The Commons as paradigm beyond state and market

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People called commons those parts of the environment for which customary law exacted specific forms of community respect. People called commons that part of the environment which lay beyond their own thresholds and outside of their own possessions, to which, however, they had recognized claims of usage, not to produce commodities but to provide for the subsistence of their households.

Ivan Illich [1]

Introduction

In their book *The Economic Order & Religion (1945)* Frank H. Knight and Thomas H. Merriam argue that *social life in a large group with thoroughgoing ownership in common is impossible*.[2] William F. Lloyd and later Garret Hardin, in the same spirit, promoted the neo-malthusian[3] term "Tragedy of the commons"[4] arguing that individuals acting independently and rationally according to their self-interest behave contrary to the best interests of the whole group by depleting some common-pool resource. Since then, the thesis that people are incapable of managing collectively, without control and supervision by institutions and authorities separated from the society, have succesfuly infiltrated the social imaginary.

Even for big sections of the Left the resource management in common is being viewed as utopian and therefore they prefer to leave it for the distant future, lingering instead today between variations of private and statist forms of property[5]. Thus is being maintained the dilemma private-state management of common-pool resources which leads to the marginalization of other alternative forms.

But great many voices, trying to break with this dipole, were always present and currently growing in numbers. For the autonomists Michael Hardt and Antonio Negri this is a false dilemma. According to them[6] *the seemingly exclusive alternative between the private and the public corresponds to an equally pernicious political alternative between capitalism and socialism. It is often assumed that the only cure for the ills of capitalist society is public regulation and Keynesian and/or socialist economic management; and, conversely, socialist maladies are presumed to be treatable only by private property and capitalist control. Socialism and capitalism, however, even though they have at times been mingled together and at others occasioned bitter conflicts, are both regimes of property that excluded the common. The political project of instituting the common … cuts diagonally across these false alternatives.*

The falsity of the dilemma state-private can also be seen from the symbiotic-like relationship between the two supposedly "alternatives". Author and activist David Bollier points at the historic partnership between the two[7]. According to him, the markets have benefited from state's provisioning of infrastructure and oversight of investment and market activity, as well as state's providing of free and discounted access to public forests, minerals, airwaves, research and other public resources. On the other hand, the state depends upon markets as a vital source of tax revenue and jobs for people – and as a way to avoid dealing with inequalities of wealth and social opportunity, two politically explosive challenges.

At first sight it seems like we are left without an real option, since the two "alternatives" we are being told "from above" that are possible, are pretty much leading to the same degree of enclosure as we saw earlier, from which beneficiaries are tiny elites. But during the last years the paradigm of the "commons" emerged from the grassroots as a

powerful and practicle solution to the contemporary crisis and a step beyond the dominant dilemma. This alternative is emerging as a third way, since it goes beyond the state and the "free" market and has been tested in practice by communities from the past and the present.

The logic of the commons

The logic of the commons goes beyond the ontology of the nation-state and the "free" market. In a sense it presupposes that we live in a common world that can be shared by all of society without some bureaucratic or market mechanisms to enclose it. Thus, with no enclosure exercised by external managers (competing with society and between each other), the resources stop being scarce since there is no more interest in their quick depletion. Ivan Illich notes that *when people spoke about commons, iriai, they designated an aspect of the environment that was limited, that was necessary for the community's survival, that was necessary for different groups in different ways, but which, in a strictly economic sense, was not perceived as scarce.*[8] The logic of the commons is ever evolving and rejects the bureaucratization of rights and essences, though it includes forms of communal self-control and individual self-limitation. Because of this it manages to synthesize the *social* with the *individual*.

The commons can be found all around the world in different forms: from indigenous communities resisting the cutting of rainforests and Indian farmers fighting GMO crops to open source software and movements for digital rights over the internet. Main characteristics that are being found in each one of them are the direct-democratic procedures of their management, the open design and manufacturing, accessibility, constant evolvement etc.

The commons have their roots deep in the antiquity but through constant renewal are exploding nowadays, adding to the indigenous communal agricultural practices new 'solidarity

economic’ forms as well as high-tech FabLabs, alternative currencies and many more. The absence of strict ideological frame enhances this constant evolvement.

The logic of the commons is deeply rooted in the experience of Ancient Athens. The greek-french philosopher Cornelius Castoriadis describes it as a period, during which a free public space appeared[9]. Castoriadis depicts it as *a political domain which ‘belongs to all’ (τα κοινα* – the commons in Greek*).* The ‘public’ ceased to be a ‘private’ affair – i.e. an affair of the king, the priests, the bureaucracy, the politicians, or/and the experts. Instead decisions on common affairs had to be made by the community.

The logic of the commons, according to the anthropologist Harry Walker[10], could also be found in the communities of Peruvian-Amazonia, for whom the most desirable goods were not viewed as rival goods in contrast with modern economics which assume that if goods are enjoyed by one person can’t be enjoyed by another. The Peruvian-amazonian culture was focused on sharing, on the enjoyment of what can be shared rather than privately consumed.

The swiss villages are a classic example for sustainable commoning. Light on this is being shed by Elinor Ostrom and her field research in one of them[11]. In the swiss village in question local farmers tend private plots for crops but share a communal meadow for herd grazing. Ostrom discovered that in this case an eventual tragedy of the commons (hypothetical overgrazing) is being prevented by villagers reaching to a common agreement that one is allowed to graze as much cattle as they can take care for during the winter. And this practice dates back to 1517. Other practicle and sustainable examples of effective communal management of commons Ostrom discovered in the US, Guatemala, Kenya, Turkey, Nepal and elsewhere.

Elinor Ostrom visited Nepal in 1988 to research the many farmer-governed irrigation systems[12]. The management of

these systems was done through annual assemblies between local farmers and informally on a regular basis. Thus agreements for using the system, its monitoring and sanctions for transgression were all done on grassroots level. Ostrom noticed that farmer-governed irrigation systems were more likely to produce not in favor of markets, but for the needs of local communities: they grow more rice and distribute water more equitably. She concluded that althou the systems in question vary in performance, few of them perform as poorly as the ones provided and managed by the state.

One of the brightest contemporary examples for reclaiming the commons is the Zapatista movement. It revolted in 1994 against the NAFTA agreement that was seeking the complete enclosure of common-pool resources and goods, vital for the livelihood of indigenous communities. Through the Zapatista uprising the locals reclaimed back their land and resources, and successfully manage them through participatory system based on direct democracy for more than 20 years.

The digital commons, on the other hand, include wikis, such as Wikipedia, open licensing organizations, such as the Creative Commons and many others. The social movement researcher Mayo Fuster Morell defines them as "*information and knowledge resources that are collectively created and owned or shared between or among a community and that tend to be non-exclusivedible, that is, be (generally freely) available to third parties. Thus, they are oriented to favor use and reuse, rather than to exchange as a commodity. Additionally, the community of people building them can intervene in the governing of their interaction processes and of their shared resources.*" [13]

In other words, the logic of the commons is the strive towards inclusiveness and collective access to resources, knowledge and other sources of collective wealth, which necessarily requires the creation of anthropological type of socially active and devoted stewards of these commons. This means

radical break with the dominant nowadays imaginary of economism, which views all human beings simply as rational materialists, always striving at maximizing their utilitarian self-interest. Instead it implies radical self-instituting of society which to allow its citizens directly to manage their own commons.

The commons as model for the future

A main characteristic shared between the different cases of commons is the grassroots interactivity. The broad acessability of such resources and their ownership being held in common by society, presupposes that their management is done by society itself. Thus a state involvement is incompatible with such a broad popular self-management, since statist forms are implaying the establishment of bureaucratic managerial layers separated from society. That is, the commons go beyond (and often even detrimential to) the various projects for nationalization.

The same goes for the constant neoliberal efforts of enclosing what’s still not privatized, against which during the last couple of years social movements across the globe rose up, and their alternative proposals included in one form or another a wide project of direct democracy. It inevitably includes every sphere of social life, and that goes for the commons as well.

A holistic alternative to the contemporary system, that incorporates the project of direct democracy and the commons, can be drawn from the writings of great libertarian theorists like Cornelius Castoriadis and Murray Bookchin. The proposals developed by the two thinkers offer indispensible glimps at how society can directly manage itself without and against external managerial mechanisms.

As we saw in the cases presented above, the commons require coordination between the commoners so eventual “tragedies” could be avoided. But for many, Knight and Merriam alike, this

could possibly work only in small scale cases. This have led many leftists to support different forms of state bureaucracy instead, which to manage the commons in the name of society, as the lesser, but possible, evil.

In his writings Castoriadis repeatedly repudiated this hypothesis, claiming instead that large scale collective decision-making is possible with suitable set of tools and procedures. Rejecting the idea of one "correct" model, his ideas were heavily influenced by the experience of Ancient Athens. Drawing upon the Athenian *polis,* he claimed that direct citizen participation was possible in communities up to 40.000 people[14]. On this level communities can decide on matters that directly affect them on face-to-face meetings (general assemblies). For other ones, that affect other communities as well, revocable, short term, delegates are being elected by the local assemblies, to join regional councils. Through such horizontal flow of collective power common agreements and legal frameworks could be drawn to regulate and control the usage of commons.

Similar is the proposal, made by Murray Bookchin. Also influenced by the ancient Athenian experience, he proposes the establishment of municipal face-to-face assemblies, connected together in democratic confederations, making the state apparatus obsolete. According to Bookchin, in such case *the control of the economy is not in the hands of the state, but under the custudy of "confederal councils", and thus, neither collectivized nor privatized, it is common.* [15]

Such a "nestednes" does not necessarily translate into hierarchy, as suggested by Elinor Ostrom and David Harvey. [16] At least if certain requirements are being met. As is the case in many of the practicle examples of direct democracy around the world, the role of the delegates is of vital importance, but often is being neglected. Thus their subordination to the assemblies (as main source of power) has to be asserted through various mechanisms, such as: short term

mandates, rotation, choosing by lot etc. All of these mechanisms have been tested in different times and contexts and have proven to be effective antidote to oligarchization of the political system.

Through such networking and self-instituting can be done the establishment and direct control of commons by many communities that depend on them. Another element that could supplement the propositions, described above, is the so called “solidarity economy”. Spreading as mushrooms, different collective entities in different forms are rapidly spreading across Europe and other crisis striken areas (like South America) allowing communities to directly manage their economic activities in their favour.

One such merging will allow society to collectively draw the set of rules which to regulate the usage of commons, while solidarity economic entities, such as cooperatives and collectives, will deal with commons’s direct management. These entities are being managed direct democratically by the people working in them, who will be rewarded in dignified manner for their services by the attended communities. On the other hand, the public deliberative institutions should have mechanisms for supervision and control over the solidarity economic entities, responsible for the management of commons, in order to prevent them from enclosing them.

One example for such merging has occured in the Bolivian city of Santa Cruz, where the water management is organized in the form of consumer cooperative[17]. It has been functioning for more than 20 years, and continues to enjoy reputation as one of the best-managed utilities in Latin America. It is being governed by a General Delegate Assembly, elected by the users. The assembly appoints senior management, over whom the users have veto rights, thus perpetuating stability. This model has drastically reduced corruption, making the water system working for the consumers.

The emergence of such a merger between the commons and the co-operative production of value, as Michel Bauwens and Vasilis Kostakis suggests[18], integrate externalities, practice economic democracy, produce commons for the common good, and socialize its knowledge. The circulation of the commons would be combined with the process of co-operative accumulation, on behalf of the commons and its contributors. In such a model the logic of free contribution and universal use for everyone would co-exist with a direct-democratic networking and co-operative mode of physical production, based on reciprocity.

Conclusion

The need of recreating the commons is an urgent one. With global instability still on the horizon and deepening, the question of how we will share our common world is the thin line separating, on the one side, the dichotomous world of market barbarity and bureaucratic heteronomy, and on the other, a possible world, based on collective and individual autonomy. As Hannah Arendt suggests[19]:

The public realm, as the common world, gathers us together and yet prevents our falling over each other, so to speak. What makes mass society so difficult to bear is not the number of people involved, or at least not primarily, but the fact that the world between them has lost its power to gather them together, to relate and to separate them. The weirdness of this situation resembles a spiritualistic séance where a number of people gathered around a table might suddenly, through some magic trick, see the table vanish from their midst, so that two persons sitting opposite each other were no longer separated but also would be entirely unrelated to each other by anything tangible.

The paradigm of the commons, as part of the wider project of direct democracy, could play the role of the trick that manages to vanish the table, separating us, but simultaneously creating strong human relationships, based on solidarity and

participation. And for this to happen, social movements and communities have to reclaim, through the establishment of networks and the strengthening of already existing ones, the public space and the commons, thus constituting coherent counterpower and creating real possibilities of instituting in practice new forms of social organization beyond state and market.

Notes:

[1] Ivan Illich. *Silence is a Commons*, first published in *CoEvolution Quarterly*, 1983
[2] Deirdre N. McCloskey. *The Bourgeois Virtues*, The University of Chicago Press, 2006. p. 465
[3] Malthusianism originates from Thomas Malthus, a nineteenth-century clergyman, for whom the poor would always tend to use up their resources and remain in misery because of their fertility. (Derek Wall. *Economics After Capitalism,* Pluto Press, 2015. p.125)
[4] The concept was based upon an essay written in 1833 by Lloyd, the Victorian economist, on the effects of unregulated grazing on common land and made widely-known by an article written by Hardin in 1968.
[5] As Theodoros Karyotis demonstrates in his article *Chronicles of a Defeat Foretold*, published in ROAR magazine, Issue #0 (2015), pp 32-63
[6] Michael Hardt & Antonio Negri. *Commonwealth*, The Bleknap Press of Harvard University press, 2011. p. ix
[7] David Bollier & Silke Helfrich. *The Wealth of the Commons*, The Commons Strategy Group, 2012. In *Introduction: The Commons as a Transformative Vision*
[8] Ivan Illich. *Silence is a Commons*, first published in *CoEvolution Quarterly*, 1983
[9] Cornelius Castoriadis in “The Greek Polis and the Creation of Democracy” *(1983), The Castoriadis Reader* (1997), Ed. David A. Curtis. p. 280
[10]

https://bollier.org/blog/anthropologist-harry-walker-lessons-amazonian-commons
[11] https://www.onthecommons.org/magazine/elinor-ostroms-8-principles-managing-commmons
[12] Elinor Ostrom in Nobel Prize lecture *Beyond Markets and States: Polycentric Governance of Complex Economic Systems* (2009)
[13] https://whatis.techtarget.com/definition/digital-commons
[14] Cornelius Castoriadis in “Democracy and Relativism”, 2013. p.41
[15] Cengiz Gunes and Welat Zeydanlioglu in “The Kurdish Question in Turkey”, Routledge, 2014. p.191
[16] For example Ostrom in *Beyond Markets and States: Polycentric Governance of Complex Economic Systems* (2009) and Harvey in *Rebel Cities* (2012. p.69)
[17] https://siteresources.worldbank.org/INTWSS/Resources/WN5cooperatives.pdf
[18] https://peerproduction.net/issues/issue-7-policies-for-the-commons/peer-reviewed-papers/towards-a-new-reconfiguration-among-the-state-civil-society-and-the-market/
[19] Hannah Arendt. *The Human Condition*, The University of Chicago, second edition, 1998, p.53.