

Canadian Food Studies

La Revue canadienne des
études sur l'alimentation

Review Article

Standards as a commons: Private agri-food standards as governance for the 99 percent

Jennifer Sumner

Lecturer, Department of Leadership, Higher and Adult Education, Ontario Institute for Studies in Education, University of Toronto

Abstract

Private agri-food standards have emerged in response to the constraints imposed on the role of the state under the influence of neoliberalism. These standards reflect the ongoing “value wars between the money code of value and the life code of value” (McMurtry, 2002). While some private agri-food standards operate within the money code of value (e.g., Red Tractor or CanadaGAP), others can be more fruitfully situated within the life code of value because they “remove the veil” (Hudson & Hudson, 2003) from food commodities to reveal the exploitative social, economic, and environmental relations inherent in a global corporate food system driven by “feral capitalism” (Harvey, 2011). This article will use these codes of value to interpret three cases—organics, fair trade, and Local Food Plus—with the aim of informing discussion regarding the role of private agri-food standards. It will propose conceptualizing standards as a commons, i.e., a cooperative human construct that protects and/or enables universal access to life goods (McMurtry, 1998). This conceptualization will help us to better analyze the threats and opportunities posed by private agri-food standards and will open up the possibility that they can provide a form of life-protective governance for a more sustainable food system, one that benefits what has come to be known as “the 99 percent” (Weinstein, 2011).

Keywords: civil commons, commons, fair trade standards, governance, Local Food Plus, neoliberalism, organic standards, private agri-food standards, standards

Introduction

Standards are all around us, from arbitrating the size of screws and electrical plugs to setting benchmarks for food safety and wine quality. While seemingly neutral, agreed-upon conventions, standards are socially constructed and inevitably reflect values and beliefs about what is good and what is bad. And like all social constructions, standards also raise questions of power. In the words of Bain (2010), “the power to decide what standards will not be established is as telling and as consequential as deciding what standards will be established” (p. 366). Moreover, standards drive behaviour and in this sense can be understood as a form of governance.

Although standards play a crucial role in our lives, that role is changing with the spread of neoliberal globalization and the vastly increased movement of goods around the world (Hatanaka, Bain & Busch, 2005). Nowhere is this more evident than with agri-food standards. Originally enacted by governments to protect public health and safety, agri-food standards are now being developed by the private sector to control market share and protect brands (Henson & Reardon, 2005; Konefal, Mascarenhas & Hatanaka, 2005), and to minimize risk to capital accumulation (Lockie et al., 2013), contributing to a cascade of negative economic, social, and environmental externalities in the global corporate food system.

In the midst of the proliferation of private agri-food standards (Konefal et al., 2005), it is important to remember that not all of these new standards promote private wealth accumulation. This article will argue that some standards support public wealth creation—such as just livelihoods, a clean environment, and human rights—and will conceptualize standards as a commons due to their potential as a form of life-protective governance that benefits more than just a small percentage of the population. It will begin by examining standards and the larger context of neoliberalism that encourages the rise of private standards. The article will then introduce the life code of value and the money code of value, and use these value codes to interpret three cases—organics, fair trade, and Local Food Plus—to inform the discussion regarding standards as forms of governance. It will argue that some standards can be understood as part of the collective concept of the civil commons—cooperative human constructs that protect and/or enable universal access to life goods (McMurtry, 1998). Framing standards in this way has a three-fold outcome: it clarifies the threats and opportunities posed by the shift to private standards, it highlights the life-protective governance that standards can provide, and it illuminates the role that private agri-food standards can play in a more sustainable food system.

Standards

Standards frame every aspect of our lives, from the nuts and bolts that hold our material world together to life's genetic blueprint (Turner, 2011). In his recent book, Busch (2011) argues that standards have become the rules we live by and the range of possibilities available to us. He goes on to discuss a number of meanings for the term.

Standards may imply that something is the best, or that it may be used as an exemplary measure or weight; or they may emphasize the moral character of someone or the superb qualities of something. Standards may also refer to rules or norms that embody the ideal or merely the average. Finally, standards may refer to tolerances permitted for both people and things (p. 25).

These meanings interconnect in the production of standards—the benchmarks that affect our lives in so many ways. Busch (2011) also points out that standards shape our physical, social, and personal worlds. In the most general terms, “standards either proscribe what are considered undesirable behaviors, uses, and/or processes, or prescribe those considered desirable, although most do a little of both” (Guthman 2004a, p. 512). Busch (2011) proposes that standards often involve boundaries wherein people with different backgrounds can stabilize a set of practices, even if those practices carry different meanings.

Setting the boundaries, however, is neither easy nor a foregone conclusion. Standards are both contentious and contested, especially because they designate winners and losers (Konefal et al., 2005), although the number of winners and losers can vary significantly, depending on the kind of standards involved and whether they are voluntary or mandatory. Given the contested nature of standards, it is not surprising that they have long been associated with power, which Busch views as the ability to set either the rules to be followed or the range of choices to be made. For Busch, this power can vary from direct power exercised by a ruler to anonymous power as standards take on a life of their own.

While Busch (2011) sees standards as connected to the power of moral, political, economic or technical authority, Schoechle (2009) connects them to the power of public authority. According to Schoechle,

Historically, standards have been set largely by volunteers in committees operating within a range of environments, institutional rules and social practice, but they generally have espoused traditional principles of accessibility, democratic deliberation, public accountability, and balanced stakeholder representation (p. viii).

Schoechle (2009) goes on to note that the commons has been an essential concept of standardization. Linking the land enclosure movement in sixteenth century Britain (which involved converting common grazing lands to private ownership and control) to the recent privatization or enclosure of ideas in terms of intellectual property rights, he uses enclosure

discourse as a framework for examining the privatization of standards. Although Schoechele tantalizingly introduces the concept of standards as a commons, he does not elaborate on it, focussing instead on the question of digital enclosure, that is, the enclosure of information and ideas rather than land. This article addresses this new concept by investigating standards as a commons and, in particular, standards as a form of the civil commons.

Conceptualizing standards as a commons is important for a number of reasons. First, it reframes the way we look at standards, casting them in a new light that can help us to address the well-documented problems associated with the unsustainability of the global corporate food system. In addition, it overcomes the obfuscating dualism that is inherent in the characterization of public and private standards. It also helps to illuminate the links between standards and power, and to leverage the historical notion of the commons into modern practice. And, finally, it highlights the association between standards and life-protective or life-destructive governance.

Neoliberalism and the rise of private standards

Historically, standards were the provenance of nation states. While some of these public standards protected citizens from the excesses of the market (e.g., food safety standards), others provided better access to the market. For example, Hatanaka et al. (2005) argue that uniform public standards were seen as a way to reduce transaction costs and improve market efficiency. As such, they were considered neutral market lubricants (Giovannucci & Reardon, 2000). Recently, however, public standards are being eclipsed by private standards, which are developed and maintained by the private sector. Unlike the so-called neutrality of public standards,

businesses use private standards today *strategically*, whether it is to gain access to new markets, to coordinate their operations, to provide quality and safety assurance to their consumers, to complement their brands, or to define niche products and markets (Hatanaka et al. 2005, p. 356).

The rise of private standards has occurred in a regulatory context in which the capacity of the state to regulate has been usurped or handed over to private-sector organizations (Lockie et al., 2013), reflecting the larger neoliberal context in which they operate. Geographer David Harvey (2006) has studied neoliberalism for many years and argues that

Neoliberalism is in the first instance a theory of political economic practices which proposes that human well-being can best be advanced by the maximization of entrepreneurial freedoms within an institutional framework characterized by private property rights, individual liberty, free markets, and free trade. The role of the state is to create and preserve an institutional framework appropriate to such practices (p. 145).

Within such a political-economic climate, the eroding the power of nation-states means they no longer protect the health and rights of people, but now protect the property and profits of corporations (Shiva, 1997; Sumner, 2007). This transformation mirrors Harvey's (1989) earlier analysis of the shift from managerialism to entrepreneurialism—from the local provision of services, facilities, and benefits to the fostering and encouragement of local development and growth. As a result of this shift, the state no longer creates and preserves an institutional framework appropriate to the provision of services, facilities, and benefits. On the contrary, while creating and preserving an institutional framework appropriate to growth, the state engages in both deregulation (of the rules governing the managerial state) and re-regulation (through the rules governing the entrepreneurial state). Once transformed into a neoliberal set of institutions, the state redistributes the flow of wealth from the lower classes to the upper classes (Harvey, 2006). At the same time, the state is also governed by a new set of regulations at the global level:

The rules of engagement now established through the WTO (governing international trade) and by the IMF (governing international finance) instantiate neoliberalism as a global set of rules. All states that sign on to the WTO and the IMF (and who can afford to stay out?) agree to abide (albeit with a “grace period” to permit smooth adjustment) by these rules or face severe penalties (Harvey 2006, p. 145).

From a neoliberal perspective, public rules and regulations for the provision of services, facilities and benefits, including public standards, constitute barriers to trade that distort market outcomes. For this reason, neoliberalism favours private rules and regulations, preferably voluntary ones. This preference avoids public accountability and potential profit losses while simultaneously signaling that the private sector can responsibly govern itself. Corporate codes of conduct, corporate social responsibility charters, corporate mission statements and private standards are all examples of the “regulatory capture” (Jaffee & Howard, 2009) that typifies what has come to be known as the neoliberal shift from government to governance.

Governance is generally understood to be a broader term than government, addressing the distribution of power both within and beyond the state (Stoker, 1998). In the words of Andrew Taylor (2002), “whilst governance occurs without government, government cannot happen without governance” (p. 37). In the dominant environment, governance signals a shift in the way society is governed—a shift that is not random, but moves in a particular direction: from the public sector toward the private sector (Kooiman, 1993). This shift distributes more power to the private sector, which creates the regulatory playing field and the rules that must be followed. In the area of food, for example, the concept of governance helps us to understand the tools, techniques and activities—such as private agri-food standards—that food retailers use to both influence and coordinate production and consumption along the value chain (Bain et al., 2013).

Private agri-food standards

Just like other areas of life, food has been transformed by neoliberalism. Neoliberal policies have fostered the restructuring of the agriculture and food sectors through the privatization of land and water rights, the use of free trade agreements to dismantle national-level food safety regulations, and the protracted dismantling of food-oriented entitlement programs set up to combat hunger (Guthman, 2008). These neoliberal policies have resulted in a global corporate food system that is economically, socially, and environmentally unsustainable (Roberts, 2013; Sumner, 2012; Weis, 2012; Winson, 2013).

Within this neoliberal context, Henson and Reardon (2005) argue that private agri-food standards represent a response to both regulatory development and consumer concerns, and a way to compete in high-value agricultural and food markets. As a result, they maintain that private rather than public standards are becoming the predominant drivers of agri-food systems. Private standards for such services as food safety (e.g., Red Tractor in the UK and CanadaGAP in Canada) not only illustrate the rise of these new forms of governance, but also interface with private agri-food standards being developed at the global level—a form of global governance. For example, the Global Food Safety Initiative (GFSI), managed by the “independent” Consumer Goods Forum, gave full recognition to the CanadaGAP program, which was benchmarked against the GFSI requirements. Ostensibly, this recognition will give farmers who are CanadaGAP certified a competitive boost in global markets, which increasingly require companies to implement a recognized food safety program (see Agriculture and Agri-Food Canada, 2011), but in reality will have significant consequences, including “the loss of Canadian control of food safety governance, commodification of food safety, deflection of responsibility from the GFSI and a decrease in consumer choice” (Driscoll, 2012, p. 93).

Value wars on the food front

It is important to note, however, that not all private agri-food standards are expressions of neoliberalism. The existence of organic standards and fair trade standards, for example, can even be understood as a challenge to neoliberalism, in spite of being privately developed. To illuminate this distinction, the actors engaged in defining and implementing private standards can be divided into two groups: business and civil society (Nadvi & Wältring, 2002). While this distinction opens up new ways of thinking, it is not particularly useful because the term “civil society” is so vague it has prompted critics to look at it more closely. For example, Antonio Gramsci (1971) maintained that civil society was part of the superstructure, along with political society (i.e., the state). Far from romantic, it was primarily, but not exclusively, a site of hegemony. Following Gramsci’s understanding, civil society in a country like Canada would encompass not only the non-aligned Council of Canadians, but also the neoliberal think tank

called the Fraser Institute, while global civil society would encompass not only an NGO like Greenpeace, but also the World Trade Organization.

A more useful basis for distinguishing between the actors engaged in defining and implementing private standards would be the values driving their decision-making and actions. As Konefal et al. (2005) note, “standards are also the outcome of social processes and, therefore, are always imbued with value judgements” (p. 295). According to McMurtry (1998; 2002), two master codes of value underlie the long economic war expressed by history. From slave revolts through struggles to preserve common land to the Occupy Movement, battles between the powerful and the disenfranchised have marked our path through time. On the one hand, McMurtry posits the life code of value, which reproduces or increases life by providing life goods, or means of life, such as clean air, food, water, and shelter. In the life code of value, life is the regulating objective of thought and action, and a higher quality of life is always better by definition, regardless of the money that can be made. On the other hand, the money code of value increases money through such means as the sale of commodities or speculation in the stock market. In essence, it is the transformation of money into more money. In the money code of value, money is the regulating objective of thought and action, and a larger quantity of money is always better by definition, whatever happens to life.

The life code of value and the money code of value have been in conflict for millennia, struggling beneath slave, feudal, and industrial societies. Over the last thirty years, however, the money code of value has become enshrined in neoliberalism, thereby insinuating itself into our everyday lives through such strategies as trade agreements, public-private partnerships, austerity programs, public-service cuts, structural adjustment programs, and media campaigns. Standards represent yet another opportunity for the expression of the money code of value, and the rise of private agri-food standards can facilitate this.

In spite of the current hegemony of money values, life values still influence thought and action around the world, as evidenced by the rise of the Occupy Movement, the strength of the democracy movement and the vitality of food movements. As Gramsci (1971) reminds us, hegemony is never complete, but always contested. Private agri-food standards provide a fruitful site for examining this hegemonic struggle. From a money-values perspective, private agri-food standards offer an opportunity for re-regulation that favours the maximization of entrepreneurial freedoms in the search for private profits. From a life-values perspective, private agri-food standards offer an opportunity to step in and support life if public standards are weak or non-existent. In other words, when life-support systems are threatened, private agri-food standards can help to protect them. This analytic framing will be used to interpret three cases—organic standards, fair trade standards, and Local Food Plus standards—and inform the subsequent discussion of standards as a commons. While there are many types of food standards, these three cases represent very clearly the hegemonic struggle between life values and money values, and the benefits of conceptualizing standards as a commons.

Organic standards

Organic farming began without private standards, but they were created as more people became interested in this alternative approach to agriculture. According to Rundgren (2003), voluntary standards and inspection systems began to develop independently in parts of Europe, the United States, and Australia, primarily driven by the producers and concerned consumers. Along with chefs, restaurateurs, and health-food store owners, they created the organic farming movement.

Originally, organic standards provided a mechanism for farmers who wanted to both pursue sustainability goals and receive compensation by the market for internalizing external costs (Lampkin, 1996 in DeLind, 2000). While producers currently engage in organic certification for many reasons, DeLind (2000) has argued that it is the absence of chemical residues on or in organically raised and processed foods that has afforded organic a reputation for quality in an increasingly health-conscious marketplace.

The first certification now considered part of the organic sector was the Demeter label, founded in 1928 from the teachings of Rudolph Steiner, and still attracting the highest price premiums in the market. But it took another fifty years for certification to gain momentum. Nelson et al. (2010) describe how, in the 1970s and 1980s, organic certification was generally voluntary and self-regulatory. Standards tended to be developed at the grassroots level among a variety of stakeholders, particularly producers. Since the standards were enforced by the producers themselves through systems of peer review, the process was known as “first party” certification, which often combined verification procedures with organic education and extension work. While first-party certification worked well when the organic sector was small, localized, and philosophically committed, the rapid growth of the sector in the late 1980s meant that such forms of certification were no longer viable. As a result, major organic certification groups such as the Organic Crop Improvement Association (OCIA) and Naturland changed to third-party certification, which was presumed to be disinterested and objective (Nelson et al., 2010). Gibson (2009) describes how the basis of certification—organic standards—serves different purposes for different groups:

- a) standards provide information and guarantees to consumers on organic integrity
- b) standards promote good practice by guiding organic producers, from whom all organic standards originally developed
- c) standards provide the base for inspection, certification, and the accreditation of certifiers
- d) standards are a tool for using the Precautionary Principle (excluding the known and suspected toxins from use)

Gibson (2009) then sets the stage for linking standards and life values when she describes certification as a tool:

Some would say this tool is for meeting consumer demand for identity preservation and environmental services in their food production. Others would

say certification is a tool, along with the standards and their founding principles, for building a more environmentally and socially responsible food system (p. 1).

In this way, organic standards can be understood as private agri-food standards that were developed to protect threatened life support systems, such as water, soil, climate, and food systems. This understanding has been challenged, ironically, by the very success of organic agriculture itself, which has drawn the attention of large corporate players. The organic price premium, combined with increasing consumer demand, has made organics ripe for co-optation by money values, reinforced by attempts to water down organic standards in certain parts of the world. For example, in the United States, “there [has been] tremendous political pressure to keep standards as simple and perhaps as weak as possible” (Guthman, 1998, p. 145).

The co-optation of organic standards represents a classic illustration of the ongoing struggle between life values and money values in the development of standards. Driven by the withdrawal of the state from the support of sustainable agriculture, organic farmers incorporated their life values into private agri-food standards. These values promoted the health and welfare of people, animals, communities, and the environment (Howard, 1943). This original private certification was developed by “a generation of organic growers [who] entered into organic production because of deeply held political, environmental, philosophical and/or spiritual values” (Guthman, 2004b, p. 23). As Fromartz (2006) has noted, the attraction of organics was not nostalgia for a simpler time, but rather a refusal to sacrifice all other values to the singular push for yield and profit. Over time, however, the push for yield and profit began to be felt in the very sector that was created to overcome the narrow pursuit of money values, not only in the creation of national standards, but also in the maintenance of those standards. “Bilateral and multilateral trade arrangements, national and state laws, FAO/WHO Codex Alimentarius organic food labelling standards, and corporate concentration, mergers, and buyouts are daily influences and pressures on the organics value system” (Sligh, 2002, p. 279).

These influences and pressures illuminate the struggle between life values and money values. On the one hand, the traditional organic movement viewed organics as a means to sustain the values that motivated the movement, including family farming for a local foodshed and robust rural communities. For these people, divorcing their practices from their values is like severing the actions from the reasons for the actions, or the body from the head, as noted by earlier analysts reviewed by Guthman (2004c). On the other hand, the excision of traditional organic values from organic standards in the US was a necessary prerequisite to bringing organics into the corporate fold. According to DeLind (2000), the more organics was integrated into US agricultural policy, the more it was threatened by the disintegration of its founding principles. The chronic pressure to co-opt organic standards highlights the threat of overwhelming the life values promoted by the organic pioneers with the money values espoused by the increasingly neoliberal state and the market, so much so that Guthman (2004b) concluded that US organic agriculture had become what it set out to oppose, echoed by Rigby and Bown’s

(2007) quote of Roger Blobaum, who argued that “organic is becoming what we hoped it would be an alternative to” (p. 81)—corporate agriculture that promotes money values above life values.

Fair trade standards

Another form of certification associated with private agri-food standards is fair trade—a program that emerged in the 1960s to ensure that producers were treated fairly in the market. Based on the guarantee of fair pricing, not market pricing, fair trade can be understood as a trading partnership, based on dialogue, transparency, and respect that seeks better trading conditions for, and securing the rights of, marginalized producers and workers, especially in the South (EFTA, 2001). As an alternative market system, its objective is to correct the historically unfair trading relations between the global North and South and to create closer linkages between producers and consumers (Jaffee, Kloppenburg & Monroy, 2004). In short, fair trade focuses on the production and marketing conditions of small peasant producers with whom it has a relationship and who meet registration criteria (Renard, 2003). Operating both “in, as well as against, the market” (Raynolds 2002, p. 419), fair trade is seen as not just a theoretical choice but also a working alternative (Ransom 2001).

Unlike conventional market transactions, fair trade standards promote social and environmental goals, as well as economic ones. For example,

Generalizing across commodities, at a minimum, fair trade standards are enacted by a price premium, a guaranteed price floor, long-term trading contracts, easier access to credit, and shorter supply chains. In turn, the cooperatives growing these products must be democratically organized and utilize the fair trade premium for the benefit of members. Also, producers commit themselves to improving the environmental conditions of production by reducing or avoiding pesticide use (Goodman, 2004, p. 897).

According to Fairtrade Canada (2011), standards were developed to clearly define the obligations for producers and businesses who buy from them in order for a product to be called Fairtrade certified, and a rigorous third-party monitoring system was implemented to ensure standards were being met. In addition, a label was created that would appear on products that had been independently Fairtrade certified. These accomplishments illustrate the growing influence of the fair trade movement, made up of producers, consumers and NGOs.

Fair trade standards can be understood as private agri-food standards based in life values that protect threatened life support systems, such as farming, rural communities, and food systems. Similar to organic standards, however, the struggle for “regulatory capture” by money values is unrelenting on a number of fronts. First, less stringent and/or more vague, private labels such as Rainforest Alliance have sprung up to attract the customers and the price premiums associated with fair trade. Second, large coffee retailers have also attempted to attract the benefits of fair trade without paying the real costs. For example, Canadian coffee retailer Tim

Hortons (2012) mentions fair trade in its online FAQs, posing the question, “What is Tim Hortons approach to Fair Trade Coffee?” Its response, “coffee partnership,” has little to do with the rules and oversight associated with fair trade, but its logo mimics the fair trade logo. Third, although fair trade mandates that only coffee co-operatives composed of small farmers be certified, corporations like Starbucks have long pushed for this rule to be eliminated so they can expand their fair trade certification while working with their traditional coffee suppliers—giant landowners in the South (Fridell, 2011; McMurtry, 2014). Fourth, although campaigns to persuade large multinationals to sign onto fair trade have been relatively successful (including Wal-Mart, McDonalds, Dunkin’ Donuts and Nestle), Fridell (2011, np) points out that

this victory, however, comes with a paradox as corporations and their spin-doctors increasingly use fair trade certification as part of their multi-million dollar public relations campaigns to mask their broader agenda to the “free trade” policies that fair traders and their global justice allies have long fought against.

Fifth, there has also been an attempt to undermine the fair trade movement from within. Transfair USA has long insisted that fair trade change its standards to match the demands of new corporate partners (Fridell, 2011). When this did not occur, Transfair USA split from the international umbrella organization, Fairtrade International, in 2011 so it would not have to restrict itself to buying from small farmer co-operatives, but could also buy from large plantations. Renaming itself Fair Trade USA, the organization “seeks to move beyond the U.S. market and become a global certification body, essentially converting itself into a corporate-friendly alternative to traditional fair trade certification” (Fridell, 2011). Overall, the decision by Fair Trade USA to separate and extend their scope to include plantations and factories will have “long-term and far-reaching consequences for the Fair Trade Movement” (WFTO, 2011).

Local Food Plus

Local Food Plus (LFP) is a non-profit, non-governmental organization incorporated in 2005 in Toronto, Ontario, that certifies food as local and sustainable. LFP defines local food as products that have been produced, processed, and distributed within the province in which they are consumed (LFP 2011). Beginning as a regional label, it originally promoted public institutional purchases as a means to bring regional products into markets in the province of Ontario (Friedmann & McNair, 2008). Part of the local food movement, LFP is committed to creating local sustainable food systems that reduce reliance on fossil fuels, create meaningful jobs, and foster the preservation of farmland—and farmers (LFP, 2011). LFP not only lays out a set of standards for sustainable agricultural practices, but also focuses on the “local” aspect of sustainable production (Louden & MacRae, 2010). In other words, its uniqueness lies in bundling local and sustainable together.

On its website, LFP (2011) announces that it recognizes the need for a community economic development and job creation strategy, the importance of reducing greenhouse gas

emissions, and the benefits of a food system that supports positive change for all stakeholders—so it has developed standards that put these economic, environmental, and social issues at the forefront. The LFP system addresses production, labour, native habitat preservation, animal welfare, and on-farm energy use, and uses these standards to open new higher-value markets for farmers and processors. At present, it sees itself as the only organization in Canada developing supply chains and other infrastructure to link small and medium-sized producers with purchasers of all sizes to create food system change.

Unlike the application of organic standards, where producers have to meet the requirements of a set of fixed standards in order to be certified, LFP is not an inflexible form of certification. Instead, it has developed a collaborative, problem-solving relationship between producers and certifiers (Friedmann & McNair, 2008). In essence, LFP has created a points-based system that carries the potential for continuous improvement as producers adopt increasing numbers of the practices that generate points, which Friedmann (2007) argues helps farmers and corporations to progressively scale up local supply chains for sustainably grown products. In this way, LFP seeks to make it easy to raise standards of sustainability, not only in terms of proximity, but also in five other areas: sustainable agronomy, labour standards, wildlife management, energy, and animal welfare (Friedmann & McNair, 2008).

Like organic standards and fair trade standards, Local Food Plus standards can be understood as private agri-food standards that protect threatened life support systems, such as farming, energy, livelihood, and food systems. Unlike organic standards and fair trade standards, which have faced many challenges over the last half century, Local Food Plus standards were only developed in 2005. They have not had time to become a direct target in the struggle between the life code of value and the money code of value, but a few salvos have been launched by large food corporations trying to attract consumers with food that is local, but not sustainable. For example, Wal-Mart intends to buy more local produce as part of its so-called sustainability plan. As the world's largest grocer, it defines local produce as that grown and sold in the same state, and aims to double the percentage of locally grown produce it sells to nine percent in the US and thirty percent in Canada (increasing to 100 percent when local produce is available) (Clifford, 2010). Driven by the money code of value, the decision to carry local produce does not support the local economy, as profits return to company headquarters in Arkansas, and suppliers (including farmers) are squeezed so tightly on price that many are “forced into bankruptcy” (Freeman, 2003). Nor does Wal-Mart support labour standards—Goetz and Swaminathan (2004) have noted that media attention has focused on questionable labour practices, low wages and lack of benefits. If Wal-Mart is any indication of the challenges to come, the range of life values that underwrite Local Food Plus standards may be trampled in the rush to attract the profits that interest in local food can generate.¹

¹ Recently, Local Food Plus has had to scale back and run a minimal operation because of the difficulties funding this model.

Standards as a commons

Private agri-food standards have emerged as powerful forms of governance that create expectations, drive behaviour, and discipline players in the market. As the three cases indicate, the governance provided by private agri-food standards does not necessarily promote the accumulation of wealth for a small minority. It can also promote the accumulation of wealth for the large majority through systems of rule designed to build common wealth. In this way, the three cases also point to an emerging opportunity in terms of life-protective governance—standards as a commons. Modern conceptions of the commons speak to its importance as a template for transformation (Bollier, 2014), a source of hope for those who want to imagine a world beyond capitalism (Swift 2014), and a means of organizing and governing society that bridges the culture/nature divide (Menzies, 2014). Another approach involves the refinement of the commons into a term that both emphasizes the role human agency and defines a society's true level of life evolution: the civil commons (McMurtry, 2013). Conceptualizing standards as a commons allows us to see them in a new way—as part of a suite of life-protective mechanisms that can contribute to the transition to a more sustainable world.

Bain (2010) has observed that “standards are neither impartial nor value free” (p. 366). These three cases not only confirm her observation, but also illustrate that standards do not have to be driven by the money code of value—they can also be driven by the life code of value. The vehicle for the life code of value is the civil commons, which describes any co-operative human construct that enables the access of all members of a community to life goods (McMurtry, 1998). Based in the life code of value, the civil commons is co-operative, not competitive, in its mode of engagement. It is a human construct, not a naturally occurring phenomenon, and so must be built by human agency. It enables universal access, not paid access, and it provides life goods, or means of life, such as nutritious food, clean water, adequate shelter, education, healthcare, open spaces, and a safe workplace. In essence, the civil commons is “society's organized and community-funded capacity of universally accessible resources to provide for the life preservation and growth of society's members and their environmental life-host” (p. 24). In opposition to the money values embedded in neoliberalism, not one civil commons institution or practice is developed or financed to generate money profit for private investors (McMurtry, 2001).

Examples of the civil commons surround us every day: public education, universal healthcare, national parks, environmental legislation, health and safety regulations, women's rights, and public airwaves—all co-operative human constructs that protect and/or enable universal access to life goods. In the words of Noonan (2011), such civil commons institutions are “governed by the goal of universal provision and protection of life-requirements and life-standards” (p. 7). This co-operative, life-protective form of governance differs fundamentally from the competitive, life-destructive forms of governance associated with the money code of value.

Standards based in the life code of value can also be examples of the civil commons. As co-operative constructs co-ordinated by human agency, standards can provide universal access to a range of life goods, including safe workplaces, clean drinking water, and a stable climate. Private agri-food standards are no exception. If they are based in life values, they can provide universal access to such life goods as healthy environments, just livelihoods and sustainable food systems, as the three cases illustrate. Life-coherent private agri-food standards may follow the shift from government to governance, but they represent governance for more than just the elite who are shareholders or senior management in global food corporations. In essence, they represent an alternative mode of governance that benefits the large majority by building public wealth through the provision of life goods for everyone.

Framing standards in terms of the civil commons allows them to leverage the two defining functions of the civil commons: the preventative function and the enabling function (McMurtry, 2013). In the first function, the civil commons evolves a framework of law and regulatory protection for both human and environmental life, such as laws that prevent polluting the environment or violating labour rights. In the second function, the civil commons provides goods that directly enable human life to flourish, such as universal education or healthcare. Conceptualizing some standards as a form of the civil commons acknowledges their preventative and enabling functions, both of which can contribute to developing a more sustainable food system (Sumner, 2012).

Understanding standards as a form of the civil commons not only confirms DuPuis and Gillon's (2009) conclusion that "alternative modes of governance are designed to disrupt dominant economies through new forms of economic interactions and new actors" (p. 54), but also amplifies this finding by adding a values component—new forms of economic interactions (e.g., fair trade), new actors (e.g., social movements) and new values (e.g., life values). In addition, it complements and broadens the work of Schoechle (2009) and his understanding that the commons has historically been associated with standardization. In words that echo McMurtry's (1998) work, he argues that "standardization is basically a cooperative enterprise directed at the creation of a public good or a commons" (p. 27). This cooperative spirit of the commons can be found in the development of the standards associated with organics, fair trade and Local Food Plus. The competitive drive for private enrichment associated with the formation of other standards such as GlobalGAP can be seen as an enclosure of the commons and its life-protective qualities. Such enclosure has always threatened the commons, and is predictably at the heart of the problems these three cases face.

At their best, organics, fair trade, and Local Food Plus standards can all be seen as examples of the civil commons. Organics provides universal access to the life goods of vital soil and a clean environment. Fair trade provides universal access to the life goods of a just livelihood and a sustainable community. And Local Food Plus provides universal access to the life good of a sustainable food system. But the problems the three cases have experienced, and continue to experience, serve to highlight the difficulties facing all standards oriented to the life protective qualities of the civil commons. The chronic pressure to water down organic standards,

the inclusion of huge, multinationally owned, non-organic coffee plantations in fair trade standards (McMurtry, 2014), and the bypassing of Local Food Plus standards by large corporations focussing on local, but not sustainable, food all testify to the modern enclosure of commons opportunities and the stifling of a more sustainable food system.

Conclusion

Keeping in mind that the commons can be understood as a source of well-being that we all share (Rowe, 2002), this article has introduced the money code of value and the life code of value to interpret three cases—organics, fair trade and Local Food Plus—with the aim of informing discussion regarding the emergence of private agri-food standards as a form of life-protective governance for a more sustainable food system. In particular, it has developed the idea of standards as a commons—an alternative form of governance that challenges neoliberalism. The analysis points to a number of issues crucial to the question of standards as a commons.

To begin with, the three cases highlight the fact that private and public agri-food standards can have both negative and positive connotations. Born and Purcell (2006) put forward an analogous argument when they contend that local is not necessarily sustainable and global is not necessarily unsustainable—it depends on the agenda of those who are empowered by the scalar strategy. In terms of standards, it depends on the agenda of those empowered by the ownership strategy—private or public—and that agenda can be driven by the money code of value or the life code of value. If the agenda of private agri-food standards is driven by the money code of value, then the standards developed will promote a mode of governance that has the potential to have serious negative consequences for the environmental, social, and economic aspects of life for the vast majority. As Konefal et al. (2005) note, “the development of private standards for such things as food safety and quality are not necessarily driven by concerns for what is best for the public” (p. 298). But if the agenda of private agri-food standards is driven by the life code of value, then the standards developed will have the potential to produce the far-reaching positive environmental, social and economic benefits associated with the civil commons.

Standards are always contested, and private agri-food standards are no exception. Hatanaka (2010) hints at some of the hegemonic struggles associated with the development of standards when she contends that

Forms of rule-based scientific governance, such as TPC [third-party certification] separate the governance for food and agriculture from their production and consumption. The outcome is potentially a political, yet undemocratic, form of food and agricultural governance where science functions to mask politics (p. 141).

Hatanaka’s contention brings to mind Lipson’s (1981) observation that politics is the process in which a community confronts a series of great issues and chooses between opposing values.

Values are an integral part of any standards development, and the foregrounding of codes of value in this article bring this basic understanding to light. On a related note, when the governance for food and agriculture is separated from their production and consumption, it runs the risk of becoming less transparent. This can be true for both public and private standards development. Governance based on the money code of value lowers the veil over systems of rule to avoid scrutiny of the benefits that accrue to the small minority to the detriment of the large majority—also known as the “99 percent” (Weinstein 2011).

The commons supports the 99 percent and threats of enclosure have always spelled catastrophe for the majority of people. The modern enclosure of the civil commons harms us all, preventing access to life-giving resources that maintain or increase our well-being. According to Monbiot (1998, p. 362), “For human beings, as for the biosphere, the tragedy of the commons is not the tragedy of their existence but the tragedy of their disappearance.”

One of the routes to enclosure is co-optation, so meticulously outlined by Jaffee and Howard (2010). These authors offer some guidelines for the development and maintenance of standards as a commons. First, include a plan for growth management, tempering growth with life values. This is particularly applicable to Local Food Plus, as it experiences funding problems. Second, design explicit barriers that prevent the entry of big players so that the life code of value does not get overwhelmed by the money code of value, particularly in light of what we have learned about the expansion of organics. Third, pay heed to the initial design and structure of certification bodies, especially if LFP intends to scale up in the future. Fourth, keep in mind that the locus of standard setting also matters, especially considering that many forms of the civil commons have historically rested within the purview of the state. But as the cases of organics and fair trade illustrate, neither public nor private standards automatically guarantee life-protective governance for the vast majority. Regardless of the chosen locus, only the life code of value will achieve this end. And fifth, investigate the potential role of the citizen-consumer. Both boycotts and buycotts have been successful in the past—could consumers rally around standards like they have rallied around the products associated with standards?

This article has demonstrated that private agri-food standards can be a form of life-protective governance if they are based in life values. It has shown that the values behind the original organic standards, fair trade standards, and Local Food Plus standards protect and/or enable universal access to such life goods as a healthy environment, a just livelihood and sustainably produced food. The development of these private agri-food standards followed the shift from government to governance, but they enacted governance for more than just the elite who are shareholders or senior management in global food corporations. In their purest form, these standards are a commons—an alternative mode of life-protective governance that benefits the large majority by building public wealth in the form of a more sustainable food system.

References

- Agriculture and Agri-Food Canada. (2011). Success story - CanadaGAP program. Published online: <http://www4.agr.gc.ca/AAFC-AAC/display-afficher.do?id=1311354017598&lang=eng>,
- Bain, C. (2010). Structuring the flexible and feminized labor market: GlobalGAP standards for agricultural labor in Chile. *Signs: Journal of Women in Culture and Society*, 35(2), 343-367.
- Bain, C., Ransom, E. & Higgins, V. (2013). Private agri-food standards: Contestation, hybridity and the politics of standards. *International Journal of the Sociology of Agriculture and Food*, 20(1), 1-10.
- Bollier, D. (2014). The commons as a template for transformation. Great Transition Initiative. Published online: www.greattransition.org
- Born, B. & Purcell, M. (2006). Avoiding the local trap: scale and food systems in planning research. *Journal of Planning Education and Research*, 26(2), 195-207.
- Busch, L. (2011). *Standards: Recipes for reality*. Cambridge, Massachusetts: The MIT Press.
- Clifford, S. (2010). Wal-Mart to buy more local produce. *The New York Times*. Published online: <http://www.nytimes.com/2010/10/15/business/15walmart.html>, accessed 20 June 2012.
- DeLind, L. B. (2000). Transforming organic agriculture into industrial organic products: reconsidering national organic standards. *Human Organization*, 59(2), 198-208.
- Driscoll, E.A. (2012). *Neoliberal policy in action: A critical analysis of the global food safety initiative and food safety governance*. Unpublished Master's thesis, University of Toronto.
- DuPuis, E. M. & Gillon, S. (2009). Alternative modes of governance: Organic as civil engagement. *Agriculture and Human Values*, 26, 43-56.
- EFTA (European Fair Trade Association). (2001). *Fair Trade in Europe 2001*. Maastricht: European Fair Trade Association.
- Fairtrade Canada. (2011). Fairtrade Certification. Published online <http://fairtrade.ca/en/about-fairtrade/fairtrade-certification>, accessed 31 August 2011.
- Freeman, R. (2003). Wal-Mart "eats" more U.S. manufacturers. *Executive Intelligence Review*. Published online: http://www.larouchepub.com/other/2003/3046walmart_pricing.html, accessed 20 June 2012.

- Fridell, G. (2011). Corporations occupy fair trade. Published online <http://www.globalresearch.ca/PrintArticle.php?articleId=27520>, accessed 19 June 2012.
- Friedmann, H. (2007). Scaling up: Bringing public institutions and food service corporations into the project for a local sustainable food system in Ontario. *Agriculture and Human Values*, 24, 389-398.
- Friedmann, H. & McNair, A. (2008). Whose rules rule? Contested projects to certify “local production for distant consumers”. *Journal of Agrarian Change*, 8(2 & 3), 408-434.
- Fromartz, S. (2006). *Organic, INC.: Natural foods and how they grew*. Orlando, Florida: Harcourt, Inc.
- Gibson, J. G. (2009). The seven principles of the Canadian organic standards. Organic Agriculture Centre of Canada. Published online http://www.organiccentre.ca/NewspaperArticles/na_standards_jg.asp, accessed 25 August 2011.
- Giovannucci, D. & Reardon, T., (2000). Understanding grades and standards and how to apply them. In: *The Guide to Developing Agricultural Markets and Agro-enterprises*. Published online: <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTARD/0,,contentMDK:20441034~pagePK:210058~piPK:210062~theSitePK:336682,00.html>
- Goetz, S.J. & Swaminathan, H. (2004.) Wal-Mart and rural poverty. Paper presented at the American Agricultural Economics Association Annual Meeting, Denver, Colorado, August 1-3.
- Goodman, M.K. (2004). Reading fair trade: Political ecological imaginary and the moral economy of fair trade foods. *Political Geography*, 23, 891-915.
- Gramsci, A. (1971). *Selections from the prison notebooks of Antonio Gramsci*, Q. Hoare and G. Nowell Smith (Eds.). New York: International Publishers.
- Guthman, J. (1998). Regulating meaning, appropriating nature: The codification of California organic agriculture. *Antipode*, 30(2), 135-154.
- Guthman, J. (2004a). Back to the land: the paradox of organic food standards. *Environment and Planning A*, 36, 511-528.
- Guthman, J. (2004b). The trouble with “organic lite” in California: A rejoinder to the “conventionalisation” debate. *Sociologia Ruralis*, 44, 301-316.
- Guthman, J. (2004c). *Agrarian dreams: The paradox of organic farming in California*. Berkeley: University of California Press.
- Guthman, J. (2008). Neoliberalism and the making of food politics in California. *Geoforum*, 39, 1171-1183.

- Harvey, D. (1989). From managerialism to entrepreneurialism: The transformation in urban governance in late capitalism. *Geografiska Annaler*, 71B(1), 3-17.
- Harvey, D. (2006). Neo-liberalism as creative destruction. *Geografiska Annaler*, 88B(2), 145-158.
- Harvey, D. (2011). Feral capitalism hits the streets. Published online: <http://davidharvey.org/2011/08/feral-capitalism-hits-the-streets>, accessed 17 August 2011
- Hatanaka, M., Bain, C. & Busch, L. (2005). Third-party certification in the global agrifood system. *Food Policy*, 30, 354-369.
- Hatanaka, M. (2010). Assessing rule-based governance mechanisms in an era of scientism. *Journal of Rural Social Sciences*, 25(3), 141-159.
- Henson, S. & Reardon, T. (2005). Private agri-food standards: Implications for food policy and the agri-food system. *Food Policy*, 30, 241-253.
- Howard, Sir A. (1943). *An agricultural testament*. New York: Oxford University Press.
- Hudson, I. & Hudson, M. (2003). Removing the veil?: commodity fetishism, fair trade, and the environment. *Organization and Environment*, 16(4), 413-430.
- Jaffee, D. & Howard, P. (2009). Corporate cooptation of organic and fair trade standards. *Agriculture and Human Values*, 27, 387-399.
- Jaffee, D., Kloppenburg, J. R. Jr., & Monroy, M. B. (2004). Bringing the "moral charge" home: fair trade within the North and within the South. *Rural Sociology*, 69(2), 169-196.
- Konefal, J., Mascarenhas, M. & Hatanaka, M. (2005). Governance in the global agro-food system: Backlighting the role of transnational supermarket chains. *Agriculture and Human Values*, 22, 291-301.
- Kooiman, J. (1993). Social-political governance: Introduction. In J. Kooiman (Ed.), *Modern governance: New government-society interactions*, London: Sage Publications, pp. 1-6.
- LFP (Local Food Plus). (2011). LFP in a (Certified, Local, Sustainable) Nutshell. Published online: <http://www.localfoodplus.ca/about>, accessed October 27, 2011.
- Lipson, L. (1981). *The great issues of politics*. Englewood Cliffs, New Jersey: Prentice-Hall, Inc.
- Lockie, S., McNaughton, A., Thompson, L.-J. & Tennent, R. (2013). Private food standards as responsive regulation: the role of national legislation in the implementation and evolution of GLOBALG.A.P. *International Journal of Sociology of Agriculture and Food*, 20, 275-291.

- Louden, F.N. & MacRae, R.J. (2010). Federal regulation of local and sustainable food claims in Canada: A case study of Local Food Plus. *Agriculture and Human Values*, 27, 177-188.
- McMurtry, J. (1998). *Unequal freedoms: the global market as an ethical system*. Toronto: Garamond.
- McMurtry, J. (2001). The life-ground, the civil commons and the corporate male gang. *Canadian Journal of Development Studies*, XXII, Special Issue: Gender, Feminism and the Civil Commons, 819-854.
- McMurtry, J. (2002). *Value wars: the global market versus the life economy*. London: Pluto Press.
- McMurtry, J. (2013). *The cancer stage of capitalism: from crisis to cure*. London: Pluto Press.
- McMurtry, J.J. (2014). The political economy of procurement. *Canadian Public Policy*, 40, XL Supplement 1, S26-S38.
- Menzies, H. (2014). Commons of the past inspiring model for today's progressives. *CCPA Monitor*, 20(10), 1, 6).
- Monbiot, G. (1998). The Tragedy of enclosure. In D. VanDeVeer & C. Pierce (Eds.), *The environmental ethics and policy book: philosophy, ecology, economics*. Toronto: Wadsworth Publishing Company.
- Nadvi, K. & Wältring, F. (2002). Making sense of global standards. INEF Report 58/2002. INEF-University of Duisberg, Duisberg.
- Nelson, E, Gómez Tovar, L., Schwentesius Rindermann, R. & Cruz, M.A.G. (2010). Participatory organic certification in Mexico: an alternative approach to maintaining the integrity of the organic label. *Agriculture and Human Values*, 27(2), 227-237.
- Noonan, J. (2011). Life value and social justice. *Studies in Social Justice*, 5(1), 1-10.
- Ransom, D. (2001). *The no-nonsense guide to fair trade*. Toronto: New Internationalist and Between the Lines.
- Raynolds, L. T. (2002). Consumer/producer links in fair trade coffee networks. *Sociologia Ruralis*, 42(4), 404-424.
- Renard, M.-C. (2003). Fair trade: Quality, market and conventions. *Journal of Rural Studies*, 19, 87-96.
- Rigby, D. & S. Bown. (2007). Whatever happened to organic?: Food, nature and the market for "sustainable" food. *Capitalism Nature Socialism* 18(3), 81-102.

Roberts, W. (2013). *The no-nonsense guide to world food*. Toronto: New Internationalist and Between the Lines.

Rowe, J. (2002). The Promise of the commons. *Earth Island Journal*, Autumn, 28-30.

Rundgren, G. (2003). History of organic certification and regulation. In C. Westermayer and B. Equivalence. International Federation of Organic Agriculture Movements (IFOAM)/Food and Agriculture Organization of the United Nations (FAO)/United Nations Conference on Trade and Development (UNCTAD). Published online: http://www.unctad.org/trade_env/itf-organic/publications/HarmonizationBookwithoutcover.pdf, accessed 28 August 2011.

Schoechle, T. (2009). Standardization and digital enclosure: The privatization of standards, knowledge, and policy in the age of global information technology. Published online: http://www.cui-zy.cn/Recommended/Linux/Standardization_and_Digital_Enclosure_The_Privatization_of_Standards_Knowledge_and_Policy_in_the_Age_of_Global_Information_Technology_Advances_in_.pdf, accessed 1 March 2012.

Shiva, V. (1997). Economic globalization, ecological feminism, and sustainable development. *Canadian Woman Studies*, 17(2), 22-27.

Sligh, M. (2002). Organics at the crossroads: The past and the future of the organic movement. In A. Kimbrel (Ed.), *The fatal harvest reader: the tragedy of industrial agriculture* (pp. 272-282). Sausalito, California: Foundation for Deep Ecology/Island Press.

Stoker, G. (1998). Governance as theory: Five propositions. *International Social Science Journal*, 50(155), 17-28.

Sumner, J. (2007). *Sustainability and the civil commons: Rural communities in the age of globalization*. Toronto: University of Toronto Press.

Sumner, J. (2012). Conceptualizing sustainable food systems. In M. Koç, J. Sumner & A. Winson (Eds.), *Critical perspectives in food studies* (pp. 326-336). Toronto: Oxford University Press.

Swift, R. (2014). The commons as a fount of hope. *The Bullet*, 1006. Published online: <http://www.socialistproject.ca/bullet/1006.php>

Taylor, A. (2002). Governance. In G. Blakeley and V. Bryson. (Eds.), *Contemporary political concepts: a critical introduction* (pp. 35-53). London: Pluto Press.

Tim Hortons. (2012). Frequently asked questions. Published online: <http://www.timhortons.com/ca/en/about/faq.html>, accessed 19 June 2012.

- Turner, K. (2011). Standards: The screw that changed the world. Ideas. Canadian Broadcasting Corporation. Published online: <http://www.cbc.ca/ideas/episodes/2011/10/17/the-screw-that-changed-the-world>, accessed 18 October 2011.
- Weinstein, A. (2011). “We are the 99 percent” creators revealed. *Mother Jones*, Friday October 7. Published online: <http://www.motherjones.com/politics/2011/10/we-are-the-99-percent-creators>, accessed June 27, 2012.
- Weis, T. (2012). A political ecology approach to industrial food production. In M. Koc, J. Sumner & A. Winson (Eds.), *Critical perspectives in food studies* (pp. 104-121). Toronto: Oxford University Press.
- WFTO (World Fair Trade Organization). (2011). WFTO response to Fair Trade USA—FLO split. Published online http://www.wfto.com/index.php?option=com_content&task=view&id=1575&Itemid=305, accessed 19 June 2012.
- Winson, A. (2013). *The industrial diet: The degradation of food and the struggle for healthy eating*. Vancouver: UBC Press.