

THE FUTURE OF ‘THE COMMONS’: NEOLIBERALISM’S ‘PLAN B’ OR THE ORIGINAL DISACCUMULATION OF CAPITAL?

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In the tale as told by Power, the happening that is worth something is the one that can be recorded on a spreadsheet that contains respectable indices of profit. Everything else is completely dispensable, especially if that everything else reduces profit.

Don Durito, *Neoliberalism: History as a tale...badly told.*
(Subcommandante Marcos 2005)

The ‘commons’ has undergone a remarkable transformation in the last fifteen years, from a word referring rather archaically to a grassy square in the centre of New England towns to one variously used by real estate developers, ‘free software’ programmers, ecological activists and peasant revolutionaries to describe very different, indeed conflicting, purposes and realities.

I believe that this resurgence of ‘commons’ thinking is due to a confluence of two streams coming from opposing perspectives.

The revival of the commons from a capitalist perspective comes in the 1980s and 1990s with the development of a related set of concepts like ‘social capital,’ ‘civil society,’ ‘associational life’ that were joined with the even vaguer and older all-pervading concepts like ‘community,’ ‘culture,’ and ‘civilization’. A good index of this conceptual change can be noted in the substitution of the warm and fuzzy phrase ‘business community’ for the sharply delineated ‘capitalist class’ in the terminology of the social sciences.

The main aim of this change was to save capitalism from its self-destructive totalitarian tendencies unleashed by neoliberalism. For example, who would commit themselves to defend capitalist society ‘to the death,’ if everyone acted like a perfect neoliberal agent aiming to maximize his/her own private utility function? After all, such beings, in a pinch, would not rationally bargain away their own lives to ‘save the system.’ The commons from this perspective was an additional concept that made it possible both to criticise the theoretical pillars of neoliberal thought (Hardin’s ‘tragedy of the commons’ and the so-called ‘Coase Theorem’) and to propose other models for participating in the market, beside individualism or corporatism.

The revival of the commons from an anti-capitalist perspective also develops in the 1980s and 1990s to deal with the crisis of socialism, communism and Third World nationalism. This crisis put into question the ideologies that claimed to provide an alternative to capitalism and/or imperialism through the use of the state and the expansion of state property.

For the crisis of the division between state and private property is reflected in the so-called ‘collapse of communism’ and the ‘withering away of the nation state’ in the face of neoliberal globalisation. Both the ideology of official socialism/communism and nationalism created the imaginary impression of a *sharing and co-management of social wealth by the citizens*. The reality, of course, was that most of the ‘sharing and co-management’ of these resources was done by a ruling class whose restricted membership was defined by either bureaucratic or capitalist criteria.

Critics of capitalism recognised that though communism (and nationalism) had little of the commons, they had much of the enclosures in them. In other words, history showed that the promise of communism - that ‘economic’ decisions would be made by a ‘free association’ of producers and reproducers - had not been fulfilled in actually existing states ruled by communist parties. On the contrary, though these states legitimised themselves on the basis of the sentiments and behaviour appropriate to the commons, they undermined the development of the humus of coordination that is absolutely essential for the functioning of a commons.

In response to this political crisis, the commons has been used by anti-capitalists to show that collective non-capitalist forms of organizing material life are alive and struggling throughout the world in two senses: (1) the pre-capitalist commons still exist and the subsistence of billions of people depend on them (indeed the forms of social cooperation implicit in these commons make it possible for all those ‘living’ on \$1 a day - a literal impossibility - to actually live); (2) the rise of a new commons, especially in ecological-energy spaces and in computational-informational manifolds. In other words, the commons brings together pre- and post-capitalist forms of social coordination in a sort of time warp that evades the totalitarian logic of neoliberalism.¹

The notion of the commons is attractive to anti-capitalist elements of the anti-globalisation movement since it has allowed them to say to activists that one need not wait for some mythical ‘beginning of history’ - after a centuries-long march through war and deprivation - to achieve the goal of a cooperative ‘free association’ of producers (as envisioned by both Marx and the anarchists of the First International) ... it was already here and working (though often in the so-called marginal areas of the world economy and with many distortions).

Indeed, once one begins to look for commons, they begin to pop up from the lobster fisheries off the coast of Maine to the urban agriculture in the mega-cities of the Third World (sometimes included in the term, ‘informal economy’) to the irrigation associations of farmers like my uncle Panaiotis in Greece to forest managing villages in Almora, India.² Moreover, the concept is generalised and becomes the basis of metaphorical expansion quite easily, so that areas of life that had previously not been categorised as a commons, for instance speech, the electromagnetic spectrum, garbage, DNA ... ultimately, if one is not very careful, the classical four elements (earth, air, water and fire) and the Gnostic fifth (nous) can become commons too.

1. Peter Linebaugh, *The Magna Carta Manifesto: Liberties and Commons for All*, Berkeley, University of California Press, 2007; Massimo De Angelis, *The Beginning of History: Value Struggles and Global Capital*, London, Pluto Press, 2007.

2. Elinor Ostrom et al., *Rules, Games, and Common-Pool Resources*, Ann Arbor, The University of Michigan Press, 1994.

It is because of this double fluorescence of the concept - to deal with the crises and limits of both neoliberalism *and* socialism/communism/nationalism - that we have the surprising popularity of the term *and* the confusion it induces. Inevitably, there are many theorists and concepts that have inhabited the interstices of these confluences such as Pierre Bourdieu's notions of social and symbolic capital,³ the 'gift economy' discussed so eloquently and evasively by Derrida,⁴ and 'social justice' in Gelopfer's study of the commons.⁵ One of the reasons for this confusion is the lack of recognition among anti-capitalist activists and thinkers that commons discourse is so duplicitous. We have often viewed neoliberalism as the only significant ideology in the field and therefore wrongly assumed that commons talk is inevitably anti-capitalist.

In this essay I aim to examine and decry this confusion, for it undermines the possibility of clearly examining the two kinds of commons that are persisting or are in gestation in our period. Given this semantic and political conflict (and its 'fog'), it is time to sharpen up our thinking and action and ask after the future of the commons. Is it a concept too exhausted and overwritten for use or is it still a necessary tool for creating a non-capitalist world? An answer to this question is especially urgent in this period when the Obama Administration has opted for Neoliberalism's 'Plan B,' that is, the use of the tools of the commons to 'save' Neoliberalism from itself.

Given the double contradictory function that produced the revival of the notion of the commons, I especially want to discuss the political implications of a distinction between two kinds of commons: (1) *pro-capitalist commons that are compatible with and potentiate capitalist accumulation* and (2) *anti-capitalist commons that are antagonistic to and subversive of capitalist accumulation*. This distinction between pro-capitalist versus anti-capitalist commons is not simply one of intention. After all, some 'utopian socialist' experiments of the nineteenth century attempted to revive versions of the commons in the factory, the field and the home that were associated with Moseses like Saint-Simon, Fourier, and Owen. As has been often pointed out, their intention was to go beyond the capitalism of their day but they hardly created a serious break with it.

These formulaic utopian efforts have not been the object of anti-capitalist attention recently. What has attracted attention are the many *actually* existing and 'spontaneously arising' commons (that is, common-pool resources managed by those who work with these resources) throughout the planet. There are still many commons based on agricultural and pastoral land for crops (both in rural and urban areas), groundwater, irrigation, fishing, and surface mining that have had their roots in pre-capitalist life. Indeed, if all the work and production taking place outside of the circuits of the 'official economy' in a commons broadly defined is taken into account, then we would find that billions of people have gained some part of their subsistence using the commons.⁶

This fact is extremely important, since social coordination is the key question in the creation of human life. Whether it is to be accomplished by the rules and sentiments of money and capital or by the rules and sentiments

3. Craig Calhoun et al., *Bourdieu: Critical Perspectives*, Chicago, University of Chicago Press, 1993.

4. Jacques Derrida, *Counterfeit Money*, Chicago, University of Chicago Press, 1992.

5. Mark Gelopfer, 'Integrating Scale and Social Justice in the Commons' in Joanna Burger et al. (eds) *Protecting the Commons: A Framework for Resource Management in the Americas*, Washington, D.C., The Island Press, 2001.

6. Serge Latouche, *In the Wake of the Affluent Society: An Exploration of Post-Development*, London, Zed Books, 1993; Veronika Bennholdt-Thomsen and Maria Mies, *The Subsistence Perspective: Beyond the Globalised Economy*, London, Zed Books, 1999; Silvia Federici, 'Women, Globalization and the International Women's Movement', in Terisa E. Turner and Leigh S. Brownhill (eds), *Gender, Feminism and the Civil Commons. A special issue of the Canadian Journal of Development Studies*, Volume XXII, 2001, pp. 1025-1036.

of anti-capitalist commons organisation is a major question of our time. For the power of capital lies not so much in its repressive apparatus (immense though it is), but rather in its ability to terrorise us with our lack of capacity to organise the reproduction of our lives outside of its structures. As Gustavo Esteva once told me, summing up his comments about the political use of ‘dry toilets,’ (roughly) ‘if we cannot organise ourselves so that we don’t depend on capital and the state to stop us from being choked by our shit, how can we hope to bring about revolutionary change in our life?’ Long existing commons as well as the newly formed commons I referred to above are therefore very important in demonstrating that we do not have to ‘choke on our shit’ because humans are so miserably dominated by capitalist thinking that we are incapable of organising our subsistence production and consumption outside of it.

CAPITALIST COMMONS: THE COMMONS AS A FIRM

Let me now turn to the two kinds of commons in turn. First, consider the capitalist commons.

Neoliberal economics took theoretical and practical centre stage with the crisis of Keynesian and state socialist policies in the 1970s, after it was discovered that these policies could not be used to control the class struggles either in Europe, North America or the Third World.⁷ Neoliberal economists diagnosed the ‘problem’ to be the product of the increasing entitlements, decommodification of vital goods and services and collectivisation of natural resources the states in various guises throughout the planet had negotiated with the different national proletariats (what we in Midnight Notes called the A, B, and C ‘deals’).⁸ According to the neoliberal economic planners, these ‘deals’ had to be abrogated in order for capitalism to survive and a new regime of precariousness, re-commodification and privatisation to reverse the growing power of workers installed worldwide.⁹

This process, that we in Midnight Notes described as ‘The New Enclosures’, had many theoretical, political and emotional-aesthetic aspects.¹⁰ But the one aspect that is most important for our story is the attack launched by the World Bank against agricultural commons throughout the former colonial world (and I shall concentrate on Sub-Saharan Africa for the moment). This assault began with what has been called ‘the Berg Report’ that recommended the end of state marketing boards and subsidies and allowing the ‘market’ to allocate resources among the ‘peasant farmers’.¹¹ The thrust of the policy was to shift African agriculture to export crops where African farmers presumably had a comparative advantage on the world market. The problem with this formulation was that the African farmer, for the most part, was not a ‘peasant farmer’ in the sense of being private owner of the land s/he used. Much of African agricultural land is communally owned and thus in order to ‘get the prices right’ (a solution urged by neoliberal theorist Robert Bates),¹² the land had to be priced as well. Thus it had to be privatised.

7. Midnight Notes Collective, *Midnight Oil: Work Energy War, 1973-1992*, New York, Autonomedia, 1992.

8. p.m., *Bolo-Bolo*. New York: Autonomedia, 1995, pp36-49.

9. George Caffentzis, ‘The work/energy crisis and the Apocalypse’ in *Midnight Oil Collective* (eds), *Midnight Oil*, op. cit..

10. Midnight Notes Collective, *The New Enclosures*, Boston, Midnight Notes, 1990.

11. World Bank, *Accelerated Development in Sub-Saharan Africa: An Agenda for Action*. Washington, D.C., The World Bank. [“The Berg Report”], 1981.

12. Robert H. Bates, *Essays on the Political Economy of Rural Africa*, Berkeley, University of California Press, 1983. doi:10.1017/CBO9780511558740

The project of privatising land (in this case not the transformation from state to private property but the transformation from common to private property) in Africa became an integral (though often unobserved) aspect of the Structural Adjustment Programs (SAPs) of the 1980s that the World Bank imposed on African governments in the wake of the Debt Crisis.¹³ As the World Bank wrote in 1989 in commenting on the African commons:

As population increases and land becomes scarce, long fallow periods can no longer be relied on to maintain fertility, and the transitory nature of land-use fails to provide incentives for individuals to improve their land ... [permanent titling will] help rural credit markets to develop, because land is good collateral.¹⁴

This effort to de-communalise land in Africa expressed the aim of the neoliberal project that the World Bank and the other global planning agencies: to refuse all collective solutions to the problems of production and reproduction of the economy. This almost fundamentalist vision was justified in a variety of theoretical ways, but the most persuasive founding myth was put forward by an ecologist, Garrett Hardin, in his famous article 'The Tragedy of the Commons'.¹⁵ The power of Hardin's argument lay in its simplicity. He asked his readers to imagine what a society of grazers who have a common field would do. Each grazer would put a small number of cows on the common at first, perhaps, but he/she would be tempted to put an additional one because s/he would immediately gain from a fattened cow while the degradation of the field would not affect him/her immediately. This additional gain will prompt an additional one until everyone had put an unsustainable number of cows in the field, hence destroying it and, if there were no other field available, leading to the death of all the livestock. Hardin concluded that 'Therein is the tragedy. Each man is locked into a system that compels him to increase his herd without limit - in a world that is limited'.¹⁶

He then went on to argue that the only way to escape from the tragedy is to privatise the field (or have a draconian government command its use). In the case of the former, those who owned a part of the field would make it 'their business' to let only the number of cows in the field that would not degrade its sustainability, since they were no longer 'free riders' but had to take the consequences of the soil's exhaustion. (In the case of the latter, the state would dictate the number of cattle that each grazer could put on the field, with the inevitable probabilities of tyranny and corruption.)

The neoliberal approach to the commons that was supported by Hardin's parable became the conventional wisdom of the World Bank, the IMF and development experts in the 1970s and early 1980s. According to them, whenever you saw a commons, a tragedy is soon to follow. This wisdom was operationalised in the SAPs of that Debt Crisis period. But this approach reached its own crisis in Africa and in Latin America. There was an aggressive response to the attempts to privatise land and other

13. George Caffentzis, 'The fundamental implications of the debt crisis for social reproduction in Africa' in Mariarosca and Giovanna Dalla Costa (eds), *Paying the Price: Women and the Politics of International Economic Strategy*, London, Zed Books, 1995.

14. World Bank, *Sub-Saharan Africa: from Crisis to Sustainable Development*, Washington, D.C., The World Bank, 1989, p104.

15. John Mihevc, *The Market Tells Them So: The World Bank and Economic Fundamentalism in Africa*, London, Zed Books, 1995; Garrett Hardin, 'The Tragedy of the Commons', *Science* 162 (1968): 1243-8.

16. *Ibid.*, p1244.

subtractable natural resources there. The clearest examples of this kind of resistance are from the Americas of the 1990s, of course. For example, the Zapatista uprising against the repeal of Article 27 of the Mexican Constitution on January 1, 1994 and the ‘Water Wars’ in Cochabamba, Bolivia in 1999. But the foundations of the struggle against the privatisation of communal land had been laid in many parts of Africa and the Americas long before, especially in the Niger Delta with the Ogoni uprising against the history of environmental degradation of their common lands caused by oil extraction.¹⁷ For the Zapatista, Bolivian and Nigerian ‘explosions’ were later eruptions of resistance to land and resource privatisation that had already taken off in the 1980s, a decade that saw the launching of a world-wide land war. Up the Andes into Central America and Mexico there has been an armed struggle over the control of land (frequently referred to in the US as an aspect of the ‘drug problem’). In West Africa there was a micro-level of armed struggle against land seizures by the state and development banks (frequently discussed as anachronistic ‘tribal wars’). In Southern Africa, the battle over land and its control, both in town and country, is included as an aspect of the ‘struggle against apartheid,’ while in East Africa it is considered a ‘problem of nationalities’.

This resistance led to a revaluation of the commons by the arbiters of establishment wisdom, spearheaded by the World Bank and academic students of the commons. The decisive turn took place in the 1992 *World Development Report* where the authors defended to a limited extent the African commons:

Landownership in Sub-Saharan Africa traditionally resides with the community, but farmers are assigned the right to use specific parcels. These rights give sufficient security for growing crops and, when bequeathed to children, foster a long-term interest in land management. Farmers may have limited rights to transfer land they use to others without permission from family or village elders, and other people may have supplementary use rights over the same land - to graze the land during the dry season or to collect fruit or wood. Such restrictions, however, do not appear as yet to have had a significant effect on investment in land improvements or on land productivity.¹⁸

In the same document, the World Bankers also praised (exhibiting an unconscious irony) micro-social institutions like villages or pastoral associations as being better equipped to manage their own resources than are ‘large authorities’ (including the World Bank itself, one might suggest!).

Thus at the moment when NAFTA and the WTO agreements were being finalised in the mid-1990s, with their neoliberal prejudices in favour of private alienable property in land, the ‘There Is No Alternative’ (TINA) World Bank was carefully exploring an alternative, what I call ‘Plan B,’ or in other words, a political position to evade the antagonistic responses to the privatisation

17. Bill Weinberg, *Homage to Chiapas: The New Indigenous Struggles in Mexico*, London, Verso, 2000; Vandana Shiva, *Water Wars: Privatization, Pollution and Profit* Boston, South End Press, pp102-103; Ken Saro-Wiwa, *Genocide in Nigeria: the Ogoni tragedy* by Ken Saro-Wiwa, Port Harcourt, Saros International Publishers, 1992.

18. World Bank, *World Development Report 1992*, Washington, D.C., The World Bank, 1992, p144.

of land when they become too powerful and aggressive. A key element of this alternative is the acceptance of the agrarian or forest commons at least as a stop-gap, transitional institution when the revolts of the landless or the devastation of the forests become destabilising to the general exploitation of a territory or population.

Just as cooperation is used by capitalists for their profits the commons can also be used for capitalist accumulation. As Marx pointed out long ago, capitalists buy the labour power of individual workers, but when the capitalist buys the labour power of a hundred workers who work together:

He (sic) pays them the value of one hundred independent labour-powers, but he does not pay for the combined labour-power of the hundred. Being independent of each other, the labourers are isolated. They enter into relations with the capitalist, but not with each other. Their co-operation only begins with the labour process, but by then they have ceased to belong to themselves ... Because this [co-operative] power costs capital nothing, while on the other hand, it is not developed by the worker until his labour belongs to capital, it appears as a power which capital possesses by its nature - a productive power inherent in capital.¹⁹

19. Karl Marx, *Capital*, Vol. I., London, Penguin, 1976, p451.

This 'illusion' is almost as important a source of counter-revolutionary energy as commodity fetishism, I believe, since it seems to give capital the credit for organising production and reproduction. 'How would we live together if we did not sell ourselves to capital?', is the most destabilising question that an anti-capitalist must answer before an often sceptical and cynical proletarian audience.

Indeed, Marx himself was not very encouraging in the capsule history of cooperation he presents in his chapter on 'Cooperation.' For he seems to credit capital for reviving the experience of productive cooperation (though with a peculiar twist) that was missing in human history for eons:

Co-operation in the labour process, such as we find it at the beginning of human civilisation, among hunting peoples or, say, as a predominant feature of the agriculture of Indian communities, is based on the one hand, on the common ownership of the conditions of production, and on the other hand, on the fact, that in those cases the individual has as little torn himself free from the umbilical cord of his tribe or community as a bee has from his hive. Both of these conditions distinguish this form of co-operation from capitalist co-operation.²⁰

20. *Ibid.*, p452.

In between the early, nearly forgotten era of the commons community and modern capitalism, Marx implies (falsely, in fact, in order to pave the way for his revolutionary/evolutionary conclusion in chapter xxxii of Vol. I) that there was a long period when individual peasant agriculture and artisan production was dominant and when co-operation largely disappears as a

productive force. That is another reason why, according to Marx, co-operation appears to be unique to capitalism: 'capitalistic co-operation does not appear as a particular historical form of co-operation; instead, co-operation itself appears as a historical form peculiar to, and specifically distinguishing, the capitalist process of production'.²¹

21. Ibid., p453.

22. For example, Elinor Ostrom, 'Reformulating the Commons' in Joanna Burger et al. (eds), *Protecting the Commons: A Framework for Resource Management in the Americas*, Washington, D.C., The Island Press, 2001, pp23-28; Ostrom Elinor, *Governing the Commons: The Evolution of Institutions for Collective Action*, Cambridge, Cambridge University Press, 1990; Ostrom et al., *Rules, Games, and Common-Pool Resources*, Ann Arbor, The University of Michigan Press, 1994.

23. Ostrom, *Protecting the Commons*, op. cit., p21.

24. Ostrom, *Governing the Commons*, op. cit., p90.

25. Ostrom, *Protecting the Commons*, op. cit., p23.

Just as capital can claim the productive powers of co-operation of thousands of workers, it can also absorb communal powers from organisations 'managing' a common-pool resource. The major theorist of the capitalist use of the commons, Elinor Ostrom, has made it her business in dozens of books and articles to show how a perfectly 'rational economic' agent who is an 'appropriator' of a common pool resource can decide on the basis of cost-benefit analysis that s/he is better off with a change of rules that regulates the resource through a common property regime instead of either privatising or giving the problem of allocation to the government.²² That is, a commons does not require the development of non-capitalist forms of sentiment and behaviour in its commoners. Perfectly rational game-theoretic players who were not caught in a prisoner's dilemma (that is, they were not 'alienated from one another or cannot communicate effectively'²³) can come to the conclusion that organising their appropriation of the resource communally will maximise the yield or, at least, not end in a 'tragedy of the commons'.

Indeed, many of the examples of commons Ostrom and her co-workers use are integral parts of the capitalist system, from the lobster fishers of Maine to the farmers using irrigation systems in India to the real estate developers who are commonly appropriating the ground water of Southern California. There is no conflict in this understanding of these kinds of commons with the smooth functioning of the 'market'. A study of the 'design principles illustrated by long-enduring [Common Property Resource] CPR institutions' that Ostrom has used from the beginning of her studies of the commons to the present certainly do not show that there is any necessary conflict with capitalism. In fact, they appear to be the kind of rules that are in use in the formation of a corporation. For example, principle 1 is 'Individuals or households who have rights to withdraw resource units from the CPR must be clearly defined, as must the boundaries of the CPR itself' and principle 4 is 'Monitors, who actively audit CPR conditions and appropriator behaviour, are accountable to the appropriators or are the appropriators' are based upon the view that the commons is a form of a capitalist firm.²⁴ The main requirement of such a firm is simply that the 'transaction costs' - costs for the time and effort spent in (1) 'devising and agreeing on new rules', (2) 'adopting new appropriation strategies', (3) 'monitoring and maintaining a self-governed system over time' - for most appropriators are less than their estimated benefits.²⁵ This is in keeping with R.H. Coase's analysis of 'the nature of the firm'. He argued in 1960 that 'in a competitive system there would be an optimum of planning since a firm, that little planned society, could only continue to exist if it performed its co-ordination function at a lower cost than would be incurred if co-ordination were achieved by means of market transactions and also at

a lower cost than this same function could be performed by another firm'.²⁶ To paraphrase him and substituting 'commons' for 'planning', 'To have an efficient economic system it is necessary not only to have markets but also areas of [commons] within organisations of the appropriate size'.²⁷ Inevitably for Coase, what determines the appropriate mix of market and planning is the *deus ex machina* of capitalist economists: competition.

Ostrom's commons appropriators (semantics is destiny, isn't it!) are held together not by the sentiments of mutual solidarity and attraction, but by 'social capital'. They are the standard theoretic agents of neoclassical economics, but they have social capital. Indeed, without this *je ne sais quoi* amalgam of the ability to follow rules and devise them as well as the capacity to extend trust and reciprocity to others, there would not be any commons. All would be caught in a prisoner's dilemma rapidly approaching the tragedy of resource depletion. But Ostrom's reliance on social capital (the commonism in capitalism) to explain commons behaviour is part of a tendency among capitalist intellectuals that developed as a complement to neoliberalism.

The apparent triumph of neoliberalism with its aim to totalise the reign of capital has created its own reaction, that is, the conviction that there is a necessary 'commons' to capitalism itself. Thus the notion of 'social capital' and the importance of 'community' and 'trust' have been brought to the fore at the very moment of the so-called triumph of the market.²⁸ In fact, this led to a re-recognition of a social ur-level before contract and 'the market' that structures them (which had been discussed for the first time by David Hume in Scotland during the eighteenth century) and is a *sine qua non* of capitalist accumulation.

These friends of capitalism revealed that neoliberalism was capitalism's own worst enemy, especially when not controlled by the threat of an alternative. For capitalism can reach, both theoretically and practically, what I call the 'Midas Limit' (when all transactions are based on pure utility maximising without any concern for the poorly sanctioned rules of fair exchange, and hence are surfeited with fraud and deception, or in other words, individualism gone wild). Such a generalised condition threatens the system's own survival as illustrated by the periodic crises produced by a generalised 'lack of trust' from the days of the burst of the South Sea Bubble when the system reached one of the first Midas limits. Some have speculated that this limit was again reached in the so-called 'dot.com' era of the late 1990s when Enron and Tyco executives (among thousands of others) were largely looking to the value of their own stock portfolios rather than the long-term health of the corporations they were running. There is little doubt that an even more dangerous Midas limit was reached once more in the 'subprime' mortgage crisis of 2007 that has led to the freezing of credit and a worldwide recession in 2009. This era has given what might be thought to be oxymoronic creatures, capitalist moralists or business ethicists, a new burst of employment in lamenting the 'state of the world' and drawing up new rules to generate trust in the executors of capital's will.

26. R.H. Coase, *Essays on Economics and Economists*, Chicago, University of Chicago Press, 1994, p8.

27. Ibid.

28. See, for example, Francis Fukuyama, *Trust: The Social Virtues and the Creation of Prosperity*, New York, The Free Press, 1995; Amitai Etzioni (ed), *New Communitarian Thinking: Persons, Virtues, Institutions and Communities*, Charlottesville, University Press of Virginia, 1995.

29. David Hume, *An Inquiry Concerning the Principles of Morals*, New York, Liberal Arts Press, 1957, p123.

Tooth and claw competition must be tempered, for before contracts, promises, market relations and all the other self-conscious mechanisms of capitalism could be developed, as David Hume pointed out long ago, a sense of common interest is required: "Thus two men pull the oars of a boat by common convention, for common interest, without any promise or contract".²⁹ This 'common interest' is not a given, however. It must be cultivated and it can breakdown when there are tremendous differences between the two parties in the rowboat. They *might* row together in the manner Hume describes, but if one is to receive a huge reward on reaching shore while the other is to receive nothing for the effort but his own skin, then the unconscious agreement might not be such an easy result, for the uncompensated one might 'go on strike' and stop rowing all-together. This is especially true in a class society when property ownership is radically asymmetric (and justice becomes injustice), with the many propertyless and a few full of property. But this concern also affects relations among capitalists as well.

Once this productivity of the commons *qua* firm is recognised, planning can begin to determine its greatest capitalist potential. This is exactly what the World Bank sees as the purpose of its support for 'community resource management' (while still firmly holding on to the overall neoliberal model on the macro-level). Indeed, the World Bank now regularly includes 'common property management groups' among the 'civil society' institutions it is increasingly interested in supporting. Of course, these commons organisations are to be integrated into the larger project of making the world safe for neoliberalism. Indeed, the World Bank's integration of common property into its domain has been gathering momentum since 1992. In 1995 it founded the 'Common Property Resource Management Group' (CPRNet) whose rationale is the following:

CPRNet is concerned with resource management regimes that require collaborative - often group-based - action. Guided by the above considerations, as well as the need for harnessing the potential of CPRs as an important component of development strategies in its own right, CPRNet aims to:

1. Enhance the awareness about CPRs and their importance within the World Bank Group as institutional modalities, but also as resources that are managed collectively, as well as susceptible to induced institutional development for CPRs;
2. Increase the understanding of the dynamic interplay between various types of property rights' regimes on the local level, and the importance of this for a correct targeting of World Bank Group investment operations;
3. Function as a clearinghouse for information and data on CPRs as they pertain to World Bank Group operations;
4. Create partnerships between World Bank Group staff and outside

practitioners, whether individuals or organizations, through establishing and maintaining effective channels of communication (including, e.g., email, Newsletter and web site), as communication with local practitioners is fundamental to the World Bank Group's work;

5. Link World Bank Group staff that need specific property rights-related operational input with outside practitioners and experts;
6. Define the salient characteristics of and conditions for viability of institutions for natural resources management; and,
7. Define and facilitate pro-active policies and operational work aimed at protection of CPRs.³⁰

30. World Bank, *The World Bank Group's Common Property Resource Management Network: Guide to CPRNet*. info.worldbank.org/etools/docs/library/97605/.../guide-3b.pdf, 1995, last accessed December 17, 2009.

Since then, there has been a huge outpouring of research and theoretical documents that have transformed common property from being a relic to a live option in the World Bank's strategic 'development' literature.

ANTI-CAPITALIST COMMONS: PIRATES, HOBOES AND HACKERS

Now that it is clear that there is a well-developed concept of a capitalist commons, let us compare the capitalist use of the commons, with the anti-capitalist use; for there is another concept of the commons that is in opposition to capitalist accumulation. In fact, these anti-capitalist commons must be enclosed in order to separate the producers from the means of production and subsistence to sustain the accumulation process. These anti-capitalist areas have their basis in both pre-capitalist and post-capitalist time and their action congeals a process of dis-accumulation.³¹

31. George Caffentzis, *Three Concepts of Time and Class Struggle*, unpublished paper, 2006.

In the 1980s and early 1990s Midnight Notes Collective (among others) redeployed the notion of enclosures and primitive accumulation as applicable to the present day. We increasingly saw the World Bank's and IMF's SAPs and other attacks on the commons throughout the world as a return to the age-old efforts to separate once more workers from their means of production and subsistence. These old enclosures were an essential part of what Marx called 'primitive accumulation'. For capital faces a 'chicken and the egg' dilemma: One needs capital before one can accumulate it. So then how did capitalism ever get off the ground? Marx's answer was: looting, plunder and theft (verifying his old adversary Proudhon's adage that 'property is theft'). For example, the looting of the wealth of the Aztecs and the Incas was an essential step in the origin of capitalism. But more important than money for capitalist accumulation was the source of new surplus value: workers. They had to be primitively accumulated also, indeed the capital-worker relation itself had to be reproduced on an expanded scale. But this would have been impossible if workers were in control of the means of production and subsistence. Why should they let capitalists exploit them, if they could use their own labour for their own 'power, pleasure and profit'? And in the sixteenth century, both in Europe, the Americas and Africa potential workers for capitalism were actually able to resist their induction into the accumulation process since they had

access (often through commoner's rights) to subsistence resources arising from being members of a village or tribe. Capital had to separate violently these potential workers from the commons in order to transform them into actual workers (either waged or enslaved) in order to become capitalism. The conquest of the Americas, the enclosure movement and the witch-hunt in Europe and the slave trade in Africa were the main vehicles to satisfy capital's 'lust for labour' (in Silvia Federici's phrase).³²

32. Silvia Federici, *Caliban and the Witch: Women, the Body, and Primitive Accumulation*, New York, Autonomedia, 2004.

But this separation process never ends as long as capitalism exists, for workers through their struggles often re-establish a new access to subsistence in a multiplicity of ways. For example, with the end of colonialism in Africa much land that had been reserved for European settlers was re-distributed to the former colonised people; with the factory struggles of the 1930s in the US a collective reserve was established (and managed by the state) that made it possible for older workers to retire (Social Security pensions). Moreover, there are many pre-capitalist commons (from India to West Africa to Mexico) surviving (or even being revived, as in the case of the land trusts and farm commons in New England) to this day that capital had not been able to eliminate completely.³³ These commons functioned in an objectively anti-capitalist manner, for they made it possible for potential workers to refuse to become actual workers, or, if they did become objects of exploitation, the access to some means of production and subsistence gave them more power to resist their exploitation.

33. Brian Donahue, *Reclaiming the Commons: Community Farms and Forests in a New England Town*, New Haven, Yale University Press, 1999.

In fact, at every point in the history of capitalism new commons are formed (and are almost invariably criminalized in due course). Many of these commons arise from the appropriation of new technologies by workers and refer to a future form of production and reproduction. Three examples of such 'post-capitalist' commons are those created by the eighteenth-century Atlantic pirates, the late nineteenth- and early twentieth-century hobos of US Hobohemia, and the late twentieth- and early twenty-first century programmers and hackers of the free software movement throughout the planet.³⁴ After all, the pirates expropriated the most advanced machine of their period, the ocean-going ship, ran it on new communalist rules and used it to plunder the plunders of American wealth. The hoboos similarly expropriated the railroads and railroad land for their own purposes, and developed new codes for appropriating these machines and land. Finally, the programmers and hackers of the free software movement are expropriating the most sophisticated technology of the age, creating new rules for sharing it (such as the 'creative commons license'), and using it to undermine the power of the large software monopolists like Microsoft, Inc. They all have a rather limited class composition, it is true; its activists being mostly male and white. But these are far from the only examples of the creation of new commons in the heart of capitalism and we have many examples of Africans, indigenous Americans and women establishing commons that presupposed the existence of capitalism.

34. Marcus Rediker, *Villains of All Nations: Atlantic Pirates in the Golden Age*, Boston, Beacon Press, 2004; Todd Depastino, *Citizen Hobo: How a Century of Homelessness Shaped America*, Chicago, University of Chicago Press, 2003; Lawrence Lessig, *The Future of Ideas: The Fate of the Commons in a Networked World*, New York, Random House, 2001.

There are a large number of examples of the creation of a commons out

of capitalist terrain where time future becomes time present. I will only give one example in this essay, rooted in a technology that was once central to the development of capitalism: the heat engine. (I believe that it will have some helpful insights to the often referred to ‘new commons’ that is forming around the technology of the Turing Machine). The commons I will discuss relates to the establishment of ‘Hobohemia’ in the late nineteenth and early twentieth centuries.³⁵ The ‘hobo’ residents of Hobohemia were migratory ‘white’ male workers in North America of that period who used the railroads and railroad property as their commons. Although they were individually nomadic, in the sense that they did not travel in the boxcars of freight trains in large permanently defined groups (as Eastern European, Chinese and Mexican workers often did), at the same time they were quite collective in their reproduction, since an essential part of hobo life was ‘the jungle,’ that is, a site ‘located in close proximity to a railroad division point, where trains are made up or where trains stop to change crews and engines’.³⁶ Hoboes would congregate in the jungles when they were on the road. They were places where they could cook their ‘Mulligan stew,’ clean themselves and their clothes, sleep in relative safety, share their knowledge about the whereabouts of the railroad police or of jobs, and persuade their mates about their politics.

Although some jungles were temporary others were continuously in existence, even though the turnover of residents was quite high. They dotted the rail arteries of the nation and provided nodal points for the practical communalisation of the railway system. The jungles were in general hospitable and democratic (although they rarely challenged the colour and gender lines that divided the working class then as now).³⁷

They were run on the basis of a number of ‘unwritten Jungle laws’ that banned acts like making fire by night in jungles subject to raids, wasting food or destroying it after eating, leaving pots or other utensils dirty after using, and so forth. These rules were strictly enforced internally by the hobo rule-makers themselves just as they would defend the jungle from external invasion by police, vigilantes and the Klu Klux Klan.

Jungle committees would deal with infractions of the rules and prescribe punishments. For example, on one occasion mentioned by Nels Anderson, an ex-hobo sociologist, a ‘hi-jack’ was caught in the act of robbing some ‘bo’ who was sleeping; a committee was immediately formed and a chairman selected to decide on what should be done. The committee decided that the hi-jack should be whipped ... but ‘no one steps forward; everybody declines to apply the strap or stick’!³⁸ After a confused hiatus, a young fellow agreed to fight the hi-jack, and a boxing match is arranged, where the hi-jack is eventually knocked out. When he came to he was kicked out of the jungle. ‘By eleven o’clock [at night] the excitement is over. Different men announce that they were headed for so and so and that the freight starts at such a time. To this someone replies that he is going that way too so they start off together’.³⁹

Through the complex organisation of movement, information exchange and reproduction nodes, the hoboes created a nationwide network that used

35. cf., Nels Anderson, *The Hobo. The Sociology of the Homeless Man*, Chicago, The University of Chicago Press, 1923, and Depastino, *Citizen Hobo*, op. cit.

36. Anderson, *The Hobo*, op. cit., p16.

37. Depastino, *Citizen Hobo*, op. cit., pp81-85.

38. Anderson, *The Hobo*, op. cit., p24.

39. Ibid., p25.

the private property of the railroad companies as their commons. True, they expressed many different political ideals - with the Industrial Workers of the World (IWW) perhaps defining the predominant one - but their actual achievement was to show that the railroads and their land could be communalised. This was no mean feat, since they had to confront an industry which owned the most important transport modality for the continental economy at the time and that had just reached its peak of expansion marked by the laying of the 254,037th mile of rail in 1916.⁴⁰ Along with the tracks, another measure of the railroad companies' power were the enormous land concessions granted to them by the government from the Civil War on that made them the arbiters of the economic direction of the nation west of the Mississippi. Howard Zinn estimates that the Federal government gave the railroad companies about 100 million acres during the Civil War alone.⁴¹

The main 'economic' purpose of the communalisation of the railroad territory and the freight trains was not immediately revolutionary. Hoboes rode the rails usually to follow the harvest, to go to a distant job contracted for, say, at one of the employment agencies on West Madison Street, Chicago (called the 'main stem'), or, ironically enough, to go to a rumoured railroad construction site, for track laying was a standard job for a hobo. But the hoboes' national presence was huge, since hundreds of thousands of men passed through one or another region of Hobohemia (the rails, the jungle or the main stem) in the course of a year. Moreover, there is no doubt many a hobo's politics was anti-capitalist, and the rails could not only bring workers for a harvest or a building boom, they also could bring a swarm of supporters to a 'free speech' fight or a general strike. Consequently, they constituted a communal challenge to the heart of US capital. The hobo commons of freight trains and the railroad territory had to be enclosed, since, after all, the hoboes were recommunalising the communal land of the indigenous Americans that had been first conquered and nationalised by the federal government and then privatised through land grants to railroad companies.

The path of enclosure was complex, involving raw repression as well as technological and ideological transformations.⁴²

The repression was obvious in the period of the Palmer raids. First, the IWW became the object of governmental harassment and the physical elimination of its leadership. Second, a tremendous number of railroad 'trespassers' were killed and injured in the course of those years, for instance, 2,553 were killed in 1919 and another 2,166 in 1920,⁴³ often with assistance of the railroad policemen's guns. Third, the increase in the anti-radical activities of the KKK and other more local death squads of the 1920s were often directed against the hobo jungles.

Along with this anti-hobo violence was a technological change in the modality of transport, the automobile and truck were beginning to replace the passenger and freight train as the dominant form of transport as the highway system expanded and the rails declined. The movement of labour power over the highway generated a completely different relationship to class

40. William Greenleaf (ed), *American Economic Development Since 1860: Documentary History of the United States*, Columbia, University of South Carolina Press, 1968, p79.

41. Howard Zinn, *A People's History of the United States: 1492-present*, New York, HarperCollins, 2003, p238.

42. Depastino, *Citizen Hobo*, op. cit., pp171-194.

43. Anderson, *The Hobo*, op. cit., pp161-162.

struggle than the rails, thus undermining Hobohemia.

Ideologically, the hoboes were attacked as examples of deviant 'white men' who had become 'homeless' and without the restraints of 'home,' hence they were dangerous to capital. The federal government, especially with the New Deal, saw the 'problem of the hobo' as resolvable by the creation of 'suburbia as the nation's dominant residential form'.⁴⁴ By WWII the effort to transform the railways into a commons had been definitely defeated.

44. Depastino, *Citizen Hobo*, op. cit., p219.

Hobohemia revealed its distinctive anti-capitalist character in the state's and capital's violent efforts to enclose, criminalise and extirpate it. It is no accident that the standing joke of the employer class during this period was that 'TWW,' the name of the most coherent political expression of the hobo working class, was an acronym of the exclamation 'I Won't Work!' In this case as with that of the Atlantic pirates, these efforts at enclosure did succeed; the jury is still out on the efforts of the software commoners.

A CONFLICT AND CONFUSION OF COMMONS: ZAPATISTAS VERSUS LIVES

In many cases, however, it is not often clear when a commons 'mixes' in such a way with markets that it has a positive or negative effect on accumulation. Moreover, just as capitalism uses pre-capitalist forms of social reproduction as models for its own (for instance, the patriarchal Old Testament family in the Protestant Reformation period of capitalist development), so too do workers 'revert' to claim ancient 'rights and liberties' as well as models of reproducing struggle. Consequently, commons organisations still existing in the collective memory can be evoked by the most 'post-modern' of movements. Think, for example, of the Zapatista Army of National Liberation that claimed for itself the legacy, tactics and forms of organisation of the long Mayan resistance to Spanish colonialism while using the light-speed communication of the internet.

Indeed, the distinction between a pro-capitalist and an anti-capitalist commons is a subtle one to apply in practice, but it can illuminate some of today's important political conflicts in the so-called 'global justice movement.' For example, the notion of an anti-capitalist commons is important in the politics of the anti-neoliberal revolt in the Americas since the Zapatista uprising in 1994 while the notion of a pro-capitalist commons is important in the politics of Jeffrey Sachs, elements of the World Bank and many others in the Live8 campaign (proponents of what I call neoliberalism's 'Plan B') who see in it the necessary intermediary between a stalled and successful neoliberalism. In fact, this strategy of using the commons to save neoliberal capitalism from itself has become the policy of the Obama Administration.

A good way of understanding the subtlety of the distinction between pro- and anti-capitalist commons is to study Claude Meillassoux's analysis of the domestic mode of production that presents the village community (with its commons management organisations) as a labour reserve that is exploited

45. Claude Meillassoux, *Maidens, Meal and Money: Capitalism and the Domestic Economy*, Cambridge, Cambridge University Press, 1981.

through the process of immigration rather than through direct commodity production.⁴⁵ However, this is not the only role for the commons, since having a village that can supply workers with food during a strike is a great power against the boss. In point of fact, it is not easy to distinguish in general the two sides of a commons in practice. Does it lead to more power for workers against capital or does it lead to the ability of capital to better exploit workers? This is a subtle question with equally subtle answers dependent on context and evidence. But certainly for millions of migrants their remittances back to the families and home villages materially demonstrate that the existence of their home commons gives them strength to struggle in the country they have migrated to. As Steven Colatrella writes:

Social obligations entered into in the country of origin are to be realized precisely through the regular sending of remittances. In return, the migrant knows that he or she always has a place to return to later, especially if it has been maintained by means of his or her remittances payments. In this sense, the worldwide web of migrant transnational communities constitutes not only a set of contacts and communications methods different from the grid of capitalist value production and realization, but an alternative means of organizing planetary work, communications and commercial relations, albeit a contradictory alternative.⁴⁶

46. Steven Colatrella, *Workers of the World: African and Asian Migrants in Italy in the 1990s*, Trenton, NJ, Africa World Press, 2001, p193.

Consequently, Meillassoux's rather one-sided view of the African commons must be corrected by the recognition of what Colatrella refers to as 'the worldwide web of migrant transnational communities'. These communities have as one pole a village commons (in Africa in the case of France) or an *ejido* (in Mexico in the case of the US) and are also making the spatio-temporal field between the poles a sort of commons as well.

A good example of the problematics of the commons is presented by the Zapatistas. They quite formally linked their uprising to the enclosure that was being prepared by the neoliberal designers of NAFTA for the Mexican *ejido* dwellers. For NAFTA required the repeal of Article 27 of the 1917 Constitution that was a variant of the classical slogan: land to the tillers! But intention is not enough to determine whether a particular struggle for the commons tilts the balance so that workers actually gain power in the end. Only a careful examination on the ground can reveal whether, for instance, the massive land seizures that followed the New Year Day 1994 rebellion in Chiapas and the new commons thus created were definitely anti-capitalist. In the case of the Zapatistas there is plenty of evidence to confirm that this effort has been crucial in supporting rural *ejido* dwellers throughout Mexico (not only in Chiapas) from abandoning their land or selling it for a 'song'. Indeed, the uprising had a profound effect on the other indigenous and landless peoples movements throughout the Americas beyond Mexico.⁴⁷

47. Midnight Notes Collective, *Auroras of the Zapatistas: Local and Global Struggles in the Fourth World War*, New York, Autonomedia, 2001.

A Machiavellian use of the ambiguity between capitalist and anti-capitalist commons is to be found in the way Jeffrey Sachs, Bono and the Live 8

organizers ‘hijacked’ the anti-globalisation movement to present the G8 governments not as colonisers and oppressors of Africa but as a liberator of poor people.⁴⁸

The ideological part of the operation is based on Sachs’ rejection of the doctrinaire totalitarian neoliberalism as practiced by the IMF, exemplified by the presentation of the same SAP to large and small countries in South America and Africa as if the empirical details of their different contexts and crises were not important. Instead, in the run up to Gleneagles G8 meeting Jeffrey Sachs presented himself as a new kind of economist, a ‘clinical economist’ who treats ‘an economics patient - a crisis-ridden economy - in order to prescribe a course of treatment’.⁴⁹ Sachs severely criticises the ‘one size fits all’ neoliberal doctrinaires of the IMF:

In the past quarter century when impoverished countries have pleaded with the rich world for help they have been sent to the world’s money doctor, the IMF. The main IMF prescription has been budgetary belt tightening for patients much too poor to own belts. IMF-led austerity has frequently led to riots, coups, and the collapse of public services. In the past, when an IMF program has collapsed in the midst of social chaos and economic distress, the IMF has simply chalked it up to the weak fortitude and ineptitude of the government.⁵⁰

Sachs is not alone in attacking neoliberal totalitarianism and fundamentalism; economists like Steven Levitt of *Freakonomics* fame share with Sachs the desire to dump neoliberal doctrine in order to ‘think sensibly about how people behave in the real world’.⁵¹ Indeed, a whole movement in economics has risen to reject neoliberalism as a doctrine and to recycle it as a ‘tool’ to analyse economic ‘sicknesses’ (as in Sachs’ model) or ‘questions’ (as in Levitt’s model). But this is not a rejection of capitalism or even neoliberal doctrine, it is a methodological move intended to save it from itself and its enemies. In fact, the whole effort is to transform neoliberalism into common sense and literally take it out of the sphere of dangerous ideological and political struggle.

But at first blush, when reading the work of these authors one has an initial sense of relief. After two decades of critiques of neoliberalism from the earliest struggles against it in Africa and the Americas to the post-Seattle anti-globalisation mobilisations, it looks as if the centres of power are finally responding. This is true, but the response is not capitulation. It is, rather, a shuffling off of the criticism after a *pro forma* recognition of it.⁵²

Dr Sachs’ criticisms of doctrinaire neoliberals have a political intent. They are meant to convince the militants of the anti-globalisation movement to eschew their pessimism ‘about the possibilities of capitalism with a human face, in which the remarkable power of trade and investment can be harnessed while acknowledging and addressing limitations through compensatory collective actions’.⁵³ He explicitly calls for an alliance with the anti-globalisation movement, for Sachs is part of the segment of capitalist

48. For a good, painfully honest blow-by-blow account of the way it was done see Paul Hewson, “‘It’s the Politics Stupid’: How Neoliberal Politicians, NGOs, and Rock Stars Hijacked the Global Justice Movement at Gleneagles ...and How We Let Them”, in David Harvie et al (eds), *Shut Them Down! The G8, Gleneagles 2005 and the Movement of Movements*, New York, Autonomedia, 2005.

49. Jeffrey Sachs, *The End of Poverty: How We Can Make It Happen in Our Lifetime*, London, Penguin Books, 2005, p75.

50. *Ibid.*, p74.

51. Steven D. Levitt and Stephen J. Dubner, *Freakonomics: A Rogue Economist Explores the Hidden Side of Everything*, New York, HarperCollins, p205.

52. Caffentzis, *Three Concepts of Time and Class Struggle*, op. cit.

53. Sachs, *The End of Poverty*, op. cit., p357.

planners who support the temporary decommodification of objects that can satisfy vital needs of the poor in Africa. His plan to 'make poverty history' requires decommodification in the *short-run* (that is, until at least 2025) by providing to the poor free education, free nutrition programs, free anti-malarial equipment, free drinking water, sanitation and cooking fuels.

He is also an advocate of public goods and calls for government investment in public goods like 'human capital (health, education, nutrition), infrastructure (roads, power, water and sanitation, environmental conservation), natural capital (conservation of biodiversity and ecosystems), public institutional capital (a well-run public administration, judicial system, police force), and parts of knowledge capital (scientific research for health, energy, agriculture, climate, ecology)'.⁵⁴

54. Ibid., pp251-252.

Finally, Dr Sachs is against the view, popularised by that commons-slayer, Hernando de Soto, that the privatisation and titling of land is the true 'mystery of capital' leading to economic development. Sachs is sceptical of de Soto's mysterious claim and points to the fact that China and Vietnam, two of the fastest growing countries on the planet 'have certainly not solved the problem of titles and deeds!'.⁵⁵ He argues that: 'Despite the fact that much of free-market economic theory has championed [the Social Darwinist] vision [of 'Nature red in tooth and claw'], economists from Adam Smith onward have recognised that competition and struggle are but one side of economic life, and that trust, co-operation, and collective action in the provision of public goods are the obverse side'.⁵⁶

55. Ibid., pp321.

56. Ibid., p327

Consequently, Sachs has become one of the articulators (along with researchers like Ostrom and Binswanger) of a neoliberal 'Plan B' meant to use the 'social capital' appropriate to the commons to counter the threat to capitalism posed by 'the Poores'. The question for them is, 'how can a commons and/or public good become useful for capital accumulation?' They do not assume, as the doctrinaire neoliberals do, that these products of collective choice and rule-making inevitably imply a reduction of accumulation.

Sachs went on to ally himself with Blair's electoral machine, and with Bono and Live8 he devised a successful strategy of confusing the anti-globalisation movement. In retrospect, I see that the key to this strategy was the confusion between capitalist and anti-capitalist commons. This confusion intensified with the beginning of the Obama campaign for the US Presidency that began a year later. As he wrote in his campaign book, *The Audacity of Hope* in 2006, neoliberalism (what the Bush Administration ideologues called 'the Ownership Society') was leading to a political catastrophe for capitalism in the US by creating harsh class divisions, an uncompetitive working class, and a corrupt and irresponsible capitalist class. Obama's answer to US capitalism's ills was and is similar to Sach's answer for Africa: communal actions and institutions must be tolerated in order to make a functioning capitalism possible. He wrote:

Like those who came before us, we should be asking ourselves what mix of policies will lead to a dynamic free market and widespread economic

security, entrepreneurial innovation and upward mobility. And we can be guided throughout by Lincoln's simple maxim: that we will do collectively, through our government, only those things that we cannot do as well or at all individually and privately.⁵⁷

57. Barack Obama, *The Audacity of Hope: Thoughts on Reclaiming the American Dream*. New York, Three Rivers Press, p159.

Obama, on becoming President, has fashioned an Administration willing to apply this maxim using trillions of dollars of government funds to undertake a wide spectrum of actions that appear 'collectivist,' 'socialist' and 'commonist' to a doctrinaire neoliberal, from taking control of the banking sector to demanding a specific restructuring of the auto industry. But the aim of these actions is to return the economy back to its pre-crisis state of minimal state intervention not to proliferate permanent commons.

Consequently, unless we are clear about the conflicting uses of the notion of the commons, everything fuzzily congeals so that Live8, 'end poverty' campaigners and President Obama can appear to be allies of the Zapatista movement! The political conflicts (and hesitations) during the G8 meetings can be understood as a clash (and a merging) between politics motivated by these two conflicting (but confused) conceptions of the commons. A similar point can be made about the Obama campaign and his Administration.

Most important for anti-capitalists is the future of the commons, or in other words, whether 'the commons' will be ceded to those who want to enclose it semantically and use it to further neoliberal capitalism's ends or whether we will continue to infuse in 'the commons' our struggle for another form of social life beyond the coordination of capital?

In a sense, however, the future outside of capital's time is created by commoning, so the question we posed at the beginning - 'does the commons have a future?' - is a malapropism; the real question is: 'can there be a future without the commons?'