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Food, needs and commons

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In Jose Luis Vivero Pol, Tomaso Ferrando, Olivier de Schutter, Ugo Mattei eds. *Routledge Handbook of Food as a Commons* London: Routledge, 2018

1.- Introduction

In market economies food is a commodity that is distributed through market exchange. Indeed Karl Polanyi takes the degree to which food, along with land and labour, are marketable commodities to be a measure of the degree to which an economy is fully developed as a market economy: 'The rise of the market to a ruling force in the economy can be traced by noting the extent to which land and food were mobilized through exchange, and labor was turned into a commodity free to be purchased on the market' (Polanyi, 1957: 255). Food is also a vital human need. It is a necessity grounded in human biology and physiology. Failures of access good food are a source of malnutrition and, where the lack is severe, death. The provision of food is also a good that is central to human culture and relationships. It is a central component of everyday social existence. The fact that food is both a commodity and a vital human need is a source of ethical and social conflict. As a commodity food is distributed by ability to pay. As such, failures of access to food need not be a matter of there not being enough food available, but can rather be a matter of individuals lacking the means of exchange to buy the food they need (Sen, 1981). Where individuals have no access to land and the other means to provide their own food and hence must rely on their ability to buy food, where they lack the money to do so, they will go hungry. In the terms that Sen puts it, the person will be at risk of starvation when his 'exchange entitlements', that is 'the alternative bundles of commodities that he can acquire in exchange for what he owns', do not contain 'any feasible bundle including enough food' (Sen, 1981: 3).

Food as a commodity can conflict with food as a need and claims that individuals make on the basis of their needs. This conflict has been central to social movements around food since the development of market capitalist societies. As E.P. Thompson notes, food riots are not simply the spontaneous response to hunger (Thompson, 1971: 136). They represent a

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moral response, grounded in claims of need, to new market modes of provision. One way of presenting this conflict is as a conflict of a moral economy of need with an amoral or non-moral market sphere. However, this would miss the nature and varieties of conflicts at issue. On the one hand, the new market order itself was premised on particular moral assumptions and relations that were articulated by defenders of commercial society, most notably by Adam Smith. On the other hand, the moral economy of need can take a variety of different forms – from pre-capitalist forms of paternalism that recognized rights of necessity through to more egalitarian forms of mutual aid and solidarity grounded in the recognition of common neediness and vulnerabilities. This paper explores these conflicts of moral economy with the aim of articulating and defending the continued relevance of these egalitarian moral economies for thinking about food and its provision. The paper is in five sections. The first section is analytical. It outlines the sense in which food should be understood as a need and as a public good. The second explores the conflicts in the moral economies of the new market order and the older traditions that recognised claims of necessity. These claims of necessity are themselves often grounded in an appeal to the various versions of the view that food belongs to a commons. Claims of necessity and response to those claims of necessity uncover changing senses in which food was considered as commons historically. This contrasts with the defenders of the new market order – in particular Smith – who denied claims of necessity. The final sections consider two strands of radical response to the defences of the moral economy of the market. The third section explores appeal to common neediness that underpins the egalitarian traditions of mutual aid and the complex relations these traditions had to modern welfare provision. The fourth section turns to Marx's discussion of the commons and its continuing influence on more recent defences of the commons.

2.- Food as a need and food as a public good

That humans need food is a claim that has special moral and political force. To understand that force requires an analysis of the particular kind of needs-claim being asserted. An important initial distinction to be drawn is that between purely instrumental and absolute or categorical uses of the concept of need (Wiggins, 1998: 9-10). Some needs-claims specify needs that are *purely instrumental* in the sense that they are the necessary means to an end

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that is itself optional. A person says 'I need £10,000'. I ask 'why?'. To the answer 'I need the money for a ticket to travel around the world', the obvious reply is 'do you really need to travel around the world?' The end itself is an optional one. However, many needs-claims specify needs that are not purely instrumental since the ends are not optional in this sense. Rather they are the means to the realisation of a minimal level of human flourishing, such that a person can be said to be harmed if the needs are not satisfied. The needs are *absolute* or categorical. Wiggins offers the following characterisation of the concept:

I need [absolutely] to have x

if and only if

I need [instrumentally] to have x if I am to avoid being harmed

if and only if

It is necessary, things being what they actually are, that if I avoid being harmed then I have x. (Wiggins, 1998: 10)

Wiggins usefully outlines a number of additional dimensions of needs claims which are key to understanding the special demands that a claim like 'human beings need food' make on moral agents and public policy. The *gravity* of needs is a question of how bad the harm would be if the need is not met. The *urgency* of needs concerns how rapidly action must be taken to meet the need. Needs are *entrenched* to the degree that they cannot be changed. An important class of entrenched needs are *basic needs* which are grounded in laws of nature and unchangeable facts about the human condition. A need for some good is *non-substitutable* if the need cannot be met by other goods in ways that will avoid the significant harm. *Vital needs* are absolute needs that are deeply entrenched, grave and scarcely substitutable. Food is a clear example of a vital need. A person will be badly harmed if the need for food is not met; they are grounded in facts about human biology; and the specific nutrients required for health are not substitutable. Those nutrients are required if the person is to avoid serious illness or death.

Another important conceptual distinction that needs to be marked at the outset is that between *dispositional* and *occurrent* needs (Reader, 2007: 71-72; Thompson 1987: 11-12). Consider again the claim 'humans need food'. As a statement about all human beings it refers to dispositional needs, that is, conditions that human beings must meet if they are to live a minimally flourishing or decent life. However, the claim that 'all humans need food' is

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false if the term is used in the occurrent sense. An occurrent need refers to a particular lack of what is needed in the dispositional sense. In the occurrent use of the term, only the hungry or starving have a need for food. A distinction should also be drawn between needs and the specific objects that might meet that need – what are often called need satisfiers (Doyal and Gough, 1991: 69-75). While many needs, like the need for food, are universal since they are deeply entrenched in the biological constitution of human beings, the particular ways that need is met are clearly specific to local communities and cultures. Culinary variety is one of the more obvious examples of cultural diversity. At the same time, that same variety points to the way in which food is not simply a need grounded in the biological nature of human beings. Food is also a central good in meeting other vital human needs for affiliation and sociality.

The claim that food is a human need is uncontentious. The claim that it is a public good is in one sense of the term simply false. They are not public goods in the standard economic sense, that is goods that are (i) 'non-rival' in consumption - the consumption of the good by one person does not decrease that of others - and (ii) 'non-excludable' - individuals cannot be excluded from the benefit of using the good. Indeed, food looks like a paradigm case of good that lacks these characteristics. The consumption of food does deprive others of that food, and individuals are easily excluded from its consumption. The hungry and ill-nourished often lack access to food. Public goods in the economic sense are goods from which individuals cannot be excluded. The term public good however is often used in an ethical and political sense that is distinct from this economic sense. It is used to refer to goods from which individuals ought not to be excluded from its use. Elsewhere I have referred to these goods as normative public goods (O'Neill, 2001: 699-700; 2007: ch.3). In that sense, one way in which food might be understood as a commons is that it is a normative public good.

What are the grounds for believing that some goods should be normative public goods? One set of grounds is that where goods are necessary for the satisfaction of vital needs they should be treated as normative public goods within a community or across communities. Needs make claims to goods from which individuals should not be excluded. The universal provision of health care on the basis of need invokes such claims. Food as a vital human need looks like a strong candidate for membership of this category of normative public

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goods. The claim that food does have such a status has long been at the centre of the conflicts with the framing of food as a commodity. In the following section I outline some of the practical and theoretical contours of this conflict. I trace some moments in the history of claims that need grounds common use. Doing so allows a distinction between the different senses in which food could be understood as a commons.

3.- Needs, markets and the moral economies of subsistence.

Hunger is an occasion for violence. Food riots have been a response to hunger for centuries. However, as E. P. Thompson notes, the 'abbreviated and "economistic" picture of the food riot, as a direct, spasmodic, irrational response to hunger' (Thompson, 1971: 136) needs to be rejected. The food riot expresses a moral response to a particular economy for the provisioning of food.

It is ... true that riots were triggered off by soaring prices, by malpractices among dealers, or by hunger. But these grievances operated within a popular consensus as to what were legitimate and what were illegitimate practices in marketing, milling, baking, etc. This in its turn was grounded upon a consistent traditional view of social norms and obligations, of the proper economic functions of several parties within the community, which, taken together, can be said to constitute the moral economy of the poor. An outrage to these moral assumptions, quite as much as actual deprivation, was the usual occasion for direct action. (Thompson, 1971: 78-9)

The riots associated with food reveal conflicts between different moral attitudes and practices of economic life.

Thompson himself presents the food riots in the late eighteenth century in England as 'a last desperate effort by the people to reimpose the older moral economy as against the economy of the free market' (Thompson, 1968: 73). The older moral economy was premised on 'the immorality of forcing up the price of provisions by profiteering upon the necessities of the people' (Thompson, 1968: 68). It contrasts with economic order of the market in which older regulations premised on the rights of necessity were rejected. The system of liberty promised by the market offered, it was claimed, a more rational system. As Smith put it, the freedom of trade, both within and between countries was 'both from reason and

experience, not only the best palliative of a dearth, but the most effectual preventative of a famine' (Smith 1776: iv.v.b.39). From this perspective the moral economy of the rioter becomes an expression of moral prejudice that stands in the way of a more reasonable economic order:

The laws concerning corn may every where be compared to the laws concerning religion. The people feel themselves so much interested in what relates either to their subsistence in this life, or to their happiness in a life to come, that government must yield to their prejudices, and, in order to preserve the publick tranquillity, establish that system which they approve of. It is upon this account, perhaps, that we so seldom find a reasonable system established with regard to either of those two capital objects. (Smith 1776: iv.v.b.39).

The new market order and older traditions of moral economy stand in conflict with each other.

One way to present this conflict is as a conflict of a moral economy with an amoral or non-moral economic order. The notion of a moral economy as a pre-capitalist ethic of subsistence is one that is articulated elsewhere in the early literature on the moral economy. James Scott for example makes similar observations about the moral economy of the peasant. It represents an ethic of subsistence:

The precapitalist community was...organized around this problem of the minimum income – organized to minimize the risk to which its member were exposed by virtue to its limited techniques and the caprice of nature. Traditional forms of patron-client relationships, reciprocity, and redistributive mechanisms may be seen from this perspective... (Scott, 1977: 9)

However, to present the conflict as one between a moral and amoral economy is not I think the right way of understanding the conflict. The work of Smith itself illustrates the way that market can itself be understood as an economy that is constituted by a particular set of practices, beliefs and norms that have their own ethical character. The liberal story is roughly this, that markets form an ethical sphere in which free agents enter into voluntary contractual relations with each other that involve mutual recognition and respect of each other as free, independent and autonomous beings. It is central to Smith's defence of commercial society as a sphere in which individuals develop and express the virtues of

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independence. It is found in Hegel's account of the contractual sphere of the market as one in which individuals 'recognise each other as persons and property owners' (Hegel 1967: paragraph 71R). It runs through the standard account in modern liberal theory of markets as spheres in which self-owners relate to each other through voluntary contract. The conflicts Thompson and Scott note represent a conflict not between a moral economy and an amoral economy, but a conflict between different moral economies. The point is important in understanding what is at stake in the conflict. In particular, it allows for a fuller understanding of the conflicts not just between the moral economies of the market and the pre-capitalist paternalistic moral economy, but the conflict between the moral economy of the market and the more egalitarian ethic of solidarity that emerged in early responses to market society.

The contours of the conflicts around the moral economy of need and subsistence and the moral economy of the market have been well-mapped. The older moral economies were premised on the assumption that need gave a person claims on others. The claims of necessity were of two kinds. The first is the claim to food in times of famine, claims that were often articulated in terms of common goods. The second concerns justice based constraints on prices.

The classical defence of the claims of need was articulated philosophically by the scholastics. Aquinas offers a standard account. In response to the problem of how private property is justifiable given that 'according to the natural law all things are common property', Aquinas follows Aristotle's defence of private property and common use (Aristotle, 1948: II.5). While Aristotle rejects Plato's communism, he holds that goods held privately should be in common use. In Aristotle's work the combination of private ownership and common use is applied particularly to subsistence in food:

On the one hand, property ought not to be owned in common, as some writers have maintained - though it ought to be use in common and as friends treat their belongings. On the other hand, none of the citizens should go in need of subsistence.' (Aristotle, 1948: VII.x.9)

The institution of common meals is presented as what best meets the requirements of common use that meets the needs of all citizens:

The institution of common tables is generally agreed to be for advantage of well-ordered states...The right of dining at the common tables should be equally open to every citizen; but poor men will always find it difficult to contribute their quota for cost from their own resources... (Aristotle, 1948: VII.x.9)

The need for all citizens to be included is the reason that Cretan system of common meals funded from public resources is presented as the preferable to the Spartan system in which each had to provide a contribution (Aristotle, 1948: II.ix.29).¹

Aquinas follows Aristotle. The 'power to procure and dispense' of goods should be private since this best ensures that care for goods and their procurement:

[E]very man is more careful to procure what is for himself alone than that which is common to many or to all...[H]uman affairs are conducted in more orderly fashion if each man is charged with taking care of some particular thing himself, whereas there would be confusion if everyone had to look after any one thing indeterminately' (Aquinas, 1920: II II 66.2).

However, the use of goods remains common. With respect to the use of external goods, 'man ought to possess external things, not as his own, but as common, so that, to wit, he is ready to communicate them to others in their need' (Aquinas, 1920: II II 66.2). Need gives rights to the use of goods. Those in need have claims on the property of those with a superfluity of goods. In response to the question 'Is theft justifiable in the case of necessity?', Aquinas writes:

if the need be so manifest and urgent, that it is evident that the present need must be remedied by whatever means be at hand (for instance when a person is in some imminent danger, and there is no other possible remedy), then it is lawful for a man to succor his own need by means of another's property, by taking it either openly or secretly: nor is this properly speaking theft or robbery. (Aquinas, 1920: II.II 66.7)

The reason it is not theft is that, with respect to need, goods are common property: 'In case of need all things are common property, so that there would seem to be no sin in taking another's property, for the need has made it common' (Aquinas, 1920: II.II 66.7). The procurement is not theft since need itself gives a title to property: 'that which he takes for the support of his life becomes his own property by reason of that need' (Aquinas, 1920: II.II 66.7).

Claims of necessity are also taken to constrain prices on goods. The argument is again Aristotelian in origin. A central argument against the justice of raising prices in conditions of necessity was that such transactions should not be understood as free and voluntary acts. Thus as Aquinas puts it: 'There is a partial coercion when necessity threatens, as is evident in the case of one who jettisons cargo into the sea to save a ship.' (Aquinas 2003 XIII: Article 4). Or consider again the following from Francisco de Vitoria:

[F]or commutative justice to obtain in human exchange, it is not sufficient that it is simply voluntary from both sides; it is necessary that it has nothing involuntary mixed with it, as is evident from throwing merchandise into the sea... [T]hat which is done because of need, albeit simply voluntary, has something of the involuntary mixed with it. Consequently, in the case of such exchange it is not sufficient that it is simply voluntary; it is required that there be no need to exchange some object, and in this there may yet be something of violence because of need. (Francisco de Vitoria *Commentarios I-II*. 77. 1, cited in Langholm, 1998: 111-112)

Exchanges where one party is compelled by necessity are not voluntary exchanges and hence are not just.

The appeal in both texts is back to Aristotle's discussion of the conditions for voluntary action. In particular they appeal to a class of 'actions done because of fear of greater evils or because of something fine' (Aristotle, 1999: III.1) which Aristotle had described as a 'mixture' of the voluntary and involuntary. They are not clear cases of involuntary actions since the acts are not the result of external force or ignorance. However, they are not acts that have a reasonable alternative. The case of the captain who has to throw his cargo overboard to save a ship to which the scholastics appeal is the standard example. In one sense acts of this kind look voluntary, since the actor 'does it willingly....it is up to him to do them or not to do them' (Aristotle, 1999: III.1). In another sense they look to be involuntary: 'the actions without qualification are involuntary, since no one would choose any such action its own right' (Aristotle, 1999: III.1). It is to this account of involuntary action to which the scholastics appeal. Exchange compelled by necessity is not fully voluntary. Hence, justice requires constraints on prices in times of need. Higher prices in conditions of scarcity are a form of injustice. Typical is Aquinas: 'to sell something to another in need for much more

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that the value of a thing...would be unjust' (Aquinas, 2003, XIII, Article 4 reply to the seventh argument).

Elements of the scholastic position survive with increasing qualifications into the work of Grotius, Pufendorf and Locke.² Thus, for example, Grotius follows the broad scholastic position on the rights of necessity:

In direst need, the primitive right of user revives, as if community of ownership had remained, since in respect to all human laws – the law of ownership included – supreme necessity seems to have been excepted...Even among the theologians, the principle has been accepted that, if a man under stress of such necessity takes from the property of another what is necessary to preserve his own life, he does not commit a theft (Grotius, 2013: 2.2.6)

The right to buy goods at a just price similarly survives:

We affirm, therefore, that all men have the right to buy such things at a fair price, unless they are needed by the person from whom they are sought; thus in times of extreme scarcity, the sale of grain is forbidden. (Grotius, 2013: 2.2.19)

However, where in Aquinas claims of need in goods are what define the permanent condition of common use in private property, in Grotius they are exceptions in the application of laws of property where private property has historically superseded the original condition of common property (Salter, 2005: 285).

In the hands of Locke, claims of need are weakened still further. In Locke, claims of necessity are understood in terms of duties of charity rather than of rights of necessity: 'Charity gives every Man a Title to so much out of another's Plenty, as will keep him from extream want when he has no means to subsist otherwise.' (Locke, 1988: 2.5.4.6). Similarly constraints on prices on the basis of justice are rejected. Justice in prices consists simply in the 'market price at the place where he sells'. Hence 'he that sells his corn in a town pressed with famine at the utmost rate he can get for it does no injustice against the common rule of traffic' (Locke, 1695: 86). It rather becomes an offence against the 'common rule of charity' when the buyer is left without the means of subsistence.

The writings of Adam Smith defending the new political economy are marked by the rejection of claims of necessity as claims of justice that give a person rights in the property of another. It is a mark of the virtuous agent that poverty and even death are to be preferred to the injustice involved in taking what is the property of another:

The poor *man* must neither defraud nor steal from the rich, though the acquisition might be much more beneficial to the one than the loss could be hurtful to the other ... *There is no commonly honest man* who does not more dread the inward disgrace of such an action, the indelible stain which it would forever stamp upon his own mind, than the greatest external calamity which, without any fault of his own, could possibly befall him; and who does not inwardly feel the truth of that great stoical maxim, that for one *man* to deprive another unjustly of any thing, or unjustly to promote his own advantage by the loss or disadvantage of another, is more contrary to nature, than death, than poverty, than pain, than all the misfortunes which can affect him, either in his body, or in his external circumstances. (Smith, 1982a: III.3)³

A virtuous agent is one who stands on his independence, for whom poverty and death is better than transgressing the rules of property on which 'depend the whole security and peace of human society' (Smith, 1982a: III.3).

Smith's arguments here form part of a more general case against the paternalist moral economy of subsistence in pre-capitalist society. The argument for the new moral economy of the market turned not just on the claim that the market economy would better deliver food, particularly through its incentives to production and distribution through price. It is also that it fostered the virtues of independence against that personal dependence that was embodied in the paternalism of pre-commercial society: '[C]ommerce and manufactures gradually introduced order and good government, and with them, the liberty and security of individuals, among the inhabitants of the country, who had before lived almost in a continual state ...of servile dependency upon their superiors. This, though it has been the least observed, is by far the most important of all their effects.' (Smith, 1981: III.IV.4) The ties of patronage of pre-commercial society render individuals dependent on the gift of the wealthy: '[The great proprietor] is at all times ... surrounded with a multitude of retainers and dependants, who, having no equivalent to give in return for their maintenance, but being fed entirely by his bounty, must obey him ...(Smith 1981: III.IV.5–6). Through the

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division of labour and exchange relationships these ties of dependence are broken. The worker's income is not tied to any particular individual: 'Though [the wealthy person] contributes, therefore, to the maintenance of them all, they are all more or less independent of him, because generally they can all be maintained without him' (Smith 1981: III.IV.11). While Smith acknowledged that the wage worker and servant do not have the independence of the artisan (Smith 1981: I.viii.48), and that the wage worker lays down a portion of 'his liberty' (Smith 1981: I.v.7), both are still free of the forms of personal independence of pre-commercial society. It is this independence that is one of the most important achievements of commercial society: 'Nothing tends so much to corrupt and enervate and debase the mind as dependency, and nothing gives such noble and generous notions of probity as freedom and independency. Commerce is one great preventative of this custom.' (Smith 1982b: vi.6)

Smith's defence of the new moral economy of the markets was premised then not just on claims that commercial society better delivered human subsistence, but that it did so without the forms of personal dependence that were a feature of the pre-commercial moral economy of subsistence. However, this contrast between the moral economy of the market and the paternalist moral economy of subsistence does not define the field of the debate around need, food and destitution. Both need to be contrasted with more egalitarian appeals to an economy founded upon the recognition of claims of need. Two strands of egalitarian response can be analytically distinguished: forms of social solidarity and mutual aid that were a feature of early working class responses to the facts of necessity; the rejection of private property and defence of common ownership articulated most influentially by Marx. The next two sections examine these responses in more detail.

4. - The moral economies of solidarity

The contrast Thompson draws between the moral economy of the crowd and the new political economy of the market turns on the place of necessity in human life and the social relations required to meet the claims of necessity. One appeal may have been, as Thompson notes, to paternalist traditions of support to those in need. However, what are also

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articulated in this period are appeals to a moral economy of mutual aid. One response that found expression in the period that the new moral economy of the market emerged was an egalitarian moral economy realised in the forms of solidarity and mutual aid found in the early friendly societies and worker's associations. It is premised on the existence not simply of needs that require responses, but the fact of mutual neediness – the recognition that we are all needy and dependent creatures. It stands in opposition to the moral economy of the market in a radical sense. The moral economy of the market is premised on a picture of agents as independent beings who recognise each other as such, recognition embodied in the contractual relations entered with each other. The contrast between this moral economy and that of the paternalist tradition lies in part in the ideal of independence it embodies – independence given radical expression in Smith's moral philosophy. The moral economy of solidarity that contrasts with the moral economy of the market does not deny the importance of personal independence as a virtue. However, it acknowledges, in the way that the moral economy of the market does not, that the achievement of independence is made only possible against the background of our mutual dependence as creatures of need. The assumption that pervades the moral economy of the market – that we are independent contracting agents – is itself premised on the unacknowledged ties of dependence and facts of neediness. The work of Smith is particularly important here in that it both notes the existence of dependence and need and the ways that modern commercial society moves forward by rendering this fact invisible.⁴

Smith does not deny the fact of human neediness: 'All the members of human society stand in need of each others assistance, and are likewise exposed to mutual injuries' (Smith 1982a: 85). Human neediness and the dependence on others are grounded in our biological existence. Human beings come into the world in complete dependence on others (Smith 1982a: VI.ii.1.3). When illness and old age visit us the these facts of human dependence force themselves on us again

In the languor of disease and the weariness of old age, the pleasures of the vain and empty distinctions of greatness disappear ... Power and riches appear then to be, what they are, enormous and operose machines contrived to produce a few trifling conveniences to the body, consisting of springs the most nice and delicate, which must be kept in order with the most anxious attention They keep off the summer

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shower, not the winter storm, but leave him always as much, and sometimes more exposed than before, to anxiety, to fear, and to sorrow; to diseases, to danger, and to death. (Smith 1982a: IV.1.8)

However, while Smith acknowledges these facts of human existence, he argues that the progress of economic life requires that we forget that this is the case:

But though this splenetic philosophy, which in time of sickness or low spirits is familiar to every man, thus entirely depreciates those great objects of human desire, when in better health and better humour, we never fail to regard them under a more agreeable aspect. (Smith 1982a: IV.1.9).

Social forgetfulness and self-deception about our neediness is a condition for the flourishing of commercial society:

It is this deception which rouses and keeps in continual motion the industry of mankind. (Smith 1982a: IV.1.10)

It is this context that the invisible hand makes its appearance in *The Theory of Moral Sentiments* as a link between 'natural selfishness and rapacity' of the rich and a 'distribution of the necessaries of life, which would have been made, had the earth been divided into equal portions among all its inhabitants' (Smith 1982a: IV.1.10). The invisibility of neediness and the social forgetting of the facts of human dependence they entail are a condition of market societies progressing.

Smith's defence of the moral economy of the market based on the art of social forgetting contrast with the very different response to the facts of human neediness and dependence among those whose conditions made them more conscious of the ubiquity of human vulnerability. A feature of mutualism of working class communities is that they make explicit the facts of mutual neediness and dependence in conditions of a rough equality of vulnerabilities. It receives expression in a solidaristic moral economy. That moral economy finds one articulation in the statements of the early friendly societies. Consider for example the following excerpt from Rules and Orders of the Honourable Society of Workington written in February 2nd, 1792:

When we look upon mankind as being subject to an innumerable train of evils and calamities, resulting either from pain or sickness, or the infirmities of old age, which render them unable to procure even a scanty subsistence, when at the same time

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they are made capable of the noblest friendship, common prudence induces us so to form ourselves into society, that the insupportable condition of the individual may, by the mutual assistance and support of the whole, become tolerable ... (cited in Gray, 2001)

Statements like this express a particular picture of the social relations demanded by the claims of need. The statement is premised on the recognition of common neediness. The members form of community premised on the awareness that they share conditions in which any, 'though innumerable train of evils and calamities ', could suffer the loss of the very means of subsistence. Mutual aid is founded on the recognition of neediness. This moral economy expressed in the early friendly societies contrasts with the new moral economy of the market articulated by Smith.

This egalitarian moral economy realised in the forms of solidarity and mutual aid found in the early friendly societies and worker's associations is premised on the existence not simply of needs that require responses, but the fact of mutual neediness – the recognition that we are all needy and dependent creatures. It stands in opposition to the moral economy of the market in a radical sense. The moral economy of the market is premised on a picture of agents as independent beings who recognise each other as such, recognition embodied in the contractual relations entered with each other. The contrast between this moral economy and that of the paternalist tradition lies in part in the ideal of independence it embodies – independence given radical expression in Smith's moral philosophy. The moral economy of solidarity that contrasts with the moral economy of the market does not deny the importance of personal independence as a virtue. However, it acknowledges, in the way that the moral economy of the market does not, that the achievement of independence is made only possible against the background of our mutual dependence as creatures of need. The assumption that pervades the moral economy of the market – that we are independent contracting agents – is itself premised on the unacknowledged ties of dependence and facts of neediness.

The moral economy of solidarity and mutual aid has an ambivalent relationship to more recent forms of welfare provision. Consider another contrast with the picture of social solidarity articulated in the statements of the friendly societies noted above. Consider the

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contrast with Michael Ignatieff's defence of the bureaucratic provision of goods presented as an alternative to solidarity. Ignatieff in his book *The Needs of Strangers* offers the following observation on an example of an old man meeting his needs for food:

I came upon one old man once doing his shopping alone, weighed down in a queue at a potato stall and nearly fainting from tiredness. I made him sit down in a pub while I did the rest of his shopping. But if he needed help, he certainly didn't want it. He was clinging on to his life, grasping for breath, but he stared straight ahead when we talked and his fingers could not be pried from his burdens. (Ignatieff, 1990: 9)

Ignatieff's own observations on the episode turn him to reflections on the way provisioning according to need must develop in modern society. Claims of need are not best addressed by acts of personal benevolence which threaten the independence of the recipient. They are best addressed rather through the transformation of needs into entitlements which are met through the bureaucratic procedures of the welfare state.

[The old] have needs, and because they live within the welfare state, these needs confer entitlements - rights - to the resources of people like me...The mediated quality of the relationship seems necessary to both of us. They are dependent on the state, not upon me, and we are both glad of it. Yet I am also aware of how this mediation walls us off from each other' (Ignatieff, 1990: 9-10)

The mediation of the meeting of needs through the state preserves the personal independence: 'The bureaucratic transfer of income among strangers has freed each of us for the enslavement of gift relations' (Ignatieff, 1990: 18). However it comes with the cost of the loss of social solidarity: 'Yet if the welfare state does serve the needs of freedom, it does not serve the needs of solidarity. We remain a society of strangers.' (Ignatieff, 1990: 18) The social solidarity promised by the earlier roots of friendly societies is replaced by provision by bureaucratic means.

What are we to make of Ignatieff's argument? One point to notice about the argument is the assumptions he smuggles in about his own relation to neediness and those in need, an assumption which contrasts strongly with the earlier statements of the friendly societies such as that quoted above. Ignatieff in his argument presents the problem as if he himself stood above the fray of neediness. He considers the problem from outside the domain of need, as someone who is well-resourced and able to intervene to support those who in

contrast are with the domain of neediness. The book expresses as Kate Soper notes a detached and solipsistic stance that fails 'to communicate any identification with the "strangers" whose calamities it describes' (Soper, 1985: 111). The question the passages address is whether the 'resources of people like me' should be transferred to those in need through personal gift or through provision through the state. What is absent from the passages is any thought that motivates the statement of the friendly society – that through 'an innumerable train of evils and calamities' it is possible that he himself will stand in the place of the old man he assists, that he is not above the world of need, but a common citizen of that world. He is a modern example of the state of forgetfulness recommended by Adam Smith.

Ignatieff's perspective is not an accidental one. Inequality and market relations create a social world in which common neediness is often invisible. All humans share certain needs in the dispositional sense. It is in the occurrent sense that only some have needs. All humans need food in the dispositional sense. However, only the hungry have needs for food in the occurrent sense. The well-fed do not. The rich and powerful have few occurrent needs. However, they have few occurrent needs only because their dispositional needs are met in ways that go unnoticed. As such they appear to themselves and to others quite misleadingly as beings who are self-sufficient, standing above the fray of need. Neediness is apparent only among those with pressing occurrent needs, paradoxically often the very people whose labour provides the resources to meet basic dispositional needs of those who appear above common neediness. In conditions of markets and inequality, paradoxically the dependence of the wealthy on the labour of others is invisible, at the same time as they trouble themselves with the question of the transfer of resources to those with occurrent needs. The point is made nicely by Soper in a comment on Ignatieff's perspective on the pensioners he takes himself to assisting from his wealth:

[When] he claims that we can only bear the reality of our actual reliance upon each other the complexly mediating it through the "numberless capillaries of the State", Ignatieff seems to imply that underlying relations needing to be masked are those of charity. "They are dependent upon the State", he writes, "not upon me and we are both glad of it." But pensioners are not merely beneficiaries but erstwhile toilers and benefactors themselves; and in speaking of a "transference of some tiny portion" of

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his income into the pockets of those less fortunate than himself, Ignatieff overlooks the transference of rather less than tiny portion of the revenue of their labours that in turn enables the fortunate to remain fortunate. (Soper, 1985: 112)

The dependence of the wealthy on the contributions of the 'needy' are rendered invisible by the working of wage labour and market relationships.

Ignatieff's account of the welfare state is one that contrasts bureaucratic provision with social solidarity. That account contrasts with a different tradition about welfare provision that is expressed in the work of Titmuss, in particular in his defence of an 'institutional-redistributive model of social welfare':

It sees social welfare as a basic integrated institution in society providing both universal and selective services outside the market on the principle of need. Universal services, available without distinction of class, colour, sex or religion, can perform functions which foster and promote attitudes and behaviour directed towards the values of social solidarity, altruism, toleration and accountability. (Titmuss, 1970: 263)

Titmuss's work on the welfare provision traces its roots back to the moral economies of solidarity and mutual aid: '[T]he major impulse came from below – from the working-man's ethic of solidarity and mutual aid. It found expression and grew spontaneously from working-class traditions and institutions to counter the adversities of industrialism.' (Titmuss, 1987: 122) It is in the 'great network of friendly societies, medical clubs, chapel societies, brotherhoods, co-operatives, trade-unions, and savings' that the origins of welfare provision can be found. In contrast to Ignatieff's picture of welfare provision as the procedure as one in which the fortunate pass down their gifts to those in need by bureaucratic means, welfare provision on Titmuss's account starts from fact of general vulnerability to states of dependency:

[S]tates of dependency' arise for the vast majority of the population whenever they are not in a position to 'earn life' for themselves and their families; they are dependent people. In industrial societies there are many causes of dependency; they may be 'natural dependencies' as in childhood, extreme old age, and child-bearing. They maybe causes by physical and psychological ill-health and incapacity, in part these are culturally determined. Or they may be wholly or predominantly

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determined by social and cultural factors. These may be said to be the 'man-made' dependencies. (Titmuss 1987: 46)

One central source of such 'man-made' dependencies lies in the market economy itself which break down relations of care between strangers⁵: 'one of the functions of atomistic private market systems is to free men from any sense of obligation to or for other men' (Titmuss, 1970: 239).

In this account, rather than standing in contrast to forms of social solidarity, universal welfare provision is seen as a condition of sustaining solidarity. The central question for Titmuss was how social solidarity among strangers on the basis of the recognition of common neediness is to be fostered. His better-known work on the gift relationship in blood needs to read against the background, that is, as an institution that fosters solidarity between strangers who recognise their vulnerability to injury. It is also against this background that he defends universality in welfare against means tested benefits which make the provision of goods dependent on a person giving evidence of her poverty. To introduce a means test is to fail 'to understand the indignities of expecting the poor to identify themselves as poor people and to declare, in effect, that: I am an unequal person' (Titmuss 1987: 203). In conditions of inequality and the invisibility of mutual dependence, announcing neediness and dependence carries a stigma. The point remains an important one, in particular in the provision of food. Consider for example the following comments on the experience of receiving food from food banks in the UK, where need and stigma are both apparent:

All the interviewees suggested that they had hesitated before coming to the food bank and most had felt a sense of embarrassment... For those with families, it was their children's needs that led them to overcome their embarrassment. One interviewee commented: 'It throws your pride out of the window... I am doing it for my kids, I am not going to make my kids suffer just because of my pride' (female, aged 34). A father of two children commented on how uncomfortable he felt: 'I was nervous coming here, I thought I had done something wrong ... having to ask for food your ego takes a battering' (male, aged 40). (Purdham et al., 2015: 8)

The stigma associated with the provision of food through schemes such as food banks is widely commented upon. Where the food as commodity is no longer available, if food takes

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the form of handouts directed at the needy, the fact of neediness itself becomes stigmatized. Social independence is compromised.

5. - Common property, freedom and need

The discussion of the relationship between claims of necessity and food as a commons this far in this chapter has focused on the consumption of food. A weakness in any such focus is that it leaves out of the picture the background of production and, more specifically, relationships of power and ownership over the production of food against which many social vulnerabilities to the loss of subsistence need to be understood. The point is central to Marx's account of the commons.

An initial point to note is that Marx is in partial agreement with Smith on the achievements of commercial society in the development personal independences. A feature of Marx's account of capitalism is the recognition of the freedom from personal dependence that commercial society achieved: 'In...the developed system of exchange...the ties of personal dependence, of distinctions of blood, education, etc., are in fact exploded, ripped up' (Marx, 1973: 165). However, this personal independence was marked by two features. The first is personal independence is replaced by new forms of objective dependence, the subordination of individuals to the impersonal workings of market forces: 'These *objective* dependency relations also appear, in antithesis to those of *personal* dependence (the objective dependency relation is nothing more than social relations which have become independent and now enter into opposition to the seemingly independent individuals; i.e. the reciprocal relations of production separated from and autonomous of individuals) in such a way that individuals are now ruled by *abstractions*, whereas earlier they depended on one another.' (Marx, 1973: 164) Full independence requires that objective dependence of this form is overcome through social relations being brought under the 'communal control' of individuals (Marx, 1973: 162). Second, the new independence of the worker forms one part of the worker's double freedom, the freedom to sell his or her labour power as owner of that commodity. The other component of that double freedom is that the worker is 'free from, unencumbered by, any means of production of their own' (Marx, 1887: 705). The process of primitive accumulation is 'the historical process of divorcing the

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producer from the means of production' (Marx, 1887: 705). One central component of that process is the loss of usufruct rights in common land through enclosure of the commons (Marx, 1887: ch.27). It is the loss of independent access to the means of subsistence that marks the specific forms of vulnerability characteristic of the wage worker. It underpins the point made by Sen noted earlier – that in absence of access to the means of subsistence, the worker relies upon 'exchange entitlements' and where these do not contain 'any feasible bundle including enough food' (Sen, 1981: 3) the worker is at risk of starvation.

For Marx, it is the absence of commons in production, rather than just in consumption and use that is the source of social vulnerability of the worker. This forms the background to Marx's defence of the principle 'each according to his need' in the *Critique of the Gotha Programme* (Marx, 1875: 87). The defence takes place in the context of the criticism of principles of 'fair distribution' (Marx, 1875: 83ff) for being concerned simply with the distribution of the 'means of consumption' (Marx, 1875: 85) rather than with the underlying patterns of ownership of the means of production that define different modes of production. Marx's own discussion of the principle of distribution according to needs presupposes common ownership. Marx rejects one version of the concept of a just price, that of the 'fair wage', on similar grounds. The appeal to 'a fair day's wage for a fair day's work' fails to address the underlying source of wage workers' social vulnerability in their separation from the means of production; hence the alternative slogan – 'the abolition of the wages system' (Marx 1865: 149). Marx's discussion in this regard breaks from the older Aristotelian tradition in which claims of necessity ground common property in the consumption of the necessities of subsistence, but not common property in their production.

This Marxian tradition has had its own influence on recent work on food as commons. One central argument within recent Marxist based scholarship on the commons is whether the separation of the worker from the commons as a means of production should be understood as a historical feature of pre-capitalist society that creates the conditions for capitalism, or as a continuous feature of capitalist accumulation. A notable expression of the latter position is that articulated by Harvey: 'All the features of primitive accumulation that Marx mentions have remained powerfully present within capitalism's historical geography

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up until now. Displacement of peasant populations and the formation of a landless proletariat has accelerated in countries such as Mexico and India in the last three decades, many formally common property resources, such as water, have been privatized...and brought within the capitalist logic of accumulation...' (Harvey, 2003: 145-146). They constitute a continuing form of accumulation by dispossession (Harvey, 2003, ch.4). Resistance to this separation is articulated as a defence of the commons. Access to the sources of provisioning of food, from the appropriation of unused land by landless peasant movements, seed exchange systems outside the market to the urban gardens form part of a defence of spheres of commoning independent of both state and market (Akbulut, 2017: 400).

6.- Conclusion

Food is a vital human need. As such it is a good from which no person ought to be excluded. It is what I have called a normative public good. In modern market society food is a commodity. As such, where individuals and groups lack the means to provide their own food and the ability to pay for food through exchange, food is a good from which individuals can and are excluded. This chapter has explored the conflict between food as a vital human need and food as a commodity. It has explored a variety of moral economies that were developed in response to the new moral economy of the market in which food is a commodity. All appealed in different ways to the concept of need and the claims of necessity. They also appealed in different ways to the idea of the commons. One older appeal to need as a basis for commons is that articulated in the scholastic view that claims of need give all common use rights in property. These claims were weakened and transformed into exceptions in the work of Grotius and were weakened still further in Locke, where rights of necessity were transformed into duties of charity. In the work of Smith, rights of necessity disappear. The economy is understood as a sphere in which independent agents relate to each other through commercial exchange. As such the market breaks the paternalist relations of dependence that mark pre-commercial society. This picture of commercial society however depends, as Smith himself recognised, on the invisibility of dependence and vulnerability as a fact about the human condition. The picture of the market as a sphere of independent contracting agents that forms the basis of the moral economy of the market is premised on the unacknowledged ties of dependence

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and facts of neediness. Unacknowledged dependence still informs accounts of the welfare state such as that developed by Ignatieff that conceive of welfare as the transfer of wealth from the fortunate who stand above the sphere of neediness and dependence to the unfortunate who do not.

In contrast to the forms of unacknowledged dependence and neediness that inform the moral economy of the market, egalitarian forms of mutual aid that were developed in response to the market economy were grounded in the acknowledgement of dependence and common neediness. This tradition of moral economy has its own long history in forms of everyday mutual aid in working class communities. It continues to be articulated in arguments for universal provision of basic welfare goods, such as that of Titmuss, which start from the practices of mutual aid and their basis in the acknowledgement of the fact of vulnerability to states of dependency.

The new forms of mutual aid of working class communities had, in part, their roots in a common social vulnerability that was a result of the separation of workers from the means of production. While Marx, like Smith, notes the new forms of personal independence occasioned by commercial society, this personal independence was one part of the double freedom of the worker. The worker is also free from any of their own means of production. The processes by which the workers are separated from the means of production in primitive accumulation include the loss of usufruct rights in common land. The claim that primitive accumulation is not simply an historical event but part of a continuing process of accumulation by dispossession informs recent works on the commons and commoning. Resistance to dispossession is articulated in the language of the commons. The food as commons on this account requires not just commons in use but also a commons in the production. What this political economic response still draws from the moral economy of working class communities is an understanding of commons that is founded on recognition of mutual neediness.⁶

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¹ For a discussion see Kraut, 2002:220-224.

² For a discussion of Grotius and Pufendorf's views and their relationship to the earlier scholastic tradition see Salter, 2005.

³ The passage is an echo of Cicero: 'for one man to take from another and to increase his own advantage at the cost of another's disadvantage is more contrary to nature than death, than poverty, than pain and than anything else that may happen to his body or external circumstances' (Cicero 1991: III.21). On the status of claims of necessity in *The Wealth of Nations* see Hont and Ignatieff 1983. For an excellent defence of the view that for Smith the needs of the poor do not give them rights based in justice see Salter, 2012, which responds to revisionary account of those such as Fleischacker 2004, chapter 10 who argue for the opposing view.

⁴ I discuss different aspects of Smith's position and the contrast with the mutualist tradition further in O'Neill, 2006, 2011 and 2015.

⁵ Cf. Kent, 2018 and Chang, 2018.

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