

Commons against and beyond capitalism

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Zapatista women working in a common garden (photo by George Caffentzis)

Abstract This essay contrasts the logic underlining the production of ‘commons’ with the logic of capitalist relations, and describes the conditions under which ‘commons’ become the seeds of a society beyond state and market. It also warns against the danger that ‘commons’ may be co-opted to provide low-cost forms of reproduction, and discusses how this outcome can be prevented.

Introduction

‘Commons’ is becoming a ubiquitous presence in the political, economic and even real estate language of our time. Left and Right, neo-liberals and neo-Keynesians, conservatives and anarchists use the concept in their political interventions. The World Bank has embraced it requiring, in April 2012,

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that all research conducted in-house or supported by its grants be 'open access under copyright licensing from Creative Commons—a non-profit organization whose copyright licenses are designed to accommodate the expanded access to information afforded by the Internet' (World Bank, 2012). Even the *Economist*, a champion of neo-liberalism, has nodded favourably to it, in its praise of Elinor Ostrom, the doyen of commons studies, as indicated by the eulogy in its obituary:

It seemed to Elinor Ostrom that the world contained a large body of common sense. People, left to themselves, would sort out rational ways of surviving and getting along. Although the world's arable land, forests, fresh water and fisheries were all finite, it was possible to share them without depleting them and to care for them without fighting. While others wrote gloomily of the tragedy of the commons, seeing only over-fishing and over-farming in a free-for-all of greed, Mrs Ostrom, with her loud laugh and louder tops, cut a cheery and contrarian figure. (*Economist*, 2012)

Finally, it is hard to ignore the prodigal use of 'common' or 'commons' in the real estate discourse of university campuses, shopping malls and gated communities. Elite universities requiring their students to pay yearly tuition fees of \$50,000 call their libraries 'information commons'. *It is almost a law of contemporary social life that the more commons are attacked, the more they are celebrated.*

In this article we examine the reasons for these developments and raise some of the main questions facing anti-capitalist commoners today:

- What do we mean by 'anti-capitalist commons'?
- How can we create, out of the commons that our struggles bring into existence, a new mode of production not built on the exploitation of labour?
- How do we prevent commons from being co-opted and becoming platforms on which a sinking capitalist class can reconstruct its fortunes?

History, capitalism and the commons

We start with a historical perspective, keeping in mind that *history itself is a common* even when it reveals the ways in which we have been divided, if it is narrated through a multiplicity of voices. History is our collective memory, our extended body connecting us to a vast world of struggles that give meaning and power to our political practice.

History then shows us that 'commoning' is the principle by which human beings have organized their existence for thousands of years. As Peter Linebaugh reminds us, there is hardly a society that does not have the

commons at its heart (Linebaugh, 2012). Even today, communal property systems exist in many parts of the world especially in Africa and among indigenous people of Latin America. Thus, when we speak of the principle of 'the common', or of commons, as imagined or existing forms of wealth that we share, we do not only speak of small-scale experiments. We speak of large-scale social formations that in the past were continent-wide, like the networks of communal societies that existed in pre-colonial America, which stretched from present-day Chile to Nicaragua and Texas, connected by a vast array of economic and cultural exchanges. In England, common land remained an important economic factor until the beginning of the twentieth century. Linebaugh estimates that in 1688, one quarter of the total area of England and Wales was common land (Linebaugh, 2008). After more than two centuries of enclosures involving the privatization of millions of acres, according to the Eleventh Edition of the *Encyclopedia Britannica*, the amount of common land remaining in 1911 was 1,500,000 to 2,000,000 acres, roughly 5 percent of English territory. By the end of the twentieth century common land was still 3 percent of the total of the territory (Naturenet, 2012).

These considerations are important to dispel the assumption that a society based on commons is a utopia or that commons must be small-scale projects, unfit to provide the foundation of a new mode of production. Not only have commons existed for thousands of years, but elements of a communally based society are still around us, although they are under constant attack, as capitalist development requires the destruction of communal properties and relations. With reference to the sixteenth and seventeenth century 'enclosures' that expelled the peasantry in Europe from the land – the act of birth of modern capitalist society, Marx spoke of 'primitive' or 'originary' accumulation. But we have learned that this was not a one-time affair, spatially and temporally circumscribed, but is a process that continues into the present (Midnight Notes Collective, 1990). 'Primitive accumulation' is the strategy to which the capitalist class always resorts in times of crisis when it needs to reassert its command over labour, and with the advent of neo-liberalism this strategy has been extremized, so that privatization extends to every aspect of our existence.

We live now in a world in which everything, from the water we drink to our body's cells and genomes, has a price tag on it and no effort is spared to ensure that companies have the right to enclose the last open spaces on earth and force us to pay to gain access to them. Not only are lands, forests, and fisheries appropriated for commercial uses in what appears as a new 'land grab' of unprecedented proportions. From New Delhi and New York to Lagos and Los Angeles, urban space is being privatized, street vending, sitting on the sidewalks or stretching on a beach without paying are being forbidden. Rivers are dammed, forests logged, waters and aquifers bottled away and put on

the market, traditional knowledge systems are sacked through Intellectual Property Regulations and public schools are turned into for-profit enterprises. *This explains why the idea of the commons exercises such an attraction on our collective imagination: their loss is expanding our awareness of the significance of their existence and increasing our desire to learn more about them.*

Commons and the class struggle

For all the attacks on them, commons have not ceased to exist. As Massimo De Angelis has argued, there have always been commons ‘outside’ of capitalism that have played a key role in the class struggle, feeding the radical imagination as well as the bodies of many commoners (De Angelis, 2007). Nineteenth-century mutual aid societies are examples of it (Bieto, 2000). More important, new commons are constantly created. From the ‘free software’ to the ‘solidarity economy’ movement, a whole world of new social relations is coming into existence based on the principle of communal sharing (Bollier and Helfrich, 2012), sustained by the realization that capitalism has nothing to give us except more misery and divisions. Indeed, at a time of permanent crisis and constant assaults on jobs, wages, and social spaces, the construction of commons – ‘time banks’, urban gardens, Community Supported Agriculture, food coops, local currencies, ‘creative commons’ licenses, bartering practices – represents a crucial means of survival. In Greece, in the last two years, as wages and pensions have been cut on average by 30 percent and unemployment among youth has reached 50 percent, various forms of mutual aid have appeared, like free medical services, free distributions of produce by farmers in urban centres, and the ‘reparation’ of the electrical wires disconnected because the bills were not paid.

However, commoning initiatives are more than dikes against the neoliberal assault on our livelihood. They are the seeds, the embryonic form of an alternative mode of production in the make. This is how we should view also the squatters’ movements that have emerged in many urban peripheries, signs of a growing population of city dwellers ‘disconnected’ from the formal world economy, now reproducing themselves outside of state and market control (Zibechi, 2012).

The resistance of the indigenous people of the Americas to the continuing privatization of their lands and waters has given the struggle for the commons a new impulse. While the Zapatistas’ call for a new constitution recognizing collective ownership has gone unheeded by the Mexican state, the right of indigenous people to use the natural resources in their territories has been sanctioned by the Venezuelan Constitution of 1999. In Bolivia as well, in 2009, a new Constitution has recognized communal property. We cite these examples not to propose that we rely on the state’s legal apparatus to promote the

society of commons we call for, but to stress how powerful is the demand coming from the grassroots for the creation of new forms of sociality organized according to the principle of social cooperation and the defence of the already existing forms of communalism. As Raquel Gutiérrez (2009) and Raúl Zibechi (2012) have shown, the ‘water wars’ of 2000, in Bolivia, would not have been possible without the intricate web of social relations which the *ayllu* and other communal systems regulating life among the Aymara and Quechua provided.

Grassroots women’s initiatives have played a special role in this context. As a growing feminist literature has demonstrated,¹ because of their precarious relation to wage employment, women have always been more interested than men in the defence of nature’s commons and in many regions have been the first to come forward against the destruction of environment: against logging, against the selling of trees for commercial purposes and the privatization of water. Women have also given life to various forms of pooling of resources like the ‘tontines’, which have been one of the oldest and most widespread forms of popular banking in existence. These initiatives have multiplied since the 1970s when in response to the combined effects of austerity plans and political repressions in several countries (e.g. Chile, Argentina) women have come together to create communal forms of reproduction, enabling them to both stretch their budget and at the same time break the sense of paralysis that isolation and defeat produced. In Chile, after the Pinochet coup, women set up popular kitchens – *comedores populares* – cooking collectively in their neighbourhoods, providing meals for their families as well as for people in the community who could not afford to feed themselves. So powerful was the experience of the popular kitchens in breaking the curtain of fear that had descended over the country after the coup, that the government forbid them, sent the police to smash the cooking pots and accused the women setting up the *comedores* of communism (Fisher 1993). In different ways, this is an experience that throughout the 1980s and 1990s has been repeated in many parts of Latin America. As Zibechi (2012) reports, thousands of popular organizations, cooperatives and community spaces, dealing with food, land, water, health, culture, mostly organized by women have sprung up also in Peru and Venezuela, laying the foundation of a cooperative system of reproduction, based on use values and operating autonomously from both state and market. In Argentina as well, faced with the near economic collapse of the country in 2001, women stepped forward ‘commoning’ the highways as well as the barrios, bringing their cooking pots to the

1 For an overview of the role of women in the construction of cooperative forms of reproduction see Federici (2010). Also see Shiva (1989, 2005) and Bennholdt-Thomsen and Mies (1999).

piquetes, ensuring the continuity of the roadblocks, also organizing popular assemblies and city councils (Rauber 2002).

In many cities of the United States as well, e.g. Chicago, a new economy is growing under the radar of the formal one, as partly due to necessity and partly to the need to recreate the social fabric that economic restructuring and 'gentrification' have torn, women in particular are organizing various forms of trading, bartering, and mutual aid that escape the reach of commercial networks.

Co-opting the commons

In the face of these developments, the task for us is to understand how we can connect these different realities and how we can ensure that the commons that we create are truly transformative of our social relations and cannot be co-opted. The danger of co-optation is real. For years, part of the capitalist international establishment has been promoting a softer model of privatization, appealing to the principle of the commons as a remedy to the neo-liberal attempt to submit all economic relations to the dictate of the market. It is realized that, carried to an extreme, the logic of the market becomes counterproductive even from the viewpoint of capital accumulation, precluding the cooperation necessary for an efficient system of production. Witness the situation that has developed in US universities where the subordination of scientific research to commercial interests has reduced communication among the scientists, forcing them to be secretive about their research projects and their results.

Eager to appear as a world benefactor, the World Bank even uses the language of the commons to put a positive spin on privatization and blunt the expected resistance. Posing as the protector of the 'global commons', it expels from woods and forests people who lived in them for generations, while giving access to them, once turned into game parks or other commercial ventures, to those who can pay, the argument being that the market is the most rational instrument of conservation (Isla, 2009). The United Nations too has asserted its right to manage the world's main eco-systems – the atmosphere, the oceans, and the Amazonian forest – and open them up for commercial exploitation, again in the name of preserving the common heritage of humanity.

'Communalism' is also the jargon used to recruit unpaid labour. A typical example is British Prime Minister Cameron's 'Big Society' programme that mobilizes people's energies for volunteer programs aimed to compensating the cuts in social services his administration has introduced in the name of the economic crisis. An ideological break with the tradition that Margaret Thatcher initiated in the 1980s when she proclaimed that 'There is no such thing as Society', 'The Big Society' programme instructs

government-sponsored organizations (from day-care centres, to libraries and clinics) to recruit local artists and young people who, with no pay, will engage in activities increasing the 'social value', defined as social cohesion and above all reduction of the cost of social reproduction. This means that non-profit organizations providing programmes for the elderly can qualify for some government funding if they can create 'social value', measured according to a special arithmetic factoring in the advantages of a socially and environmentally sustainable society embedded in a capitalist economy (Dowling, 2012). In this way, communal efforts to build solidarity and cooperative forms of existence, outside the control of the market, can be used to cheapen the cost of reproduction and even accelerate the lay-offs of public employees.

Commodity-producing commons

A different type of problem for the definition of anti-capitalist commons is posed by the existence of commons producing for the market and driven by the 'profit motive'. A classic example is the unenclosed Alpine meadows of Switzerland that every summer becomes grazing fields for dairy cows, providing milk for the huge Swiss dairy industry. Assemblies of dairy farmers, who are very cooperative in their efforts, manage these meadows. Indeed, Garret Hardin could not have written his 'Tragedy of the Commons' had he studied how Swiss cheese came to his refrigerator (Netting, 1981).

Another often cited example of commons producing for the market are those organized by the more than 1000 lobster fishers of Maine, operating along hundreds of miles of coastal waters where millions of lobsters live, breed and die every year. In more than a century, lobster fishers have built a communal system of sharing the lobster catch on the basis of agreed upon divisions of the coast into separate zones managed by local 'gangs' and self-imposed limits on the number of lobsters to be caught. This has not always been a peaceful process. Mainers pride themselves on their rugged individualism and agreements between different 'gangs' have occasionally broken down. Violence then has erupted in competitive struggles to expand the allotted fishing zones or bust the limits on catch. But the fishers have quickly learned that such struggles destroy the lobster stock and in time have restored the commons regime (Woodward, 2004).

Even the Maine state's fishery management department now accepts this commons-based fishing, outlawed for decades as a violation of anti-trust laws (Caffentzis, 2012). One reason for this change in official attitude is the contrast between the state of the lobster fisheries compared to that of the 'ground-fishing' (i.e. fishing for cod, haddock, flounder and similar species) that is carried out in the Gulf of Maine and in Georges Bank where

the Gulf connects with the ocean. Whereas the former in the last quarter century has reached sustainability and maintained it (even during some severe economic downturns), since the 1990s, one species after another of ground-fish has been periodically overfished, leading to the official closure of Georges Bank for years at a time. (Woodward, 2004) At the heart of the matter are differences in the technology used by ground fishing and lobster fishing and, above all, the difference in the sites where the catches are taken. Lobster fishing has the advantage of having its common pool resource close to the coast and within the territorial waters of the state. This makes it possible to demarcate zones for the local lobster gangs, whereas the deep waters of Georges Bank are not easily amenable to a partition. The fact that Georges Bank is outside the 20-mile territorial limit has meant that outsiders, using big trawlers, were able to fish until 1977 when the territorial limits were extended to 200 miles. They could not have been kept out before 1977, contributing in a major way to the depletion of the fishery. Finally, the rather archaic technology lobster fishermen uniformly employ discourages competition. In contrast, starting in the early 1990s, 'improvements' in the technology of ground-fishing – 'better' nets and electronic equipment capable of detecting fish more 'effectively' – have created havoc in an industry that is organized on an open access principle ('get a boat and you will fish'). The availability of a more advanced and cheaper detection and capture technology has clashed with the competitive organization of the industry that had been ruled by the motto: 'each against each and Nature against all', ending in the 'Tragedy of the Commons' that Hardin envisioned in 1968. This contradiction is not unique to Maine ground-fishing. It has plagued fishing communities across the world, who now find themselves increasingly displaced by the industrialization of fishing, and the might of the great trawlers, whose dragnets deplete the oceans (Dalla Costa, 2005). Fishermen in Newfoundland have thus faced a similar situation to that of those of Georges Bank, with disastrous results for the livelihood of their communities.

So far Maine lobster fishers have been considered a harmless exception confirming the neoliberal rule that a commons can survive only in special and limited circumstances. Viewed through the lens of class struggle, however, the Maine lobster common has elements of an anti-capitalist common in that it involves workers' control of some of the important decisions concerning the work process and its outcomes. This experience then constitutes an invaluable training, providing examples of how large-scale commons can operate. At the same time, the fate of the lobster commons is still determined by the international seafood market in which they are embedded. If the US market collapses or the state allows off-shore oil drilling in the Gulf of Maine, they will be dissolved. The Maine lobster commons, then, cannot be a model for us.

The commons as the ‘third sector’: a peaceful coexistence?

While commons for the market can be viewed as vestigial remnants of older forms of work cooperation, a growing interest in the commons also comes from a broad range of social democratic forces that are either concerned with the extremes of neo-liberalism and/or recognize the advantages of communal relations for the reproduction of everyday life. In this context, the common/s appears as a possible ‘third’ space besides and equal to the state and the market. As formulated by David Bollier and Burns Weston in their discussion of ‘green governance’:

the overall goal must be to reconceptualize the neoliberal State/Market as a ‘triarchy’ with the Commons—the State/Market/Commons—to realign authority and provisioning in new, more beneficial ways. The State would maintain its commitments to representative governance and management of public property just as private enterprise would continue to own capital to produce saleable goods and services in the Market sector (Bollier and Weston, 2012, p. 350).

Along the same lines, a broad variety of groups, organizations and theorists look today at the commons as a source of security, sociality and economic power. These include consumer groups, who believe that ‘commoning’ can gain them better terms of purchase, as well as home-buyers who, along with the purchase of their home, seek a community as guarantee of security and of a broader range of possibilities as far as spaces and activities provided. Many urban gardens also fall in this category, as the desire for fresh food and food whose origin is known continues to grow. Assisted living homes can also be conceived as forms of commons. All these institutions undoubtedly speak to legitimate desires. But the limit and danger of such initiatives is that they can easily generate new form of enclosure, the commons being constructed on the basis of the homogeneity of its members, often producing gated communities, providing protection from the ‘other’, the opposite of what the principle of the commons implies for us.

Redefining commons

What then qualifies as ‘anti-capitalist commons’? In contrast to the examples that we have discussed, the commons we wish to construct aim to transform our social relations and create an alternative to capitalism. They are not intended to only provide social services or to act as buffers against the destructive impact of neo-liberalism, and they are far more than a communal management of resources. In summary, they are not pathways to capitalism with a human face. Either commons are a means to the creation of an egalitarian and cooperative society or they risk deepening social divisions, making

havens for those who can afford them and who can therefore more easily ignore the misery by which they are surrounded.

Anti-capitalist commons, then, should be conceived as both autonomous spaces from which to reclaim control over the conditions of our reproduction, and as bases from which to counter the processes of enclosure and increasingly disentangle our lives from the market and the state. Thus they differ from those advocated by the Ostrom School, where commons are imagined in a relation of coexistence with the public and with the private. Ideally, they embody the vision that Marxists and anarchists have aspired to but failed to realize: that of a society made of 'free associations of producers', self-governed and organized to ensure not an abstract equality but the satisfaction of people's needs and desires. Today we see only fragments of this world (in the same way as in late Medieval Europe we may have seen only fragments of capitalism) but already the commons we build should enable us to gain more power with regard to capital and the state and embryonically prefigure a new mode of production, no longer built on a competitive principle, but on the principle of collective solidarity.

How to achieve this goal? A few general criteria can begin to answer this question, keeping in mind that in a world dominated by capitalist relations the common/s we create are necessarily transitional forms.

- (i) *Commons are not given, they are produced.* Although we say that commons are all around us – the air we breathe and the languages we use being key examples of shared wealth – it is only through cooperation in the production of our life that we can create them. This is because commons are not essentially material things but are social relations, constitutive social practices. This is why some prefer to speak of 'commoning' or 'the common', precisely to underscore the relational character of this political project (Linebaugh, 2008). However, Commons must guarantee the reproduction of our lives. Exclusive reliance on 'immaterial' commons, like the internet, will not do. Water systems, lands, forests, beaches, as well as various forms of urban space, are indispensable to our survival. Here too what counts is the collective nature of the reproductive work and the means of reproduction involved.
- (ii) To guarantee our reproduction '*commons*' must involve a '*common wealth*', in the form of shared natural or social resources: lands, forests, waters, urban spaces, systems of knowledge and communication, all to be used for non-commercial purposes. We often use the concept of 'the common' to refer to a variety of 'public goods' that over time we have come to consider 'our own', like pensions, health-care systems, education. However, there is a crucial

difference between the common and the public as the latter is managed by the state and is not controlled by us. This does not mean we should not be concerned with the defence of public goods. The public is the site where much of our past labour is stored and it is in our interest that private companies do not take it over. But for the sake of the struggle for anti-capitalist commons it is crucial that we do not lose sight of the distinction.

- (iii) One of the challenges we face today is *connecting the struggle over the public with those for the construction of the common*, so that they can reinforce each other. This is more than an ideological imperative. Let us reiterate it: what we call 'the public' is actually wealth that we have produced and we must re-appropriate it. It is also evident that the struggles of public workers cannot succeed without the support of the 'community'. At the same time, their experience can help us reconstruct our reproduction, to decide (for instance) what constitutes 'good health-care', what kind of knowledge we need, and so forth. Still, it is very important to maintain the distinction between public and common, because the public is a state institution that assumes the existence of a sphere of private economic and social relations we cannot control.
- (iv) *Commons require a community*. This community should not be selected on the basis of any privileged identity but on the basis of the care-work done to reproduce the commons and regenerate what is taken from them. Commons in fact entail obligations as much as entitlements. Thus the principle must be that those who belong to the common contribute to its maintenance: which is why (as we have seen) we cannot speak of 'global commons', as these presume the existence of a global collectivity which today does not exist and perhaps will never exist as we do not think it is possible or desirable. Thus, when we say 'No Commons without Community' we think of how a specific community is created in the production of the relations by which a specific common is brought into existence and sustained.
- (v) *Commons require regulations stipulating how the wealth we share is to be used and cared for*, the governing principles being equal access, reciprocity between what is given and what is taken, collective decision making, and power from the ground up, derived from tested abilities and continually shifting through different subjects depending on the tasks to be performed.
- (vi) *Equal access to the means of (re)production and egalitarian decision making must be the foundation of the commons*. This must be stressed because historically commons have not been prime examples of

egalitarian relations. On the contrary they have often been organized in a patriarchal way that has made women suspicious of communalism. Today as well, many existing commons discriminate, mostly on the basis of gender. In Africa as the land available is shrinking, new rules are introduced to prohibit access to people not originally belonging to the clan. But in these cases non-egalitarian relations are the end of the commons, as they generate inequalities, jealousies, and divisions, providing a temptation for some commoners to cooperate with enclosures.

Conclusions

In conclusion, commons are not only the means by which we share in an egalitarian manner the resources we produce, but a commitment to the creation of collective subjects, a commitment to fostering common interests in every aspect of our life. Anti-capitalist commons are not the end point of a struggle to construct a non-capitalist world, but its means. For no struggle will succeed in changing the world if we do not organize our reproduction in a communal way and not only share the space and time of meetings and demonstrations but put our lives in common, organizing on the basis of our different needs and possibilities, and the rejection of all principles of exclusion or hierarchization.

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