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The Commons Versus Commodities

Giovanna Ricoveri

Foreword by Vandana Shiva



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Foreword

Vandana Shiva

THE COMMONS:

THE GROUND OF DEMOCRACY AND SUSTENANCE

The very notion of the commons implies a resource that is vital to our collective well-being and sustenance that is owned, managed, and used by the community. A commons embodies social relations based on democratic participation, interdependence and cooperation. There are clear rules and principles; there are systems of decision-making. Decisions about what crops to sow, how many cattle will graze, which trees will be cut, which streams will irrigate which field at what time, are made jointly and democratically by the members of the community. A democratic form of governance is what made, and makes, a commons a commons. This was as true of England in the late eighteenth century as it is of regions where community control of the commons is still the method of governance and ownership. More importantly, the commons are vital to our common future and the creation of Earth Democracy in which the rights to sustenance of all species and all people are protected.

The false thesis of the 'Tragedy of the Commons' was constructed to make privatisation and commodification of the commons look inevitable. In fact the real tragedy is the enclosure and privatisation of the commons. The privatisation of the biodiversity commons has led to the disappearance of species and diversity. The privatisation and commodification of the water commons has led to pollution and depletion of our precious water resources. The privatisation and pollution of the atmospheric commons has given us climate chaos, and false solutions like emissions trading that have not contributed to the reduction of Greenhouse gases.

as they have become in finance capitalism? Youth movements question the society of the 1 per cent as opposed to that of the 99 per cent, and this means that soon they will have to confront environmental problems such as climate change, rising food prices, unemployment and so forth.

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What are the commons?

I start off with the 'impossible' definition of the commons and describe the basic elements that constitute the nature-related commons (water, land, forests, pastures, fisheries). I look at a few cases of 'historical' commons, some of which still survive, both in the North and the South. I explain how natural commons are linked to the vital elements of Empedocles – water, air, earth, fire – and it is also for this reason that they are important and redefine subsistence in broader terms, as they relate to energy, climate, water scarcity, agriculture and ecosystems' services. There follow some thoughts on private property which, at least as far as nature-related commons are concerned, is certainly theft. Finally I consider the community as the natural and multiform subject of the commons: the owner and the manager – the usufructuary, in fact.

A KALEIDOSCOPE OF THE COMMONS

It is not possible and besides it would be a mistake to define the commons precisely and definitively, either those of the past in Medieval Europe or those that still exist in the rural and nearby forests in the South. For they vary in time and space to adapt to different situations. It is, however, possible to describe their distinctive characteristics and thus try to understand why they can be useful, if properly refashioned in the current context, as an antidote to the crisis of the dominant model of development. In the countries of the North it is a question of reconsidering new forms that are appropriate to contemporary reality and this is a different problem from reclaiming the commons, which is the historical objective of the communities in the South, whose

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lives depend directly on access to water, land and forests.¹ Still today, in the countries of the South, a third of the world population owe their lives to local subsistence economies, which is possible because they have access to natural resources.² These populations or local communities use land, forests and water without owning them, but exercise effective and participatory sovereignty over them. In fact they represent a kind of social and productive organisation that is an alternative to that of the market economy.

The word commons has had several meanings – such as the land, water, pasture, forest, fishing zone and so on that is outside the confines of the land owned by ‘the prince’ and that a local community had the right to use, not for productive purposes but for the subsistence of its families or the right to what the soil brings forth over a particular period, as in Anglo-Saxon common law,³ or as in the case of the civil uses (*usi civici*) in the Italian legal tradition,⁴ or the predial servitudes like the right of passage through a field. These are the rights to natural goods through which the local community integrates its means of subsistence.

The word ‘community’ should also be clarified: in the past, it defined the group of people who, together, managed a piece of land or other natural resource; or the authority in the village that owned the fertile land and distributed it among the families of the village so that they could use it for their own subsistence. This still exists in many countries, such as Ethiopia which is one of the most quoted examples in the studies on the subject.⁵ It is also to be found in most of the countries of sub-Saharan Africa, in all countries of South East Asia, including India and China, and in the Andean countries of Latin America, where there is a strong presence of village communities, often indigenous ones.⁶ Today the word community indicates a group of people that has a certain degree of cohesion based on common roots and language, interests or ideas and who sometimes share the same goals.

In the 1992 special issue of *The Ecologist* (at that time a very important journal on ecology) the commons were defined as ‘a system of social relations based on cooperation and reciprocal dependency [...] that provide sustenance, security and

independence, yet typically do not produce commodities as such, in what many Westerners feel to be a paradox.⁷

The commons are goods or means of subsistence which are not commodities, and therefore they constitute a social arrangement that is the complete opposite of the one created by the market economy. In the capitalist system, goods are no longer ‘use values’ which satisfy human needs, but exchange values or commodities, which realise themselves through the market exchange. Indeed, the market has always existed since the late Stone Age, but its role had remained of secondary relevance in the economic and social life of a community or a population, until modern times when profits deriving from the market exchanges have become so important to the point of governing the entire economy and even the society. This is what Karl Polanyi means in *The Great Transformation*, when he affirms that the market economy absorbs the society, thus making it possible for multinationals to govern a country and undermine political democracy.

The commons have survived through time in spite of repeated attempts of enclosure and privatisation on the part of hegemonic forces. This is because they are flexible and capable of changing to meet environmental and technological challenges, or because they express undeniable human rights of self-government and the need for cooperation and social relationships. These aspects of human behaviour are different and alternative to those of *homo oeconomicus* theorised by the current orthodoxy, and they represent behaviours that modern laws and policies have tried to obliterate but have never completely succeeded.

The commons have the specific characteristic of being and producing goods that are not transformed into commodities, as has just been said. The community cannot alienate a field, although it can exchange its produce with other communities. Then to whom do these goods belong? The true answer is that natural goods and ecological services that nature provides gratis should not belong to anyone in particular, because they belong to everyone. Those who use a piece of land cannot alienate it as they have only usufruct rights on it, that is, the right of enjoyment and benefit from that piece of land, either held in common or titled to someone else. The community (what is now the state

or some other public body) is therefore its custodian. As Karl Marx put it:

From the standpoint of a higher economic form of society, private ownership of the globe by single individuals will appear quite as absurd as private ownership of one man by another. Even a whole society, a nation, or even all simultaneously existing societies taken together, are not the owners of the globe. They are only its possessors, its usufructuaries and, like *boni patres familias*, they must hand it down to succeeding generations in an improved condition.⁸

In feudal Europe, the ownership belonged to the feudal lord who also exercised legal powers to resolve any controversies over the commons. In the countries of the South, the ownership of the commons belonged to the community, understood as the authority of the village, and this remained the case until the modern states emerged (Spain, Portugal and the British Crown) and private individuals began to claim and contend their appropriation. The local communities opposed them and in some cases they managed to save the commons from privatisation. But, up until now, the tendency to privatise (enclose) has been distinctly dominant and this partly explains why the commons that still exist – like the common ownership/management of water that survives in many parts of the world, or the right to fish and community access to agricultural or forest land – are considered marginal and not very important. They constitute an undesirable remnant of the past, something that is no longer useful and better eliminated.

Throughout history, the commons have provided what is essential for subsistence – food, water, shelter – but subsistence is, of course, a relative concept that is socially determined, varying in time and space.⁹ In Western culture, which has now greatly expanded into the Global South, it is taken for granted that the goods required for subsistence – both necessary and superfluous – are provided by the market. The fact that the market cannot supply either air or water and cannot even feed the hungry in the world is overlooked. ‘Delegating’ these functions to the market has adverse effects because the market does not make

efficient choices on the allocation of natural resources and all efforts to remedy this shortcoming have not prevented either the degradation and waste of resources or the social injustice in access to them.

This limitation is also evident in Western movements against the privatisation of water, as they tend to confuse water resources with integrated water services. This is a serious simplification that weakens the movement and it makes it difficult to maintain both the claim to the universal right for a per capita free ration of a minimum quantity of water, as well as criticism of the way in which water scarcity is created by a technological mass consumption society. Water was not scarce when it was managed by local and indigenous communities with traditional techniques to seek, collect, conserve and use water, with the collective knowledge that comes from the commitment, ingenuity and work of all members of the community, as Ivan Illich has argued and is discussed later in this paragraph. Only occasionally, as for example in Cochabamba in Bolivia in 2000, was the nature of the struggle against the privatisation of water clearly formulated, and this is why that battle was successful.¹⁰

The commons are also biological and cultural ecosystems, as nature and culture are two faces of the same reality. They are the basis of life because they supply the essentials for existence, such as water, air, food, shelter, fuel and medicines. These are goods that the modern capitalist market can only partially provide and only in the form of commodities to be bought on the capitalist market under conditions of price and supply that the consumer has to accept, without any control over the allocation of natural resources or of the prices and quality of the products put on the market.

Although in the past the commons were limited to subsistence, it is quite possible that, in the future, by re-proposing and re-appropriating this historic experience, they could also concern natural resources not strictly linked to immediate material subsistence, for example, fossil fuels and minerals. The ‘joint and participatory’ management of underground resources has in fact been recently proposed at the international level by countries of the South, where there is considerable mining, that has a

destructive ecological impact on the environment and it is highly dangerous for those working in the mines and for the population at large. Destined mainly for export and thus mainly profitable for the multinationals working in this sector, mining brings few or no advantages to the local population.

There is little justification for the distinction between the local commons and the global commons, although it is often highlighted in the literature on the subject. This is because 'the global is always a globalized local', affirms Vandana Shiva.¹¹ The global system that governs the world is not in fact universal in the epistemological sense, but rather it is the globalised version of a local tradition – that of mercantile capitalism of European origin – which has been imposed on the world by force and with the violence of colonial exploitation. On this point, Shiva says:

Global environmental problems have been so constructed as to conceal the fact that globalization of the local is responsible for destroying the environment which supports the subjugated local peoples. The construction becomes a political tool not only to free the dominant destructive forces operating worldwide from all responsibility but also to shift the blame and responsibility for all destruction on the communities that have no global reach.

The commons are thus local systems that are spatially diverse, even in the same period of time, and precisely for this reason they represent a real alternative (but not the only one) to the 'market paradigm'. Their diversity and flexibility enable the best use of the natural resources upon which the commons depend, avoiding their over-exploitation, degradation and destruction that is the inevitable consequence of the capitalist system. They can also trigger people's creativity, intelligence and energy, which are increasingly rare resources and absolutely essential for a society that has to become ecologically and socially sustainable.

The commons are local systems that can be managed effectively only by those who have a precise and detailed knowledge of the area and who know its history, language, culture, vegetation, mountains and other physical attributes. But the essential value of this specific knowledge is ignored by

the 'Westerners' from the North and the South, so that they do not realise the central role that only the people on the spot can play in running and 'developing' a given area or locality. In the eyes of these 'Westerners' the specificity of the place is not a value, but a problem. Indeed, it is a danger because it favours the participation of the local communities in decision-making on issues affecting their lives, thereby reducing the power and room for manoeuvre of the state as well as the profits of the corporations.

Contrary to what occurs in the market economy, in the economies based on the commons resources are not seen as being scarce. The needs of the community are not inherently unlimited as they are defined by the non-competitive regime that governs the commons: they become so when guided by an external system that is oriented by the growth of the mercantile production of goods and services. Resources are certainly limited, but become scarce only with the appearance of *homo oeconomicus*, the protagonist of scarcity.

Ivan Illich, the itinerant philosopher and dissident intellectual, refuses the historicity of 'basic needs' which he considers 'the most insidious legacy left behind by development'.

The needs that the rain dance of development kindled not only justified the spoliation and poisoning of the earth; they also acted at deeper level. They transmogrified human nature. They reshaped the mind and senses of *homo sapiens* into those of *homo miserabilis*... The transformation occurred over a couple of centuries. During this time the root certainly was changed, sometimes called progress, sometimes development, sometimes growth. In this secular process, men claimed to have discovered 'resources' in culture and nature – in what had been their *commons* (italics mine) – and turned them into economic values. The historian of scarcity relates the story... The post-World War II generation witnessed his change of state in human nature from common to *needy* man. Half of all individuals born on the earth as *homo* are of this new kind.¹²

In spite of their local orientation, the commons are not isolated, either in time or space: their social organisation is not static. 'Commons regimes welcome, feed upon and are fertilised