

SECURING THE COMMONS

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WHAT ARE THE COMMONS AND WHAT ARE THEY GOOD FOR?

Over 1.6 billion people live in and actively use the 30% of the global land mass that is forest and close to 1 billion people the 40% land mass that is drylands. These areas, although often classified by national law as public lands, are in many places actively managed by their inhabitants, very often through common property arrangements. In addition to many forest and dryland areas, fisheries, pastures, irrigation systems, and the oceans are examples of commons. The commons may also include farmland that is seasonally left open for livestock grazing, as is widespread in situations where pastoral and cultivating communities interface in the Sahel region in Africa. Another example for commons on privately owned land are the seasonally flooded wetlands in the Mekong region of mainland Southeast Asia that are used for collective fishing and individual rice production at different times.

Many natural resources are so-called common pool goods. The physical nature of the resource presents difficulties in excluding other users, yet the use of the resource by one user decreases the supply available to others. However, just because they are characterized and managed by many users who are difficult to exclude does not mean that the commons are automatically subject to overuse and degradation. To the contrary, resource users around the world have defined rules and evolved norms for the regulation and conservation of shared resources. Resource overuse and degradation are not inevitable and are largely associated with open access situations where these rights and obligations are non-existent or have been weakened or eroded by various pressures such as privatization and individualization, state appropriation, population increase, commercialization, or migration, among others.

The commons fulfill religious, cultural and recreational functions, but are of particular importance for

securing the livelihoods of poorer or marginalized groups in society, including women and the landless. Although the value generated by the use and sale of diverse products (e.g. fuelwood, fodder, fruits, and medicines) from the commons is often not quantified, studies that have estimated their value show that they are very substantial. In India, community forests contribute up to 29 per cent of the income of poorer households, adding up to US \$5 billion a year. This is more than twice the amount of foreign direct investment or of official development assistance in India in 1996. Longitudinal studies in Zimbabwe find that the poorest 20% of the population generated up to 40% or more of their total income from environmental resources, which drops to 29% for the highest income households. Quite clearly, these contributions to rural incomes are significant. If social, cultural and other non-consumptive values are factored in, then the commons play an even more significant role in the lives of the rural poor. Women in particular are often primary gatherers of products from the commons. It is crucial that this access is not impeded but indeed strengthened, secured and enhanced not only to sustain and improve livelihoods, but also to provide communities with the incentives necessary for conserving the resource base upon which they depend.

Legally recognized property rights to the shared resource would provide users with the incentives to manage the resource. Common property has often been referred to as the private property of a group, however with one important distinction: such regimes often recognize the rights of secondary or transient resource users, such as seasonal grazing or foraging. To manage the commons, users create rules or employ existing norms, often based on custom, to specify who can benefit from the resource and how, including their duties towards maintaining the resource. If secure from external pressures, common property regimes can provide communities of users the necessary incentives for sustainable resource management. If individuals within the group are secure in their membership in the group and are assured that others will abide by the rules, they will have an incentive to comply with the rules and norms crucial for group functioning.

POLICY IMPLICATIONS

1. Devolving authority to the lowest levels possible can improve the effectiveness of the management of common pool resources, if the state is willing and able to back the rules established at those levels

While broad principles may best be established at the national level, and enforcement requires well-defined mechanisms that are backed by the state, specific rules and regulations should respond to cultural, political, and ecological demands at local levels. This means they should be adopted and implemented at the lowest possible level of governance. Policies affecting the way common pool resources are managed should also define the broad processes of rights allocation and conflict resolution. It is important to highlight the state's role in defending local rights against outsiders and arbitrating between groups when local systems are unable to resolve conflicts.

2. State recognition of common property systems is essential to enable those who depend on the commons to reap the benefits from these areas

To minimize or deflect external pressures and threats on the commons it is essential that common properties are formally recognized. The commons, much more than individually-held properties, are at risk of appropriation from both external and internal actors, usually without adequate compensation for users. While formal recognition can include registration of the rights of all users as a means for securing their access and use rights, it does not necessarily mean that group resources can subsequently be used as collateral. Records of rights should include secondary rights – such as seasonal rights or rights to exploit only specific resources in an area – and the ways different user groups negotiate their rights with each other.

3. Strengthening individual property rights can undermine the existence of the commons

When strengthening private individual rights over land, water, or other natural resources, third party effects need to be taken into consideration as secondary use rights might be cut off or undermined. Mechanisms should be established for these users to obtain a share in the benefits or receive compensation. Rights registration systems that seek to minimize restrictions on resource transfers may seem to be more

efficient, but if they do not accommodate the rights of other customary users, they may reduce both equity and the overall productivity of resource systems.

4. Devising strategies and mechanisms to strengthen group institutions, and making sure they are accountable and transparent for all members, can increase overall security of the commons

It is well-established that secure rights for the collective are important in common property systems. It is less recognized that the security of the individual within the group is also relevant in the debate on securing common properties. Insufficient security for individuals may destabilize group functioning and effectiveness of collective institutions, even where common properties may be officially supported and encouraged. Individual security within a collective setting often requires (1) clear and enforced rules for access, use and management of the resources, (2) clarity and certainty about the membership in the group, (3) effective enforcement and conflict resolution mechanisms. Creating a climate of transparency and accountability will provide group member assurance that they will receive benefits from taking care of the commons.

5. Fostering innovative ways to diversify the livelihoods of commons users can help reach both equity and environmental stewardship objectives

Actively seeking income generating opportunities for communities by identifying and supporting community enterprises may generate benefits, which diversify the range of livelihoods options as a basis for strengthening community solidarity and incentives for shared resource management. While there are risks that increasing profitability will aggravate existing inequalities or increase overharvesting and degradation of the resource, there may also be opportunity to design equitable benefit sharing arrangements that are embedded within the community's specific governance arrangements.

6. Securing the commons requires empowering local communities to deal with outsiders

The commons do not exist in isolation, but are integrated into national and global economies. But local people cannot maintain their common resources if powerful outsiders (e.g. timber concessionaires or

fishing trawlers) can take the resources with impunity. Outside investors can be an important source of funds and expertise to enhance the value of resources, e.g. through ecotourism, but efforts are often needed to build the capacity of communities to negotiate with outsiders so that their resources are not used without their informed consent, and local people receive an appropriate share of the benefits. International policy debates, including trade discussions, should also recognize and respect other forms of property than individual private property.

SUGGESTED READING

The *Digital Library of the Commons* is a repository for a large volume of literature on the commons: <http://dlc.dlib.indiana.edu>.

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The CGIAR Systemwide Program on Collective Action and Property Rights (CAPRI) is an initiative of the 15 centers that belong to the Consultative Group on International Agricultural Research. The initiative promotes comparative research on the role played by property rights and collective action institutions in shaping the efficiency, sustainability, and equity of natural resource systems. Its Secretariat is hosted by IFPRI's Environment and Production Technology Division.

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