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Interview conducted by Camilla Toulmin

Q1. Can you tell us about your first encounter with the commons? How did you get started in this field?

SH: It was at the beginning of 2004, when I was working as director of the regional office of a German organisation in Mexico. We were cooperating with many environmental, women's and human rights organisations in Central America, Mexico and the Caribbean. At that moment, we were about to set up our office in the Mexican capital. There were bricks and paint, hammer and nails, disorder and dust everywhere, but we were keeping up our activities. One afternoon we had a meeting with a partner. Construction work in the meeting room had left it too dusty, the library was messed up with stuff, so we took three chairs and sat down in front of the rooms, in freezing conditions. In Mexican winters, it tends to be colder indoors than outdoors. Surrounded by dust and cold, we engaged in a long conversation about how to rethink our regional programme. At a certain point, our Mexican colleague said, "You know, a key concept is enclosure". My programme officer and I replied "What?" ... We had never heard about the concept, so we got a brilliant introduction that morning; and later on went deeper into it. We understood that enclosure is a kind of umbrella concept pointing to the destruction of common resources through privatisation and commodification. Enclosure also refers to the challenges people face in times of structural socio-economic, legal or technological changes. All at once, we understood that the idea of enclosure had the potential to name the forces that global capital and market-fundamentalist politics unleash on traditional communities and 'ways of doing'.

... and this was how you got started in the commons as well?

SH: Of course, the opposite of enclosure is commoning -- the collective production, nurturing and defence of the commons. And the commons is a concept that powerfully connects disparate problems that are usually treated in isolation.

Q2. Can you describe a particular case – a research project or action that testifies to the importance of the commons as concept and tool?

SH: Well, there are thousands of case studies, essays and books about commons. For a start, have a look at the DLC, the Digital Library of the Commons <http://dlc.dlib.indiana.edu/dlc>. You need to search for them according to concrete factors such as geographic location, resources, political context, culture. There are 'particular cases' everywhere in the world, as the commons are truly a cross-cultural social form. Which one should I select?

I prefer to share another story, which 10 months later helped me realise the potential of the commons, again back in 2004. In the meantime, we had prepared our first regional conference on the 'rediscovery of common goods', and had invited a thrilling diversity of international scholars and activists to Mexico City. I confess that we, as hosts, were complete beginners in understanding and conceptualising the commons. Many of the conference participants were as well. Others had decades of experience in studying the commons – which was not a topic of mainstream discussion at the time but was deeply buried in libraries. Most importantly, many of those who came to this conference were practitioners who were dealing with land, water, biodiversity, human genetic resources and so on. With one exception, a lady from Buenos Aires who was working on code. On arriving, she met a compatriot at the airport. They started chatting while moving forward in the passport line and realised that both were heading to the same conference. He was a Via Campesina activist working to protect the genetic code of seeds, so to speak. She was very much involved in the freedom of speech movement and worked on (free) software code-related issues. They couldn't figure out how they had ended up attending the same conference.

The woman, who's now a good friend of mine, spent two days listening and learning about enclosures and processes of dispossession and concentration in literally every field: food production, forest management, water management, fisheries, etc. Then it was her turn. She took the floor, opened her laptop, showed her first slide and we read one simple question: "Who does your computer work for?" She was referring to the software on our computers. The surprised audience then listened to a stunning presentation that made us understand the ongoing enclosures and processes of concentration in the field of knowledge, software code and information management.

Q3. What are the main lessons or elements that you draw from this?

That all these struggles against enclosure – and to create or reinvent commons – are connected. Many NGOs and social movements are basically trying to do two things: first, resist enclosures and second, reclaim sovereignty over their resources and community self-determination. In short, reclaim the commons, whether it revolves around seeds or software, water or knowledge. In essence, the core question is always the same: "Who is in control?"

Q4. From your point of view, what are the main challenges and issues at stake when taking a commons approach to land tenure in terms of (i) governance, (ii) territory/landscape and its evolution, and (iii) public policy?

Let me mainly respond to two aspects, the **evolution of commons** and the **challenge for public policy**.

There are many case studies on all sorts of subsistence and other commons around the world. The problem is that it's hard to extract more generalisable principles without ignoring particular contextual factors. But it still needs to be done because we need to connect these practices, make them visible and value them.

In our work, we were wondering if there is a way to escape the faux universalism of 'best practices' and other idealised models, and yet still identify recurrent lessons as commoners in very particular situations devise their own functional solutions. The heuristic approach and methodology of 'pattern mining' is such a way. It is helpful in making sense of a great diversity of empirical phenomena. This idea derives from **Christopher Alexander's** pioneering work on pattern theory and pattern languages, which identify recurring features of successful solutions to 'problem spaces' that occur over and over again in different shapes and variants, but are similar in essence.

Some recurrent 'problem spaces' include:

- how to define the boundaries of commons;
 - how to deal with recurrent conflicts over use rights;
 - how to define membership (i.e. inclusion/exclusion)
 - collective decision-making processes and related questions/problems,
 - how to deal with problems deriving from formal or informal power relations
- and first and foremost: how to expand commons and commoning throughout society

On the solution side it's the same. There are countless good solutions to recurrent problems out there that are different in shape and detail, but similar in essence. Meaning that there is no panacea, no magic bullet, nothing that provides all solutions, yet the patterns approach is a powerful way to elicit the diverse but related types of solutions that people have devised over time. The use of patterns could help develop new understandings of effective governance of commons in general, and land-related commons in particular.

To be clear: patterns of commoning or a pattern language of the commons has yet to be developed. (See more about pattern languages in our 2015 anthology, *Patterns of Commoning*.)

The big **challenge for public policy** is to learn to think and see like a commoner and not like a state. Which comes down to understanding how commons come into being, how they are formed and governed, why commoners come together, why their autonomy matters, and how technologies might serve to create new shareable resources (or work to enclose existing common assets and traditions of commoning). When trying to devise public policies based on a proper understanding of commons, it is important not to overstate formal organisational or legal forms (such as land tenure) or look for idealised institutional arrangements, because every commons emerges from highly idiosyncratic contextual factors and particular commoners. The proper focus should be on *the process* of becoming commons (and commoners).

Such a learning process comes along with moving away from the suffocating command-and-control directives that bureaucracies tend to prefer. If commons are going to yield trusted, glocally responsive solutions, then state agencies have to learn how to facilitate and host commoning without seizing control of it. This idea points towards what might be called '**Public Commons Partnership**', or even better '**Commons Public Partnership**', to make clear that in such a partnership the commoners remain sovereign at any moment.

We need to find more ways for public policy and state agencies to authorise and protect commons-based management of land and what the land produces – food should be considered as a commons and not as a commodity, as José Luis Vivero Pol rightfully points out (see <https://ourworld.unu.edu/en/why-food-should-be-a-commons-not-a-commodity>).

This can generate a variety of benefits: applications of deep local knowledge, meeting needs and reducing inequality while empowering people, self-governance in devising and enforcing adapted rules, and provisioning that is (re)generative and not extractive.

Another challenge is that many commons cross national boundaries, especially when they relate to territories and landscape – such as Great Lake Commons, King of the Meadows, nomadic pastures, etc. Devising policy frameworks that don't stop at respective national borders is key, because in practice, the slogan “commons beyond market and state” translates into “commons beyond capitalist markets and nation-states”.

Q5. Over the last few years, have you seen an evolution in how the commons are seen and understood – in terms of their characteristics and what's at stake? If so, why do you think this change or shift in thinking has come about?

In the second half of the 20th century the debate (if any) was mostly approached from a 'common goods' framework derived from the neoclassical theory of goods (Samuelson, Buchanan). This was ideological narrowing – towards private goods mediated by the market on the one hand, or public goods administered by the State on the other. This focus was partly challenged from the late 1970s onwards, when more empirical and contextualised research by institutionalists like Elinor Ostrom and others was brought to the fore. Yet they still relied (and continue to rely) on the same framework, while just being more differentiated and focusing on a specific type of good such as common-pool resources (CPRs).

Beyond academia, there has always been reflection and debate on commons as well, at least on common practices, although the rise of neoliberalism in the 1970s and 1980s marginalised richer public discussion about the commons. This changed in the late 1990s, for many reasons. One was cracks in the neoliberal reconfiguration of governance and resistance against it (the insurgency of the Zapatistas on 1 January 1994 – the day NAFTA was implemented – is richly symbolic). Another was the technological leap of digitalization, along with the (re)discovery of code, knowledge and culture as 'commons' – a common pool resource by default, so to speak, and therefore something that can be easily dealt with as commons.

The **free knowledge and openness** debate evolved from these social trends, and the commons came back into public view in a broader form than before.

The term 'commoning' started to come into focus again, especially over the past 10 years, with the return of an old idea to social sciences – that what actually matters in social systems is mainly **social practices** (i.e. not only 'the systems' or 'the institutions' and their design) – and a surge of research, books and essays by historians, autonomous Marxists, feminists, environmentalists and many others. In a recent survey, we found a considerable rise in academic literature devoted to the conceptualisation, meaning and relevance of commoning. This points to a shift from commons as discussed in economic theory and political science towards commoning as a cultural phenomenon and expression. It seems likely that we will learn more about the commons from anthropologists, historians and cultural theorists than from economists and political scientists.

There is another trend to discuss, '**commons as mode of production**' or even as a way of thinking about society as a whole. This is also connected to the discussion of peer-to-peer production (P2P Foundation, see https://wiki.p2pfoundation.net/Peer_Production). The term "commons-based peer-to-peer production" was coined by Yochai Benkler in his 2006 book *The Wealth of Networks*. I have expanded upon this term by talking about "commons creating peer production" and "commons creating peer ecology" – terms that I use to convey the idea that a different mode of production is not only determined by *how* things are produced, but also by the 'social form' we wish the product to take: commons or commodities? For example, Wikipedia produces encyclopaedia entries as commons, not as a commodity; while water is produced either as a commons or as bottled water to be sold as a commodity.

Finally, there is growing awareness that the commons amounts to a distinct **worldview and ethic**, in that it challenges some of the entrenched assumptions about the supremacy of the individual over groups, the dualities of 'nature/human, 'matter/mind', and Darwinian assumptions about the essential nature of human beings as chiefly selfish and competitive. And many scientists are moving away from methodological individualism towards recognising collective systems as organic wholes in which individuals are embedded (the "nested I").

In short, contemporary notions of the commons go beyond the Ostrom-style analysis of commons that mainly focused on institutions of collective resource management. This is being challenged by a framework that focuses on commoning practices. While the care and stewardship of common pool resources remain a very important motivation – and need – for many people to engage in commoning, the commons will not truly flourish unless it is seen as a social process that emphasises relationality between individuals and their inner selves, among individuals in groups, and between groups and the Earth. That move includes some emerging discussion of commons as a mode of production and a basis for a commons-based society.

The 'branching outwards' of 'commons studies' has resulted in a more philosophically fragmented literature on the commons. From another perspective, this can be seen as a sign of its maturity. There are now many schools of thought about the commons, with at least three currently dominating the field: institutionalist in the Ostrom mould, analyses that emphasise the political and economic, and the commoning-type of conceptualisation (over the goods-based definition). There are also different 'flavours' of commons analysis that reflect the distinct perspectives of autonomous Marxists, indigenous peoples, the digital-driven P2P world, Western-educated social scientists, evolutionary scientists and biologists, and commons practitioners and activists, among others.

Q6. Why might it be relevant to analyse land tenure practices in terms of the commons, and what kind of actions might it involve?

A few points come to mind here:

- mapping matters, see landmark.org
- likely improvements in ecological stewardship and responsibility
- diversified provisioning through thousands of appropriately-scaled commons that honour the imperatives of local ecosystems (rather than changing local ecosystems to serve global commerce, which is what happens when landscapes are converted to produce cash crops and monoculture crops).
- addressing climate change will require plural local responses.

Q7. From your point of view, would it be helpful to agree on a classification of different kinds of commons? If so, what criteria might be used? If not, why?

I have never encountered a classification scheme for 'different kinds of commons' that is useful to me. There are many reasons for this. One, common classification schemes tend to be based on resources, which are only one of many relevant elements that influence how the governance and management of commons work.

Two, if you look at a commons as a whole – whatever type of commons -- you will realise several things. Firstly, each commons somehow depends upon or uses natural resources. For instance, even so-called 'digital commons' depend on land, water, metals and energy sources, arguably more than many other commons.

Second, all commons are knowledge commons because, for example, a water commons is not just about water, but also about knowing how to organise fair and sustainable use of water through stewardship systems. And thirdly, all commons are social commons because commoning is a social process.

Therefore, dividing commons into categories such as 'natural commons', 'knowledge commons' and 'social commons' is extremely crude and does not address some of the most significant social dimensions of a commons. Categorizing commons according to resources lacks consistency.

Also, common classifications tend to point to the realm in which a commons evolves, as with rural, urban or digital commons. It seems more correct to speak about "commons in the digital sphere" or "commons in the rural or urban context"...

So rather than a strict categorisation of commons based on resources, I think it's more useful to develop generalised frameworks and clusters of analysis based on the realm or context in which they evolve, because commons very much depend on their context. This approach might also help focus our attention on the specific conditions (geography, culture, history, traditional social practices, rural or urban, etc.) that greatly affect how the commons performs. In general, however, I believe the proper heuristic for the process of understanding commons is the pattern-approach, as described above in Question 4.

8. Given that the French co-operation agency AFD plans to support the commons as they relate to land and natural resources in the South, how might this best be done?

AFD will need to

- Give partners the support and freedom they need to adapt general principles and patterns to each concrete context and situation, on a step-by-step basis. This is a challenge, because the context in which any commons works is influenced by history, culture, traditions, the local ecosystem, community size, nature of the state, commercial forces and much else. And it takes time. So AFD will need patience, fewer indicators and a minimum of bureaucracy.
- Train their programme and project coordinators to think and see like commoners themselves, and to assess projects and processes from a commons perspective.
- Bring together commoners to exchange insights and advice and build mutually supportive relationships, especially beyond nation-states. It's important to transcend political borders while respecting bio-cultural-regional ones.

- Encourage the growth of a shared commons discourse among disparate commoners as a counterpoint to the standard development framework of trade, investment and markets, and share insights – especially among the philanthropist and international cooperation community.

Q9. What promising opportunities and/or obstacles do you think the French Development Agency might come across?

The main obstacles in my view are the deeply entrenched ideas of conventional economics and its categories of thought, and the internal habits and systems of large organisations such as AFD. There is also a need to create new types of oversight and accountability along with this shift in focus, without being intrusive or interventionist.

Q10. Can you tell us about any work, bibliographic references or people that we should include in this work being taken forward by AFD?

I'll try to point to papers that I don't expect to be on other people's lists.

Anna Lowenhaupt Tsing – *The Mushroom at the End of the World: On the Possibility of Life in Capitalist Ruins*, 2015, Princeton.

Commons Strategies Group Deep Dive report, *Re-imagining Value: Insights from the Care Economy, Commons, Cyberspace and Nature*, <https://www.boell.de/en/2017/03/07/re-imagining-value-insights-care-economy-commons-cyberspace-and-nature>.

Two essays by Fabien Locher – *Cold War Pastures: Garrett Hardin and the Tragedy of the Commons*, in *Revue d'Histoire Moderne et Contemporaines*, LX/1 (2013), pp. 7-36;

and *Third World Pastures: The Historical Roots of the Commons Paradigm* (1965-1990), in *Quaderni Storici*, 2016/1, April 2016, pp. 303-333.

The Wealth of the Commons: <http://wealthofthecommons.org/>

Patterns of Commoning: <http://patternsofcommoning.org/>