

Summer 2001: Reclaiming the Commons

The Hidden Commons

by Jonathan Rowe

My wife grew up in what western experts call, not without condescension, a “developing” country. The social life of her village revolved largely around a tree. People gathered there in the evening to visit, tell stories, just pass the time. Some of my wife's warmest childhood memories are of playing hide and seek late into the evening while the parents chatted under the tree — or on a neighbor's porch, which was another version of the same thing.

The tree was more than a quaint meeting place. It was a productive asset — an economic asset in the root sense of that word. It produced a bonding of neighbors, an information network, an activity center for kids who ran and played and invented their own games. It provided a bridge between generations. Older people could be part of the flow of daily life, and children got to experience something scarce in the US today — an unstructured and noncompetitive setting in which their parents are close at hand. In the US we spend hundreds of billions of dollars on everything from community centers to kiddie videos to try to achieve those results, with great inefficiency and often much less positive effect.

Yet most western economists would regard the tree as a pathetic state of underdevelopment. They would urge “modernization,” by which they would mean cutting down the tree and making people pay money for what it provided. In their preferred version, people would stay at home and watch TV, play video games, or surf the web. Corporate-produced entertainment would displace local culture. There would be “enclosure” of the social commons, in other words. Something free and available to all would become commodities sold for a price.

The result would be “growth,” as economists understand that term. Money would be changing hands. Yet there also would be side effects: obesity, debt, environmental decay, the sex and violence of the commercial culture, a weakening of community bonds.

That's the story of the commons, which is the part of life that lies outside both the market and the state. The commons is the hidden economy, everywhere present but rarely noticed. It provides the basic support systems of life — both ecological and social. Yet almost everywhere it is subject to degradation and abuse. The destruction of the commons has been the leitmotif in much that passes for “development.” It is the thread that connects many of the problems that beset the world today. The pollution of water and sky, the noise, sprawl, and breakdown of community, the cultural cesspool called “entertainment,” and the attempts to engineer and patent the genetic substrate of life itself — with these and many others the underlying issue is the same. It is the destruction of the commons in the cause of private gain.

What else is there?

For more than a century, public debate in the US has remained polarized — the public sector

versus the private, the government versus the market, the corporation versus the state. These have set the boundary of the nation's policy imagination, and the underlying sense of reality as well.

The result has been a universe reduced to two choices and a myopia embedded in official policy. One camp wants to fill all space with a market and turn everything into something for sale. The other camp counters with the policies and programs of an institutional state. It is a debate between Wal-Mart and welfare, between the corporate takeover of life and the incessant regulation of it, and it all begs a crucial question — namely, what else is there?

To say “the commons” is to evoke a puzzled pause. You mean the government? The common people? That park in Boston? In politics and the media, the concept of the commons might as well not exist. Yet the commons is more basic than both government and market. It is the vast realm that is the shared heritage of all of us that we typically use without toll or price. The atmosphere and oceans, languages and cultures, the stores of human knowledge and wisdom, the informal support systems of community, the peace and quiet that we crave, the genetic building blocks of life — these are all aspects of the commons.

Some are gifts of nature, others are the collective product of human creativity and endeavor. Some are new, such as the internet. Others are as ancient as folklore and calligraphy. But they all “belong” to all of us, if that is the word. No one has exclusive rights. We inherit them jointly, and they are more basic to our lives than either the market or the state. One can imagine life without a Commerce Department or an Amazon.com, but not without language and air fit to breathe. This implies a large responsibility. We are “temporary possessors and life renters,” as Edmund Burke wrote famously, and we “should not think it amongst [our] rights to cut off the entail, or commit waste on the inheritance.”

Leave the place as clean as you found it, if not cleaner, as our grandmothers used to say. But today not many are heeding. The value of the commons is beyond reckoning. Yet because there is no accepted language with which to talk about it, nor legal framework to protect it, the commons is subject to constant invasion, expropriation, and abuse. Each day brings news of yet another assault — upon our quiet, our civic spaces, the cohesion of our communities, our collective store of knowledge, the air and water that we need for life. Telecommunications firms claim the aural commons for cell phone use. Corporations claim the names of sports arenas and other civic institutions. Drug companies take ownership of university research, so that the goal becomes to produce more money instead of to advance the cause of knowledge. Even the world's water is turning into a commodity for sale. “Gushing Over Water Stocks,” a CBS headline proclaims.

The result is a statistical illusion of progress — an increase of monetary transactions that hides the reality of decline in the larger matrix of well-being. The plundering of the commons has become the dominant theme in the process called, misleadingly, “growth.” Growth has become a process of cannibalization. Increasingly it does not add a “good” that wasn't there before. Instead it takes a good from the commons, diminishes or degrades it, and then sells it back to us in commoditized and ersatz form. Pollute the lakes and rivers and then sell swimming pools and

bottled water. Destroy the traditional village pattern of development, make people ride around in cars, then sell them treadmills for their exercise — and pills to make them calm.

The examples are without number. Meanwhile inequality increases, because more of life is pushed into the realm that requires the expenditure of money. We are left feeling badgered, stressed, financially strung out, worried about the future our grandkids will inhabit — and contending with a chronic nemesis without shape or name.

Lawyers no, serendipity yes

There have been many efforts to define the commons, but it defies precise formulation. It is simply too varied, too implicit in life process. A commons is not the same as a public program. It is not the fruits of government-funded research, for example, nor of the public schools. Such things are created through the institutions of the public sector. They have large public implications and can enhance a commons — for example, if government-funded research goes into the public domain. But they are not a commons in and of themselves.

A commons has a quality of just being there. Generally there are not formal rules to regulate the internal workings of the commons. This means, among other things, a happy scarcity of lawyers. People don't need a contract in order to breathe, a lease to sail in the ocean, an insurance policy to call a neighbor for help. They don't pay royalties to use the language or to tell fairy tales to their kids. That said, it will take new laws and lawyers to protect some commons as opposed to operating them.

A second attribute of a commons is an absence of advertising. The market is always pushing its “goods” and “services” in our faces, which might raise doubts as to whether these are really good or really serve. A commons, by contrast, is just there waiting to be used.

Often it is discovered. If a swimming hole exists, people will find it. Social commons arise spontaneously — the city street that becomes a jump rope arena and vending bazaar, the old sofa in the vacant lot that becomes a ghetto equivalent of the village tree. That there's no need for advertising says something about the utility of the commons compared to the products of the modern market.

A third attribute of a commons is serendipity. The offshoots of the market are increasingly unfortunate, from greenhouse gases to the obesity that results from pushing junk food at kids. Obsessing on a narrow spectrum of human concern — that is, the making of money — the market tends to ignore problems that don't appear on a corporate balance sheet. A commons by contrast engages people as wholes, and this tends to produce a multiplier of benign effects, especially in terms of social cohesion and trust. Open-source software such as Linux produces an informal network of collaborators who give their time and talents freely. A neighborhood park gives rise to communities of dog walkers, chess players, basketball players, parents with kids.

As a source of energy, a commons has big advantages as well. Energy from the sun and wind is nonpolluting and available to all, in contrast to petro-chemicals, which are both dirty and dear. They generate local self sufficiency and economic development, as opposed to dependence upon global corporations and geopolitical sword-waving.

This, of course, is not what we typically hear about the commons, when we hear about it at all. For decades a dark cloud has hung over the concept, cast largely by a 1968 essay in *Science* magazine called the “Tragedy of the Commons,” by Garrett Hardin. To reread the essay today is to marvel that it had such impact. Hardin wasn't even writing about the commons. He was writing about population, and the commons — a cartoon version of it — served mainly as a rhetorical device. In creating that cartoon, moreover, Hardin used the old economist's trick of assuming away the things that were inconvenient to his argument. Assume away a social structure or legal rules governing use, and voila, the commons becomes tragic.

But life does not work that way. In life there is often a social structure around a commons. On urban basketball courts the rule is simple: losers sit and winners play the next team in line. Or else there are formal rules that become incorporated into the structure of community life, as with community gardens. Given such conditions, the commons can be comedy instead of tragedy. It can turn out happily and often does.

Culture thrives in a commons: compare the menu in a Chinese restaurant — which draws freely from the culinary commons — with the one in a McDonald's with its patented and trademarked items. The English language is perhaps the ultimate commons, and it grows richer by the day as people add words and expressions without recognition or compensation.

The point here is not to romanticize the commons or suggest it should be everything. Markets do some things very well as do governments. The question is proportion and the need for boundaries to keep the market within the realm of its own competence. “The market economy is not everything,” declared the conservative economist Wilhelm Ropke in the 1950s. “The supporters of the market economy do it the worst service by not observing its limits.”

The riddle of invisibility

Before we can reclaim the commons we have to remember how to see it. This is no small task. When we breathe the air, or use language, or banter with neighbors on the front stoop, it rarely occurs to us that we are using a commons. It has become functionally invisible, and the media doesn't help. There are no news reports on the condition of the commons today, no speeches on it from the Senate chamber. The newspapers have many pages of stock market reports, but barely a word on the assets that belong to us all.

This invisibility arises first from the interests that dominate the media and politics. Advertisers and campaign funders make their money by exploiting the commons, not by leaving it alone. They get reinforcement from a belief system that regards the commons the way it once regarded women — as not worthy of mention. That belief system is called economics, which is a way of seeing the world that purports to be the world itself — a standpoint posing as the thing seen. It is the world as seen from the standpoint of a dollar bill. The only portion of reality that registers on the economic mind is the part that is transacted through money.

All the rest is an inchoate mass that awaits the vivifying powers of money to attain reality and life. In this mental drama the enclosure of the commons becomes a form of uplift, a missionary activity. Money passes over the commons and says, “Let there be light.” The village tree becomes the Fox Broadcasting Corporation, trumpets blare in heaven, and angels sing. The

media enthuses over the nation's "robust expansion." Should people start to wander back to the tree, the headlines fret about lagging "consumer confidence" and warn that a "recession" might be impending. The official measures of progress — "productivity," the GDP, et al.— are derivations of this same master script. All the gauges are wired to the expenditure of money.

We tend to become what we choose to see. A culture that sees only the part of life transacted through money paves the way for the dominance of that part. Markets once were discrete occurrences in time and space. Now the market — referred to in the majestic singular — fills all space. It fills the home, the school, politics, media, the aural and visual environments of daily life. The enclosure of the commons has become an enclosure of consciousness, the creation of a cognitive cocoon that permits nothing to enter that might remind us of a reality other than the buying and selling of stuff. To reclaim the commons requires first a deliberate act of remembering, because the entire market-driven culture wants us to forget. The ultimate question, though, is how to do that reclaiming. The answer is not automatic recourse to a larger public sector; it is not the enlargement of the bureaucratic state. The state can destroy the commons as effectively as the market can, as the experience of former East Bloc countries demonstrated. Environmental destruction was as bad there as under capitalism and often worse, and the social commons withered as the state tried to occupy every inch of social space.

By the same token, market arrangements actually can enhance the commons when conducted on the right scale. The shops on a traditional Main Street are crucial to the fabric of community, for example, which is one reason that stopping Wal-Mart and its ilk is so important. Besides, to see the answer to be an enlarged public sector is to lapse back into the old polarity. Instead, we need to recognize that the commons is distinct from both government and market, and requires a legal framework of its own.

We need new ground rules to protect our common property, just as there are rules to protect our individual or private property. This is a crucial point. A market is not an act of nature; it does not arise spontaneously out of the ooze. Societies create markets and societies sustain them. Take away the legal and institutional structure created by government — the money system, the banking and securities laws, the protection of copyrights and patents, the defense of foreign oil production and so on — and the modern market could not exist.

If the market requires such an array of props, it is not surprising that the commons needs a few as well. The commons, after all, is utterly without defense. Market and state have lawyers, lobbyists, armies — the built-in apparatus of aggression. The commons by contrast is inherently informal, a giver rather than an aggressor. Lacking a cash nexus, it cannot readily produce an organized defense. It is the quiet assaulted by the cell phone, the meadow spread before the bulldozer, the gene pool that the biotech company is racing to patent. It cannot resist by itself. It needs help.

The government cannot run a commons, any more than it can run a market. But it can establish rules and boundaries, just as it does for the market. The possibilities are without end. For example, we can stop the corrosive effects of highway subsidies, mall sprawl, antiquated zoning laws, and the like upon the social commons of traditional Main Streets. We can set aside more space on public airwaves for community, as opposed to corporate use, so that our airwaves

function less as a medium for electronic huckstering and more as a village tree. We can establish boundaries against the noise and saturation advertising in the visual and aural environments, and we can stop the conversion of the internet into yet another huckster medium.

If the government maintains a money system tailored to the needs of global corporations and financiers, why can't it also encourage local money systems that promote cohesive economies at the local level? If the government declares the inventions of corporations off limits to others via patents, then why can't it declare the gene pool — the invention of nature — off limits to corporate patent lawyers?

Steps like these would not mean government intrusion into more economic and social space. To the contrary, they would make it possible for something besides corporations to occupy this space. Regarding the natural environment, the case is especially clear. The oceans and atmosphere do not belong to government or the market. They belong to all of us, and environmental policy should reflect this fact. One way is to make corporations pay for what they use, either as supply depot or dump. It is our property, after all. A General Electric wouldn't let people dump their trash on its property for free. Why should it get to dump its trash in our common property for free?

This approach would not replace tough pollution standards; it would supplement them. The idea has been proposed before, but from a market standpoint rather than a commons one. Peter Barnes, a founder of Working Assets, the credit card and long distance company, is proposing a Sky Trust that would receive these payments and distribute them to us owners (see page 27). This system would recognize that there's a common property right to the sky, just as there are private property rights to the factories that pollute the sky.

The new commons sense

Of course, people are working on issues relating to the commons already, and with some success. What's missing is a shared rationale and theme. There's a need to do with the multiple invasions of the commons what Thomas Paine did with the multiple abuses and indignities that American colonists suffered at the hand of the British — inject them with the force of a unifying idea. For decades people have been fighting separate battles, plugging holes in a thousand dikes. They've been fighting pollution of the natural and cognitive environments. They've been trying to stop the commercializing of the public schools and the corporate assaults upon their kids. They've been battling traffic, sprawl, noise, the patenting of life — so many battles that it's hard to keep track.

It is time now to declare that these are really aspects of the same battle. They are not just assertions of a vague “public interest.” They are not attempts to violate property rights. They seek rather to protect a property right — a common property right.

Two centuries and some ago, people looked at the economic life around them and saw many different things. They saw factories and farms, shipping firms and theaters, and on and on. Then Adam Smith came along and said “Hey, wait a minute. These aren't just different things. They are different aspects of the same thing — a market.” It was Smith's genius to give mental shape to the whole, and this idea has dominated the public imagination ever since.

Now we need to do that with the commons. We need to declare that atmospheric pollution is not just a health threat. It is a violation of common property rights — a form of taking. Sprawl is not just an inefficient use of land and energy. It depletes the social commons, which rarely thrives in a world of freeways and malls. The commercial invasion of childhood is not just a matter of obesity and hyperactivity. It involves a larger question of the narrative commons — the question of who creates the stories on which young people are weaned, and to what ends.

For decades the libertarian Right has been fighting what it calls “takings” of private property by government. Now it's time to fight the taking of what belongs to us all.

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