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The commons versus capitalism

Thijs Lijster

29 July 2021

Once referring to natural resources and collectively managed land, the notion of the 'commons' has expanded across cultural, scientific and digital realms. Can commonality dodge the threat of capitalist exploitation and develop into an organizational principle for complex societies?

Although every proprietor knows his own, ... all things, so long as they will last, are used in common amongst them.

Thomas Morton regarding the Five Nations in North America

Since the beginning of the twenty-first century, the concept of the 'commons' has steadily ascended in significance in activist circles, scientific literature and in fields ranging from political philosophy and economics to jurisprudence and cultural theory. Traditionally, the commons were the natural resources that belonged to no one, which everyone could use: the forests where wood was gathered, the fields where cattle grazed or the wells where clean water could be drawn. According to current economic and political theory, over the course of capitalism's emergence and ascent during the fifteenth to nineteenth centuries, these commons were gradually expropriated and turned into private property – the so-called 'enclosure of the commons'.

Theorists now seem to agree that this was not a one-time transition but an ongoing movement. Indeed, new commons are being created that are also in danger of being expropriated or destroyed today. In 2001 Naomi Klein wrote *Reclaiming the commons*, a short essay in which she mentions the anti or alter-globalization movement in the same breath as environmental movements, urban activists and labour movements, all of which she says were part of a growing resistance to increasing expropriation, privatization, 'public' resources and services. [1]

In 2009 the Nobel Prize for Economic Sciences went to American economist Elinor Ostrom, author of *Governing the Commons*. [2] In it she debunks ecologist Garrett Hardin's 'tragedy of the commons', derived from his 1968 article of the same title, which suggests a shared piece of land would quickly be depleted by farmers grazing more livestock there out of self-interest. [3] Ostrom used historical sources and theoretical models to show that the commons could actually work. She asserted that collectively-managed pastures, forests, water supplies and fishing waters had worked well for



centuries without state intervention or individual claims to ownership.

While Klein and Ostrom wrote predominantly about existing commons and their expropriation, the concept also turns out to be applicable to all kinds of new forms of communal ownership and management, especially in the digital sphere and 'man-made' commons such as knowledge, culture, information and communication. Wikipedia, the encyclopaedia that is not only openly accessible and ad free but can also be added to and edited by anyone, is a prime example of this type of digital commons. Indeed, the American legal scientist Lawrence Lessig founded the Creative Commons license in 2001, providing a counterweight to the growing control of private companies over the circulation of knowledge and creativity.

Since then, the concept has been researched and applied in all kinds of spheres. Urban geographers speak of 'urban commons', the scientific world is already being described as a 'knowledge commons', the Internet has 'digital commons' and cultural heritage 'cultural commons'. Everything seems to be a 'commons' or could be described as such. Policymakers were soon eager to claim the term for themselves as well, becoming trendy in cultural memorandums. The one-time Dutch Minister of Education, Culture and Science Jet Bussemaker described education as a 'commons' in a 2017 speech. When Leeuwarden was European Capital of Culture in 2018, the theme was 'community'. An elite university in the US, which charges fifty thousand dollars in tuition fees, calls the university's library an 'information commons'. And how could it be otherwise, when even a hip restaurant chain called The Commons claims 'to bring people together from around the globe, to share stories, experiences and discover the beautiful things they have in common'.

In short, the attention the commons has received is accompanied by a confusion of concepts, whereby the critical power of the commons is in danger of disappearing. When, or why, is something a commons? What is the difference between the 'communal' and the 'public', and how does it relate to capitalism? Two recent books attempt to answer these questions.

Montage of two book covers. L: Pierre Dardot and Christian Laval, *Common: On Revolution in the 21st Century*, Translated by Matthew MacLellan (New York: Bloomsbury Academic, 2019). R: *Re-enchanting the World: Feminism and the Politics of the Commons* by Silvia Federici, Oakland, PM Press, 2019

A Common revolution

Philosopher Pierre Dardot and sociologist Christian Laval's *Common: On Revolution in the 21st Century* is an in-depth work [4], in which the authors go back to the root of the concept in Roman law. They then enter into dialogue with virtually all thinkers and scientists who have made a relevant contribution to the discussion about the commons: from ancient and medieval philosophers such as Aristotle and Thomas Aquinas, via early modern thinkers such as Hugo de Groot and John Locke and thinkers in the socialist and anarchist tradition, such as Karl Marx and Pierre-Joseph Proudhon, to contemporary theorists such as Ostrom and Klein, Michael Hardt and Antonio Negri, and Jean-Luc Nancy and Roberto Esposito.



Dardot and Laval's preference for identifying a 'common' in the singular rather than plural form is already evident from the title of their book. They do not perceive 'the common' so much as an object or good but first and foremost as a political principle. In their introduction they write:

If "the commune" is used to name a specific local, self-governing polity, and the "commons" is the name given to a diverse array of objects or resources managed by the activities of individuals and collectives, "common" is more properly the name of the principle that both animates and guides this activity.

The reasons for the focus on the singular 'common' are both conceptual and political-strategic in nature. Dardot and Laval first want to avoid the long-running discussion about what kind of objects or goods are 'commons' or could be. They circumvent the question of whether there is a connection between certain natural properties of things and the degree to which they became public or private property. For example, it was long thought that water and air are common goods because they are inexhaustible and unlimited. According to Hugo de Groot, water could only become private property once it was in a specific container; indeed, anyone who has ever been puzzled by bottled mineral water now knows who to blame.

Photo by Jonathan Chng on [Unsplash](#).

Now we know how to organize price tags on nature: a vibrant global emissions rights trading system has emerged, which is essentially horse-trading for clean air. Multinationals like Nestlé and Coca-Cola are making billions from drinking water, which is quickly becoming the new oil. The Space Act, a law passed by the US Congress in 2015, has even made it possible to privatize asteroids and celestial bodies. Opposed to any form of naturalism or essentialism, Dardot and Laval argue that there are no essential properties which exclude or impose their common use and management; for them, any demarcation between 'the common' and private or state property is purely a legal matter. They argue that the legal standard is based on nothing more than a shared practice.

With this last point, they are opposed not only to a naturalistic tradition but also, for that matter, to the discourse of Klein and others who speak of 'reclaiming' the 'expropriated' commons. After all, these terms imply that certain 'goods' (land, water, etc.) were once owned by something or someone else - namely, an original community - and 'in essence' belong to the community. Not only does such a perception of the commons adhere to the idea that property is more fundamental than a practice but it also suggests something reactive, if not even romantic, about it. It implies a harmonious state of nature and a rosy picture of an original community that never existed, not least because such original communities were often organized according to a patriarchal system and, therefore, by no means deserve to be romanticized.

Karl Marx, of course, already recognized this. For him, 'communism' was not something archaic but, on the contrary, something modern. Capitalism's expropriation of the commons was a necessary step towards communism for Marx. The former would create



the conditions for production's centralization, which the proletariat could then overpower in what Marx called, in Hegelian manner, the 'negation of the negation'.

Nevertheless, Dardot and Laval are not Marxists for several reasons. For them, Marx failed to recognize that the common is just as dependent on communal decision-making as it is in the case of common property, because of his emphasis on its economic 'basis'. As a result, according to Dardot and Laval, every centrally organized form of state communism is hostile to the principle of the common. They have no illusions about the countries considered communist during the twentieth century - some of which still are to this day - and refer to them as 'terrorist' and 'reactionary, bureaucratic police states'.

Dardot and Laval also refute Marx for his aforementioned view of the common as a necessary historical product of capitalism. A contemporary variant of this, though perhaps a little less deterministic, can be found in Michael Hardt and Antonio Negri's *Empire Trilogy*. [5]The authors of *Empire*, *Multitude* and *Commonwealth* argue that capitalist production is becoming 'immaterial', or rather in their terms 'biopolitical', based on knowledge, information and affects known as 'human capital' in neoliberal jargon. As such production processes are based on circulation and collective organization, the development of capitalist production creates a form of communism as a matter of course. Quoting Marx and Engels, Hardt and Negri argue in *Commonwealth* that capitalism, therefore, gives birth to its own gravediggers.

While Dardot and Laval recognize Hardt and Negri's understanding of 'the common', they are not very fond of this sort of optimism. Understanding the common as a political principle suggests that it cannot just arise from production processes alone but must also be the beginning and outcome of a political struggle. And their concept of 'the common' is ultimately legal: it does not describe what is but what should be.

However, this shifts the problem elsewhere. The question of what the basis for laws and legal standards is ultimately leads Dardot and Laval to a fundamental paradox of philosophy, namely that laws and rules are based on collective practices and customs, which are in turn guided by laws and rules. Instead of solving this paradox, they decide to embrace it through the use of the term 'instituent praxis': 'this is why the activity of instituting the common can only be done in common, such that the common is both a qualitative form of human activity and the result of this activity itself'.

Following in the footsteps of philosopher Cornelius Castoriadis, they view an institution as something that always has an imaginary dimension, which offers the possibility of seeing something as different from what it is. Political-emancipatory praxis, therefore, presupposes the creation of new and different institutions, which will in turn be able to guide the collective imagination - that which we think is possible, desirable or necessary.

Dardot and Laval's position could be called anarchist, in the literal sense that their politics is groundless (*an-arche*, without grounds or origin). Indeed, they seem to veer towards Proudhon, the patriarch of anarchism, rather than Marx. However, in attaching importance to institutions, they do not reject all forms of authority or the exercise of power.

The authors present nine 'political propositions' that should guide 'revolution in the



twenty-first century', which serve as the subtitle of their book, one that should free us from the rule of state or market that has characterized the twentieth century. They ultimately arrive at a political panorama that they call a 'federation of commons', an alliance of autonomous, democratically-organized communities.

This is somewhat reminiscent of Hannah Arendt's 'council republic', with the significant difference being that Arendt always assumed a strict distinction between political and socio-economic spheres. According to Dardot and Laval, we cannot make such a distinction; if we are to take 'the common' seriously, not only political governance but also the sphere of production must be organized according to democratic values. Political centralization and economic competition have always characterized modern states. Dardot and Laval want to reverse both principles and replace them with 'municipal autonomy' and 'economic solidarity'.

One criticism of the book is that it almost never gets concrete. This may not be entirely attributable to the authors, as the 'federation of commons' about which they write is historically unprecedented and is precisely an attempt to think of a radically different organization of society. Nevertheless, in a study that places so much emphasis on human activity as the basis of 'the common', you would expect a little more analysis of this endeavour. The potential for this has already been proven not only in earlier studies by the aforementioned Elinor Ostrom but also in more recent work by Massimo De Angelis, Stavros Stavrides and Silvia Federici.

Reproductive labour

In the 1970s the Italian-American Silvia Federici co-founded the International Feminist Collective and the Wages for Housework movement. In this capacity, she focused on what is referred to in Marxist jargon as 'reproductive labour', that is to say, the forms of labour necessary to enable 'productive labour': namely, the production of goods and services, for which women were traditionally responsible – think caring for children and the elderly, domestic work such as cooking, washing and cleaning, and the literal reproduction of 'workers' through procreation. These are all forms of 'labour' that capitalism strongly depends on but which are not recognized as labour, because they belong to the private sphere and, therefore, not to what we normally call 'the economy'.

For a long time, workers' and socialist movements also failed to see that the oppression and exploitation of the worker in the factory was inherently linked to the oppression and exploitation of women in the household. Thus, the wage claim for domestic labour forces us not only to recognize the equality and parity of men and women but also to question our assumptions about concepts such as 'labour' and 'productivity'. Federici's *Caliban and the Witch* is a historical-philosophical study in which she shows that the birth of capitalism was accompanied by increasing oppression and exercise of power over the bodies of women, which resulted, among other things, in the large-scale witch persecutions of the early modern period. [6]

Reenchanting the World: Feminism and the politics of the commons is a collection of Federici's previously published essays and chapters. [7] The first three pieces are from a 1990 publication on 'new enclosures' by the Midnight Notes Collective. All of the other texts were published after 2010. This shows just how long Federici has been working on



this subject – even before it became ‘hip’ – but also makes the whole less cohesive than previous work. Conceptually and philosophically, the book doesn’t meet the thoroughness of Dardot and Laval. Nevertheless, it is a very welcome addition to the debate and literature on the commons in two respects: firstly, due to the feminist and anti or post-colonial perspective Federici brings; and, secondly, for the many concrete examples that she cites.

With regard to the former, it may not be appropriate to speak of a ‘feminist perspective’ in the commons, because, as Federici makes clear, the concept of the commons naturally implies, or should imply, such a perspective. The commons have traditionally been the domain of reproduction and are fundamentally in the service of the preservation of life. Therefore, a strong connection exists between woman as the ‘primary subject of reproductive labour’ and the commons; women have historically always been the most dependent on the commons and have suffered the most from their expropriation from it. In *Caliban and the Witch*, Federici understands even the woman’s body itself as a ‘commons’ that was expropriated for the production of workers; hence, the strict prohibition on abortion, and the ideal image of woman as a chaste and submissive mother and housewife.

Numerous examples in the book show that such expropriation practices are still the order of the day, especially from Asia, South America and Africa; Federici was a professor in Nigeria for many years. She is very critical of the micro-credit system that the World Bank has promoted as a motor of both economic development and women’s emancipation. She shows how microcredit not only introduces an economic logic – of ‘investing in entrepreneurship’ – which in practice often has a harmful effect on the commons, but also how the inability to repay debts, whatever the circumstances, is often used to publicly shame and exclude women, like a new witch hunt. It is not without reason that anti-debt movements have already emerged in several African countries.

Pathani, (green sari) a dedicated manager of the urban micro credit scheme for women is proud of Dhay, the centre’s first ever client to receive PPAF credit in 2002. With the loan she started a general dealer shop and has since added a quilt and material shop, which she runs with her son. Pakistan. Photo: Caroline Suzman / World Bank via [Flickr](#).

Due to her focus on reproductive labour, Federici is less hopeful or enthusiastic about what has been referred to as the post-work society, a techno-utopianism that has its origins in Marx, and which we later find with Italian post-operaismo thinkers such as Antonio Negri, or contemporary theorists such as Paul Mason and Aaron Bastani. For example, in *Fully Automated Luxury Communism*, Bastani sketches a ‘paradisiacal’ world of red plenty, one in which robots have taken over our work, electric vehicles transport us around the world, asteroid mines and solar parks provide us with raw materials and energy, and we consume cultured meat burgers and synthetic wine. [8] The male blind spot in such theories or visions of the future is unmistakable: the work that is automated is almost always without exception productive factory labour and not that of reproduction. For this reason, Federici writes in her title essay:

But how can we mechanize washing, cuddling, consoling, dressing, and feeding a child, providing sexual services, or assisting those who are ill or the elderly and



not self-sufficient? ... But even assuming that we could afford such devices, we must wonder at what emotional cost we would introduce them in our homes in replacement of living labour. [9]

The thought may then occur that household tasks are more evenly distributed through the automation of labour, or that a lot of housework can also be mechanized, but the histories of the vacuum cleaner or the washing machine tell a different story. The perspective of the commons is suitable here as well: based on western 'modernization' discourse with reference to Max Weber's 'disenchantment', the commons and reproductive labour are either viewed as something unimportant that we can ignore, or something primitive and backward that we must transcend. Both capitalists and post-work Marxists are trapped in this narrative.

The concept of the commons that Federici uses is in many ways similar to that of Dardot and Laval. Like the French duo, she emphasizes that thinking about the commons shouldn't be understood as 'defensive', as a return to earlier, better times. The commons are not something of the past but of all times; if humanity is to survive, the commons must also belong to the future. This also shows that thinking in terms of the commons is not necessarily anti-capitalist. Ostrom, for example, was a proper liberal, certainly not an anti-capitalist. Capitalism constantly makes use of the commons, taking advantage of a 'commons-fix' [10] to address its crises. Think of the dependence of capitalist production on reproductive labour, for example. In our supposedly emancipated West, this dependent relationship has only shifted: American families in which both men and women have full-time jobs often rely on cheap care work from Filipino nannies, who in turn domestically outsource the care of their children to grandmothers.

The World Bank's use of the term 'global commons' is another example of a capitalist encapsulation of the concept, which refers to, among other things, oceans, the atmosphere and tropical rainforests. Officially, the preservation of these commons is the goal, but, in practice, it enables the management and distribution of raw materials among powerful and wealthy states, as exemplified by emissions trading. This is exactly why precise use of the concept is so important, argues Federici. 'No commons without community' is the banner-ready slogan she writes several times. In line with Dardot and Laval, Federici believes that commons shouldn't be understood as things but as social relationships: commons include collective decision-making processes, social partnerships, and mutual responsibility relationships based on the resources that are shared and managed. In the case of the so-called 'global commons', there is no talk of this kind of global social organization. In fact, under the banner of 'conservation', native populations of rainforests and other 'nature reserves' are being dispossessed and expelled, replaced by eco-tourists and wealthy investors.

The commons and the state

The concept of the common (or the commons) proves useful when criticizing and analysing such developments. Federici writes with a sharp pen about the struggle for land in Latin America and Africa, about housing shortages in China and the illegal soup kitchens that arose after the fall of Salvador Allende in Chile. Federici, Dardot and Laval provide 'the common' with a lens through which we can connect various forms of social,



political and cultural struggle. Simultaneously, the authors arm us against the false romanticization of community, or the encapsulation of the commons in trendy policy, or in the so-called 'sharing economy', behind which companies such as Uber and Airbnb have successfully managed to conceal their exploitative practices.

However, it is a lot more difficult to distil an organizational principle for complex societies from the concept of the commons, as we have already seen with Dardot and Laval. Federici isn't satisfied with this at all and criticizes Marx and those he has influenced precisely for the abstractness of their analyses: 'Class war does not happen on an abstract board totting up profits and losses, it needs a terrain.' This is a fair observation, but it does bring with it the now almost classic problem of what the scale of the commons is, or can be. After all, the slogan 'no commons without community' raises the question of who does and does not belong to such a community. Federici emphatically distances herself from a community understood as a shared religious, ethnic or territorial identity. She defines 'community' as 'a quality of relations, a principle of cooperation, and of responsibility to each other and to the earth, the forests, the seas, the animals'. But this remains a rather vague answer and brings us back to the question of how far this type of community reaches. Is it a matter of small, local communities, or does it ultimately involve a form of global citizenship?

Answering this question is not helped by the hostile stance that both books take towards the state. 'The common' is not the same as 'the public' and is even at odds with it according to Federici, Dardot and Laval. A telling example of this tension is the sale or lease of land to foreign investors by African governments, often to the benefit of a self-enriching elite while local communities are dispossessed. As Dardot and Laval point out, the revival of interest in the common is precisely the result of disillusionment with what the state can do, not only due to a neoliberal dismantling of the welfare state but also as a result of the undemocratic character of self-proclaimed communist states. They write:

the so-called "realization" of the common in the form of state property can only lead to its destruction by the state. And if some aspects of the common may have survived in subterranean forms, within societies dominated by this form of state property, it is only through active resistance to this suffocating form of state control.

While this criticism is justified, it is too easy to brush aside the state and its institutions as an arena for ideological struggle and an instrument for progressive politics. There is a risk of playing into the hands of the capitalist encapsulation and instrumentalization of the commons, as was the case with David Cameron's 'Big Society' or Balkenende's 'participation society', in which dismantling the welfare state went hand in hand with passing on costs to 'the community'.

Former Dutch Prime Minister Jan Peter Balkenende and tycoon John de Mol. Photo by Thomas van de Weerd from Utrecht, The Netherlands, CC BY 2.0, via [Wikimedia Commons](#).

This brings us to a classic dilemma of left-wing politics that we already recognize in



Marx, recently summarized by Erik Olin Wright in *How to be an anticapitalist in the 21st century*: is the state essentially an instrument to protect private property and reproduce capital for the benefit of powerful elites and, therefore, fundamentally incompatible with left-wing politics, or is the state a shield for the weak against the destructive force of capital? [11]

The correct, dialectical answer, of course, is both. For most of history, says Wright, states have in fact been in the service of capital and this seems to be the case once again today. At the same time, the crises we are facing today – economic, environmental, humanitarian and the pandemic – seem to kindle the realization that we cannot do without a well-organized, decisive state. This new need is not necessarily beneficial to the Left; in recent years we have seen the rise of ‘strongmen’ like Vladimir Putin, Jair Bolsonaro and Donald Trump. And, while the latter seems to have disappeared from the stage for the time being, ecological catastrophe could just as well lead to a form of eco-fascism in which authoritarian states fight to secure the last scraps of natural resources for their people; indeed, the unequal distribution of corona vaccines has provided a taster. However, it is for this very reason that the state remains an important arena for political and ideological struggle. And it would be unwise for this momentum to force the state to be viewed as superfluous or inherently hostile.

The crises mentioned above may have revealed neoliberalism’s limitations, but they also raise questions about the commons. For example, how would Dardot and Laval’s ‘alliance of the common’ deal with a vaccination programme or with an obligation to wear a mask? Instead of setting the commons against the state, or thinking about it, we would do well to link them together. The commons need the state just as much as the state needs the commons. Thinking about the commons can contribute to the much-needed democratization of society, which, according to Wright, involves much more than the state: it includes, for example, a more democratic work environment, school system and living environment – all thoughts found in both Dardot and Laval’s and Federici’s books. From such a ‘humus layer’ of the commons, the state could then be transformed in such a way that it actually operates in the interest of ‘the commons’.

Whether such a transition will take the form of gradual reform or a revolution – at the acceleration and intensification of the ‘instituent praxis’ that Dardot and Laval write about – remains to be seen. Regardless, we would be wise to prepare and these books make a significant contribution to the cause.

Footnotes

1. N. Klein, ‘Reclaiming the commons’, *New Left Review*, No. 9, 2001.
2. E. Ostrom, *Governing the Commons*, Cambridge: Cambridge University Press, 1990.
3. G. Hardin, ‘Tragedy of the commons’, *Science*, Vol. 162, No. 3859, 1968.
4. P. Dardot and C. Laval, *Common: On Revolution in the 21st Century*, London: Bloomsbury Academic, 2019.
5. M. Hardt and A. Negri, *Empire*, Cambridge, MA: Harvard University Press, 2000; M.



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Hardt and A. Negri, *Multitude: War and Democracy in the Age of Empire*, New York: The Penguin Press, 2004; M. Hardt and A. Negri, *Commonwealth*, Cambridge, MA: The Belknap Press (Harvard University Press), 2009.

6. S. Federici, *Caliban and the Witch*, Brooklyn, NY, Autonomedia, 2004.

7. S. Federici, *Reenchanting the World: Feminism and the Politics of the Commons*, Oakland, PM Press, 2019

8. A. Bastani, *Fully Automated Luxury Communism: A Manifesto*, London; Brooklyn, NY: Verso, 2019

9. S. Federici, *Reenchanting the World: Feminism and the Politics of the Commons*, Oakland: PM Press, 2019.

10. A term used by Massimo De Angelis.

11. E. Olin Wright, *How to be an Anticapitalist in the 21st Century*, London; Brooklyn, NY: Verso, 2019

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