Part 1: Autumn

In November of 2003 we planted twenty papaya seedlings on public land near our house in Hilo, Hawaii. 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 space 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 legitimize and sustain unjust social relationships, particularly those organized through private property rights.

The liberal democratic national state, in particular, is conceived 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. Consequently,
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 action 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 obscures 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 commons, rather than private or state (i.e. ‘public’) property (Hoch and Negri, 2000). Finally, the confusion of the state and ‘public will’ obscures 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 racialised discourse of ‘citizenship’.

Historically, the creation of public spaces raced at the expense of commonly owned property and alongside efforts to annihilate multi-tenanted, broad social movements mobilised to protect a communal way of organizing living in spaces that were simultaneously local and global. Contrary to contemporary popular belief, common lands was not only recognized as private property but also as public space. Most national states arrogated common lands as their own lands property. The always violent expropriation 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 capital 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 as a legitimating purpose of managing 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 edited 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 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 plasters of prohibited papaya seedlings, all such ‘trespassers’ can be changed 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 mobilized simultaneously as insignificant and a massive threat to the security of ‘the public’: the Diggers.
The first Diggers organised themselves as such in the seventeenth century in one part of the space re-organised as ‘England’ during this time. Their movement rose in defense of the commons that were being systematically destroyed by the violent land reforms, privatisations and the characteristic of the formative period of industrial capitalism and the ongoing colonisation of European colonisation. 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-sufficiency was dependent on the ability of people to common (i.e. to hunt, graze, farm, 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 libertarian 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 Hackers, the urban radikals, the rural commoners, the fishermen, market women, weavers, and many others) were wedged 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 enslave displaced people as either slave or waged labour in the nascent factories, plantations and ships of the emerging capitalistic 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 eighteenth 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 dispossession of 'Europe' as they were with the diverse people in Africa, Asia and the Americas being dispossessed and enslaved through colonial expansion. There was neither a proto-colonial 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 interconnections. 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 potatoes, carrots and beans. A simple gesture, no doubt, but its goal was no less than global justice, freedom for all and the self-sufficiency of all producers. By planting on land previously stolen from consumers, the Diggers gave notice that the battle over what kind of property laws would prevail was far from over (see Lindebaugh 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 parlamentary 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 represent the commons were thought of as a threat to the new Parliament. The new Council of State attempted to change perception by branding the Diggers as "pernicious" yet it declared ...that conflict of people may be a beginning whereby things of a greater and more dangerous consequence may grow" (cited in Lindebaugh and Rediker 2000, 70-71). 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' gardens, trampled the crops they had carefully planted and tended, burned 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 Hawaii, 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 (sugarcane, sugar, pineapple, etc.), the engineering of water canals, and the ongoing influx of both industrialization and tourism.

The site where we planted the papaya seedlings is evidence of such destruction. The seedlings grew on a narrow strip of public land upon which only grass and a few weeds grew. A chain link fence separates this strip of land from what was previously known as Kasilupu Pond. The fence was erected by developers who renamed the pond, "Enchanted Lake." The Enchanted Lake Residents Association--its state-recognized owners, now maintain the fence. Kasilupu Pond was once a thriving fish cultivation area. Its corrobory streams fed taro and rice crops. It is now part of a tidal 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 fences erected at their order, the one by which the papaya grow, is meant to keep out what the owners association call "trespassers" who poach now-fished fish from "their" lake (Aguilar 2005).

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
times. 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 division, amongst the motley crew of cattlemen, 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 Andre Lebea long ago pointed out, we live in a time when we are entitled 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 capitalism, has been, and continues to be, an integral feature of capitalist colonization. The fusing of rational identities, particularly those of "oppressed nation," 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 "subjects") and/or those 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-sufficiency 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 tend the plants with organic fertilizer once a month. Please feel free to water and weed. Do not use chemical weedkillers as this will poison the fruit and those that eat them. The Diggers

By associating our planting with the Diggers movement, we are reinstating 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 boy, I can have free papayas later!"

Exactly.
Part 2: Winter

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

The second predator showed up in January so readers 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 attempts to distance her/himself from her/his boss, the effort made to save the plants. We decided to utilise 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:
Thanks for the notion but we can't think of any other place better than here where everyone has easy access to the free papayas. If your houses 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 crumpled by tying together two postcards. On both the postcards were small prints—one of a beautiful stream on the island of Hawaii and the other of the eastern shore of Gabrielle's coastline. On the back was a note addressed to the Diggers in the same handwriting as the earlier requests. 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 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 the Enchanted Lake Residents Association 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-intended plans for tolerance, or the cooptation of our action by the Enchanted Lake Residents Association 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 osseous digits and our completely non-scientific observations, we believe that those who encountered the Diggers project were either ambivalent or supportive. Furthermore, some seemed to have followed the exchange that took place with interest. Several neighbors, without knowing that she or he 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 destabilize imaginations about land and its usage by asserting a picture of communal eating that made evident how difficult it can be for community members to use the land to develop communal practices of self-sufficiency. Our action sought to represent 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, 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 Enchanted Lake Residents Association 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-sufficiency. 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 19, 2004, about two blocks away from the papaya planting site we opened Free Store, and a companion website, Freeky, at www_FREE2COOK.com.

The term Free Store was used during the 1960s by a group calling themselves the San Francisco Diggers. These Diggers were an anarchist guerrilla street theater group that formed to challenge the dominant US commodity system, as well as the assumptions of the "counter-culture" of the time. One of the early leaders 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 desire for radical change while showing how people's needs could be met outside of both the market place and state disciplinary structures of misery handouts to the 'deserving poor' (see website_diggers.org/diggers.htm).
Since the opening of our Free Store and Freebays a bit over two weeks prior to the date of this writing, we have given away free plants and herbs, pipes, cinder blocks and even free lettuce. On October 1, 2001 ten papaya seedlings were given out at Free Store. A 'prick' 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 lot, or next to the sidewalk.
Try not to use chemical insecticide or fertilizer.
Trees will bear fruit in about a year.
Share your papayas.

The plants were all taken within two hours.

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*Excerpt from a song of the 17th century Diggers*
Bibliography


(accommodated September 9).

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Boston: Beacon Press.

This publication is produced for the opening of Gaye Chan’s third Free.Store at 25 Pownall Street, Hoboken.

Thanks go to Lisa Aragi, Robert Bourke, John Chisholm, Matt Clement, Mary Farkas, Eric Hagan, Jeff Kornfeld, Amy Odgers, Susan Schultz, Sandha Sharma and Matt Uregaloto.

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