

UNEQUAL COMMONERS AND UNCOMMON EQUITY:
PROPERTY AND COMMUNITY AMONG SMALLHOLDER FARMERS

Robert McC. Netting
Department of Anthropology
University of Arizona

Paper to be presented at 'Heterogeneity and Collective Action,'
Workshop in Political Theory and Policy Analysis, Indiana
University, Bloomington, IN, October 14-17, 1993

Common property rights, falling as they do somewhere between private property and state territorial control, are an anomaly. They appear as part of recurrent institutions, widely distributed through space and time, and governing local access to such necessary resources as marginal grazing areas, swidden fallows, in-shore fisheries, and irrigation water. But common property is supposedly doomed to pass away. For Louis Henry Morgan, the Rochester lawyer, railroad investor, and New York State legislator, the "idea of property" emerged as a key factor in the evolution of the human mind, and "its dominance as a passion over all other passions marks the commencement of civilization" (Morgan 1963:5-6). Clearly this kind of property is something more defined, more legally specific, than a Seneca hunting ground or corn patch. Common property may even be a threat to the environment as it is in Garrett Hardin's (1968) "tragedy of the commons" where economically rational herdsmen increase the number of livestock on the common pasture, thereby gaining individual benefits from each additional cow while sharing the costs of overgrazing with all the other members, and eventually destroying the resource. "It is usual to assume that resource degradation is inevitable unless common

property is converted into private property or government regulations are instituted" (Berkes et al. 1989). Though the heedless herdsman may be an appropriate analogy for industrial air pollution or tourist crowds in Yosemite, it neglects the historic fact that European community grazing lands were never open access and endured for centuries without apparent degradation. The summer alp pastures of the Swiss village of Törbel where I did field research have operated under written rules of use, prohibiting non-citizens from sending their livestock there, regulating the number of beasts each member of the commune can feed there, and requiring annual labor for maintenance since 1483 (Netting 1981). I would speculate that the Celtic Swiss settlers did much the same thing in the Late Bronze Age that they do now in their assemblies and work groups.

It has only been since the mid-1970s that common property has become a focus of scholarly attention. In what appears to be unusual cross-disciplinary cooperation by anthropologists, political scientists, economists, ecologists, and natural resource managers, there is now strong agreement that common property rights are applied to resources or facilities subject to individual use but not to individual possession (Oakerson 1986:13). Such resources are similar in that exclusion, controlling the access of potential users, is difficult and costly to enforce. They also have the characteristic of subtractibility, that is, each user has the capacity of individually appropriating resource units which are thereby subtracted from the goods available to others (Ostrom

1990). But the rate at which individuals appropriate from the common pool affects the rate at which the resource can produce or replenish its supply (Oakerson n.d.:2). Unlike those individuals condemned to solitary confinement in the famous prisoners' dilemma game, human beings in such a situation characteristically talk about what is happening to their jointly held grassland or forest or stream, and they regulate use by defining clear boundaries, setting up shares for members, legislating rules for use, monitoring appropriation, and sanctioning free-riders and thieves. Because they must continue to derive benefits from the resource in the future for their own welfare and that of their offspring, they have a vital interest in sustainability.¹ A measure of security for all is patently preferable to short-term maximization for any single user. As the Swiss say, stubborn peasants only cooperate when they have to, but they have to much of the time.

Privatization of such resources, which generally have relatively low value and high transaction costs (imagine fencing, defending, and depending on a small section of an alpine pasture) is not an efficient solution (Netting 1976). And if you think that some bureau of the nation state is going to allocate shares fairly to local users while watching out for erosion, soil pollution, and ecosystem damage, welcome to the tender mercies of the BLM or the Forest Service. Common property, like the proverbial injunctions of the Bible, has not failed in the modern world so much as it has not yet been tried. Until recently you could look in vain in most Third World legal codes for something between registered private

(including corporate) title to land and the overarching property jurisdiction of the state. Change, when it comes, is dominated by the simple binary ideological opposition of communal and private rights. Privatizing ejidos for efficient market performance and the technological economies of scale (Wilson and Thompson 1993) is not a new theme. As Eric Wolf (1981:326) points out, 19th century political conflict pitted rural Mesoamerican communities against "liberal" regimes trying "to disestablish Indian corporate jurisdiction over land in favor of private property rights, to throw the privately owned plots on the market, and thus to open the [lands] to colonization and seizure by non-resident outsiders." On the other hand, the efforts of socialists and what used to be called "those dirty commonists" to collectivize agriculture, slaying the dragons of technological conservatism, class exploitation, and unjust inequality in one fell swoop now seem headed for the Chinese and Soviet versions of the ash heap of history. But each side, still claims that their own swing of the tenorial pendulum brings everyone closer to opportunity and equity and away from the pit of inequality and authoritarianism.

It's time now to leave the battleground of the isms (they are free to deconstruct each other till the cows come home), and ask how common property institutions are related to inequality of wealth, rank and power. And we will try to do the task using the unfashionable but still sturdy tools of ethnology, especially controlled comparison and the record of historic change.

Property and the Fetish of Equality

There is perhaps the implicit assumption that common property is a "good thing" because it is somehow based on equality of participation and the voluntary sharing of resources. Sharing has a positive value that people are taught in early childhood, and the notion that there are fundamental, economically efficient social institutions not based on selfish maximizing is very attractive. Do people in fact share common property resources equitably, and are commoners who hold defined rights in community grazing grounds, forests, and irrigation waters economic and political equals of one another? The stentorian voices from political economy and neo-Marxist theory would claim that they are not--there are necessarily rich and poor farmers, classes of land owners or kulaks, and smallholders declining into a rural proletariat. Unequal wealth and power arising from the market and the state mean that some individuals will have greater access both to private property and communal resources, and that an egalitarian ethos is false consciousness or a pernicious delusion. Real equality, joint use, and genuine sharing allegedly once existed in that evolutionary golden age of pre-capitalist use values and primitive communalism. Marx believed that "in most primitive communities work is carried out in common, and the common product, apart from that portion set aside for reproduction, is shared out according to current needs" (Engels 1884, as cited in Meillassoux 1972:145). Some European peasants, according to Engels (1972), still reflected a transitional stage where woodlands, pasture, and waste remained

common land, whereas cultivable soil was held as private property. We may find such a grand evolutionary trajectory simplistic and historically unverifiable, but I think there is still a tendency to link an absence of differentiation in rural communities with common property institutions and shared resources. The contrasts and conceptual antinomies of the past are not easily shed, much less if they remain unacknowledged and unexamined.

I would like to suggest a contrary formulation that appears to fit more closely with the ethnographic and historic realities of smallholder farmers.

1. As agricultural resources become increasingly scarce, due to population pressure and market demand, both private property and common property will become more institutionally elaborated and jurally defined.
2. Some households in the community will have larger and more valuable rights in private property, and they will derive greater returns than their neighbors from some, though not all, common property resources. These households will be socially recognized as wealthier than others, and their unequal status will be regarded as by and large legitimate, though by no means necessarily permanent.
3. The governance and administration of the commons will, however, continue to employ equitable, broadly representative mechanisms, such as the general assembly of members, democratic decision making, and elected officials.

4. The termination of common property rights, either by the members agreeing to privatize their joint holdings, or an external legal and/or political authority enclosing the commons, will result in a rise in inequality and a decrease in mobility.

This formulation is not meant to characterize all systems of cultivation, ancient and modern. Rather it is applied specifically to smallholder intensive farmers in dense rural populations who compensate for their lack of resources by permanent, sustainable land use with complex tillage, manuring, intercropping, gardening, arboriculture, stall-feeding of livestock, irrigation, terracing, and other methods of conserving and restoring the productive capacity of the soil. It is a cultural ecosystem that I have observed in the central Nigerian savanna and in alpine Switzerland, with parallels drawn from the literature on China, highland Philippines, the Andes, Java, Japan, Mexico, and the Netherlands (Netting 1993). In all these cases, private rights to permanently productive land, including long-term use, management, inheritance, and temporary or permanent alienation, are asserted and defended.

There is proportionately much less private property in systems of shifting cultivation where an abundance of common land in the territory of a descent group or a village can be readily portioned out in usufruct plots. On settlement frontiers, building up a labor force of subordinates is the name of the game, and a big man, lineage elder, or chief maintains his rank by allocating unused land and defending his turf. In the flood recession regimes of the

Senegal River valley that Thomas Park (1992) describes, there is a sort of floating tenure with privileged groups controlling a portfolio of lands that they can dole out widely after a good inundation or keep to themselves in dry periods. With chaotic flooding and wildly fluctuating agrarian resources, the situation may stimulate and reinforce stratification. Where, on the other hand, smallholders have reliably productive, permanent real estate in addition to their rights in the commons, priority of access to the common property is seldom a consideration, and inequality is less hierarchical and intransigent.

Among intensive cultivators, the social unit that occupies the smallholding, providing labor and management, using the produce for subsistence and sale, and administering and transmitting rights, is typically a family household (Netting 1993). The very nature of the household enterprise means that at any point in time, there will be larger and smaller farms, depending on the balance of workers and dependents, the stage in the household developmental cycle, the inheritance or acquisition of property, and the successful management of the farm as well as on the vagaries of climate and the market. Comparisons of total crop production, land amount and value, livestock ownership, and other measures of wealth show inequality within smallholder communities of .3 to .6 on the Gini index (Netting 1982; McGuire and Netting 1982; Stone et al. 1984). At the same time, there is good evidence that there is considerable mobility, both up and down the ladder of wealth over the life course (Netting 1993:197-207). In the Swiss village, only

4 percent of the variation in son's wealth could be explained by difference in father's wealth, and despite the presence of equal, partible inheritance, there was no regular relationship between the achieved wealth of siblings (McGuire and Netting 1982). It is apparent that land-short intensive cultivators compete to obtain scarce farm property and that there may be marked inequality in their holdings, whether they are self-sufficient and politically independent or involved in the commercial economy and the state. Permanently tilled land, cattle, and buildings are never, to the best of my knowledge, regularly reallocated and shared equally among households in the community.

Common property among smallholders is not a precursor to private property nor is it functionally unconnected. Indeed as the use of scarce land and water is intensified, so resources from the commons become more vital and increasingly subject to regulation. In the classic three-field system of medieval Europe, the scattered arable strips producing in successive years winter wheat and the summer crops of oats, peas, beans, and barley were managed and inherited by individual households, whether of freeholders, tenants, or serfs. During the third year fallow and when the stubble was available, the unfenced strips were opened for common grazing. The timing of the oscillation from private arable land use to communal pasturage had to be carefully scheduled and enforced by the community so that standing crops were not damaged, the grain fields were manured, and the largest possible number of cattle and sheep were fed (Hoffmann 1973:25). In upland Portugal,

bracken and gorse were taken from communal forests to use as stall bedding for cows that almost never left the barn (Bentley 1992), and the Swiss scraped up pine needles for the same purpose (Netting 1981). As a larger permanent village population required more fuel and building materials from the forest, regulations to restrict cutting to regrowth, to punish theft, and to prevent erosion of watersheds had to be instituted. The more demand there is for irrigation water and the more variable the flow, as in Wade's Indian Village Republics (1988), the greater the requirement for ditch maintenance, dependable distribution, and sanctioning of illicit appropriation. As medieval Japanese farmers met shrinking ratios of land to population by intensifying wet rice agricultural techniques, they had more frequent resort to uncultivated mountainsides for fodder, fertilizer, fuel, and building materials. Meg McKean (1991) points out that "more systematic use of the commons increased the need to manage it well, define eligible users and uses, and exclude ineligible users. Sound resource management required cooperation by all villagers, and became the impetus to solidary (and occasionally democratic!) self government by village units." The institutionalization of secure private and communal claims to resources was thus coordinate and interdependent.

Unequal Access and Equitable Governance

But does our terminology for the commons and its members who by definition hold resources in common carry with it a misleading connotation of share and share alike? As in so many of the really

significant questions of social science, it depends. For scarce resources like firewood needed by every household in a certain minimal quantity, allocations might in fact be carefully equalized.² In the Swiss alpine forests, the elected village council marked equivalent shares of standing timber for cutting, and community members drew lots for these shares. Severe punishments were specified for anyone who took wood not dead or down, though there were always some who surreptitiously took more than they were entitled to, in the English phrase, "by hook or crook." On the other hand, rights to put cows on the communal alp for the summer depended on an over-wintering rule. A cattle owner could send only as many beasts as he could feed from his own supply of hay. Thus the total number of animals was kept roughly in line with the fodder potential of all village irrigated meadows, but individual owners of larger hay lands had the right to graze more cows on the commons (Netting 1981). The statutory "stints" which seem everywhere to accompany long-established commons of intensive cultivators are not a levelling mechanism,³ and we need to know more about just how much disparity there was in particular cases of access to common resources (Yelling 1977:154). A wealth of case studies support Meg McKean's (1992:262) contention that "...in common property systems everywhere...entitlement to products of the commons was almost always based on private holdings and thus reproduced the inequality in private wealth."

Because systems of distribution of access to the commons had long histories of ad hoc local adjustments, and because such rights

could often be borrowed, traded, or even sold among members, serious inequities might also grow up over the years. This was true of Swiss irrigation water drawn from a common stream source into a user-maintained system of ditches, but apportioned according to privately owned time periods which were not directly proportionate to the area of land being irrigated (Netting 1974). The great complexities of what I have called "the system nobody knows" shielded the encysted inequities from equalization to the point where any change was widely suspect and only full-scale reform under a different technological system of water delivery was a realistic possibility.

If benefits to the commoners are known to be unequal, and these reinforce obvious differences in smallholder private property, how can we insist that there is also uncommon equity in the local system. I submit that equality of participation by members in governance, rule-making, and monitoring is a requisite of a viable common property institution. Elinor Ostrom (1990:93-102) has focused attention on the assembly as a body that creates a constitution, modifies and enforces operational rules, appoints officers, monitors the state of resources, allocates benefits in terms of changing environmental conditions, defends the commons from encroachment by outsiders, officially represents itself as a corporate body in dealing with governmental and juridical entities, and finally decides on the disposition of common property. If all of this sounds bureaucratic and formal, we have only to watch a local assembly or one of its task groups in operation. Ruth Bejar

(1986) describes the assembly or *concejo* of a village in northern Spain, meeting after mass at the church portal, as noisy, raucous, even blasphemous, with violent, *ad hominem* attacks on neighbors echoing fights and slights that may go back three generations. The members do indeed reach consensus, the results of their deliberations are formally inscribed as laws, and they may finance court cases that drag on for decades, but they are far from decorous and orderly, and their officers do not exert consistent hierarchical authority.

I am reminded that the commoners I know often discuss their "common" problems with the aid, or the hindrance, of social drinking, the Kofyar grouped around a pot of millet beer, and the Swiss partaking of wine from the communal vineyard. I will leave it to your judgment as to whether such yoking of business with pleasure leads to higher transaction costs or to *in vino veritas*, but the ostensible procedure is neither an exemplification of Roberts' Rules of Order nor of some harmonious peasant moral economy in operation. With the catcalls, loud interjections, and table thumping, such an assembly sounds for all the world like...the House of Commons. Autocracy or a well-ordered bureaucracy is certainly neater and quieter. The point is that local commons governance may be as messy as any other democracy. The incentives for cooperation seem generally sufficient to produce workable rules and concerted action in the long run.

It would be comforting but certainly equivocal and probably misleading to claim that village citizens have compatible goals and decision-making rules that allow them ultimately to sort out conflicts of interest over the commons. Indeed instances of public disputation and friction may reflect underlying relationships of animosity and long-nourished bitterness that are hardly imaginable in more impersonal mass societies. Factions and rivalrous cliques may be based on old and persistent cleavages of family membership, clan or caste affiliation, religious sectarianism, and political opposition. Since one's life-long patterns of alliance and opposition may be matters of birth and socialization rather than conscious choice, people often seem to be agreeing to be disagreeable. Sometimes the arguments themselves appear to have a cathartic value, and no one demands a definitive decision or the authoritative finding of fault. As long as this does not impair the defense of the commons against outsiders, the apprehension and punishment of thieves, or the provision of maintenance labor, a degree of partisan opposition is tolerable.

It is evident commons institutions often seem better adapted to continuity and preservation rather than change. A Swiss alp association may resist non-grazing land use like a TB sanatorium or a ski-lift and hotel for several generations. Members may anticipate that any new land use may interfere with the old ("tourists trampling down the pasture") or that their own equity in the resource will be threatened (Bennett 1993:171). Similarly constituting a commons de novo may be more problematical than

maintaining an indigenous institution whose costs and benefits are known by long experience. Perhaps the small group characteristics of plenty of talk over long periods of time and a shared, detailed, constantly renewed knowledge of the local environment mitigate any tendency for irreconcilable disputes. There is also the unifying awareness that the commons is constantly threatened by hostile outsiders and turn-coat members. Community may exist with cleavages as long as clear common interests are articulated within a group whose members have multistranded, personalistic relationships with one another and insofar as the threats of local resource degradation and external domination are recognized.

Ethnographic examples testify to the political creativity that has been applied to collective action problems. Even societies like the Balinese that tend to mute public conflict or channel it into such symbolic rivalries as the cockfight have crafted common property institutions with egalitarian governance. The irrigation subak that Clifford Geertz (1972) calls a "wet village" brings together cultivators whose fields form a geographic unit served by a canal. Members may come from different, politically independent communities, and they may own a scrap of rice terrace or a princely holding, upwards of one hectare. But they are all voting members of the subak, bound by the rules of its constitution inscribed on palm leaf, and with equal voice in the deliberation of its council of the whole (Geertz 1972:29). The council elects a chief and other officials who oversee work groups of members, it fines people for infractions, it collects taxes and disburses money for

improvements, and it appoints priests to conduct the shrine rituals that schedule the all-important distribution of water (Lansing 1991). In a kingdom state society with gradations of status expressed in religious ceremony and linguistic markers, the serious business of irrigation among owners of extremely valuable (and variable) private property is conducted by an assembly of peers with one vote each.

Power in the Commons

But are we seduced by some romantic ideal of self-determination here? Are we trooping after a Pied Piper of populism? Where are the bosses, the demagogues, the country squires, and the affluent landlords who manipulate and intimidate the ordinary peasants? Richard Hoffman (1975:62), referring to medieval Europe, contends that "...the common-field system...was not simply egalitarian. Communal control of limited resources rested not in the hands of all inhabitants nor, with exceptions, even in those of all heads of households. The assembly of cultivators was everywhere dominated, if not monopolized, by the better off peasants." William Roseberry cautions us against romanticizing the community of unequals with its free tenants, villeins, and cotters. "Decisions made in the name of community could be taken by privileged individuals who served as community and manorial officers. It is to be expected that they looked out for private interests to the extent that this was possible" (Roseberry 1991:22; see also McKean 1992:267; Glaser 1987).

I cannot say how power was exerted in such assemblies. Perhaps we lack the detailed minutes of the manors, but there must be records and observations of contemporary commons governance that we should be collecting. I would claim, however, that there are good structural and functional reasons for a local commons to be run by its members. If common property rests as much on exclusion of non-members as on rights, a point made by Ben Malayang (1991), then the corporate body must explicitly include members. You need everybody, all the available folk knowledge of the environment and every pair of informed, spying eyes to monitor the physical state of the resource and counter the threats of pilferers and free-riders. The richest member with the largest potential returns has the greatest risk if his less prosperous fellows are not convinced that all of their interests in the commons must be equally defended.⁴ A single individual must rely on the support of the whole group, whether massing with spears to defend the common border from trespass, mending the irrigation dam washed out by a flood, or paying the lawyers in some interminable litigation over a patch of prime forest. Against the legal depredations of a city or a central government, the poorer commoners also must rely on their own well-connected and literate estate owner or mandarin. The wealthy are expected to provide a higher level of administrative services and cash levies than ordinary folk (McKean 1992:263). Alienating any members, rich or poor, from the fellowship of the commons may be harmful to the health of that body politic that is in actuality a little commonwealth. Though this

view emphasizes consensus, a conflict-oriented analysis reaches similar conclusions:

The equality which generally prevails in the commons...does not grow out of any ideal or romantic preconceived notion of communitas any more than out of allegiance to the modern notion that people have 'equal rights'. Rather, it emerges as a by-product of the inability of a small community's elite to eliminate entirely the bargaining-power of any one of its members, the limited amount of goods any one group can make away with under the others' gaze, and the calculated jockeying for position of many individuals who know each other and share an interest both in minimizing their own risks and in not letting any one of their number become too powerful.

(The Ecologist 1992)

Work on the Commons

It is not just in externally generated emergencies when people power must be mobilized to protect common property resources. Robert Hunt (1991) has suggested that rights to the coordinated labor time of corporate group members was as much common property in a Mexican irrigation system as the sluice gates and the canals. Work days from members for regular maintenance and for swift response to damage by the elements are mandatory. If you don't show up, you send a surrogate or pay a fine, and there's always

someone to count noses and to take names. Common pasture, water, or woods only have worth for the smallholder if there is skilled, reliable labor to build the infrastructure and carry on the regular maintenance that makes possible individual appropriation of the resource. And work in common may not be confined to the commons. The Swiss community charter that defined the rules of the Törbel alp in 1483 also decreed that every householder had to help in the erection of a villager's new log house. The Kofyar farmers that I know in Nigeria quickly privatized land they occupied on a settlement frontier, though they allow free-range grazing once the crops are harvested. Part of their special genius for increasing the production of market crops has been the organization of traditional communal labor to work on individual farms (Stone et al. 1990). Though some of this takes place in small clubs of 8 or 10 individuals who exchange work-time equally, there are also community-wide work parties. A host farmer announces to neighborhood officials when he will brew beer, every household sends workers in proportion to its number of productive members, and the 40 to 80 people who assemble with their hoes, make ridges or yam heaps (the same number marked out for each individual), and then enjoy the gallon or more of millet beer per person that gives the occasion its festive air. If a household does not provide its mandatory labor quota without good excuse, the assembled drinkers raise the issue, fine the miscreant (in jars of beer, of course), and if the fine is refused, ultimately ostracize the offender (cf. Ostrom 1990:98). This means not only that common labor will be

denied in the future to that household but that social contact is dramatically interrupted, the sanctioned party is left sitting at home, and (most severe punishment) no one will drink with him again. The price of community is common, institutionalized labor, and the withdrawal of community from one of its "mutually vulnerable members" (Singleton and Taylor 1992:311) is social death. Even in a society where individual households are economically self sufficient, a defector can be penalized with certainty and speed.

Though all must participate in communal labor, do the resulting benefits make some smallholders more equal than others? Brian Juan O'Neill has demonstrated that labor exchange in a Portuguese rural hamlet benefits the rich disproportionately. The work parties assembled for threshing rye work for each cultivator in turn, but the owner of a large field receives more hours of labor from fellow villagers than he devotes to their much smaller harvests (O'Neill 1987:171-172). The balance is not really rectified by the greater quantities of food in the festive meals provided by the wealthy. For irrigation maintenance tasks, the household of a proprietor with four days of water sends one man to clean the ditches for an equal amount of time as the poor household with only a few hours of water rights. The hamlet council also calls out labor teams for repair of community property such as meadows, public walls and roads, the cemetery, and the water mill (O'Neill 1987:136), and again each household is equally represented. O'Neill vehemently denies that the small, isolated

mountain community is egalitarian in social structure, but he points to a toleration of asymmetric labor reciprocity and an expressed belief in cooperation and mutual assistance at particular moments of the agricultural cycle which crystallize ideals of social equality (O'Neill 1987:172, 11). Collective obligations temporarily suspend the disparities between rich and poor households in the interests of getting a large task done (O'Neill 1987:143). Inequality and internal conflict, based in part on substantial differences in private property, are always present, but both governance and labor on common property resources emphasize equality, and strong cultural values support the non-hierarchical interdependence of households in meeting peak labor demands on their private holdings.

Our preliminary analysis of Kofyar labor groups suggests that people expect that each household may be able to call on work parties of neighbors once or twice in a year but seldom more. Glenn Stone (pers. comm.) finds that the number of beer party labor groups hosted by a single household and the number of volunteers who come is unrelated to household size. Household size is a rough proxy for total agricultural production and wealth. This implies that the rich do not regularly exploit the common labor of their peers at a higher rate than the poor. To acquire more hands and thereby accumulate a surplus, the bigger cash-croppers must hire labor.

Enclosure, Inequality, and the Commons

I have been at some pains to call attention to the presence of inequality among smallholders, both in regard to their transferable and heritable private property and, less obviously, in their access to common property resources including communal labor. But just as biologists now question the purported equilibrium and cybernetic qualities of the ecosystem (Worster 1990), so social scientists can doubt the stability and reproduction of a system balanced between equality and hierarchy. If there are indeed aspects of common property regimes which distribute access to resources and level differences in political power, what changes lead to greater inequality, polarization, and stratification? I would suggest that the familiar threats to the commons--privatization and the government intervention that institutionalizes state or public land--contribute directly to inequality and permanently prevent the more equitable outcomes of local communal control. To the degree that exclusion impoverishes community members and limits their legitimate role in decision making, it is a true "tragedy of the commoners" (Ciriacy-Wantrup and Bishop 1975; McCay and Acheson 1987:25).

Perhaps the most exhaustively analyzed attack on the commons is that of enclosure, especially in historic England, but also in other European and Latin American countries. Because resources of arable land are limited, rural populations as they grow press against them, and conflict increases, there is often a tendency for property inequities to be translated into diminished rights in the

common. In England, the densest rural populations (Levine 1977; Hoskins 1957; Skipp 1978) gave rise to cottagers with holdings below the subsistence level, craft and cottage industry specialists, and landless agricultural wage laborers. These second-class citizens who were often in-migrants were more vulnerable to dispossession and at the same time more dependent on the commons to cut firewood (the poor woodcutters of the fairy tales), make charcoal, gather rushes for thatching or fibers for basketry, collect nuts, hunt small game, and fish. For such foragers, the common marshes, forests, and rough grazing were social safety nets (Thirsk 1957; Spufford 1974; McKean 1992, citing Jodha 1990). In India, the land-poor could also take the jobs of shepherds, field guards, and communal irrigators that paid too little to hire yeoman farmers (Wade 1988). Gleaning of harvested fields was a refuge for women and the elderly with few alternate means of support.

Enclosure was not, however, solely a reallocation of resources driven by population pressure, high food prices, and low wages. It represented conscious strategies of accumulation by the well-to-do, often changing land use in the direction of a single, profitable crop (e.g., wool) and away from the more diversified, intensive production of subsistence food crops. James Fernandez notes that in Andalusia, southern Spain

...the medieval and early modern rights of the poor and subtenant classes to rent and cultivate common arable lands, to pasture on common pastures, and to gather on

and otherwise exploit the wastes were gradually withdrawn from them by connivance between the nobility and prosperous farmers. The use of these lands, along with the right to pasture animals on the stubble of private croplands...were rights basic to the well-being of the lower strata. Their loss because of various kinds of enclosure was a primary factor leading to the rural poverty of Andalusia in the 19th century and the conflict-ridden crisis that has continued to plague this area of Spain (Fernandez 1987:268).

While opportunities for subsistence supplements from the commons in merry England shrunk, charity and the meager support of mechanisms like the Elizabethan poor law could not pick up the slack.

Reallocating individually held strips from the open field and consolidating larger plots could be worked out in part by swaps and exchanges among owners, but the simultaneous loss of communal grazing privileges after the harvest and the proportionately high costs to smallholders of survey, hedging or ditching the new field, and paying off remaining dues or tithes on the land pushed poor farmers to the edge of ruin (Turner 1984:74). Falling crop prices or some bad years could force them into bankruptcy and off the land. As in contemporary attempts at land reform, there are always richer neighbors willing to snap up the minifundia that come up for emergency sale. Even with such an economic logic, it must have been difficult to sweep away a host of law-like local customs, rooted deeply in the past of a community, and reaffirmed by

generations of practice and dispute resolution. Can't you imagine a respected English 18th-century farmer discussing the prospect of enclosure and affirming over his ale that it would take an Act of Parliament to do that! Indeed it did require the full legal power of the state in a multitude of separate, locally specific laws to abrogate the commons, and even then vestiges survive to the point where present-day English environmentalists and corporations harvesting peat moss continue to scrap about fen land as common property. In the Swiss village, a single case of tapping a spring on private land for a household drinking-water source went to the national Supreme Court because the water had once served a public watering trough.

I suspect, though I cannot prove, that enclosure and similar breaches of common property institutions contribute to growing inequality not because they represent privatization alone but because they are conducted under the dominance of a national state and its sovereign legal apparatus. The local assembly of informed, economically interested peers with their own brand of "common" sense and unique understanding of a particular environment, is bypassed by statutes that are standardized, rigid codes, and a judicial system designed to ignore geographical and political variation. Those with the qualifications of literacy, cash for court costs and bribes, and friends in high places can insure, even guarantee, an unequal distribution of the benefits of enclosure. Outsiders, absentee landlords, and urban entrepreneurs are not subject to the social controls of village life, and they can ignore

restrictions on resource exploitation and short-term maximization. If one can purchase or otherwise acquire rights in the commons without local kin ties, residence, formal admission to the community, fulfilling labor and official service obligations, and participation in the assembly, then membership is shorn of its responsibilities and its constraints. Common property is not a joint stock company with limited liability. Membership does have its obligations as well as its privileges.

Deconstructing the Commons: A Chinese Puzzle

Enclosure and privatization of the commons often suggest a political process that disrupts a customary and economically efficient balance of land tenure institutions within the rural community. Yet there are modern cases of socialist states in which centrally enforced systems of collective ownership and administration of resources have been decisively reformed to grant rights of ownership, administration, and transfer of farm land to individual households. The revolutionary experiment of the postwar Chinese People's Republic created agricultural collectives with production organized by communes, brigades, and labor teams, shared consumption goods among resident households in the community unit, and eliminated private property in land, livestock, and equipment (Netting 1993:232-260). By concentrating land and labor, economies of scale were to be achieved, mechanization and scientific farming methods were to be advanced, and resources were to be freed for investment in agriculture and industry (Nee 1984; Shue 1980).

Equally as important as technological transformation was the ideological commitment to eliminate the capitalist inequality that depended upon private property and the exploitation of the surplus value produced by labor. Village lands were managed as a state-controlled commons with the local production team owning all cultivated lands as well as livestock and tools, organizing labor, assigning work points, and dividing up the harvest (Parish 1985; Khan 1984). Such a governmentally "enforced commons" denied pre-existing individual and household property rights, levelled wealth distinctions, and attempted to replace competition with cooperation. It explicitly recognized heterogenous capabilities ("from each according to his abilities") while implicitly assuming a homogeneity in basic human requirements for life like food, clothing, and shelter ("to each according to his needs"). Private property and market exchange were seen as catering to heterogeneous, selfish preferences and leading to stratification and class exploitation.

The grand design of collective agriculture began to crack in 1979 when reforms introduced more material incentives in terms of higher farm prices and pay, small family sideline production, greater tolerance for free markets, and more autonomy for smaller work teams (Kelliher 1992:56). The "household responsibility system" rapidly evolved into the rights of families to sell their output beyond a contracted state quota in the free market, decide on their own cropping or non-agricultural endeavors, buy equipment, and hold land (Khan 1984; Putterman 1987). Despite rules governing

contracted land of the dismembered communes, peasants "almost instantly" began to lease it, sell it, build homes on it, hire labor to work on it, and use it as security for loans (Kelliher 1992:178). The "de facto privatization of Chinese farming" by 1984 (Smil 1985:118) was an extraordinarily swift and bloodless process of enclosure.

Decollectivization worked brilliantly in raising farm production, increasing labor productivity, promoting economic diversification, improving rural living standards, and multiplying market activity (Griffin 1989; Croll 1987). It did, however, raise questions about the provision of medical care, education, and old age benefits that had previously been the responsibility of the collective. Unlike more familiar common property institutions, Chinese collective farms had never assigned private rights in products like pastured cattle or irrigation water to their member households, and the lack of incentive returns to labor, skill, and management on private land denied the differences in individual capabilities that contribute so significantly to successful smallholder intensive agriculture (Netting 1993:189-231). High yielding, permanent, sustainable cultivation based on soil conservation measures, fertilization, and high inputs of skilled labor is not appropriate in the more extensive and less commensurable resource pools characteristic of common property.

The Chinese leadership and the enthusiastic smallholder peasants themselves appear to have chosen the productivity that follows privatization and market participation over the previous

concerns for fairness and equity (Kelliher 1992:181). Though estimates of inequality at the household level show it both increasing (Putterman 1989) and declining (Griffin 1984), it seems probable that rural Chinese show more differentiation in access to land, farm incomes, and especially returns from rural industry and trade than they did in the past.⁵ Enclosure thus contributes to inequality, but by exposing economic and structural problems in the Chinese-imposed version of a collective commons, it also promotes mobility and a more rational and productive allocation of resources. Privatization and market commerce also appear to recognize and reward the heterogeneity of capability and preference among rural dwellers in a manner more pragmatic than that of a comprehensive commons with compulsory equality.

Commoner Inequality and Equity

But are the commoners equal or not? Do they have the same duties and obligations but different rights? Certainly Elinor Ostrom is right when she points out that "common-property institutions are as diverse as private-property institutions and no clear assertion can be empirically supported regarding distributional effects of all such institutions" (Ostrom 1992:244). In the more limited case of smallholder intensive agriculturalists, we can, perhaps, discern some regularities. Common property institutions closely tied to local resource use will be defined and developed in parallel and symbiotically with private property. Households with more private property will derive greater benefit

from some productive uses of the commons, but household necessities will often be equally allocated. Work can also be considered as common property. Obligatory labor on both communal projects and individual farms is often drawn equally from all member households, but this may disproportionately benefit large cultivators. Governance, however, tends to be provided by assemblies of members with procedures of one-man-one-vote and democratic decision making. Defense of the commons against outsiders, investment of labor and money in the resources, and monitoring against excessive use and free-riding require a responsible corporate group of interdependent rich and poor members.⁶ Privatizing or enclosing the commons, either by agreement of the commoners or external force, tends to widen existing economic and political inequality among smallholders. The question of whether or not growing inequality leads to a decline in the welfare of segments of the population and impedes the solution of collective action problems requires answers based on empirical research.

FOOTNOTES

1. The time depth of expected resource use is obviously variable, and it may have much to do with the occupational and income-earning options available to the members of the local community. If there are clear and attractive alternatives to existing agricultural employment, then there are fewer incentives for individual conservation practices and fewer rewards for accepting the restrictions of the common-property collective.
2. McKean 1992:256, 268) lists several methods such as limited open periods, rotating access by households, limiting harvesters, and reallocating bundles of harvested material by lot that Japanese villages used to distribute fuel, thatching grass, and fodder from the commons. Egalitarian rules of distribution were applied to commons resources for which all households had approximately equal requirements.
3. Indeed unequal benefits based on 'neutral' distribution rules explicitly do not redistribute wealth (McKean 1992:266).
4. Local population growth may mean that some new households are deprived of rights in the commons, as they were in some seventeenth century English villages (Spufford 1974:21, 133). "In Japan when the disenfranchised are sufficiently numerous, they can pose a serious threat to the commons simply by invading it, yet without assurance of a long-term share they have no motivation to be disciplined in their use of it. Thus there comes a point when it is in the interest of the senior household to award right to the commons to junior households in order to 'buy' their cooperation with the rules for using the commons..." (McKean 1992:264).
5. Rural brick-making, truck transport, and small manufacturing enterprises have raised the incomes of their managers and investors, who are often former team leaders, Communist Party cadres, army veterans with skills, and educated professionals (S. Huang 1989:194).
6. Partial exclusion of members or abrogation of their rights denies their common interest and turns them into enemies who shirk their obligations and refuse to conserve the common pool resources. Great inequality of income, wealth, or class weakens the community necessary for viable common property institutions (Singleton and Taylor 1992:316).

References Cited

- Behar, Ruth
1986 Santa Maria del Monte: The Presence of the Past in a Spanish Village. Princeton: Princeton University Press.
- Bennett, John W.
1993 Human Ecology as Human Behavior: Essays in Environmental and Development Anthropology. New Brunswick, NJ: Transaction.
- Bentley, Jeffery W.
1992 Today There Is No Misery: The Ethnography of Farming in Northwest Portugal. Tucson: University of Arizona Press.
- Berkes, Fikret, D. Feeney, B. J. McCay, and J. M. Acheson
1989 The Benefits of the Commons. Nature 340:91-93.
- Ciriacy-Wantrup, S. V., and R. C. Bishop
1975 "Common Property" as a Concept in Natural Resources Policy. Natural Resources Journal 15:713-727.
- Croll, Elisabeth
1987 Some Implications of the Rural Economic Reforms for the Chinese Peasant Household. In The Re-emergence of the Chinese Peasantry: Aspects of Rural Decollectivization. Ashwani Saith, ed. Pp. 105-136. London: Croom Helm.
- Ecologist, The
1992 The Commons: Where the Community Has Authority. The Ecologist 22:123-130 (July/August 1992).
- Engels, F.
1972 The Origin of the Family, Private Property, and the State. New York: International Publishers [first published 1884].
- Fernandez, J. W.
1987 The Call to the Commons: Decline and Recommitment in Asturias, Spain. In The Question of the Commons: The Culture and Ecology of Communal Resources, Bonnie J. McCay and James M. Acheson, eds, pp. 266-289. Tucson: University of Arizona Press.
- Geertz, Clifford
1972 The Wet and The Dry: Traditional Irrigation in Bali and Morocco. Human Ecology 1:23-40.
- Glaser, Christina
1987 Common Property Regimes in Swiss Alpine Meadows. Paper presented at the Conference on Comparative Institutional

Analysis at the Inter-University Center of Postgraduate Studies, Dubrovnik, Yugoslavia, October 19-23, 1987.

Griffin, Keith

1980 Epilogue: Rural China in 1983. In Institutional Reform and Economic Development in the Chinese Countryside. Keith Griffin, ed. Pp. 303-329. London: Macmillan.

Hardin, Garrett

1968 The Tragedy of the Commons. Science 162:1243-1248.

Hoffmann, Richard C.

1973 Medieval Origins of the Common Fields. In European Peasants and their Markets: Essays in Agrarian Economic History, W. N. Parker and E. L. Jones, eds., pp. 13-71. Princeton: Princeton University Press.

Hoskins, W. G.

1957 The Midland Peasant. London: Macmillan.

Huang, Shu-min

1989 The Spiral Road: Change in a Chinese Village Through the Eyes of a Communist Party Leader. Boulder, CO: Westview Press.

Hunt, Robert C.

1991 Common Property: Irrigation in Mexico. Paper presented at the IASCP Annual Meeting, September 26-29, University of Manitoba, Winnipeg, Canada.

Jodha, Narpal S.

1990 Rural Common Property Resources: Contributions and Crisis. Paper presented at the IASCP Annual Meeting, September 27-30, 1990, Duke University, Durham, N.C.

Kelliher, Daniel

1992 Peasant Power in China: The Era of Rural Reform 1979-1989. New Haven: Yale University Press.

Khan, A. R.

1984 The Responsibility System and Institutional Change. In Institutional Reform and Economic Development in the Chinese Countryside. K. Griffin, ed. Pp. 76-120. London: Macmillan.

Lansing, J. Stephen

1991 Priests and Programmers: Technologies of Power in the Engineered Landscape of Bali. Princeton: Princeton University Press.

Levine, David

- 1977 Family Formation in an Age of Nascent Capitalism. New York: Academic.

Malayang, Ben S., III

- 1991 Tenure Rights and Exclusion in the Philippines. Nature and Resources 27(4):18-23.

McCay, Bonnie J., and James M. Acheson, eds.

- 1987 The Question of the Commons: The Culture and Ecology of Communal Resources. Tucson: University of Arizona Press.

McGuire, Randall, and Robert McC. Netting

- 1982 Leveling Peasants? The Maintenance of Equality in a Swiss Alpine Community. American Ethnologist 9:269-290.

McKean, Margaret A.

- 1991 Defining and Dividing Property Rights in the Commons: Today's Lessons from the Japanese Past. Paper presented at the IASCP Annual Meeting, September 26-29, 1991, University of Manitoba, Winnipeg.

- 1992 Success on the Commons: A Comparative Examination of Institutions for Common Property Resource Management. Journal of Theoretical Politics 4:247-281.

Meillassoux, Claude

- 1972 From Reproduction to Production: A Marxist Approach to Economic Anthropology. Economy and Society 1:93-105.

Morgan, Lewis Henry

- 1963 Ancient Society (orig. 1877). Cleveland: World.

Nee, Victor

- 1985 Peasant Household Individualism. In Chinese Rural Development. W. L. Parish, ed. Pp. 164-190. Armonk, NY: M. E. Sharpe.

Netting, Robert McC.

- 1974 The System Nobody Knows: Village Irrigation in the Swiss Alps. In Irrigation's Impact on Society, T. Edmund Downing and McGuire Gibson, eds, pp. 67-75. Tucson: University of Arizona Press.

- 1976 What Alpine Peasants Have in Common: Observations on Communal Tenure in a Swiss Village. Human Ecology 5:135-146.

- 1981 Balancing on an Alp: Ecological Change and Continuity in a Swiss Mountain Community. Cambridge: Cambridge University Press.

- 1982 Some Home Truths on Household Size and Wealth. American Behavioral Scientist 25:641-662.
- 1993 Smallholders, Householders: Farm Families and the Ecology of Intensive, Sustainable Agriculture. Stanford: Stanford University Press.
- Oakerson, Ronald J.
1986 A Model for the Analysis of Common Property Problems. In Proceedings of the Conference on Common Property Resource Management. National Research Council. Washington: National Academy Press.
- n.d. Analyzing the Commons: A Framework. Manuscript.
- O'Neill, Brian Juan
1987 Social Inequality in a Portuguese Hamlet: Land, Late Marriage, and Bastardy, 1870-1978. Cambridge: Cambridge University Press.
- Ostrom, Elinor
1990 Governing the Commons: The Evolution of Institutions for Collective Action. New York: Cambridge University Press.
- 1992 Institutions and Common-Pool Resources. Journal of Theoretical Politics 4:243-245.
- Parish, William
1985 Introduction: Historical Background and Current Issues. In Chinese Rural Development: The Great Transformation. W. L. Parish, ed. Pp. 3-29. Armonk, NY: M. E. Sharpe.
- Park, Thomas K.
1992 Early Trends toward Class Stratification: Chaos, Common Property, and Flood Recession Agriculture. American Anthropologist 94:90-117.
- Putterman, Louis
1987 The Incentive Problem and the Demise of Team Farming in China. Journal of Development Economics 26:103-127.
- 1989 Entering the Post-Collective Era in North China: Dahe Township. Modern China 15:275-320.
- Roseberry, William
1991 Potatoes, Sacks, and Enclosures in Early Modern England. In Golden Ages, Dark Ages: Imagining the Past in Anthropology and History, Jay O'Brien and William Roseberry, eds., pp. 19-47. Berkeley: University of California Press.

Shue, Vivienne

- 1980 Peasant China in Transition: The Dynamics of Development Toward Socialism, 1949-1956. Berkeley: University of California Press.

Singleton, Sara, and Michael Taylor

- 1992 Common Property, Collective Action, and Community. Journal of Theoretical Politics 4:309-324.

Skipp, Victor

- 1978 Crisis and Development: An Ecological Case Study of the Forest of Arden, 1570-1674. Cambridge: Cambridge University Press.

Smil, Vaclav

- 1985 China's Food. Scientific American 253(6):116-124.

Spufford, Margaret

- 1974 Contrasting Communities: English Villagers in the Sixteenth and Seventeenth Centuries. Cambridge: Cambridge University Press.

Stone, Glenn D., M. Priscilla Stone, and Robert McC. Netting

- 1984 Household Variability and Inequality in Kofyar Subsistence and Cash-Cropping Economies. Journal of Anthropological Research 40:90-108.

Stone, Glenn D., R. McNetting, and M. P. Stone

- 1990 Seasonality Labor Scheduling and Agricultural Intensification in the Nigerian Savanna. American Anthropologist 92:7-23.

Thirsk, Joan

- 1957 English Peasant Farming. London: Routledge & Kegan Paul.

Turner, Michael

- 1984 Enclosures in Britain, 1750-1830. London: Macmillan.

Wade, Robert

- 1988 Village Republics: Economic Conditions for Collective Action in South India. Cambridge: Cambridge University Press.

Wilson, Paul N., and Gary D. Thompson

- 1993 Common Property and Uncertainty: Compensating Coalitions by Mexico's Pastoral Ejidatarios. Economic Development and Cultural Change 41:299-318.

Wolf, Eric R.

- 1981 The Vicissitudes of the Closed Corporate Peasant Community. American Ethnologist 13:325-329.

Worster, Donald

1990 The Ecology of Order and Chaos. Environmental History
Review 14:1-18.

Yelling, J. A.

1977 Common Field and Enclosure in England, 1450-1850.
London: Macmillan.