliamentarians was to create a liberal democratic state with the respectable citizen-worker as its national subject. The new parliamentary democracy created the conditions of ‘national’ security and the rule of law much desired by the ascendant bourgeoisie.

The Diggers and their attempt to repossess the commons were thought of as a threat to the new Parliament. The new Council of State attempted to change perception by belittling the Diggers as “ridiculous” yet it declared “...that conflux of people may be a beginning whence things of a greater and more dangerous consequence may grow” (cited in Linebaugh and Rediker 2000, 72-73). Unsurprisingly, then, one of the first actions taken by the new English parliament was the brutal military suppression of the Diggers. Under the command of the new parliamentarians, soldiers destroyed the Diggers’ spades, trampled the crops they had carefully planted and tended, flattened their homes and drove them from the land. This was no small loss. The defeat of the Diggers, and groups like them around the world, assured the centrality of the market economy, the further entrenchment, and later racialization, of slavery, and the hegemony of both global capitalism and the national state.



Currently in Hawai'i, as in most parts of the world, practices of commoning have been more or less eradicated. Commoning is now practically impossible due to the imposition of private and state/public property laws (including patents on life issued by the state), the ecological destruction wrought by cash crops (sandalwood, sugar, pineapple, etc.), the engineering of water canals, and the ongoing effects of both industrialization and tourism.

The site where we planted the papaya seedlings is evidence of such destruction. The seedlings grow on a narrow strip of public land upon which only grass and a few weeds grow. A chain link fence separates this slip of land from what was previously known as Kaelepulu Pond (renamed "Enchanted Lake" by developers).

The fence was erected by Kamehameha Schools (formerly the Bishop Estate), the most recent in a long line of state-recognized owner/developers, that parceled out parts of the land surrounding the lake to be sold to individual homeowners. The Enchanted Lake Residents Association, made up of these homeowners, was established as the authority that oversees the lake. With the complicated bureaucracy enacted through both the state and Kamehameha Schools, the latter still has the right to determine what happens on the six feet of land on either side of the fence.

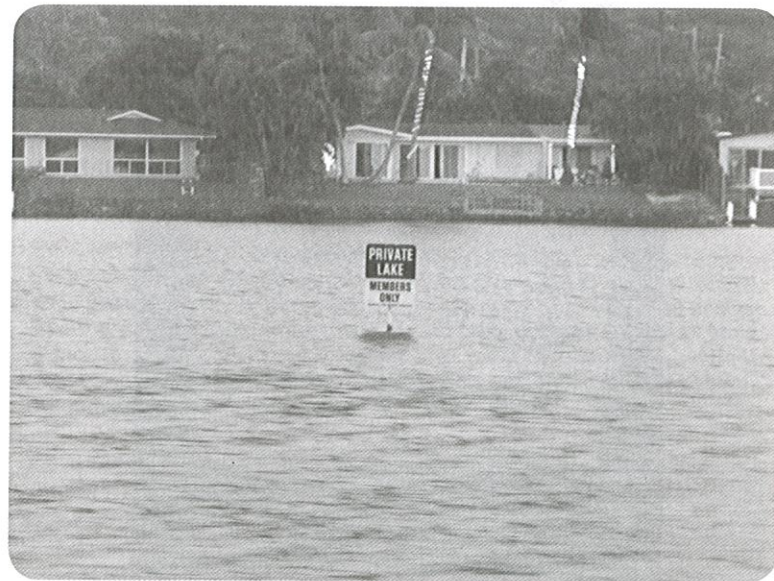
Kaelepulu Pond was once a thriving fish cultivation area. Its corollary streams fed taro and rice crops. It is now part of a fetid lake in which the water can no longer flow freely to the ocean. Those with homes abutting the lake create their own 'community' entitled



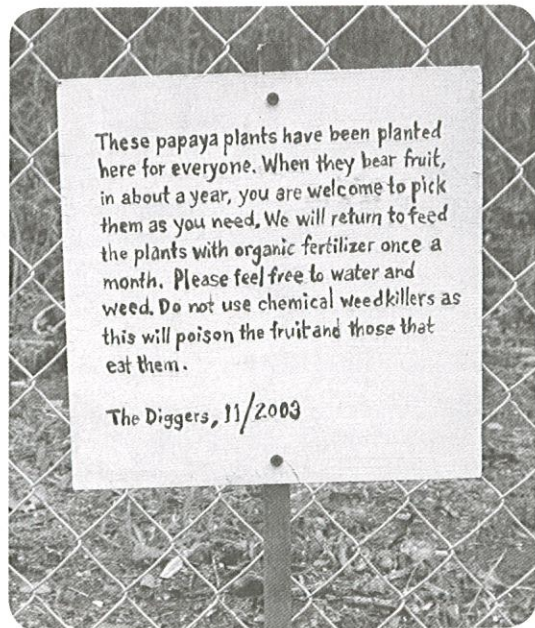
to gaze, boat and occasionally haul garbage out of its now-murky depths. The fence serves the dual purpose of protecting Kamehameha Schools from injury claims as well as the Lake Residents Association who wish to keep out what they identify as “trespassers” who poach now-polluted fish from “their” lake (Aguilar 2003).

In responding to these contemporary developments, we find that we have to contend with something that was less of a problem during the times of the first Diggers. During their time, it was fairly clear to people that their land was being stolen, that their labour was being exploited and that nationalism, racism and sexism were being used to sow dissent amongst the motley crew of commoners, peasants, artisans and the emerging proletariat throughout the world. Today, many of the things that the Diggers fought against—private property and the nation state with its public lands—are so hegemonic that to merely question them is to open yourself up to ridicule and perhaps much, much worse.

As Audre Lorde long ago pointed out, we live in a time when we are enthralled by the very instruments used to oppress and exploit us. The enclosure of common lands has been accompanied by the enclosure of our imaginations. The notion of the goodly public space is one such instrument of colonization. The global system of national states, with its legalization of the expropriating practices of capitalists, has been, and continues to be, an integral feature of capitalist colonization. The fostering of national identities, particularly those of “oppressed nations,” is seen as a sign of empowerment and eventual liberation instead of seeing such identities as the prison in which to contain us in the service of capitalist







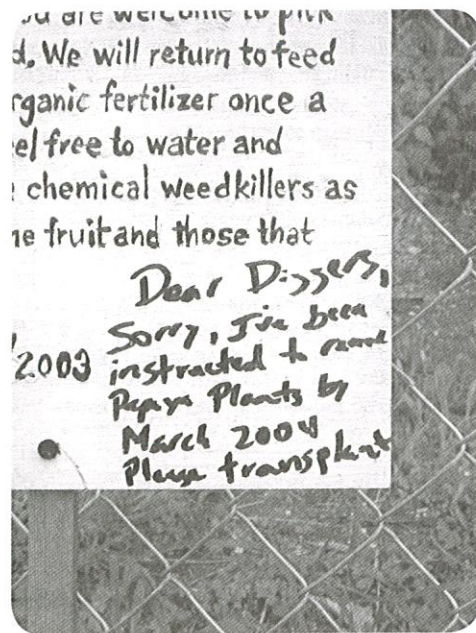
globalization. This is evident in the 'progressive' rhetoric that complains about the loss of citizens rights while remaining largely mute about the exploitation of non-citizens (or 'illegals') and/or that of people living in 'other nations'—an outcome that Oliver Cromwell himself had hoped for so many centuries ago. This is evident in both mainstream and progressive versions of nationalism around the world.

The goal of our papaya planting is to stir desires of self-sustenance that are not based on the self-righteous desires of national entitlements for citizens. We erected a sign next to the papaya seedlings. It says,

**These papaya plants have been planted here for everyone. When they bear fruit, in about a year, you are welcome to pick them as you need. We will return to feed the plants with organic fertilizer once a month. Please feel free to water and weed. Do not use chemical weed killers as this will poison the fruits and those that eat them.**  
**The Diggers**

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By associating our planting with the Diggers movement, we are re-installing the legitimacy of 'the commons' as an alternative way to relate to the land. We are also reasserting the authority of a community built upon a politics of communal eating and needs over the needs of capitalist ideology and expansion. By doing so, we hope to fuel the recognition of the global interdependence of all those struggling for control of their communal lands.



Such a politics of communal eating and land use instigates the shared dreams of freedom from capitalists and national states that, at best, sell us the notion of the public in place of our freedom from rulers. An old man walked by while we planted and said,

"Oh good, I can have free papayas later."

Exactly.

## Part 2: Winter

Our project met with two predators within three months. First were joggers engaging in accepted 'public' acts. Moving too fast to read the sign, and unprepared to imagine another use for this land, the joggers reduced the number of plants by half in the first month. Trampled and torn, by the new year the remaining ten nonetheless grew to a hefty three feet.

The second predator showed up in January as scrawls on the corner of our sign:

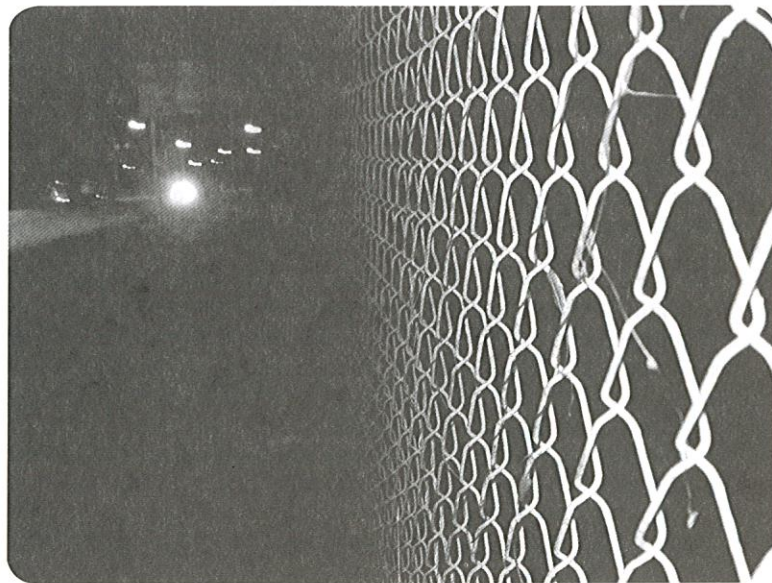
**Dear Diggers, Sorry, I've been instructed to remove papaya plants by March 2004. Please transplant.**

We were intrigued by the tension revealed in the message—the apologetic tone, the writer's attempt to distance her/himself from her/his boss, the effort made to save the plants. We decided to utilize the writer's empathy with the Diggers project to make more evident the power distinction between those who determine land usage and those who are charged with carrying it out. We put up a second sign:

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**Thanks for the notice but we can't think of any other place better than here where everyone has easy access to the free papayas. If your bosses have a better use for this spot I guess they will have to kill the plants. We are anxious to see what they have planned.**  
**The Diggers**

One week later a note was wedged into the fence behind the papaya trees. The note was crafted by taping together two postcards. On both the postcards were aerial views—one of a beautiful stream on the island of Hawai'i and the other of the eastern shore of 'Oahu's coastline. On the back was a note addressed to the Diggers in the same handwriting as the earlier scrawls. Almost entirely smeared by rain, we could barely make out its suggestion—that we seek out the help of a mediator.





We chose not to respond or to seek out a mediator. The Diggers project must be considered in two separate ways—whether we succeeded in providing the stuff of life for free, and whether we succeeded in shifting consciousness regarding community, resources and authority. While there was a remote chance that we may have convinced the State and/or Kamehameha Schools to allow the plants to grow, it was much more important to simply not acknowledge the legitimacy of their state- and market-mandated authority. Thus, instead of well-lobbied pleas for tolerance, or the cooptation of our action by Kamehameha Schools to ensure its own continued existence, we chose to hold our ground. Knowing ours was a small gesture with great potential, we waited and watched to see what those around us would do.

From eavesdropping and our completely non-scientific observations, we believe that those who encountered the Diggers project were either ambivalent or supportive. Furthermore many seemed to have followed the exchange that took place with interest. One neighbor, without knowing that she was speaking with a Digger, commented on the mean-spiritedness of the authorities in not allowing the papaya plants to grow.

Like the first Diggers, our project performed a David and Goliath story to decolonize imaginations about land and its usage by asserting a politics of communal eating that made evident how difficult it can be for community members to use the land to develop

communal practices of self-sustenance. Our action sought to re-present the figure of the 'activist' as one engaged in more than symbolic protest. Since broad social relations such as those of class, 'race' and gender are shaped by how people struggle to make their lives viable, expanding our consciousness of what is possible can only occur in any meaningful way when we can imagine changing the everyday material reality of our lives. Quite simply put, change happens only when we change things.

### Part 3: Spring

Almost one month later than forewarned, the plants were cut down. The entire fence that separated 'public' land and the land owned by Kamehameha Schools was taken down and rebuilt two feet closer to the road, right over the severed papaya stumps.

The authoritative repositioning of the fence is a poignant metaphor. While the lines drawn between public and private may shift, neither will, or is meant to, serve producers' interest of self-determination and self-sustenance. Instead, the private/public divide, long critiqued by feminists as ideological, is shown to be two halves of a globally encompassing system of capitalist colonization.

#### Part 4: Summer

On September 18, 2004, about two blocks away from the papaya planting site we opened Free Store, and a companion website, Freebay, at <[www.nomoola.com](http://www.nomoola.com)>.

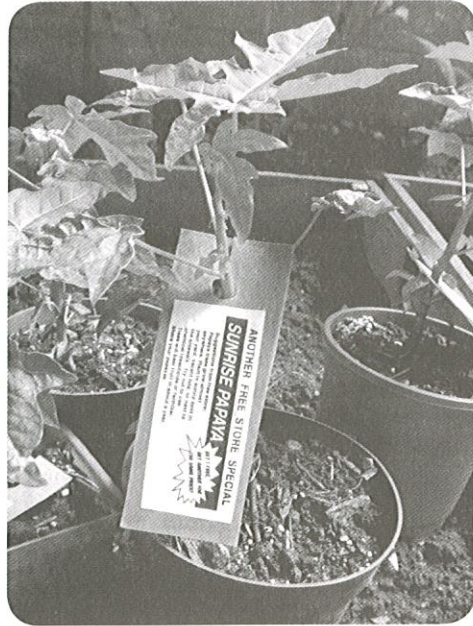
The term Free Store was used during the 1960s by a group calling themselves the San Francisco Diggers. These Diggers were an anarchist guerilla street theater group that formed to challenge the dominant US commodity system, as well as the assumptions of the 'counterculture' of the time. One of the early leaflets SF Diggers suggested that, "all responsible citizens bring money to your local Digger for free distribution to all." Two of their most important initiatives were the Diggers Bread (where free food was distributed daily) and Free Store. Like their predecessors, this reconfiguration of the Diggers hoped that their actions would stir desires for radical change while showing how people's needs could be met outside of both the market place and state disciplinary structures of miserly handouts to the 'deserving poor'.



*Freebay opened on  
September 18, 2004.*

*For so long, we have been  
dreaming about  
Free Stores...  
Maybe it will  
change the  
way we think  
about life in general ★*





The first item offered at the Free Store was ten papaya seedlings. A 'price tag' was attached to each plant:

**ANOTHER FREE\_STORE SPECIAL  
SUNRISE PAPAYA SEEDLING**

**Get 1 free, Get another for the same price!**

**Suggestions from Free Store:**

**Papaya trees grow almost anywhere.**

**Plant in sunny spot in your yard,  
vacant lots, or next to the sidewalk.**

**Try not to use chemical insecticide or fertilizer.**

**Trees will bear fruit in about a year.**

**Share your papayas.**

All the plants were taken within two hours.

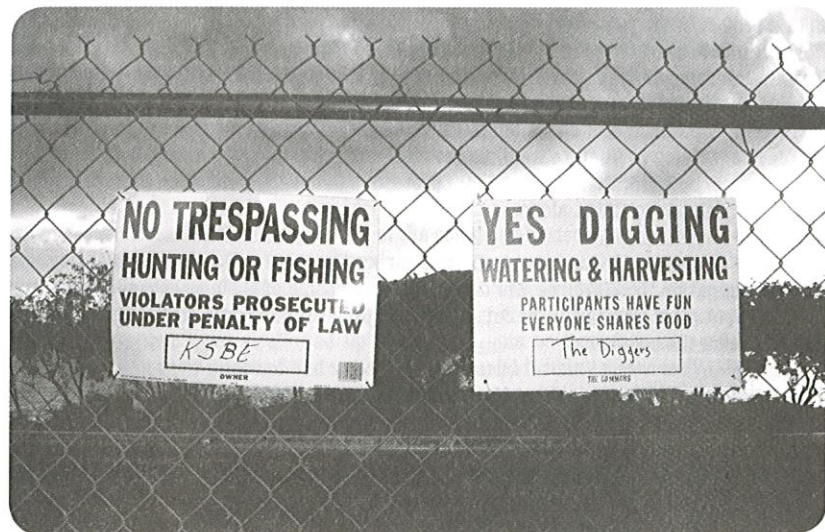


### Part 5: Spring/Summer/Autumn

Eighteen months since its inception, our project has developed a following and continues to grow and shift with daily encounters. A growing number of 'regulars' walk, jog, bike, skate or drive by to either 'shop' or 'restock' the Free Store. The original Diggers site has been replanted and expanded, both in scale and range of food plants, as a direct result of people's support and active participation.

Both projects have succeeded in messing with the suburban obsession with security and propriety. Even the initially timid or those haunted by middle-class decorum have become increasingly confident about taking and leaving things at the Free Store, as well as tending and harvesting from the Diggers garden. The projects inspire observers and participants to engage in surprising discussions on property, authority, self-sustenance and collective responsibility. This growing interest and confidence has been accompanied by a growing understanding of how the Kamehameha Schools, the US and Hawai'i States are part and parcel of the global capitalist market system. This is an understanding based neither in unquestioning acceptance of these systems nor abstract objections to them but through the direct encounters with the Diggers Garden and Free Store. Surprisingly, we have experienced that both enthusiasts and detractors agree that neither capitalism nor State power have or will provide people with the stuff of life.

All the while, Kamehameha Schools continues to periodically threaten to either destroy or co-opt the Diggers site.



## Part 6: Spring, Summer, Fall

In this project, we have provisionally called ourselves The Diggers in order to connect our work with the struggle begun by the first Diggers in 17th century 'England'. They are not 'first' in the sense that they are the "authentic" or the "best". Rather, they literally WERE some of the first people whose self-sufficiency was stolen by the expansion of the global systems of capitalism and national states. As this theft continues throughout the world Digger-like projects proliferate whether the resisters are aware of the first Diggers or not. For instance, in 2005, there were 87,000 protests against the public and private theft of people's farmlands in China alone.

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In Hawai'i there are also many projects that harbor the same goals of self-sufficiency and self-determination. In 2006, we will collaborate with some of them to set up Free Stores that distribute free huli kalo (taro cuttings) to reignite the desire for, and provide a means of, reclaiming the commons.

Free Store is an ancient practice. Many self-sufficient societies have stores of seeds and cuttings that are freely shared. Within each seed or cutting lays a storehouse of knowledge, recalling the kind of soil in which it was grown, the amount of sun, rain and nutrients that it requires, when to sprout and when to bear fruit. Within each is the hope for life.

Recently, the ability to freely save and share seeds and cuttings has become a key site

for colonial struggle. Like the process of turning land into private property, corporations and the state are, together, turning plant life into commodities through the granting of patents. The patenting, or privatization, of life itself is the most recent form of enclosing the commons (Shiva, 1997). Plants carefully cultivated by farmers the world over for millennia and held in common as part of our collective human heritage are increasingly modified through genetic engineering (GE) and claimed as "inventions" of patent holders. The top five Seed Companies (AstraZeneca, DuPont, Monsanto, Novartis, Bayer) account for nearly two-thirds of the global pesticide market (60%), almost one-quarter (23%) of the commercial seed market, and virtually 100% of the GE seed market.

As in earlier colonial projects, this theft of the commons is ideologically concealed through claims of the sanctity of private property and made possible by the state protecting private property owners. Such thievery has been deliberately mislabeled as "progress" and "development." Most small-scale multi-crop organic farming, the norm of agriculture until WWII, have either been swallowed up by corporations or forced to become dependent upon them with their unsound and unhealthy industrial farming methods (PANNA, 2005). Since WWII, corporations and national states have created an enormous (and enormously effective) propaganda campaign claiming that industrial farming is the only solution to population growth and world hunger. Industrial farming is portrayed as more "efficient", more "cost-effective" and even "more healthy."

Simultaneously, small farmers – and those that support them – are accused of being "anti-science" and "unknowing" – a tried and true method of devaluing indigenous knowledge.

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Yet, studies show that organically grown plants are healthier and can ultimately feed more people than can GE crops. And, of course, organic seeds can be saved year after year without cost and without threat of legal sanctions by corporations claiming to be their sole owners – a claim enforced by the state.

Due to its supposed “isolation” from continental U.S., Hawai‘i has been designated by the U.S. state as a major test site for GE plants. There are more test sites and more acreage of experimental field trials in Hawai‘i than in any other place in the world. Papaya, pineapple, and kalo (taro), along with many other plants, have been subject to GE research in Hawai‘i.

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Because of the historical significance of kalo and how it has been linked with life itself in Hawai‘i, it has often been foregrounded by those resisting GE. This singling out of kalo has allowed GE researchers to placate the resistance by using the age-old practice of “divide and conquer” along the imagined borders of “race”. The University of Hawai‘i has temporarily agreed to not genetically tamper with kalo identified as “Hawaiian” while continuing to conduct research on others varieties (e.g. “Chinese” kalo) (Hao 2005). Such co-optive attempts are a mockery of the principles of biodiversity and of justice.

Biodiversity is essential to life on this planet. We live in a web of life in which each living organism affects and is affected by all others. Remove or tamper one and the whole ecological basis for life is altered. Since WWII, the level of destruction of our shared planet has altered the basis for life to such a degree that there is now a serious threat to our collective ability to survive. Worldwide, more than 30,000 plant species are threatened,

leading to a serious reduction of biodiversity. In the United States, where many biotechnology corporations are headquartered and where in 2004 there was over 28 million hectares of GE crops planted (a 1000 percent increase since 1996), a recent Worldwatch Institute report found that more than 80 percent of seed varieties sold a century ago are no longer available (Tuxill, 1999). In China, nearly 90 percent of traditional wheat varieties have been lost since WWII. Farmers in Mexico now raise only 20 percent of the corn varieties cultivated in the 1930s. Heavy commercial demand in various regions is depleting varieties of wild plants used for medicinal and other purposes (Ibid.)

One, so far small, way that people the world over are trying to maintain biodiversity or even reverse the devastation unleashed by the nexus of capitalist and state power is to save traditional plant varieties and to save or plant their offspring whether in the form of seeds or cuttings.

The free huli distributed with this booklet are from ancient kalo. They were grown and protected, year after year, against the colonizing practices of industrial agriculture. They were carefully cultivated by without chemical fertilizer and herbicides by Danny Bishop and ‘Aikipi, a group dedicated to lo‘i kalo (taro pond field) restoration.

These huli are free – free from the colonizing practices of industrial agricultural with its hybrid seeds, genetic-engineering and patents, and free of charge. They are free for you to grow, harvest and eat. They will produce more huli to grow again year after year after year.

In these huli is the memory of the commons.

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We encourage readers to send photographs and updates of your kalo plantings to [info@nomoola.com](mailto:info@nomoola.com).

More information on can be found at [www.nomoola.com/diggers](http://www.nomoola.com/diggers)

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