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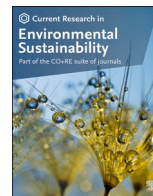
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## Reimagining and governing the commons in an unequal world: A critical engagement

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### ABSTRACT

This article brings to center-stage questions of inequality within the context of contemporary theory and scholarship on the commons. We engage with the commons literature to explore how social, economic, and political inequalities affect who has access to and control over the commons. We make the following key contributions as a way to engage simultaneously and bring together different strands of the literature. One, we take stock of existing scholarship examining the commons and inequality, bringing into sharp focus the role of race, gender, caste, and class, among other dimensions of inequality. Two, we critically engage with scholarship that is pushing the boundaries of commons theory by exploring the processes of commoning or decommoning via “grabbed commons”. Three, by using the lens of commoning and linking it to the historical processes of colonization and capitalist dispossessions, we seek to foster a conversation with scholars working on emancipatory claims to the commons. Based on such a synthesis, we offer a research agenda to broaden the theoretical and empirical scope of commons scholarship, especially with the goal of building stronger bridges with critical property and environmental justice scholarship.

### 1. Introduction

This article brings to center-stage questions of inequality within the debates on the commons. We pursue the question of how social, economic, and political inequalities affect who has access to and control over the “commons.” Going beyond the material aspects of resource use and access, we also engage with the social, cultural, political, economic, environmental, and relational aspects of the commons that have been the focus of scholars of commons in different scholarly fields. In building these bridges, we avoid the binaries that some have drawn between the relational and institutional aspects of the commons. The goal is to maintain a common thread between different strands of the commons scholarship and inform the praxis of commons.

One motivation for this piece is the celebration of the thirty years of commons scholarship since the publications of Elinor Ostrom’s *Governing the Commons* in 1990 (Ostrom, 1990). Ostrom and her colleagues in the Bloomington School made remarkable contributions to our understanding of the conditions under which communities of resource users develop successful and long-enduring institutions for

collective action on the commons (Schlager and Ostrom, 1992; Clark et al., 2000; Agrawal and Gibson, 2001; Agrawal, 2002; Cole and McGinnis, 2017). Despite the commitment of Ostrom and colleagues to focus on the interests of local communities, much of the commons scholarship has remained detached from the broader scholarship on social and environmental justice. A bibliographic analysis of 4000 published articles on the commons by van Laerhoven et al. (2020) suggests that only a very small fraction of commons scholarship focuses on some of the most pressing concerns related to gender (37 titles), inequality (60 titles), or environmental justice (80 titles). These numbers would be even smaller if in addition to keyword searches, the analysis explored whether these issues were the main focus of analysis in the retrieved articles. The authors found that the most prolific authors – they all have 10 or more publications that appear in the author’s database – “all are white, all but one are male, and all but one are or were affiliated with Universities in the USA or Europe (All but two have a beard)” (van Laerhoven et al., 2020, p. 211). This might be one explanation for why issues of inequality, race, and gender have not been a major focus in the commons scholarship.

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We seek to bridge these gaps in the commons scholarship and to facilitate better collaborations with scholars concerned about questions of social and environmental justice within the context of the global and local commons. To do so, we take as a point of departure the distinction that commons scholars make between “common pool resources,” which refers to the biophysical and material characteristics of commons, and “common property”, which comprises a set of rules, and norms, and conventions, that is, institutions and social relations that maintain the commonness. A relational perspective on the commons helps clarify this fundamental distinction between natural resources with certain characteristics and the diverse ways in which actors and groups seek to gain and maintain access to resources. Though the differences between the properties of a resource (or service) and social institutions needed to maintain the commons is analytically useful, several implications of using the utilitarian frame of “common pool resource” as the starting point for the commons scholarship have yet to be debated adequately.

First, taking the physical or other properties of a resource or service as the main marker for the definition of “commons” risks creating a mistaken impression that these properties of a resource are the most important factor influencing the type of social institutions needed for the creation, management, and maintenance of a resource. More often than not, instead of being a rational response to properties of a resource or a well-defined governance challenge, institutions for the management of resources are a product of specific histories and power struggles around resource control (Johnson, 2004; Kashwan, 2017). Second, an emphasis on the physical properties of a resource limits consideration of how social factors and processes may entirely reshape the nature of the commons. For example, more than 50% of forests in the United States (U.S.) are managed under private property ownership, which allows individual forest owners to decide whether they want to enter into easement agreements with the U.S. Forest Service. On the other hand, nearly 70% of forests in Mexico are managed under state-sanctioned community institutions of ejidos and comunidades (Fleischman and Solorzano, 2018). Clearly, management of commons in each of these countries and regions is embedded within very different political and institutional contexts, with subnational regional specificities adding additional layers of complexity.

Third, recognizing social and political factors as important influences in the emergence of specific types of commons institutions opens new avenues of inquiry into the processes of recommoning/decommoning that we discuss in Sections 3 and 4. Fourth, bringing sociopolitical processes and factors, including gendered and racialized social relations, to the front and center of the study of commons offers a better vantage point for studying questions of equity and justice. A stronger foregrounding of the role of social and political factors allows us to make visible the complex ways in which social, political, and economic inequalities shape the creation, nurturing, and the maintenance of commons. More importantly, this approach also promises to foster socially relevant engagements between diverse forms of the commons scholarship, while contributing new insights for the theories of the commons.

Overall, this article has three primary goals: One, we seek to take stock of the commons scholarship that has examined questions of inequality, especially with the intention of bringing into sharp focus the role of race, gender, caste, and class, among other dimensions of inequality. Two, we critically engage with scholarship that has pushed the boundaries of commons theory by way of exploration of the processes of commoning (or, decommoning via grabbed commons). Three, by using the lens of commoning and linking it to the historical processes of colonization and capitalist dispossessions, we seek to build bridges with critical scholarship on emancipatory claims to the commons, especially in urban and other complex settings. Based on such a synthesis we present a forward-looking research agenda to broaden the theoretical and empirical scope of commons scholarship, especially with the goal of building stronger bridges with critical property and intersectional environmental justice scholarship.

We must note that because of lack of space we are unable to engage

with the important scholarship on non-traditional commons, e.g., knowledge commons, digital commons, and health commons. As David Harvey explains, “Cultural and intellectual commons are often not subject to the logic of scarcity and exclusionary uses of the sort that apply to most natural resources” (Harvey, 2011, 103). However, the conclusions we draw in this research are likely to apply quite well to these non-traditional commons (see, Fuchs, 2020). Similarly, we also exclude from the scope of our analysis a body of literature - primarily from economists but also from some other commons scholars - that makes technical arguments about the effect of social and economic ‘heterogeneity’ on the efficient management of commons (Baland and Platteau, 1997; Bardhan et al., 2007). Studies that take on such a technical approach suggest that institutions can compensate for or minimize the impacts of economic and socio-cultural heterogeneity to foster collective action (Adhikari and Lovett, 2006; Andersson and Agrawal, 2011; Varughese and Ostrom, 2001). While these are valuable contributions to the commons research, for the sake of analytical coherence, we focus on research that adopts a thicker sociological orientation for studying the effects that power differences and inequalities have on the emergence, development, and endurance of collective action around commons. This is crucial for the central goal of this review, which seeks to broaden the engagement between scholarship on the commons and critical scholars interested primarily in the goals of social justice, feminism, and environmental justice.

In the next section we build on work by scholars of commons in the Ostrom tradition and adjacent research by urban commons scholars to map distinct approaches to account for the effect of micro-level inequalities on the governance of commons. In Section 3 we engage with the literature on how macro-level inequalities shape the commons, including grabbed commons, which is becoming increasingly pronounced under the imperatives of global conservation and land-based climate mitigation. In Section 4, we engage with the literature on “commoning”, which asks us to move beyond the focus of much of commons scholarship on the properties of resources, drawing our attention instead to the social, cultural, and political processes that foster the constitutions of commons, especially in urban contexts. Finally, Section 5 engages with critical scholarship that challenges us to think beyond the utilitarian or political economy perspectives on the struggles over commons. This includes critical race and critical property literature that investigates the racially discriminatory history of resource control and multiple processes of dispossessions at different times. In conclusion, we seek to draw out a research agenda for a better engagement between diverse bodies of commons scholarships.

## 2. Micro-level inequalities in the commons

Assumptions about utility-driven or self-interested rational behavior and methodological individualism define much of the Bloomington School’s analysis of how resource users act collectively to design institutions for governing the commons. The result is that salient features of “community” are obscured in the foundational works on the commons (for relevant critiques, see, Agrawal and Gibson, 2001; Cleaver, 2002; Singh, 2017; Clement et al., 2019). Several scholars have called for greater attention to historical legacies, competing interests, diverse socio-economic identities, and how they intersect to shape access to and benefits from resources (Mosse, 2003; Johnson, 2004; Forsyth and Johnson, 2014). These and other scholars argue that it is important to examine how actors with differences of income, wealth, power, and social influence articulate perspectives and interests in negotiations over the commons. Such critiques have come from both within, and without a direct engagement with, the theories of collective action in the Ostrom tradition.

For example, Nagendra and colleagues found that community-based collective action was necessary but not sufficient for the successful governance of urban lakes on the periphery of Bangalore (Nagendra and Ostrom, 2014). Instead, the complex legal, technical and political urban

environment required communities to effectively interact and collaborate with the various governmental units and other actors. Yet, lake communities found it difficult to hold local officials accountable in the context of an overwhelming focus on economic growth in many cities and the broader political economy of urbanization. They concluded that “local officials are often subject to governance incentives as well as incentives of political economy and rent-seeking that ensure that they are primarily accountable to higher officials or vested interests such as real estate agencies, rather than downward accountability to local communities or marginalized groups” (Nagendra and Ostrom, 2014, 76).

A similar paradox emerges from the work particularly of urban commons scholars in the global North. As Foster (2011) has observed, relying on some of Ostrom’s case studies, a strong state role often is *required* when resources are not only large scale but also involve users, with varying levels of power and influence, embedded within complex legal or regulatory environments. For example, Park Conservancies and Business Improvement Districts (BIDs) in many cities often mimic public-private partnerships, which can carry costs for urban communities least able to participate in the stewardship of these shared resources. These costs lead to the exclusion of non-property owner residents from governance of BIDs and homeless and other populations that some deem undesirable from public parks (Foster, 2011). Collective governance of local resources is beyond the reach of many local communities.

A second group of critics suggest that community interactions are shaped by networks of patronage, alliances, and personal obligations related to social institutions and hierarchies related to race, gender, and caste, among others. This includes work on integrating inequality and power dynamics into common property/common-pool resource (CPR) theory (Agrawal, 2002; Kashwan, 2016; Mudliar and Koontz, 2018), the Institutional Analysis and Development (IAD) framework (Clement, 2010; Kadirbeyoglu and Özertan, 2015; Whaley and Weatherhead, 2014; Kashwan et al., 2019; Brisbois et al., 2019), and Ostrom’s Design Principles (Singleton, 2017; Mudliar and Koontz, 2021). Agrawal and Gibson (2001) find that in cases of apparently successful cooperation, cooperation may appear to exist because it is imposed on low-power actors through the exercise of social and economic power. Clement (2010) presents a ‘politicized’ IAD framework to account for the structural and discursive factors affecting power distribution and institutional rigidity in the action arena. Her analysis shows how influential actors in Vietnam used blanket discourses about the virtues of afforestation and increased ‘forest cover,’ along with the prevailing norms of “consensual” decision-making, to ‘black-box’ reforestation programs in pursuit of their vested interests. Clement (2010) shows that levelling an unequal playing field requires changing not only the rules-in-use, but also addressing the discursive processes that co-produce and legitimize ‘unequal institutions’.

Drawing on the theory of collective action, Kashwan (2016) scrutinizes a puzzling finding in the commons scholarship, as to why do we witness higher than expected levels of cooperation in communities with widespread power asymmetries? To address this, he develops the concept of ‘interlinked action arenas,’ and uses it to examine how the choices that actors make in one institutional arena are based on anticipated effects on their interests and stakes in other institutional arenas (Kashwan, 2016). Similar to Agrawal and Gibson (2001), Kashwan questions the claim made in the CPR literature that a majority of institutions are built through consensus, arguing that such ‘consensus’ disguises embedded inequalities of various types. For example, individuals from marginalized groups within local communities accept unfair rules because they defer to the social and political authority of local leaders who favor such unfair rules. Kashwan’s development of the concept of ‘action arenas’, which is one of the core concepts in the IAD, offers productive opportunities for connecting the commons scholarship with critical work centering social inequalities in the governance of local commons.

For example, Mudliar and Koontz, 2018 apply the concept of

interlinked action arenas to show that the processes of domination and oppression, e.g., practices of caste-based untouchability and discrimination, continue to structure village life as well as the interactions of members in the context of the commons. Yet, the approval of local leaders from the so-called higher castes is necessary to secure or maintain access to benefits or avoid additional costs that these powerful leaders could impose in other social and administrative settings. Similarly, Mudliar and Koontz (2021) examine power dynamics through Ostrom’s design principles and find that in communities with caste and racial inequalities, the lens of interlinked action arenas helps explain the concurrent workings of the processes of domination and empowerment. Less powerful actors respond to domination by tapping into alliances for building solidarities with each other and broaden their capabilities by investing in skill-building.

These studies demonstrate the potential for a better accounting of micro-level socioeconomic inequalities without giving up on the analytical strengths that the commons scholarship brings to these debates. The implications of these studies go beyond the specific question of resource governance to examine how the commons are entangled with longstanding inequalities, including inequalities within local communities.

### 3. Macro-level inequalities in the commons

Despite the recognition of the importance of nested governance for sustainable management of commons (Ostrom, 1990), mainstream commons scholarship has paid scant attention to the historical context, focusing instead on “deductive models of individual decision-making and rational choice to explain the ways in which different types of property rights arrangements emerge and change over time” (Johnson, 2004, 407). While the scholarship on contestation over natural resource governance and conservation offers historically informed analyses of CPRs (see, Mosse, 2003), few scholars within the Ostrom tradition have integrated historically-informed analyses into the commons scholarship (but, see Agrawal, 2005). Recent scholarship has expanded the commons scholarship to enable a better understanding of both historical and contemporary political and economic contexts that shapes the management and governance of commons. Here we focus on the phenomena of green grabs and grabbed commons.

Historically, John Locke’s labor theory of value provided the strongest intellectual rationale for ‘enclosure’ of commons. Locke argued, “Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property.” Locke dismissed the prior claims of the Indigenous peoples who had held the land in “common”, citing the greater productivity of “... one acre of inclosed [sic] and cultivated land,” in comparison to “an acre of land of an equal richness *lying waste in common ...*” (Kashwan, 2017, 35, italics added for emphasis). The Lockean labor theory of property was thus premised on the presumed superiority of European practices of intensive husbandry over the lower intensity practices of Indigenous peoples.

Locke’s arguments echoed through the much cited, yet only partially accurate thesis that Hardin wrote about the tragedy of the commons. In the post-colonial era, governments, corporations, and conservation NGOs used Hardin’s fable illustrating an apparent tragedy of the commons to justify privatizing and enclosing local commons (McCay, 2002). Some of the poorest countries have set aside the largest areas of national territories as protected areas devoted exclusively to the goals of wildlife and biodiversity conservation; e.g., Zambia, the Republic of Congo, and Namibia have each enclosed more than 40% of national territories as protected areas. An empirical analysis of the percentage of national territory under protected areas in a global sample of 137 countries shows that governments in countries with poor democratic institutions and high levels of economic inequality set aside a much larger percentage of territory as protected areas, as compared to more democratic and more equal countries (Kashwan, 2017). In many instances, because

of colonial legacies some governments define large areas of lands as “wastelands,” even though those lands are used *de facto* as village commons (Baka, 2014). These findings show that instead of being a hindrance, poverty and inequality within the formerly colonized societies have paved the way for continued expansion of land enclosures in the service of global agendas of wasteland development, biodiversity and wildlife conservation, and climate mitigation (Kashwan, 2017; Corson and MacDonald, 2012).

State and corporate takeover also affects community stakes in lands that are defined formally as community or village council lands in parts of Africa, or village pastures and other types of commons in the South Asian context. For example, a significant spike in the demand for energy crops, such as biofuels and carbon forestry, or the ongoing push to enclose larger areas under protected areas, have led to the phenomenon of “green grabs,” which refers to “the appropriation of land and resources for environmental ends” (Fairhead et al., 2012, 237). These are contemporary manifestations of the Marxist concept of primitive accumulation and David Harvey’s arguments about accumulation by dispossession: “individualized capital accumulation perpetually threatens to destroy the two basic ... resources that undergird all forms of production: the laborer and the land” (Harvey, 2011, 103). The various instances of commons grabbing described above have been synthesized insightfully in the recent work on “grabbed commons” (Dell’Angelo et al., 2017). These scholars offer a framework for delineating commons grabbing from other kind of large-scale land acquisitions, which are entangled in multiple access and/or property rights, coupled with an unbalanced power dynamics between investors and prior land users, which is especially relevant in the context of a transition from subsistence farming and/or small-scale uses of natural resources to large-scale commercial agriculture and/or speculative investments (Dell’Angelo et al., 2017, 3).

Accumulation of political and economic power leads to the dismissal of long standing local claims to the commons, while promoting commodification and financialization of natural resources in the service of consumers and shareholders in the global North (Bakker, 2007; Mehta et al., 2012). At the recent release of Dasgupta Review on the economics of biodiversity, famed nature documentary filmmaker David Attenborough portrayed members of local communities as short-sighted, “who wish to cut [rainforests] down, compared to ... people living across the world, who rely on the rainforests for the stability of their climate.”<sup>1</sup> Such statements are far from being an aberration, as neo-Malthusian ideas and glib references to the tragedy of the commons continue to influence a variety of global and transnational policy debates and scholarship (Gerber and Haller, 2020). Recentralization of control over the commons continues apace, including when it is done with the stated intention of conservation and environmental protection (Ribot et al., 2006). Over the past decade, there has been a significant spike in the phenomenon of green grabs, including through the ongoing advocacy of increasing the size of protected areas enclosures under the UN’s 30 by 30 biodiversity goals and EO Wilson’s Half Earth proposals (Kashwan et al., 2021).

More broadly, as Saskia Sassen shows, the complexity of the global economy makes it hard to trace lines of responsibility for the displacements, evictions, and eradications it produces, and makes it challenging to ensure the accountability of those responsible for these deprivations (Sassen, 2014). This reinforces the arguments from critical property scholars, such as Nichols (2019), who have shown that institutionalization of formal property relations are intertwined with shifting configurations of law, property, and race, leading to various forms of dispossession, which these scholars have referred to as mechanisms of systematic theft. In this context, the assertion of rights by Indigenous peoples and other rural resource-dependent communities should also be seen as attempts to contest and undo these long standing histories of

dispossession in favor of powerful national and international actors. Accordingly, in many cases, the commons have become “the terrain of a clash between capital and commonism” (De Angelis and Harvie, 2014, 281). The concept of ‘commoning,’ to which we turn in the next section, constitutes an analytically productive entry point into a theoretical engagement with the praxis of these struggles.

#### 4. Constituting community and the process of commoning

The theoretical framework of institutional analysis speaks to the question of how fallible human beings, who wish to self-organize to gain collective benefits, address the challenges of avoiding free-riding, achieve high levels of commitment, arrange for new institutions, and monitor conformity to a set of rules in CPR environments (Ostrom, 1990, 27). Ostrom recognized that “getting institutions right ... requires reliable information about time and place variables as well as a broad repertoire of culturally acceptable rules” (Ostrom, 1990, p.14). Ostrom also emphasized the need for creating a community of ‘appropriators,’ who could organize toward successful collective action (Ostrom, 1990, 39). However, Ostrom and colleagues see community and commons almost entirely using the prism of methodological individualism. For instance, Ostrom’s analysis of interdependent and independent actions focused exclusively on individual incentives and actions in the CPR context. Collective action in this sense, is an aggregation of individual actions. The analytical choice of anchoring their work in methodological individualism prevents many commons scholars from a deeper and more nuanced exploration of how social, cultural, or political inequalities shape community mobilization and collective action for governing the commons.

Scholars of commoning take a broader view in which commons and community are mutually constitutive. A very helpful working definition of commoning comes from Sandström et al. (2017, p. 509–10), who discuss commoning as a “process that is constituted in the general reproduction of the community ... as not only comprising a set of property relations vis-à-vis natural resources but also as associational practices around specific places and buildings that are managed collectively regardless of their juridical form. Seen from this perspective, commons are ... also important social resources that bind people together in a place for a common purpose.” Scholarship on urban commons in the U.S. and Europe has developed such a broad-based understanding of the processes of community building around shared urban resources. Various types of urban commons studied by these scholars include housing, enclosed public spaces, labor and public services, art studios, urban gardens, and urban infrastructure more broadly (Foster, 2011; Dellenbaugh et al., 2015). They point to the differences in the role of the state and its control over urban goods and resources, high costs of urban land and infrastructure, density of urban populations, the dominance of capital and extractive real estate markets, and deep political and economic contestation over the means and ends of urban development (Huron, 2015). These factors create formidable barriers against (re) claiming and maintaining independent urban spaces, especially when they are meant to serve marginalized and disadvantaged communities. They are quite resource strapped, which makes it difficult for them to realize such aspirations within the framework of a speculative real-estate driven capitalist urban economy (Bresnihan and Byrne, 2015).

This is why social movements, particularly in the U.S. and Europe, have utilized the language of the “commons” to scrutinize capitalist elites who privatize and enclose many shared resources - i.e., public water or utility systems, vacant land, housing, information and data - that should be left in the public domain and accessible to the public (see, for example, Bieler, 2021). Activists stake out a claim to these properties to create essential goods (both tangible and intangible) and services, and to capture positive value for underserved populations and communities (e.g. artistic, cultural, ethnic, racial). For example, in many parts of the U.S., as well as in countries such as Brazil and South Africa, activists

<sup>1</sup> <https://youtu.be/e2QDOeKH0DE?t=4305>

have used the language of the commons to claim access and use rights to abandoned or vacant property in cities. In many cases, these demands articulate the sentiments of individuals and groups who occupy and squat in foreclosed, empty, often boarded up homes and housing units (including public housing units). They seek to convince municipalities to clear title and transfer these homes and units to limited equity forms of ownership in order to provide long-term affordable housing for neighborhood residents (Alexander, 2015). This “occupy” or “take back the land” movement is a response to the displacement of homeowners and tenants because of the confluence of the housing and mortgage crisis, and the forces of gentrification. Rather than leaving these homes vacant and blighted, local public officials often condone the occupation and transformation of these structures by community members who want to make productive use while beautifying and improving the properties and, by extension, the surrounding neighborhood. (Alexander, 2015, 271).

The Italian movement for “beni comuni” (common goods) or “benicomunismo” (which roughly translates as “commonism”) has utilized occupation to stake public claim to abandoned and underutilized cultural (and other) structures to have these spaces either retained as, or brought back into, public or common use. (Bailey and Mattei, 2013). This movement was centered initially around a national referendum on “water as a commons,” which sought to prevent a national government measure that would allow local public services and utilities (including the integrated water system) to be auctioned off to the highest bidder. After the proposal’s defeat, the movement took further root throughout Italy through occupation by activists of abandoned and underutilized cultural structures, such as the Teatro Valle in Rome (Bailey and Marcucci, 2013). Responding to the state’s threat to privatize them, activists, academics and others occupied these structures to “open up” these spaces for the flourishing of common goods like culture (Bailey and Marcucci, 2013, 997). Similar findings are also reported from Bolivia, where water committees resist the government’s use of a ‘public rights’ framework to wrest power away from community organization while concentrating power in the state (Dwinell and Olivera, 2014).

In many cases, social activists seek to establish and maintain common spaces or resources with an anarchist or highly democratic style of functioning, without overly ‘regulating’ individual activities. However, regulatory and other administrative hurdles make it difficult for communities and resource users to obtain and sustain control over the resources crucial to their essential needs, such as, food security, affordable housing, and reliable access to broadband infrastructure. Such tensions vis-à-vis a regulatory environment that is not designed for low-cost maintenance that the commoners can afford, allow landlords and the police to frequently shut down these independent spaces. These are some of the ways in which capitalism, urban real estate markets, and public institutions exercise power over urban commons (Bresnihan and Byrne, 2015; Eidelman and Safransky, 2020). In this sense, ‘urban commons’ are entangled very directly in the maze of state regulations and the grip of capitalist urban real estate development.

The urban context also offers novel lessons for commoning. Foster (2006) documents a case in which economically poor inner-city residents in New York developed and claimed abandoned private lots into community gardens. The establishment of these previously non-existent urban commons and their regular upkeep helped create “collaborative relationships and social networks among residents of different racial and generational identities” (Foster, 2006; 541). Urban gardens thus create physical and social spaces for community meetings and solidarities, providing the youth opportunities to engage in productive community labor. In this broader sense, urban commons are a product of the resources and relationships, including inter-, and intra-neighborhood relationships, and state-society engagements. More importantly, these relationships and engagements need to be nurtured and renewed from time to time, without which they are susceptible to threats of the type mentioned in the context of autonomous urban spaces discussed above.

Investigating the processes of commoning also draws attention to the

challenges of creating and maintaining commons against the odds. For example, public housing projects are home to more than 1.2 million households in the U.S.. The utilization and maintenance of basic amenities in these housing projects demonstrate features of a CPR (that is, the difficulty of exclusion and subtractability of good and services), yet their management is in hands of state and local housing authorities, which are authorized and funded by the U.S. Department of Housing and Urban Development (HUD). Effective collective community governance of these projects is simply not possible, as tasks as simple as fixing a faucet must be authorized by the housing agency. This is also true of private housing facilities that accommodate low-income residents, often with partial rental support from the state. In this sense, even though public housing has characteristics of a CPR, these housing projects are not and cannot be managed as the commons, unless concerted efforts are made. In this case, the process of commoning entails significant institutional and legal reforms, as well as the constitution of a community that is willing to take up the governance of housing commons.

For example, Huron (2015, 2) analyzes the workings of Limited-Equity Cooperatives (LECs), in which the co-op members purchase their membership shares at very low rates, and bind themselves to selling those shares for similarly low rates should they choose to leave the co-op. This institutional innovation insulating the LEC against the speculative tendencies of real estate markets is crucial for creating home-ownership opportunities for low income people and keeping housing affordable for future residents. Yet, in many cases, the LEC residents are not used to participating in collective provisioning of housing amenities and find it difficult to adjust to their role as co-owners. As a result, some LECs choose to give up their LEC status and convert to a market-driven equity structure after they have paid off subsidized loans used to create the LEC (Huron, 2015). Commoning is characterized by frequent setbacks, especially in communities that have been historically deprived of opportunities of homeownership.

The concept of commoning is attributed to historian Peter Linebaugh, who is counted among one of the leading advocates of “commoning as a set of generative practices that support sustenance and enhancement of life” (Singh, 2017, 753). Linebaugh points to the importance of thinking about commons as a ‘verb’ and not just a ‘noun’ (Linebaugh, 2008, 45; See also, Linebaugh and Rediker, 2000). Building on this, Bresnihan and Byrne (2015, 11) argue that thinking of the commons as a verb points to “the limitations of understanding the commons as a noun, as a static, physical resource, such as a bounded plot of urban space.” They argue, “If we are serious about the commons as a political concept and strategy, we need to understand the ‘how’ and ‘what’ of practices of commoning” (Bresnihan and Byrne, 2015, 3). This is especially important because as Foster and colleagues have argued, institutions of urban planning, governance, and law play an important role in shaping communities and urban commons (Foster and Iaione, 2016).

All commons require a specific community that is engaged in the process of reclaiming, building, maintaining, and sustaining the commons. This is best articulated by Foster and Iaione (2019), who argue that “...much of what gives a particular urban resource its value, and normative valence, is the function of the human activity and social network in which the resource is situated.” Legal and institutional innovations meant to protect the commons are especially important in the face of threats of commons grabbing by powerful corporate and state actors (see, Dietz and Henry, 2008; Kashwan, 2017). The processes of reclaiming urban spaces as common property are also rooted in historically entrenched inequalities in access to resources resulting from settler colonialism, racism, and capitalism. Accordingly, restoring and protecting commons will take strong mobilization of the institutions of the state, especially if the goal is to serve communities and groups, who have been pushed to the social, economic, and political margins of a society.

These debates are also a reminder that any efforts to reclaim the commons requires gaining control or authority over material, social, or

symbolic resources. The scholarship on critical feminism and critical property theory offers valuable insights about these struggles and what makes them successful. The next section engages with this scholarship, with the specific goal of enriching the research and scholarship on the intersection of inequality and the commons.

##### 5. Commons scholarship meets critical scholarship (e.g. radical feminism/critical race theory)

Critical commons scholars have pushed the envelope of commons scholarship beyond the utilitarian logic of thinking commons primarily as economic resources (productive commons) to also conceptualize commons as social (associational commons) and symbolic commons (Papadopoulou, 2012; Sandström et al., 2017; Singh, 2017). These scholars also point to “alternative genealogies of the commons,” which are connected to histories of dispossession and exclusion of Indigenous, ethnic and racial groups. This approach helps deepen our understanding of how race and gender intersect with class in analyses of urban enclosures and resistance (Eidelman and Safransky, 2020, 2). Federici (2019) highlights that the ‘new enclosures’ that have been taking place since the mid-1970s in various parts of the world are in fact ‘a regular reoccurrence on the path of capitalist accumulation and a structural component of class struggle’ (2019, p. 27). Among other processes of primitive accumulation, Federici points to the structural adjustment programs led by the World Bank and International Monetary Fund (IMF) in formerly colonized countries, which use the ‘debt crisis’ to push for the privatization of communal land. These contemporary processes of primitive accumulation faced resistance from social movements led by grassroots women’s groups across Africa and Latin America. These and other social movements generate a productive collective force that creates new and diverse communal forms of social organization, offering living examples of commoning alternatives to capitalism (Villamayor-Tomas and García-López, 2018).

Critical property and law scholars too recognize the necessity of questioning who has resources, who does not, and how the colonial past has shaped property relations in the modern world (Nichols, 2019). They demonstrate that modern property law, including the forms of private ownership that the law reveres, came into being through and alongside colonial dispossession and expropriation (Bhandar, 2018). Yet, actors in the state and marketplace often justify the maldistribution of property based on race and class-based assumptions about who is worthy of property ownership, though such assumptions are rarely stated publicly.

A well-researched example relates to the processes of redlining and zoning, which led to the segregation of urban housing and entrenchment of grave inequalities in the distribution of community amenities and urban commons (Squires and Woodruff, 2019). The racial segregation thus produced meant that in many cases infrastructural development promoted as a form of public good or commons produced socially and racially discriminatory effects. For example, the anti-highway activists in Baltimore, Maryland, in the late 1960s argued that the urban highway system amounted to an enclosure of the commons (Gioielli, 2011). They argued that the highway would “benefit a privileged few, primarily white suburbanites, while destroying resources publicly available to minority and working-class communities” (Gioielli, 2011, 62). These struggles provided several examples of the interconnectedness between urban commons and the demands for environmental justice, which offer valuable lessons for the challenges linked to the current context of environmental and climate crises.

In the U.S., the legacy of property relations and racialized exclusion include a history of racial covenants, racial zoning, redlining, and urban renewal, or “slum clearance,” programs that have contributed to the racial stratification that persists in metropolitan areas. This racial stratification has further been entrenched and exacerbated by exclusionary zoning and predatory property tax and mortgage foreclosures that target Black and other communities of color in places like Detroit

(Silverman, 2005). The contemporary forms of land dispossession affecting urban “commoners” operate much like enclosure of common land in late sixteenth and early seventeenth century Britain by removing “tenants” from common property previously available to them and converting that property into exclusively owned parcels (Blomley, 2007). As legal scholars have so thoroughly and powerfully documented, Black property owners, in both urban and rural contexts, continue to lose their property as a result of various legal processes and practices that culminate in the forced dispossession of their homes and land (Mitchell, 2005; Atuahene, 2020). These contemporary processes add to the historical and ongoing dispossession of Indigenous nations and communities in both settler non-settler colonial contexts. Occupation of Indigenous territories, minerals, forests, waters, and exploitation of human labor is the thread that connects dispossessions of Black, Indigenous, and other marginalized groups in both global North and South (Greer, 2012). Yet, Indigenous territories and lands also contain a large proportion of global biodiversity, which makes them both valuable for the future of commoning and vulnerable to the onslaught of both states and markets.

The history and legacy of structural and systemic racism in the U.S. manifests in the deprivation and dispossession of the kinds of resources that commons scholars have been concerned with in many communities of color. As Foster (2006) demonstrates, the dispute over urban commons, such as community gardens, implicates issues of environmental justice. In her case study of imperiled community gardens in New York City, she notes that the gardeners’ claim to the urban infrastructure they had been stewarding highlighted the uneven distribution of environmental burdens and benefits by race, class and ethnicity in many urban communities. These include documented racial, ethnic and class disparities in the distribution of polluting facilities, hazardous industrial manufacturing, and exposure to environmental toxins, as well as the lack of environmental amenities such as green spaces and fresh food in low-income and minority communities. Underlying these racial and ethnic disparities are pre-existing economic, social, and political inequalities that contribute to the social vulnerability of African Americans, Indigenous Peoples, and Latinos in the U.S., for instance (Cole and Foster, 2001). Differences in power and access to decision makers at all levels of government prevent the most marginalized communities from acquiring resources and from participating in crucial planning and administrative processes that shape their communities.

The environmental justice framing in the community gardens dispute also links the demand to the stewarded gardens as urban commons, and the resources they provide, with the imperative of creating socially just and ecologically sustainable communities, with equitable access to green space, clean air and water, healthy food, affordable and quality housing, and safe neighborhoods. Julian Agyeman’s work on “just sustainability” (Agyeman et al., 2003) represents this fusion of environmental justice and sustainability concepts, borrowing the social justice and distributive equity focus of the environmental justice movement and marrying it with the proactive ecological planning feature of the sustainable development discourse. We could imagine a similar conceptual fusion between the commons and environmental (and climate) justice which takes seriously historically marginalized and structurally disadvantaged communities’ struggle to gain and retain property and resources.

Sara Safransky’s (2014, 2017) work, for example, highlights how local governments “green redevelopment” in places like Detroit is a new form of settler colonialism in Black communities, threatening their urban commons. With over 100,000 “vacant” lots after a decade or more of industrial decline and white flight, many legacy Black residents claim this land by “repurposing ‘vacant’ lots outside the purview of government and market-sector support” and “assert their rights to land in a variety of ways—from invoking historical loss and racial injustice to establishing gardens and community centers, mowing fields, and squatting in houses” (Safransky, 2017, 1080). Safransky argues that the green development plans under Detroit Future City plan constitutes

“top-down re-territorialization” and a form of ‘austerity urbanism’ where the racial politics of reconstructing the land is ignored. Many Black community members believe that this land belongs to the urban commons, which is the “Black man’s land,” and serves as a site of historical and collective memory (Safransky, 2017). Despite their interest and attempts to purchase the land on which they have stewarded acres of farm sites that serve the needs of food insecure homes and neighborhoods, Black farmers have been unsuccessful in convincing the city to allow them to purchase the land (Baker, 2020, 28–29).

Critical feminist scholars similarly call for a contextualized analysis of macro- and micro-power dynamics, with sufficient attention to gendered and other forms of exclusion (Nightingale, 2019). Whereas commons scholars have typically focused on identifying and testing generic rules-in-use that enable cooperation for successful commons management, Farhana Sultana (2011) shows that access to safe drinking water in arsenic-prone areas of Bangladesh does not follow a set of crafted rules-in-use but is highly uncertain and constantly renegotiated in private and public spaces, e.g. within the household, with the neighbors or the relatives, along gender or class identities. By examining everyday practices, she demonstrates how water access is shaped by the dynamic and complex interplay of social, spatial and technological factors, e.g. patron-client relationships, muddy pathways, or tube well breakdowns (Sultana, 2011). Similarly, Bresnihan (2016) explores how the scientific, economic, and regulatory responses to overfishing and increasing scarcity transform the fisheries and create new exclusions. Foley and Mather (2019) add nuance to the debate on ocean grabbing by showing that state endorsement of resource claims of marginalized groups are contingent on other social and ecological factors and are made more tenuous because of the increasing mobility of marine species.

The processes of commoning also entail intersectional inequalities across multiple axes of social difference such as race, caste, class, and gendered exclusions. Harris (2008) demonstrates how modern irrigation systems designed and constructed by male engineers further marginalized and impoverished women, who put irrigation water to multiple uses, e.g. for washing clothes, dishes or for homestead vegetable gardening. A critical examination of the inherently masculine nature of expertise and knowledge production in irrigation is important in redressing gender inequalities in irrigation water management (Zwartheven, 2008). Critical scholars interrogate how we produce knowledge about the commons and whose perspectives and values get represented and heard in this process. To do this, they explore a range of intimate aspects related to commons struggles and resource management, such as emotions and bodily feelings, crystallizing in various sufferings, unequally experienced along axes of gender, class, or socio-spatial location (Sultana, 2011; Singh, 2013). Based on research in Chile, González-Hidalgo (2020) observes how the collective expression of emotions, such as anger or sorrow, helps Indigenous Mapuche in their mobilization in the face of increased state violence. A nuanced analysis of embodied practices, social relationships and ecological processes would help commons scholarship engage better with the everyday struggles to secure rights to access, use, and collectively control the commons and other natural resources.

Critical feminist scholarship also extends the area of enquiry of commons scholarship to include, for example, the role of gendered identities and subjectivities in shaping how grassroots commons movements and forms of resistance emerge and sustain in the face of repressive economic and political systems. In a study of 25 years of agrarian and environmental change in the wetlands of Gambia, Carney (1993) demonstrated that women’s resistance to changes in community property systems goes beyond reclaiming land property rights, to protest against the commodification of wetlands that undermined their economic and social status within the household and community. Similarly, Federici (2011) argues that women’s engagement in resisting economic and political repression is motivated by a call for reclaiming access to the commons and for commoning the means of reproduction. For instance,

in the face of rising unemployment and poverty in the 1970s in Chile, women’s protest movements came together to create communal kitchens and childcare centers (Fischer, 1993 in Federici, 2011). It would however be simplistic to tie such forms of resistance to fixed identities. If women engaged in reclaiming the commons often draw on their political identity of “mother/carer” to justify their activism in environmental justice movements, elsewhere, they may strategically use multiple subjectivities, e.g. of businesswoman or female entrepreneur, to gain legitimacy in asserting their claims (Liepins, 1998).

In other instances, utilitarian considerations may help cultivate non-utilitarian motivation in fostering collective action around the commons. Neera Singh’s research in the state of Odisha shows that whereas community-driven forest protection was initially motivated by material dependence, everyday practices of environmental care led villagers to collectively develop affective relations with forests (Singh, 2013). Her case study illustrates how commoning is linked to the practices of mutual support and care (see also, Clement et al., 2019). Such affective labor fostered a sense of community and connectedness with non-humans, leading to the emergence of new collective subjectivities as ‘jungle surakhayari’ or a forest care-giver’ (Singh, 2013, 7). These new subjectivities were then strategically employed to support collective action, e.g. protests against state interventions or donor-led initiatives that affected community rights as well as the health of the forests they stewarded. These acts of resistance seek to counter attempts by the beneficiaries of capitalism to subordinate ‘needs-oriented forms of value production’ to a logic of accumulation by casting ‘certain people, places, and conducts as wasteful, superfluous, or residual’ (Gidwani, 2013, 773). (Gidwani, 2013)

On the other hand, the state or private companies also deploy emotions to discipline subjectivities and minimize resistance against the commons enclosure to promote extractivist projects (González-Hidalgo, 2020). For example, powerful international conservation NGOs have marshalled the narratives of respecting Indigenous cultures and rights in the so-called rights-based approaches to conservation, without addressing the imbalances of social and political power which are responsible for various forms of disposessions and “green grabs” discussed above. Another recent example includes the invocation of Indigenous ethics of care and stewardship to justify the proposals for control and manipulation of planetary climate systems through geo-engineering (see, Whyte, 2018).

Feminist political ecologists also pay attention to decolonizing academic knowledge by drawing on epistemologies at the margin (Sultana, 2021). The concentration of structural power enabling powerful actors to dominate the public sphere via glossy reports and social media campaigns to undermine the effectiveness of progressive conversations requires increased attention in the contemporary context. On the other hand, successful urban political strategies avoid essentializing cities as inherently progressive or democratic, while municipal is used as a “strategic front” in the ‘transformative politics of scale’ (Russell, 2019, 989). Accounting for differences of various facets of power - material, institutional, discursive, and agenda setting - is also relevant to non-utilitarian aspects of commons (Clement, 2013; Villamayor-Tomas and García-López, 2018; Kashwan et al., 2019). While commons scholars have recognized the ‘bounded’ nature of rationality, the analytical power of bounded rationality can be expanded greatly by accounting for how power differences and deference also create significant constraints for individual and collective actions. Additionally, as discussed here, emotions, sufferings, collective rage, and sociopolitical commitments also play an important role in the processes and outcomes of commoning.

## 6. By way of conclusion: outlining a research agenda

In this article we have sought to lay the foundations for a synthesis of different strands of scholarship on the commons bringing together the works of critical scholars that share important commonalities but have

developed in parallel tracks. Many historians and philosophers of commons have often regarded commons as the 'natural state' that powerful actors in markets and society enclosed in the service of extractive industrial and capitalist developments. This line of arguments takes the history and ramifications of the 18th century British enclosures as an inspiration to advocate for a transnational advocacy against capitalist enclosures and capitalism itself. A second major stream of the commons scholarship has been led by Elinor Ostrom and colleagues, who developed a theory of collective action in response to Hardin's poorly conceptualized yet frequently cited argument about the tragedy of the commons. Ostrom and colleagues documented and analyzed the conditions under which local communities and other commons users develop cooperative institutions as a solution to collective action dilemmas. While Ostrom's theories of collective actions are frequently cited to advocate for community rights against the tendency to centralize control of the commons by state and market actors, this body of scholarship has not engaged adequately with the historical, political, and sociological contexts that greatly undermine the ability of the poor and marginalized to claim the commons. An overwhelming reliance on methodological individualism as the central analytical tool for theories of collective action limits the ability of this scholarship to engage with the poor people's collective mobilizations that seek to confront the powerful players in the state and markets to reclaim commons.

In this collaborative project, we build on the works of commons scholars who have sought to engage more fully with the historical, political, structural, racial, and gendered context of contestation over the commons in both rural and urban areas. To do this, we mapped the distinct, yet interlinked, nature of the commons struggles at macro-, and micro-levels. Despite the evidence that macro-structures of politics and economy circumscribe the possibilities of decommoning and commoning, the influence of macrostructures is neither deterministic nor insurmountable. The poor and the marginalized mobilize, often with the goal of advancing their own and their families' wellbeing, but also with the intent of creating communities that are engaged in the restoration, upkeep, and protection of commons. They can rarely afford to entirely ignore their self-interest, but they are also motivated by a sense of purpose and belonging, as they seek to make the best of the constraints and opportunities that are a product of larger forces. The complex sources of motivation and guiding principles that commoners bring to the praxis of commoning should be the focus of the study of commons. Yet, any understanding of commons must also account for the ways in which political and economic structures shape those opportunities.

A comprehensive framework for examining both the structures and agencies that shape the struggles over commons and the processes of commoning is especially important in the current age of multiple and intersecting social, environmental, and political crises. In this context, commons and commoners confront myriad threats. While the traditional threats of appropriation of commons by powerful interests are relatively well researched, non-traditional threats emanate from the totalizing discourses of the Anthropocene, planetary crisis, and technocratic solutions to climate crisis, e.g., geoengineering. In some instances, the proponents of such technocratic solutions and totalizing narratives seek to tactically appropriate the frames of 'global commons,' while undermining the rich diversity of local and regional commons (See, Fortier, 2017). This is especially true of climate resilience interventions in urban areas and large-scale tree-planting programs in rural and forested regions. These interventions seek to mimic the approach of the failed REDD+ and other terrestrial offset programs, though they are often repackaged in the vocabulary of restoration and green development. Effective responses to these threats would require researching regional specificities of the configuration of actors, agencies, institutions, discourses, and resources that may be helpful in catalyzing the commoners' resistance.

The tools, techniques, and theories that the commons researchers craft and adapt should draw their inspiration from the struggle of commoners, while also being attentive to the disproportionate power

that actors in the market and society exercise to create roadblocks against commoning. This notwithstanding, considering the complexities, interdependencies, and imperatives of global environmental and climate change, commoners cannot let the institutions of the state be the playground of the powerful. Engaging with the state institutions therefore becomes as important as community and social mobilizations around the commons. The struggle for reclaiming the commons may take inspiration from utopian visions, but it must be grounded in the praxis of commoners. Such a grounded praxis of commons would be best equipped to grapple with burdens of historical and contemporary distribution of disadvantages and privileges, while forging a new path for restorative and regenerative processes of commoning.

## Declaration of Competing Interest

The authors declare no competing interest.

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