

Citations for Think Like a Commoner, Second Edition (2025)

In writing a popular introduction to the commons, and not a scholarly tract, I decided not to include reference notes in the print version of Think Like a Commoner. They would have significantly lengthened the page count of the book and many readers would have found them gratuitous or intimidating. However, I realize that some readers may want to explore the provenance of certain claims or explore specific topics further. For those readers, as well as scholars who may be reading this book, I have prepared extensive notes for text of potential interest, posting them online, at <https://www.thinklikeacommoner.com/citations-second-edition>. My notes document statements made in the book while suggesting readings, websites, organizations, and occasionally, short commentary.

--David Bollier, March 11, 2025

Preface to the Second Edition

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xiv - xv **The Commonsverse.** For an overview of the scope and variety of commons in the world, see David Bollier, *The Commoner's Catalog for Changemaking* (Schumacher Center for a New Economics, 2021), available at <https://commonerscatalog.org>. An essay that reviews the challenges facing the Commonsverse today can be found in David Bollier, "Challenges in Expanding the Commonsverse," *International Journal of the Commons*, Spring 2024, at <https://thecommonsjournal.org/articles/10.5334/ijc.1389>.

Introduction

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3 **Silent Theft.** David Bollier, *Silent Theft: The Private Plunder of Our Common Wealth* (Routledge, 2002).

3 **Richer theories of value.** The power of commons to generate value -- working outside of a scheme of private property rights, contracts and markets -- is perplexing or uninteresting to most economists. The study of *gift economies* and *Internet communities* (not necessarily the same) can yield some answers to this question, however. A few worthwhile books: Lewis Hyde, *The Gift: Imagination and the Erotic Life of Property* (Vintage Books, 1979); and David Cheal, *The Gift Economy* (Routledge, 1988). The classic work on the generativity of (non-market) blood donations is Richard M. Titmuss, *The Gift Relationship: From Human Blood to Social Policy* (Pantheon, 1971); and *Toward an Anthropological Theory of Value: The False Coin of Our Own Dreams* (Palgrave Macmillan, 2001).

Books on value generated through digital networks include Yochai Benkler, *The Wealth of Networks: How Social Production Transforms Markets and Freedom* (Yale University Press, 2006); Jonathan Zittrain, *The Future of the Internet and How to Stop It* (Yale University Press, 2008). A spate of books on collective intelligence on digital networks in the early Aughts include Howard Rheingold, *Smart Mobs* (2003); James Surowiecki, *The Wisdom of Crowds* (2004); and Clay Shirky, *Here Comes Everybody* (2008). These books focus on cooperation, but not necessarily durable, commons-based forms that rely on participatory peer governance and inalienable shared wealth.

For more references on the question of value generated via commons, in contrast to capitalist markets, see notes below on the financialization of nature (p. 51-52), civic infrastructures (p. 68), alternative currencies (p. 144), commons-based peer production (p. 152), and ecological value vs. “green capitalism” (p. 182).

- 4 **Market/State duopoly.** For a longer discussion of the Market/State duopoly, see Burns H. Weston and David Bollier, *Green Governance: Ecological Survival, Human Rights and the Law of the Commons* (Cambridge University Press, 2013), especially pp. 20-23 and pp. 178-180.
- 5-6 **R. Buckminster Fuller quotation.** The provenance of this quotation has been called into question, but Quote Investigator website conducted a thorough examination of its origins and accuracy and posted its assessment on August 18, 2024, at <https://quoteinvestigator.com/2024/08/18/change-obsolete>. The researcher concluded: “Mike Vance [a book author] interviewed Buckminster Fuller before his death in 1983. Vance presented an excerpt spoken by Fuller in the 1995 book “Think Out of the Box”. The instance of the quotation in this excerpt is probably the most reliable. Other versions of this quotation do not have solid supporting evidence. Admittedly, Fuller may have expressed this notion in more than one way on different occasions.”
- 7 **The Commonsverse.** David Bollier, “Challenges in Expanding the Commonsverse,” *International Journal of the Commons*, Spring 2024, at <https://thecommonsjournal.org/articles/10.5334/ijc.1389>. See also David Bollier, *The Commoner's Catalog for Changemaking* (Schumacher Center for a New Economics, 2021), available at <https://commonerscatalog.org>. See also note for p. 36-37 below.

Chapter 1: The Rediscovery of the Commons

- 9-11 **Seed-sharing in Erakulapally, India.** This account derives from a personal visit to the village in January 2011. A longer account can be found at Bollier.org, “The Seed-Sharing Solution,” at <https://bollier.org/seed-sharing-solution>. For more on seed-sharing as a contested, often-illegal activity, see page 198 below.
- 12-14 **The rise of GNU/Linux.** There are many accounts of the origins and development of the GNU Project and Linux. Among the better ones: Glyn Moody: *Rebel Code: Inside Linux and the Open Source Revolution* (Perseus, 2001); Steven Weber, *The Success of Open Source* (Harvard University Press, 2004); and Sam Williams, *Free as in Freedom: Richard Stallman's Crusade for Free Software* (O'Reilly & Associates 2002).
- 15 **Collective-action problems.** Wikipedia has a helpful summary of the frameworks and literature that address collection-action problems, at https://en.wikipedia.org/wiki/Collective_action.
- 15 **Pink Lake, Senegal.** The harvesting of salt from Pink Lake and stewardship of the lake as a commons is discussed in a chapter, “Salt and Trade at the Pink Lake: Community Subsistence in Senegal,” in David Bollier and Silke, editors, *The Wealth of the Commons: A World Beyond Market and State* (Levellers Press, 2012), pp. 21-276.
- 16-17 **The Wolfpak surfers of Oahu, Hawaii.** Matt Higgins, “Rough Waves, Tougher Beaches,” *The New York Times*, January 23, 2009, at http://www.nytimes.com/2009/01/23/sports/othersports/23surfing.html?pagewanted=all&_r=0. There is some controversy about whether the Wolfpak is simply a local gang that uses intimidation to impose its surfing rules or a necessary form of on-site authority for managing safe access to enormous, dangerous waves. In any case, one surfing website

- notes that Oxycontin addictions decimated the Wolfpak group as a viable commons for the Pipeline waves. A scholarly literature on “the political ecologies of surfscapes” -- or governance models for managing “surf tourism” -- focus on frameworks such as local surf associations, systems for regulating commons access and behavior, surf-protected areas, and government-sponsored “surf cities” leveraging tourism for economic development. See Tara Ruttenberg and J. Peter Brosius, “Revisiting governmentality in surf tourism governance: a diverse ecologies approach,” *Frontiers in Sustainable Tourism*, January 8, 2025, at <https://www.frontiersin.org/journals/sustainable-tourism/articles/10.3389/frsut.2024.1306582/full>.
- 17-18 ***Boston neighborhoods that manage parking spaces after snowfalls as commons.*** Personal conversation with Elinor Ostrom at a Harvard University conference, 2008. See also Jess Bidgood, “Efforts to Mark Turf When Snowstorms Hit Endure Despite Critics,” *The New York Times*, February 15, 2014, p. A8. The City of Boston now allows “space savers” to save a parking spot only if the City has declared a snow emergency. They must be removed after 48 hours.
- 18 ***Vernacular Law.*** For a longer analysis of Vernacular Law, see Burns H. Weston and David Bollier, *Green Governance: Ecological Survival, Human Rights and the Law of the Commons* (Cambridge University Press, 2013), pp. 10-4-11 and pp. 229-230. For more on the role of customary practice as a form of commoning, see Carol M. Rose, “The Comedy of the Commons: Custom, Commerce, and Inherently Public Property,” in *Property and Persuasion: Essays on the History, Theory, and Rhetoric of Ownership* (Westview Press, 1994), Chapter 5. See also W. Michael Reisman, *Law in Brief Encounters* (1999); Robert C. Ellickson, *Order Without Law: How Neighbors Settle Disputes* (Harvard University Press, 1991); and Robert C. Ellickson, *The Household: Informal Order Around the Hearth* (Princeton University Press, 2008). See also note, “Vernacular Law,” for p. 109.
- 20 ***Indigenous cultures and commoning.*** There is a growing literature, some of it fueled by contemporary ecological crises, that examines how various Indigenous peoples engage with nature in respectful ways and integrate their cultures with more-than-human life. See, e.g., Robin Wall Kimmerer's *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants* (Milkweed Publishers, 2013); Kimmer and John Burgoyne, *The Serviceberry: Abundance and Reciprocity in the Natural World* (Scribner, 2024); and Washinkpe Topa (Four Arrows) and Darcia Narvaez, PhD., *Restoring the Kinship Worldview: Indigenous Voices Introduce 28 Precepts for Rebalancing Life on Planet Earth*. See also note, “Subsistence commons,” for p. 81-83; note, “Traditional Knowledge Digital Library,” for p. 84; and the note, “Indigenous understandings of nature,” for p. 132.
- 20-21 ***Coastal fisheries commons.*** Derek Armitage et al., editor, *Governing the Coastal Commons: Communities, Resilience and Transformation* (Routledge, 2017); and Guy Standing, *The Blue Commons: Rescuing the Economy of the Sea* (Pelican, 2022). For a case study, see Gloria L. Gallardo Fernández & Eva Friman, “Capable Leadership, Institutional Skills and Resource Abundance Behind Flourishing Coasting Marine Commons in Chile,” at <http://wealthofthecommons.org/essay/capable-leadership-institutional-skills-and-resource-abundance-behind-flourishing-coastal>.
- 21 ***“No commons without commoning.”*** Peter Linebaugh, “Some Principles of the Commons,” *Counterpunch*, January 8-10, 2010, at <http://www.counterpunch.org/2010/01/08/some-principles-of-the-commons>. See Linebaugh in *The Magna Carta Manifesto* at p. 45: “Commoners think first not of title deeds, but of human deeds: How will this land be tilled? Does it require manuring? What grows there? They begin to explore. You might call it a natural attitude.”

Part I: Enclosure, Dispossession, and the Eclipse of Commoning

- 23 **Enclosures.** While enclosures take place within many types of political regimes, it is mostly closely associated with the development and expansion of capitalism. Histories of early industrialism in England, Europe and the United States often amount to histories of enclosure, with or without that terminology. In terms of commons-oriented histories of enclosure, see, e.g., David Bollier, *Silent Theft: The Private Plunder of Our Common Wealth* (Routledge, 2002); Brett Christophers, *The New Enclosure: The Appropriation of Public Land in Neoliberal Britain* (Verso, 2018); James Ridgeway, *It's All for Sale: The Control of Global Resources* (Duke University Press, 2004); Fred Pearce, *The Landgrabbers: The Fight Over Who Owns the Earth* (Transworld Publishers, 2012); Nick Hayes, *The Book of Trespass: Crossing the Lines that Divide Us* (Bloomsbury, 2020). There are also countless books on enclosures of specific domains, such as creative works, culture, genes, and so forth, which can be found in the references below, especially in notes for pp. 40-73.
- 24 **Western colonialism and enclosures.** This is an extensive literature, but a few notable books include Gilbert Rist, *The History of Development: From Western Origins to Global Faith*, 3d edition (Zed, 2010); Michael T. Klare, *The Race for What's Left: The Global Scramble for the World's Last Resources* (Picador, 2012); Fred Pearce, *The Landgrabbers: The New Fight Over Who Owns the Earth* (Transworld Publishers, 2012).

Chapter 2: The Tyranny of the “Tragedy” Myth

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- 25-28 **The “tragedy of the commons” essay.** Garrett Hardin, “The Tragedy of the Commons,” 162 *Science* (December 13, 1968), pp. 1243-1248.
- 28 **William Forster Lloyd.** Lewis Hyde, *Common as Air: Revolution, Art and Ownership* (Farrar Straus Giroux, 2010), pp. 33-34.
- 28-29 **Lewis Hyde quotation on Hardin & Lloyd.** Lewis Hyde, *Common as Air: Revolution, Art and Ownership* (Farrar Straus Giroux, 2010), p. 4.
- 29 **Prisoner's dilemma games.** The origins of prisoner's dilemma game theory are traced in William Poundstone, *Prisoner's Dilemma: John von Neumann, Game Theory and the Puzzle of the Bomb* (Anchor, 1993). See also Martin A. Nowak, *Super Cooperators: Altruism, Evolution and Why We Need Each Other to Succeed* (Free Press, 2011), for a series of arguments for how mechanisms of evolution have overcome the logic of prisoner's dilemma game theory.
- 29 **Lewis Hyde on “The Tragedy of Unmanaged, Laissez-Faire...” quotation.** Hyde, *Common As Air: Revolution, Art and Ownership* (Farrar Straus Giroux, 2010), footnote on p. 44.
- 29-30 **Homo economicus.** There is a large literature refuting the idea of *Homo economicus*, particularly in behavioral economics and complexity theory economics but also in realms outside of economics such as anthropology and social psychology. See, e.g., Daniel Kahneman, *Thinking, Fast and Slow* (Farrar Straus Giroux, 2011); Robert Nelson, *Economics as Religion: From Samuelson to Chicago and Beyond* (Pennsylvania State University, 2001); Eric D. Beinhocker, *The Origin of Wealth: Evolution,*

Complexity and the Radical Remaking of Economics (Harvard Business School Press, 2006); and Michael Tomasello, *Why We Cooperate* (MIT Press, 2009); and Friederike Habermann, “We Are Not Born as Egoists,” in David Bollier and Silke Helfrich, editors, *The Wealth of the Commons: A World Beyond Market and State* (Levellers Press, 2012), pp. 13-18.

- 30 ***Economics textbooks.*** Paul A. Samuelson and William D. Nordhaus, *Economics*, 17th edition (McGraw-Hill, 2001); and Joseph E. Stiglitz and Carl E. Walsh, *Economics*, 3d edition (W.W. Norton, 2002).
- 30-33 ***Elinor Ostrom’s scholarship.*** For a good overview of Ostrom’s life and scholarship, see Derek Wall, *The Sustainable Economics of Elinor Ostrom: Commons, Contestation and Craft* (MIT Press, 2014). See also Jayne Lemke and Vlad Tarko, editors, *Elinor Ostrom and the Bloomington School: Building a New Approach to Policy and the Social Sciences* (McGill-Queens University Press, 2021).
- Other useful sources are the Wikipedia entry for Elinor Ostrom at https://en.wikipedia.org/wiki/Elinor_Ostrom; and a 90-minute video documentary about Elinor and Vincent Ostrom, “Actual World, Possible Futures,” which aired on Public Broadcasting System on May 25, 2020, and can be viewed here: <https://video.indianapublicmedia.org/video/actual-world-possible-future-09rkab>.
- 31 ***Hardin’s acknowledgment about “unmanaged commons.”*** Garrett Hardin, “Extension of The Tragedy of the Commons,” 1126 *Science* (May 1, 1998), pp. 682-683. Also available at http://www.garretthardinsociety.org/articles/art_extension_tragedy_commons.html.
- 31 ***Nancy Folbre quotation.*** From the obituary by Catherine Rampell, “Elinor Ostrom, Winner of Nobel in Economics, Dies at 78,” *The New York Times*, June 12, 2012, at <http://www.nytimes.com/2012/06/13/business/elinor-ostrom-winner-of-nobel-in-economics-dies-at-78.html>.
- 32 ***Governing the Commons book.*** Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action* (Cambridge University Press, 1990).
- 32 ***Examples of successful commons cited by Ostrom.*** See Ostrom, *Governing the Commons*: Törbel, Switzerland, pp. 61-66; *heurta* in Spain, pp 59-61 and pp. 71-82; and Los Angeles groundwater, 104-106.
- 32-33 ***Ostrom’s design principles for effective commons.*** See *Governing the Commons*, pp. 88-102, but especially Table 3.1, “Design Principles Illustrated by Long-Enduring CPR Institutions,” on p. 90. A group of German activist-commoners, dissatisfied with the third-person voice and scientific perspective of Ostrom’s design principles, later reformulated them in a first-person viewpoint so they could reflect the firsthand, personal experience of commoning and be better understood by the general public. German Sommerschool on the Commons, “Eight Points of Orientation for Commoning,” Bechstedt, Thuringia in June 2012, available at <https://patternsofcommoning.org/uncategorized/eight-points-of-orientation-for-commoning>. A German translation is available here: https://web03.webcoach.at/w16/commons/index.php/Acht_Punkte. A French translation is available here: <https://www.savoirscom1.info/2012/11/huit-points-de-reference-pour-la-mise-en-commun-des-biens-2>.

- 35 **Ostrom-founded institutions.** *Ostrom Workshop* (formerly The Workshop on Political Theory and Policy Analysis) at Indiana University: <https://ostromworkshop.indiana.edu>. *Digital Library on the Commons*: <http://http://dlc.dlib.indiana.edu>; *International Journal of the Commons*: <https://thecommonsjournal.org>; *International Association for the Study of the Commons*: <http://www.iasc-commons.org>.
- 36 **Ostrom's work after winning the Nobel Prize.** See Ostrom obituary by Catherine Rampell, "Elinor Ostrom, Winner of Nobel in Economics, Dies at 78," *The New York Times*, June 12, 2012, at <http://www.nytimes.com/2012/06/13/business/elinor-ostrom-winner-of-nobel-in-economics-dies-at-78.html>. See also Derek Wall's book, *The Sustainable Economics of Elinor Ostrom: Commons, Contestation and Craft* (Routledge, 2014).
- 36-37 **Global commons movement.** The history of commons-based activism and advocacy is a long, complicated story that has yet to be written. However, a few landmarks in this history, extending roughly from the late 1990s to the present, include the rise of free and open source software in the 1990s and networked software platforms in the early 2000s; an international activists' conference hosted by the Heinrich Böll Foundation in Mexico City in 2006, with follow-on conferences in 2010 and 2013 in Berlin Germany; a proliferating scholarly literature devoted to commons, especially under the auspices of the International Association for the Study of Commons; and adoption of the commons mindset and discourse in hundreds of projects, organizations, and policy proposals worldwide.

Many of these developments are featured in David Bollier, *The Commoner's Catalog for Changemaking: Tools for the Transitions Ahead* (Schumacher Center for a New Economics, 2021), at <https://commonerscatalog.org>. See also David Bollier and Silke Helfrich, *Free, Fair and Alive: The Insurgent Power of the Commons* (New Society Publishers, 2019), at <https://www.freefairandalive.org>; and an essay by David Bollier, "Challenges in Expanding the Commonsverse," in a special issue of the *International Journal of the Commons*, 17(1) (Spring 2024), dedicated to "Advancing the Commonsverse: The Political Economy of the Commons," at <https://thecommonsjournal.org/collections/advancingthecommonsverse>.

Chapter 3: Enclosures of Nature

- 40-41 **Enclosure in Camberwall, Australia.** Nick O'Malley, "Villagers Fuming After Their Commons Is Handed to Mine," *Sydney Morning Herald*, April 16, 2010, at <http://www.smh.com.au/environment/villagers-fuming-after-their-common-is-handed-to-mine-20100415-shs4.html>.
- 41 **Mining Act of 1872 (US):** Carl J. Mayer and George A. Riley, *Public Domain, Private Dominion: A History of Public Mineral Policy in America* (Sierra Club, 1985). See also Robert McClure and Andrew Schneider, "The General Mining Act of 1872 Has Left a Legacy of Riches and Ruins," *Seattle Post-Intelligencer*, June 10, 2001, at <http://www.seattlepi.com/news/article/The-General-Mining-Act-of-1872-has-left-a-legacy-1056919.php>; and Wikipedia, "General Mining Act of 1872," at https://en.wikipedia.org/wiki/General_Mining_Act_of_1872.

- 41 **Corporate extractions of timber, oil, fish, water.**
Timber: Richard W. Behan, *Plundered Promise: Capitalism, Politics and the Fate of the Federal Lands* (Island Press, 2001); Harold K. Steen, *The U.S. Forest Service: A History* (University of Washington Press, 1976).
- Oil:** See, e.g., “Arctic Refuge Drilling Controversy,” *Wikipedia*, at https://en.wikipedia.org/wiki/Arctic_Refuge_drilling_controversy.
- Fish:** See, e.g., Fiona McCormack, *Private Oceans: the Enclosure and Marketisation of the Seas* (Pluto Press, 2017); Guy Standing, *The Blue Commons* (Pelican, 2024); Daniel Pauly, *5 Easy Pieces: The Impact of Fisheries on Marine Ecosystems* (The State of the World’s Oceans), (Island Press, 2010). See also Callan J. Chythlook-Sifsof, “Native Alaska, Under Threat,” *The New York Times*, June 27, 2013, at http://www.nytimes.com/2013/06/28/opinion/native-culture-under-threat.html?_r=0. For a description of a successful fisheries commons, see Gloria L. Gallardo Fernández & Eva Friman, “Capable Leadership, Institutional Skills and Resource Abundance Behind Flourishing Coasting Marine Commons in Chile,” at <http://wealthofthecommons.org/essay/capable-leadership-institutional-skills-and-resource-abundance-behind-flourishing-coastal>.
- Water:** Alan Snitow, Deborah Kaufman and Michael Fox, *Thirst: Fighting the Corporate Theft of Our Water* (Jossey-Bass, 2007); Maude Barlow and Tony Clarke, *Blue Gold: The Fight to Stop the Corporate Theft of the World’s Water* (New Press, 2002); and Elizabeth Royte, *Bottlemania: Big Business, Local Springs and the Battle Over America’s Drinking Water* (Bloomsbury, 2008).
- 41-42 **Maristella Svampa of Argentina on neo-extractivism.** “Commons Beyond Development: The Strategic Value of the Commons as a Paradigm Shift in Latin America,” Remarks at Economics and the Commons Conference, Berlin, Germany, May 23, 2013. YouTube video at http://www.youtube.com/watch?v=H2YGN78ouGE&feature=player_embedded - t=0
 Presentation slides: http://boellblog.org/wp-content/uploads/2013/05/OpeningSession_SvampaMaristella_22052013_2.pdf
- 42 **Conga mining project in Peru:** See Wikipedia entry, “Conga Project,” at https://en.wikipedia.org/wiki/Conga_Project.
- 42 **Belo Monte dam in Brazil.** Gerhard Dilger, “Belo Monte, or the Destruction of the Commons,” in David Bollier and Silke Helfrich, editors, *The Wealth of the Commons: A World Beyond Market and State* (Levellers Press, 2012), at <http://wealthofthecommons.org/essay/belo-monte-or-destruction-commons>.
- 42 **Road construction through TIPNIS in Bolivia.** See Emily Achtenberg, Rebel Currents, “Bolivia: TIPNIS Road on Hold Until Extreme Poverty Eliminated,” *NACLA* April 25, 2013, at <http://nacla.org/blog/2013/4/25/bolivia-tipnis-road-hold-until-extreme-poverty-eliminated>.
- 42 **Cannibal Capitalism book.** Nancy Fraser, *Cannibal Capitalism* (Verso, 2022).
- 43 **Massimo de Angelis quotation.** Massimo De Angelis, “Opposing Fetishism by Reclaiming Our Powers: The Social Forum movement, capitalist markets and the politics of alternatives,” January 13, 2005, at http://www.openspaceforum.net/twiki/tiki-print_article.php?articleId=23.

- 43-46 **International Land Grabs.** See, e.g., Liz Alden Wily, “The Global Land Grab: The New Enclosures,” in *The Wealth of the Commons: A World Beyond Market and State* (Levellers Press, 2012), pp. 132 – 140. See also Liz Alden Wily, “The Law is to Blame: Taking a Hard Look at the Vulnerable Status of Customary Land Rights,” *Africa Development and Change* 2(3) (), pp. 733-757; and Fred Pearce, *The Landgrabbers: The New Fight Over Who Owns the Earth* (Transworld Publishers/Eden Project Books, UK, 2012).
- 46 **Statistics on dimensions of the land grab.** Liz Alden Wily, “The Tragedy of Public Lands: The Fate of the Commons Under Global Commercial Pressure,” International Land Coalition (January 2011), at <http://www.ibcperu.org/doc/isis/13585.pdf>.
- 46 **Liz Alden Wily quotation.** See note for “International Land Grabs,” p. 43-46.
- 46-48 **Enclosures of water.** See note for “Water,” p. 41.
- 47 **Water war in Cochabamba, Bolivia.** See Wikipedia entry, “2000 Cochabamba Protests,” at https://en.wikipedia.org/wiki/2000_Cochabamba_protests.
- 47-48 **T. Boone Pickens’ water holdings.** Susan Berfield, “There Will Be Water,” *BloombergBusinessWeek* magazine, June 11, 2008, at <http://www.businessweek.com/stories/2008-06-11/there-will-be-water>; and Joe Nick Patoski, “Boone Pickens Wants to Sell You His Water,” *Texas Monthly*, August 2001, at <https://www.texasmonthly.com/the-culture/boone-pickens-wants-to-sell-you-his-water>. For a retrospective view, see Matt Dotray, A-J Media, “Remembering the Water Race between Pickens and West Texas Cities,” *Lubbock Avalanche-Journal*, September 11, 2019, at <https://www.lubbockonline.com/story/news/2019/09/12/remembering-water-race-between-t-boone-pickens-and-west-texas-cities/2984675007>.
- 48 **Municipal water systems.** See various reports by Food and Water Watch on this topic, such as “Private Equity, Public Inequity: The Public Cost of Private Equity Takeovers of U.S. Water Infrastructure,” August 22, 2012, at <http://www.foodandwaterwatch.org/reports/private-equity-public-inequity>; and “Borrowing Trouble: Water Privatization Is a False Solution for Municipal Budget Shortfalls,” April 4, 2013, at <http://www.foodandwaterwatch.org/reports/borrowing-trouble-water-privatization-is-a-false-solution-for-municipal-budget-shortfalls>.
- 48-49 **Corporate culling of apple diversity.** Mark Kurlansky, *The Food of a Younger Land* (Penguin, 2009). Verlyn Klinkenborg, “Apples, Apples, Apples,” *The New York Times*, November 6, 2009, p. A30, at http://www.nytimes.com/2009/11/06/opinion/06fri4.html?_r=2&scp=1&sq=verlyn%20apples&st=cse&.
- 49 **The monoculture of Cavendish bananas.** Mike Peed, “We Have No Bananas,” *The New Yorker*, January 10, 2011, p. 28, at http://www.newyorker.com/reporting/2011/01/10/110110fa_fact_peed. See also Dan Koeppel, “The Beginning of the End for Bananas,” *The Scientist*, July 22, 2011, at <http://www.the-scientist.com/?articles.view/articleNo/30953/title/The-Beginning-of-the-End-for-Bananas->; and Anna Purna Kambhampaty, “What We Can Learn from the Near-Death of the Banana,” *Time*, November 8, 2019, at <https://time.com/5730790/banana-panama-disease>.
- 50 **The Loss of diversity in American Food.** Mark Kurlansky, *The Food of a Younger Land* (Riverhead Books, 2009).

- 50 ***On the proliferation of fast food.*** Eric Schlosser, *Fast Food Nation: The Dark Side of the All-American Meal* (Houghton-Mifflin, 2001), especially Chapter 10, “Global Realization,” pp. 225-254.
- 51 ***Enclosures of outer space.*** Shane Chaddha, “A Tragedy of the Space Commons?” at <http://ssrn.com/abstract=1586643>. H.A. Baker, *Space Debris: Legal and Policy Implications* (1988).
- 51 ***Enclosures of living things (cell lines, genes, genetically engineered mammals).*** See, e.g., Melinda Cooper, *Life as Surplus: Biotechnology and Capitalism in the Neoliberal Era* (University of Washington Press, 2008); and Catherine Waldby and Robert Mitchell, *Tissue Economies: Blood, Organs and Cell Lines in Late Capitalism* (Duke University Press, 2006).
- 51 ***Enclosures of nanomatter.*** ETC Group Report, “Nanotech’s ‘Second Nature’ Patents: Implications for the Global South,” ETC Group Special Report – Communiqués No. 87 and 88, March/April and May/June 2005, at <https://www.etcgroup.org/sites/www.etcgroup.org/files/publication/53/01/etc16junenr.pdf>. More generally, see ETC Group’s work on nanotechnology at <https://www.etcgroup.org/issues/nanotechnology>.
- 51-52 ***Financialization of nature.*** Adrienne Buller, *The Value of a Whale: On the Illusions of Green Capitalism* (Manchester University Press, 2022). See also the work of Green Finance Observatory, an “independent think tank working on environmental markets and sustainable finance,” directed by Frédéric Hache.

Chapter 4: All That is Shared Becomes a Market Commodity

- 53-54 ***The copyright history of the song “Happy Birthday.”*** Robert Brauneis, “Copyright and the World’s Most Popular Song,” GWU Legal Studies Research Paper No. 1111624, October 14, 2010), at <http://ssrn.com/abstract=1111624>. For more on Jennifer Nelson’s 2013 lawsuit against Warner/Chappell Music, Inc., see Benjamin Weiser, “Birthday Song’s Copyright Leads to a Lawsuit for the Ages,” *The New York Times*, June 13, 2013, at <http://www.nytimes.com/2013/06/14/nyregion/lawsuit-aims-to-strip-happy-birthday-to-you-of-its-copyright.html>.
- 54-55 ***ASCAP and singing at summer camps.*** This account is drawn from David Bollier, *Brand Name Bullies: The Quest to Own and Control Culture* (John Wiley & Sons, 2005), pp. 14-17. See also, Elisabeth Bumiller, “ASCAP Asks Royalties from Girl Scouts, Regrets It,” *The New York Times*, December 17, 1996, at <http://www.nytimes.com/1996/12/17/nyregion/ascap-asks-royalties-from-girl-scouts-and-regrets-it.html>; and Ken Ringle, “ASCAP Changes Its Tune: Never Intended to Collect Fees for Scouts’ Campfire Songs, Group Says,” *Washington Post*, August 28, 1996, pp. C3-C6.

Copyright industries routinely fail to mention the fair use rights of users, implying that all unauthorized uses of copyrighted works constitute “piracy.” This simply is not true. See also Tarleton Gillespie, “Characterizing Copyright in the Classroom: The Cultural Work of Anti-Piracy Campaigns,” *Communication, Culture and Critique*, 2(3) (September 2009), pp. 274-318, cited in Lewis Hyde, *Common As Air: Revolution Art and Ownership* (Farrar Straus Giroux, 2010), pp. 6-10. See also Patricia Aufderheide and Peter Jaszi, *Reclaiming Fair Use: How to Put Balance Back in Copyright*, 2d edition (University of Chicago Press, 2018).

- 55 ***Intergenerational borrowing of creativity among artists.*** For more on the inevitable, necessary borrowing needed for “original” creativity, see Siva Vaidhyanathan, *Copyrights and Copywrongs: The Rise of Intellectual Property and How It Threatens Creativity* (NYU Press, 2001); and Joanna Demers, *Steal*

- This Music: How Intellectual Property Affects Musical Creativity* (University of Georgia Press, 2006). The music of Bob Dylan is a prime example of artistic re-purposing of existing music. Groucho Marx has an excellent account of how “theft” was critical to vaudevillian comics in developing their own personas, in David Lange, “Recognizing the Public Domain,” *Law and Contemporary Problems* 44(4) (1981). For an excellent overview of the creative, financial, and legal issues raised by digital sampling, see Kembrew McLeod and Peter DiCola, *Creative License: The Law and Culture of Digital Sampling* (Duke University Press, 2011).
- 55 **Woody Guthrie quotation.** Guthrie wrote this line on mimeographed copies of lyrics distributed to fans in the 1930s, according to Pete Seeger in a National Public Radio interview, “Pete Seeger Remembers Guthrie, Hopping on Trains and Sharing Songs” [20-minute audio] (January 28, 2014), at <https://www.npr.org/2014/01/28/267592924/pete-seeger-remembers-guthrie-hopping-trains-and-sharing-songs>.
- 56 **History of copyright law extensions.** Three excellent books about the history of copyright law include James Boyle, *The Public Domain: Enclosing the Commons of the Mind* (Yale University Press, 2008); Jessica Litman, *Digital Copyright* (Prometheus Books, 2001); and Siva Vaidhyanathan, *Copyrights and Copywrongs: The Rise of Intellectual Property and How It Threatens Creativity* (NYU Press, 2001). See also the website *Copyfight: The Politics of IP* at <http://copyfight.corante.com>.
- 56 **Expansions of copyright law.** James Boyle, “The Second Enclosure Movement and the Construction of the Public Domain,” in *Law and Contemporary Problems* 66(1 & 2) (Winter/Spring 2003), available at <http://www.law.duke.edu/journals/66LCPBoyle>. There was a surge of legal scholarship on this topic in the early 2000s, much of it associated with the early development of the Creative Commons organization. Besides the books cited in the note, “History of Copyright Law Extension,” for p. 56, see the note re Lawrence Lessig and the emergent digital “culture of sharing,” for p. 156.
- 57-58 **Big Tech using market power, technology & copyright to enclose creativity.** For some early accounts of the entertainment and technology industries fighting user empowerment, see James Lardner, *Fast Forward: Hollywood, the Japanese, and the VCR Wars* (W.W. Norton, 1987), and J.D. Lasica, *Darknet: Hollywood's War Against the Digital Generation* (John Wiley & Sons, 2005). A more recent overview of Big Tech and entertainment industries entrenching capitalist control of creativity and culture is Rebecca Giblin and Cory Doctorow, *Chokepoint Capitalism: How Big Tech and Big Content Captured Creative Labor Markets and How We'll Win Them Back* (Beacon Press, 2022).
- 58 **Antitrust lawsuits against Apple.** The U.S. Department of Justice's antitrust complaint against Apple, joined by sixteen states, was filed on March 21, 2024. https://www.documentcloud.org/documents/24492638-govuscourtsnj54440210_3/?responsive=1&title=1. The case alleges that Apple has limited access to iPhone apps, prevented consumers from using alternative services to Apple, thwarted competition for mobile cloud streaming and digital wallets, among other anti-competitive actions. There is also a class action lawsuit pending against Apple alleging that Apple inflated its 30% sales commission to developers. Apple has denied any illegal behavior.
- 58 **Warren Buffett quotation.** Cited in Giblin & Doctorow, *Chokepoint Capitalism*, p. 6, drawing on Tepper and Hearn, *The Myth of Capitalism: Monopolies and the Death of Competition* (Wiley, 2019), p. 15, and Warren Buffett and Carol Loomis, “Mr. Buffett on the Stock Market,” *Fortune*, November 22, 1999, https://archive.fortune.com/magazines/fortune/fortune_archive/1999/11/22/269071/index.htm <https://fortune.com/article/warren-buffett-on-stock-market>.

- 59 **Mattel and trademark bullying.** See David Bollier, *Brand Name Bullies: The Quest to Own and Control Culture* (John Wiley & Sons, 2005), pp. 84-93 and p. 265 (endnotes). Mattel's aggressive legal actions against perceived trademark violators of the Barbie doll trademark have been written about extensively. See, e.g., *Mattel v. Walking Mountain Productions*, 353 F.3d 792 (2003), which issued a stinging rebuke to Mattel for "groundless and unreasonable" litigation against a photographer who had made parody photographs of Barbie dolls.
- 59 **McDonald's trademark control of "Mc".** David Bollier, *Brand Name Bullies: The Quest to Own and Control Culture* (John Wiley & Sons, 2005), pp. 211-212 and 293 (endnotes). See also *Quality Inns International, Inc. v. McDonald's Corporation*, 695 F. Supp. 198 (1988); Elissa Elan, "What's in a McName? As Far as McDonald's Trademarks Are Concerned – Everything," *Nation's Restaurant News*, December 10, 2001, p. 19; Naomi Klein, *No Logo: Taking Aim at the Brand Bullies* (Picador, 1999), pp. 177-178.
- 59 **"Voice" and trademark claims.** Alexander Zaitchik, "The Village Bully: One Voice Under God," *New York Press*, April 29, 2003, at <http://nypress.com/the-village-bully-one-voice-under-god>; Seth Rolbein, "Is Anyone Really Confused?" *Cape Cod Voice* [now defunct], November 21, 2002.
- 59 **Ownership of words, colors and smells.** See David Bollier, *Brand Name Bullies: The Quest to Own and Control Culture* (Wiley, 2008), pp. 211-220. The rise of "scent marks" – legal protection for proprietary smells – is described in Faye M. Hammersley, "The Smell of Success: Trade Dress Protection for Scent Marks," 2 *Marquette Intellectual Property Law Review* 105 (1998); and Florent Latrive, "The Smell of Cut Grass Privatized," *Liberation*, December 6, 20003, available at <http://www.truth-out.org/archive/item/46433:the-smell-of-cut-grass-privatized>.
- 60 **The university as a commons.** Michael J. Madison, Brett M. Frischmann and Katherine J. Strandburg, "The University as Constructed Cultural Commons," *Washington University Journal of Law and Policy*, vol. 30 (2009), at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1256090. See also David Bollier, "The Enclosure of the Academic Commons" *Academe* 88(5) (September/October 2002), pp. 18–22; and the note above, "The university as a commons," for pp. 88-89.
- 61 **The enclosure of academia.** An excellent early account is Jennifer Washburn, *University, Inc.: The Corporate Corruption of Higher Education* Basic Books, 2005). See also Sheldon Krinsky, *Science in the Public Interest: Has the Lure of Profits Corrupted Biomedical Research?* (Rowman & Littlefield, 2003); Geoffrey D. White, *Campus, Inc.: Corporate Power in the Ivory Tower* (Prometheus Books, 2000); and Derek Bok, *Universities in the Marketplace: The Commercialization of Higher Education* (Princeton University Press, 2003). See also David Bollier, "The Enclosure of the Academic Commons," *Academe* 88(5) [American Association of University Professors] (September/October 2002), pp. 18-22, at <http://www.jstor.org/stable/40252215>.
- 61 **Harvard University's patents on the oncomouse and nanomatter.** "Oncomouse," Wikipedia entry, at <https://en.wikipedia.org/wiki/Oncomouse>. ETC Group Report, "Nanotech's 'Second Nature' Patents: Implications for the Global South," ETC Group Special Report – Communiqués No. 87 and 88, March/April and May/June 2005.
- 61 **University patents on AIDS drugs.** One of the early, most notorious examples of university patents on medicines needed for urgent public health needs was Yale University's patent on d4T, an antiretroviral drug also known as stavudine or the brand name Zerit. For more, see Donald G. McNeil Jr., "Yale Pressed to Help Cut Drug Costs in Africa," *The New York Times*, March 12, 2001, at <http://www.nytimes.com/2001/03/12/world/yale-pressed-to-help-cut-drug-costs-in-africa.html>.

- 62 ***Taxpayer-financed research for breakthrough drugs.*** This list comes from work originally done by James P. Love of the Taxpayers Assets Project and Consumer Project on Technology (both now defunct; Love now directs a successor group, Knowledge Ecology International, at <http://keionline.org>). Some of this work is summarized in David Bollier, *Silent Theft: The Private Plunder of Our Common Wealth* (Routledge, 2002), Chapter 11, “The Giveaway of Federal Drug Research and Information Resources,” pp. 163-172. See also Ralph Nader and James Love, “Looting the Medicine Chest,” *The Progressive*, February 1993, pp. 26-28; Daniel Newman, “The Great Taxol Giveaway,” *Multinational Monitor*, May 1992, pp. 17-21.
- 62-63 ***Corporate influence of university research agendas.*** See the books cited for note, “The enclosure of academia,” for p. 61. Corporate influence on research is often implicit and subtle, but real. Only when brave researchers challenge the premises of corporate partnerships do things become clearer. For example, Ignacio Chapela, a microbial ecologist and mycologist at UC Berkeley, became a *cause celebre* when he was denied tenure in 2003. His work had found transgenic DNA in wild Mexican maize. He and his supporters argued that the University’s extensive ties with the biotechnology industry was a factor in his denial of tenure. See “Ignacio Chapela,” Wikipedia entry, at https://en.wikipedia.org/wiki/Ignacio_Chapela.
- 63 ***Dr. Marcia Angell on Big Pharma’s corrupting influence on medical research and practice.*** Dr. Marcia Angell’s pioneering essays on this topic include: “Big Pharma, Bad Medicine,” *Boston Review*, May 1, 2010, at <http://bostonreview.net/angell-big-pharma-bad-medicine>; “The Truth About Drug Companies,” *New York Review of Books*, July 15, 2004, at <http://www.nybooks.com/articles/archives/2004/jul/15/the-truth-about-the-drug-companies>; “Drug Companies & Doctors: A Story of Corruption” [book reviews], *New York Review of Books*, January 15, 2009, at <http://www.nybooks.com/articles/archives/2009/jan/15/drug-companies-doctors-a-story-of-corruption>; and “Is Academic Medicine for Sales?” *New England Journal of Medicine*, May 18, 2000, pp. 1516-1518. See also Ben Goldacre, *Bad Pharma: How Drug Companies Mislead Doctors and Harm Patients* (Faber & Faber 2013); and Merrill Goozner, *The \$800 Million Pill: The Truth Behind the Cost of New Drugs* (University of California Press, 2005).
- 63-64 ***Corporate suppression of academic research.*** See, e.g., David Shenk, “Money + Science = Ethics Problems on Campus,” *The Nation*, March 22, 1999, pp. 11-17. I summarized many pre-2002 cases in *Silent Theft: The Private Plunder of Our Common Wealth* (Routledge, 2002), on pp. 142-145.
- 63 ***Patent thickets / the “tragedy of the anti-commons.”*** Columbia law professor Michael Heller has been a leading thinker on this topic. A seminal essay was Rebecca Eisenberg and Michael Heller, “Can Patents Deter Innovation? The Anticommons in Biomedical Research,” *Science*, May 1, 1998, pp. 698-701. See also Michael Heller, *The Gridlock Society: How Too Much Ownership Wrecks Markets, Stops Innovation and Costs Lives* (Perseus, 2008); and Michael Heller, “The Tragedy of the Anti-Commons,” in *The Wealth of the Commons: A World Beyond Market and State* (Levellers, 2012), pp. 68-72, at <http://wealthofthecommons.org/essay/tragedy-anticommons>.
- 64 ***Supreme Court ruling on the patentability of human genes.*** Association for Molecular Pathology v. Myriad Genetics, 569 U.S. 12-398 (2013). For an overview of the case, see the Wikipedia entry on it, at https://en.wikipedia.org/wiki/Association_for_Molecular_Pathology_v._Myriad_Genetics.
- 64 ***Enclosures of public spaces in cities.*** Margaret Kohn, “The Mauling of Public Space,” *Dissent*, Spring 2001, pp. 71-77. See also Christian Iaione, “City as a Commons,” available at http://www.collective-action.info/conference/sites/default/files/Iaione_prelversion.pdf.

- 64-65 ***Selling naming rights to stadia.*** Wikipedia, “List of sports venues with sole naming rights,” December 12, 2013, available at https://en.wikipedia.org/wiki/List_of_sports_venues_with_sole_naming_rights.
- 65-66 ***Starbucks’ enclosure of the coffee shop experience.*** Leslie Wayne, “Starbucks Chairman Fears Tradition is Fading,” *The New York Times*, February 24, 2007.
- 66-67 ***Pulska Grupa statement, Kommunal Urbanism Social Charter.*** As cited in David Bollier, “Re-imagining Urban Design and City Life,” September 2, 2011, at <http://bollier.org/re-imagining-urban-design-and-city-life>.
- 67 ***Occupy movement and public space.*** See, e.g., David Graeber, *The Democracy Project: A History, a Crisis, a Movement* (Spiegel & Grau, 2013).
- 67 ***Right to the City movement.*** See “Right to the City” entry, *Wikipedia*, at https://en.wikipedia.org/wiki/Right_to_the_city. World Charter for the Right to the City, at <http://tint.org/2011/10/world-charter-for-the-right-to-the-city>.
- 68 ***Enclosure of civic infrastructure.*** See “Infrastructures for Commoning” section of report, “Economics and the Commons Conference,” and presentation of Miguel Vieira Said, May 31, 2013, at <http://www.boell.de/en/economics-and-commons>. See also Brett M. Frischmann, *Infrastructure: The Social Value of Shared Resources* (Oxford University Press, 2012).
- 68 ***Microsoft monopoly over computer desktops.*** *United States v. Microsoft Corp.*, 84 F. Supp. 2d 9 (D.D.C. 1999). See also, Jonathan Zittrain, *The Future of the Internet and How to Stop It* (Yale University Press, 2008), pp. 43-98.
- 68-70 ***Tech giants’ hostility to open standards.*** See Glyn Moody’s four-part posts, “How Microsoft Fought True Open Standards,” on ComputerWorld UK website, April 16, 2012, at <http://blogs.computerworlduk.com/open-enterprise/2012/04/how-microsoft-lobbied-against-true-open-standards-i/index.htm>. The “end-to-end principle” of open standards for Internet infrastructure is responsible for assuring the interoperability of diverse computer networks and fair, open competition in software markets. See “End-to-end principle,” *Wikipedia* entry, at https://en.wikipedia.org/wiki/End-to-end_principle.
- 70 ***Net neutrality.*** See, e.g., Public Knowledge website, “Network Neutrality,” at <http://publicknowledge.org/issues/network-neutrality>. See also Robert W. McChesney, *Digital Disconnect: How Capitalism is Turning the Internet Against Democracy* (New Press, 2013), pp. 118-120.
- 70 ***Broadcast deregulation in the 1990s.*** With backing by President Bill Clinton, the Telecommunications Act of 1996 ratified and extended many deregulatory initiatives that President Ronald Reagan had instigated in the 1980s. See *Wikipedia* entry, “Telecommunications Act of 1996,” at https://en.wikipedia.org/wiki/Telecommunications_Act_of_1996.
- 70-71 ***Wall Street privatization of public infrastructure.*** Donald Cohen and Allen Mikaelian, *The Privatization of Everything: How the Plunder of Public Goods Transformed America and How We Can Fight Back* (New Press, 2021). See also Ellen Dannin, “Infrastructure Privatization Contracts and Their Effect on Governance” [report], 2009, at <http://inthepublicinterest.org/article/infrastructure-privatization-contracts-and-their-effect-governance>. Also, In the Public Interest, “A Guide to Evaluating Public Asset Privatization” [report], 2011, at <http://inthepublicinterest.org/article/infrastructure-privatization-contracts-and-their-effect-governance>.

71-72 **Public/private partnerships as forms of corporate/investor subsidy.** Mary Williams Walsh and Louise Story, “A Stealth Tax Subsidy Faces New Scrutiny,” March 4, 2013, at <http://www.nytimes.com/2013/03/05/business/qualified-private-activity-bonds-come-under-new-scrutiny.html>. See also Donald Cohen and Allen Mikaelian, *The Privatization of Everything* (2021). These partnerships are often vehicles for “de-risking” private investment -- i.e., subsidizing it through public funds -- when they involve social or ecological purposes that capital markets do not find lucrative enough to invest in. In recent years, commoners have put forward plans to develop “commons/public partnerships” that invert the commercial exploitation of public treasuries by forging collaborations between commons projects and city governments. See, e.g., Kai Heron, Keir Milburn and Bertie Russell, “Public-Commons Partnerships: Democratising Ownership and Urban Development,” September 2021, at <https://www.in-abundance.org/reports/public-common-partnerships-democratising-ownership-and-urban-development>.

See also Paul Jerchel and Judith Pape, “Commons-Public Partnerships: New Avenues of Cooperation for Socio-ecological Transformation,” Institute for Advanced Sustainability Studies, Potsdam, Germany, December 2022, at https://publications.rifs-potsdam.de/rest/items/item_6002606_3/component/file_6002607/content.

72 **Government bailout of banks & abandonment of homeowners following 2008 financial crisis.** The literature on this subject is large, but see, e.g., Yves Smith, *Econned* (Palgrave Macmillan, 2010), and David Streitfeld, “Report Criticizes Banks for Handling of Mortgages,” *The New York Times*, April 13, 2013, at <http://www.nytimes.com/2011/04/14/business/14foreclose.html>.

73 **Karl Marx quotation.** The full quote is, “All fixed, fast-frozen relations, with their train of ancient and venerable prejudices and opinions, are swept away, all new-formed ones become antiquated before they can ossify. All that is solid melts into air, all that is holy is profaned, and man is at last compelled to face with sober senses his real conditions of life, and his relations with his kind.” From Karl Marx and Friedrich Engels, *Communist Manifesto*, Chapter 1, “Bourgeois and Proletarians.” A brilliant meditation on this subject is Marshall Berman’s 1982 book, *All That Is Solid Melts Into Air: The Experience of Modernity* (Simon & Schuster, 1982).

Part II: Commons as Living, Generative Systems

Chapter 5: Many Galaxies of Commons

81-83 **Subsistence commons.** Maria Mies and Veronika Bennholdt-Thomsen, *The Subsistence Perspective: Beyond the Globalised Economy* (London: Zed Books, 1999); and Tony Waters, *The Persistence of Subsistence: Life Beneath the Level of the Marketplace* (Lexington Books, 2008). Veronika Bennholdt-Thomsen, “Subsistence: Perspective for a Society Based on Commons,” in Bollier & Helfrich, editors, *The Wealth of the Commons*, pp. 82-86, at <http://wealthofthecommons.org/essay/subsistence-perspective-society-based-commons>.

See also literature on Indigenous subsistence practices in specific settings, such as M. Kat Anderson, *Tending the Wild: Native American Knowledge and the Management of California's Natural Resources* (University of California Press, 2013); and J. Stephen Lansing, *Perfect Order: Recognizing Complexity in Bali* (Princeton University Press, 2006); and Dave Jacke with Eric Toensmeier, *Edible Forest Gardens* (Chelsea Green, 2005); and Mark Krawczyk, *Coppice Agroforestry: Tending Trees for Product, Profit and Woodland Ecology* ((New Society Publishers, 2022). From an Ostrom scholarship perspective, see

- International Food Policy Research Institute, *Resources, Rights and Cooperation: A Sourcebook on Property Rights and Collective Action for Sustainable Development* (CAPRI (CGIAR Systemwide Program on Collective Action and Property Rights, 2010).
- 81 **Free, Fair and Alive book.** David Bollier and Silke Helfrich, *Free, Fair and Alive: The Insurgent Power of the Commons* (New Society Publishes, 2019), available online at <https://freefairandalive.org/read-it>.
- 81-82 **Acequias in New Mexico.** New Mexico Acequia Commission: <https://www.ose.state.nm.us/NMAC/index.php>. See also Stanley Crawford, *Mayordomo: Chronicle of an Acequia in Northern New Mexico* (University of New Mexico Press, 1993); Juan Estevan Arellano, *Enduring Acequias: Wisdom of the Land, Knowledge of the Water* (University of New Mexico Press, 2014); and Shoshi Parks, “In the Water-Scarce Southwest, an Ancient Irrigation System Disrupts Big Agriculture,” *Yes! magazine*, November 3, 2017, at <https://www.yesmagazine.org/environment/2017/11/03/in-the-water-scarce-southwest-an-ancient-irrigation-system-disrupts-big-agriculture>.
- 83-87 **Potato Park (Indigenous Biocultural Heritage Area).** Homepage of Potato Park: <http://www.parquedelapapa.org>. See also Alejandro Argumedo, “The Potato Park, Peru: Conserving Agrobiodiversity in an Andean Indigenous Biocultural Heritage Area,” in Thora Amend et al., editors, *Protected Landscapes and Agrobiodiversity Values* (2008); and Satoyama Initiative to United Nations University Institute of Advances Studies, “The Ayllu System of the Potato Park, Peru,” at http://satoyama-initiative.org/en/case_studies-2/area_americas-2/the-ayllu-system-of-the-potato-park-cusco-peru.
- 84 **Marcel Mauss quote.** Marcel Mauss, Ian Cunnison, translator, *The Gift: Forms and Functions of Exchange in Archaic Societies* (W.W. Norton, 1954/1967). Mauss's original essay, *Essai sur le don: Forme et raison de l'échange dans les sociétés archaïques* (“An essay on the gift: the form and reason of exchange in archaic societies”), was originally published in 1925. It was translated into English in 1954, and has been periodically re-published.
- 84 **Traditional Knowledge Digital Library.** <https://www.tkdl.res.in/tkdl/langdefault/common/Home.asp>. The TKDL describes itself as “a pioneering initiative of India to protect Indian traditional medicinal knowledge and prevent its misappropriation at International Patent Offices. Traditional Knowledge (TK) is a valuable yet vulnerable asset to indigenous and local communities who depend on TK for their livelihood. The healthcare needs of more than 70% population and livelihood of millions of people in India is dependent on traditional medicine.”
- 85 **Robin Wall Kimmerer.** *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants*. (Milkweed Editions, 2013), p. 229.
- 86 **N. Bruce Duthu quotation.** “The Recognition of Intergenerational Ecological Rights and Duties in Native American Law,” in Weston & Bach, *Recalibrating the Law of Humans within the Laws of Nature: Climate Change, Human Rights, and Intergenerational Justice* (Climate Legacy Initiative, Vermont Law School and The University of Iowa, 2009), Appendix A, Background Paper No. 3. More generally, see N. Bruce Duthu, *American Indians and the Law* (Penguin Books, 2009).
- 86 **The rights of nature.** There is a growing literature on the rights of nature, but there are several good places to start: The Global Alliance of the Rights of Nature, at therightsofnature.org; the Community Environmental Legal Defense Fund, which pioneered many rights of nature initiatives, at celdf.org/advancing-community-rights/rights-of-nature/rights-nature-resources; David R. Boyd, *The Rights of Nature: A Legal Revolution That Could Save the World* (ECW Press, 2017); Mihnea Tanasescu, *Environment, Political Representation, and the Challenge of Rights: Speaking for Nature* (Palgrave

Macmillan, 2021); and *ISLE: Interdisciplinary Studies in Literature and the Environment* (Summer 2000), at igs.duke.edu/initiatives-global-asia-initiative-publications-and-presentations/rights-nature.

- 86 ***Self-owned land.*** See Bollier, “Rights of Nature, Self-Owning Land, and Other Hacks on Western Law,” Bollier.org, July 1, 2023, at <https://www.bollier.org/blog/rights-nature-self-owning-land-and-other-hacks-western-law>. See also the work of Thomas Linzey, Senior Legal Counsel at the Center for Democratic and Environmental Rights, in developing the legal notion of self-owned land, at <https://www.centerforenvironmentalrights.org/the-land-that-owns-itself>.
- 87 ***Feminist economists and care.*** See, e.g., Diane Elson, a British economist and sociologist, has examined gender inequality in economic development in books such as *Male Bias in the Development Process* and *Budgeting for Women’s Rights*. Julie Nelson is a feminist economist who has identified gender biases in economic models and methodologies, most notably in her 1993 book co-edited with Marianne A. Ferber, *Beyond Economic Man: Feminist Theory and Economics*, and *Feminism, Objectivity and Economics*. Alicia Girón González of Mexico, a past president of the International Association for Feminist Economics, has studied how the gender impact of the financial crisis of 2008 and austerity politics. Nancy Folbre has studied the economics of care, family life, and non-market work in such books as *The Invisible Heart: Economics and Family Values*.
- 87-88 ***Anarchist guide on mutual aid.*** “Survive the Virus: An Anarchist Guide,” March 18, 2020, at <https://es.crimethinc.com/2020/03/18/surviving-the-virus-an-anarchist-guide-capitalism-in-crisis-rising-totalitarianism-strategies-of-resistance>; and Dean Spade, “Building Solidarity During This Crisis (and the Next)” (2020), at <https://1lib.us/book/6119675/99b812>. See The Anarchist Library for a large selection of essays and reports on mutual aid, at <https://theanarchistlibrary.org/library/andrej-grubacic-david-graeber-introduction-to-mutual-aid>. The American group Shareable is a convenor and popularizer of mutual aid work. See <https://www.shareable.net/mutual-aid-101>.
- 88 ***Blood and organ donation systems.*** An early, major work on blood donation as a gift economy is Richard Titmuss, *The Gift Relationship: From Human Blood to Social Policy* (Pantheon, 1971). Two fascinating books about the changing attitudes towards markets for human organs and other body parts, and the complications of blood donation in the AIDS era, are Catherine Waldby and Robert Mitchell, *Tissue Economies: Blood, Organs and Cell Lines in Late Capitalism* (Duke University Press, 2006); and Melinda Cooper, *Life As Surplus: Biotechnology & Capitalism in the Neoliberal Era* (University of Washington Press, 2008).
- 88-89 ***The university as a commons.*** Michael J. Madison, Brett M. Frischmann and Katherine J. Strandburg, “The University as Constructed Cultural Commons,” *Washington University Journal of Law and Policy*, vol. 30 (2009), at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1256090. See also Warren O. Hagstrom, “Gift Gifting as an Organizing Principle of Science,” in Barry Barnes and David Edge, editors, *Science in Context: Readings in the Sociology of Science* (MIT Press, 1992), p. 28.
- 89 ***Lewis Hyde.*** *The Gift: Imagination and the Erotic Life of Property* (Vintage, 1979). Later editions of book bore new subtitles -- “Creativity and the Artist in the Modern World” (2007) and “How the Creative Spirit Transforms the World” (2019) -- presumably for commercial reasons. The original title seems the most precise and insightful, however.
- 89-90 ***Couchsurfing.*** Website: <http://www.couchsurfing.org>. The history of Couchsurfing is nicely set forth in its Wikipedia entry at <https://en.wikipedia.org/wiki/CouchSurfing>. For more detail, see Andrew Federov, “Paradise Lost: The Rise and Ruin of Couchsurfing,” *Input* (September 15, 2021), at <https://www.inverse.com/input/culture/killer-papers-essay-mill-academics-writing-service>.

- 90-93 **Will Ruddick, *Bangla-Pesa and alternative currencies*.** See William O. Ruddick, *Grassroots Economics: Reflections and Practice* (2025). PDF: [https://raw.githubusercontent.com/grassrootseconomics/org-website/master/content/pdfs-downloadable/Grassroots%20Economics%20-%20Reflection%20and%20Practice%20\(PDF%20Single%20Spread\).pdf](https://raw.githubusercontent.com/grassrootseconomics/org-website/master/content/pdfs-downloadable/Grassroots%20Economics%20-%20Reflection%20and%20Practice%20(PDF%20Single%20Spread).pdf). Print version: <https://www.blurb.com/b/12316593-grassroots-economics>.

For more on Ruddick's work, visit The Grassroots Economic Foundation website at <https://grassecon.org>. For Ruddick quotations, see *Frontiers of Commoning* podcast, Episode #48, with David Bollier (March 1, 2024), at <https://david-bollier.simplecast.com/episodes/will-ruddick-on-commitment-pooling-to-build-economic-commons>.

- 93-94 **ROSCAs and Caroline Shenaz Hossein quotations.** See Caroline Shenaz Hossein, *The Banker Ladies: Vanguard of Solidarity Economics and Community-Based Banks* (University of Toronto Press, 2024) and Caroline Shenaz Hossein and Sharon D. Wright Austin et al., editors, *Beyond Racial Capitalism: Co-operatives in the African Diaspora* (Oxford University Press, 2023). See also *Frontiers of Commoning* podcast, Episode #18, with Caroline Shenaz Hossein (September 1, 2021), at <https://david-bollier.simplecast.com/episodes/caroline-shenaz-hossein-on-black-banker-ladies-and-the-social-economy>.
- 94 **Time banking.** See timebanks.org and the Wikipedia entry, “Time-based currency,” https://en.wikipedia.org/wiki/Time-based_currency.
- 95 **BerkShares currency.** <https://berkshares.org>. See also Schumacher Center for a New Economics, “Local Currencies Program,” at <https://centerforneweconomics.org/apply/local-currencies-program>; and Abby Patkin, “Why do the Berkshires Have Their Own Currency?” *Boston.com*, April 2, 2024, at <https://www.boston.com/news/wickedpedia/2024/04/02/why-do-the-berkshires-have-their-own-currency>.
- 96 **Jessica Nembhard Gordon's quotation.** *Collective Courage: A History of African American Economic Thought and Practice* (Pennsylvania State University Press, 2014), p. 28.
- 97 **Cooperatives.** There is a large literature on co-operatives; here are a few noteworthy books: John Restakis, *Humanizing the Economy: Co-operatives in the Age of Capital* (New Society Publishers, 2010); George Cheney et al, *Cooperatives at Work (The Future of Work)*, (Emerald Publishing, 2023); Nathan Schneider, *Everything for Everyone: The Radical Tradition that is Shaping the Next Economy* (Bold Types Books, 2018); Kali Akuno and Ajamu Nangwaya, *Jackson Rising: The Struggle for Economic Democracy and Black Self-Determination in Jackson, Mississippi* (Daraja Press, 2017); and Jane Cornwell et al, *Building Cooperative Power! Stories and Strategies from Worker-Cooperatives in the Connecticut River Valley* (Levellers Press, 2013).

Chapter 6: The Eclipsed History of the Commons

- 99 **The history of commons.** Derek Wall, *The Commons in History: Culture, Conflict and Ecology* (MIT Press, 2014).
- 100 **Human reciprocity and cooperation go back millennia.** See note, “Group selection research in evolutionary sciences,” for pp. 102-103.
- 102 **Homo economicus as an historical aberration.** The literature on the fallacies of *homo economicus* is burgeoning, but here are a few varied selections: Friederike Habermann, “We Are Not Born

Egoists,” in Bollier and Helfrich, editors, *The Wealth of the Commons: A World Beyond Market and State* (Levellers Press, 2012), pp. 13-18, at <http://wealthofthecommons.org/essay/we-are-not-born-egoists>; Robert H. Nelson, *Economics as Religion: From Samuelson to Chicago and Beyond* (Pennsylvania State University, 2001); Daniel Kahneman, *Thinking Fast and Slow* (Farrar, Straus & Giroux, 2011); Alex Pentland, *Social Physics: How Good Ideas Spread – The Lessons from a New Science* (Penguin, 2014).

- 102 **Petr Kropotkin book.** *Mutual Aid: A Factor of Evolution* (Boston: Porter Sargent Publishers/Extending Horizons Books, reprint of 1914 edition).
- 102-103 **Group selection research in evolutionary sciences.** E.O. Wilson, *The Social Conquest of Earth* (W.W. Norton, 2013). Martin A. Nowak, *Super Cooperators: Altruism, Evolution and Why We Need Each Other to Succeed* (Free Press, 2011). Elliott Sober and David Sloan Wilson, *Unto Others* (Harvard University Press, 1998). Samuel Bowles and Herbert Gintis, *The Cooperative Species: Human Reciprocity and Its Evolution* (Princeton University Press, 2011). Herbert Gintis Samuel Bowles, et al., *Moral Sentiments and Material Interests: The Foundations of Cooperation in Economic Life* (MIT Press, 2005).
- See also books on the culture and politics of cooperation: Natalie Henrich and Joseph Henrich, *Why Humans Cooperate: A Cultural and Evolutionary Explanation* (Oxford University Press, 2007); Richard Sennett, *Together: The Rituals, Pleasures and Politics of Cooperation* (Yale University Press, 2012). Of course, many scientists remain committed to the idea of individual selection of evolutionary traits, e.g., Jerry Coyne, *Why Evolution Is True* (Oxford University Press, 2009). See <http://whyevolutionistrue.wordpress.com/2013/02/26/e-o-wilson-mistakenly-touts-group-selection-again-as-a-key-factor-in-human-evolution>.
- 102 **E.O. Wilson and David Sloan Wilson quotation.** E.O. Wilson and David Sloan Wilson, “Rethinking the Theoretical Foundation of Sociobiology,” *Quarterly Review of Biology* 82(4) (December 2007), pp. 327-348.
- 103 **Rebecca Solnit on spontaneous altruism in disasters.** Rebecca Solnit, *A Paradise Built in Hell: The Extraordinary Communities That Arise in Disaster* (Penguin, 2010).
- 103 **Martin A. Nowak quotation.** Nowak, “Five Rules for the Evolution of Cooperation,” *Science* 314(5805) (December 8, 2006), p. 1563. A longer treatment of this topic can be found in Nowak, *Super Cooperators: Altruism, Evolution and Why We Need Each Other to Succeed* (Free Press, 2011). For more on how humans are neurologically wired to be interdependent, see Marco Iacoboni, *Mirroring People: The Science of How We Connect to Others* (Farrar Straus & Giroux, 2008); and Samuel Bowles and Herbert Gintis, *The Cooperative Species: Human Reciprocity and Its Evolution* (Princeton University Press, 2011).
- 103 **Interdependence.** See, e.g., Scott F. Gilbert, Jan Sapp and Alfred I. Tauber, “A Symbiotic View of Life: We Have Never Been Individuals,” *Quarterly Review of Biology* 87(4) (December 2012).
- 104 **Ostrom’s findings about cooperation.** Ostrom’s most notable statement about cooperation was her 1990 book, *Governing the Commons: The Evolution of Institutions for Collective Action* (Cambridge University Press, 1990). A complete listing of her published works – many with weblinks – can be found on her c.v. at <http://www.indiana.edu/~workshop/people/lostromcv.htm>.
- 104 **The legal history of the commons.** See Peter Linebaugh, *The Magna Carta Manifesto: Liberty & Commons for All* (University of California Press, 2009); Guy Standing, *Plunder of the Commons: A Manifesto for Sharing Public Wealth* (Pelican, 2019), especially Appendix, “The Charter of the

Commons”; and Burns H. Weston and David Bollier, *Green Governance: Ecological Survival, Human Rights and the Law of the Commons* (Cambridge University Press, 2013), especially Chapter 5, Section B, “A Brief History of Commons Law and the Right to the Environment,” pp. 131-145.

105 **“Stealing the goose” poem.** Law scholar James Boyle has an extensive endnote on this provenance of this poem in his book, *The Public Domain: Enclosing the Commons of the Mind* (Yale University Press, 2008), pp. 264-265. The earliest printed appearance of the poem that he could locate was 1821, in *Tickler Magazine*, February 3, 1821, p. 45, but he notes that the poem “probably originates in the enclosure controversies of the eighteenth century.”

106 **English enclosure movement.** There are many useful books on this subject, but important ones include J.A. Yelling, *Common Field and Enclosure in England, 1450-1850* (Archon Books, 1977); Thomas More, *Utopia* (W.J. Black, 1947); Robert C. Allen, *Enclosure and the Yeoman* (Oxford University Press, 1992); Peter Linebaugh, *The Magna Carta Manifesto: Liberties and Commons for All* (University of California Press, 2008); Christopher Hill, *The World Turned Upside Down: Radical Ideas During the English Revolution* (Penguin, 1972); Karl Polanyi, *The Great Transformation: The Political and Economic Origins of Our Time* (Beacon Press, 1944 / 1957); Silvia Federici, *Caliban and the Witch: Women, the Body and Primitive Accumulation* (Autonomedia, 2004); and Richard Burt and John Michael Archer, editors, *Enclosure Acts: Sexuality, Property and Culture in Early Modern England* (Cornell University Press, 1994). See also Derek Wall, *The Commons in History: Culture, Conflict and Ecology* (MIT Press, 2014). See also notes for Chapters 3 and 4, pp. 39-75.

107 **Enclosures of one-seventh of English land.** Estimates of the precise size of enclosures vary, but the amount of land converted to private ownership was significant. Simon Fairlie in *The Land* magazine (UK) reports, “Between 1760 and 1870, about seven million acres (about one-sixth the area of England) were changed, by some 4,000 acts of parliament, from common land to enclosed land,” at <https://thelandmagazine.org.uk/articles/short-history-enclosure-britain>, citing G Slater, “Historical Outline of Land Ownership in England,” in *The Land*, The Report of the Land Enquiry Committee, Hodder and Stoughton, 1913.

By another measure, writes property author Nick Hayes, “Between 1750 and 1860, over 4,000 individual applications of enclosure were passed by government and, according to historian J.M. Neeson, this accounted for a third of the English agricultural land now in private hands.” [The reference is to J.M. Neeson, *Commoners: Common Right, Enclosure and Social Change in England, 1700-1820* (Cambridge University Press, 1996).] Such enclosures resulted in “the mechanization of industry, the monopoly of the corn trade, the funneling of the working class into factories and workhouses, the hollowing of the countryside, the decimation of community.” Nick Hayes, *The Book of Trespass* (Bloomsbury, 2021), p. 220.

107 **Karl Polanyi.** *The Great Transformation: The Political and Economic Origins of Our Time* (Beacon Press, 1957/2001). **Quotation on “custom and law, magic and religion”** p. 55. **Quotation on fictional commodities**, see note, “Fictional commodities” for p. 171, below.

108 **Karl Marx and the commons.** See, e.g., *Rethinking Marxism*, vol. 22, no. 3 (July 2010), “Editors’ Introduction,” by Michael Hardt and Antonio Negri, at <http://www.scribd.com/doc/83218144/Rethinking-Marxism-Vol-22-Nr-3-July-2010-Special-Issue-on-the-Common-and-the-Forms-of-the-Commune>; David Bollier, “Michel Bauwens on Marxism, Commons and Capitalism” [blog post], *Bollier.org*, January 5, 2012, at <http://bollier.org/michel-bauwens-marxism-capitalism-and-commons>.

- 109 **Vernacular law.** See, e.g., Alison Dundes Rentel and Alan Dundes, editors, *Folk Law: Essays in the Theory and Practice of Lex Non Scripta* (University of Wisconsin Press, 1995); W. Michael Reisman, *Law in Brief Encounters* (Yale University Press, 1999) for a discussion of informal “micro-law”; Trent Schroyer, *Beyond Weston Economics: Remembering Other Economic Cultures* (Routledge, 2009), for a discussion of Ivan Illich and “vernacular law”; Robert C. Ellickson, *The Household: Informal Order Around the Hearth* (Princeton University Press, 2008); and Robert C. Ellickson, *Order Without Law: How Neighbors Settle Disputes* (Harvard University Press, 1991). See also note, “Vernacular Law,” on p. 18, p. 181, and “Ivan Illich and vernacular practice,” on p. 196.
- 109-110 **David R. Johnson essay.** David R. Johnson, “The Life of the Law Online,” *First Monday* 11(2) (February 6, 2008), at <http://firstmonday.org/ojs/index.php/fm/article/view/1314/1234>.
- 110 **Peter Linebaugh quotation.** Peter Linebaugh, *The Magna Carta Manifesto: Liberty and Commons for All* (University of California Press, 2008), p. 45.
- 110-111 **Carol Rose quotation.** Carol M. Rose, “Comedy of the Commons: Custom, Commerce and Inherently Public Property,” in *Property and Persuasion: Essays on the History, Theory and Rhetoric of Ownership* (Westview Press, 1994), p. 134.
- 111 **Commons law.** For an extended discussion of commons law, see Burns H. Weston and David Bollier, *Green Governance: Ecological Survival, Human Rights and the Law of the Commons* (Cambridge University Press, 2013), especially pp. 104-112. See also John Clippinger and David Bollier, “The Rise of Digital Common Law: An Argument for Trust Frameworks, Digital Common Law and Digital Forms of Governance,” 2012. Essay is no longer at its original website of the group ID3, but can be found at https://wiki.p2pfoundation.net/Rise_of_Digital_Common_Law. Of course, the many historical books about the law of commons in England, Europe and other regions of the world are illuminating. See note, “English enclosure movement,” for p. 106, for some of these books.
- 111-112 **Institutes of Justinian.** Caesar Flavius Justinian, *The Institutes of Justinian with English Introduction, Translation and Notes*, translator, Thomas Collett Sandars (William Hein & Co., 1984); also available at <http://www.fordham.edu/halsall/basis/535institutes.asp#I.%20Divisions%20of%20Things>. See Book I, On Things.
- 112 **Public trust doctrine.** A recent, comprehensive treatment of public trust doctrine is Mary Christina Wood, *Nature’s Trust: Environmental Law for a New Ecological Age* (Cambridge University Press, 2013).
- 112-113 **King John’s treatment of commoners.** See, e.g., Peter Linebaugh, *The Magna Carta Manifesto: Liberty and Commons for All* (University of California Press, 2008), especially Chapter 4, pp. 69-93.
- 113 **The Magna Carta and the Charter of the Forest.** Linebaugh, *The Magna Carta Manifesto*, pp. 41-43 and elsewhere. See also Guy Standing, *Plunder of the Commons*.
- 113-114 **Peter Linebaugh quotation, “Commoning is an embedded labor process...”** Linebaugh, *The Magna Carta Manifesto*, p. 45.
- 114-11 **Dissolution of monasteries and enclosure of the land.** Linebaugh, *The Magna Carta Manifesto*, pp. 48-52. **Error in text:** King Henry VIII, not King Henry III, dissolved English monasteries.

- 115 ***Silvia Federici's feminist history of commons.*** Silvia Federici, *Caliban and the Witch: Women, The Body and Primitive Accumulation* (Autonomedia, 2004).
- 115 ***Lewis Hyde quotation, "Enclosure meant a shift away..."*** Lewis Hyde, *Common as Air: Revolution, Art and Ownership* (Farrar Straus Giroux, 2010), p. 39.
- 115-116 ***Karl Polanyi quotation, people who were "migratory, nomadic, lacking in self-respect..."*** Karl Polanyi, *The Great Transformation: The Political and Economic Origins of Our Time* (Beacon Press, 1944, 1957), p. 128
- 116-117 ***On the limits and corruption of state regulation.*** Thomas O. McGarity, Sidney Shapiro and David Bollier, editors, *Sophisticated Sabotage: The Intellectual Games Used to Subvert Responsible Regulation* (Environmental Law Institute, 2004). Law scholar Mary Christina Wood makes the pithy judgment: "With few exceptions, [environmental] statutes authorize agencies to issue permits to damage Nature....As long as the decisionmaking frame [for regulation] presumes political discretion to allow damage, it matters little what new laws emerge, for they will develop the same bureaucratic sinkholes that consumed the 1970s laws. Moreover, a fundamental frame change in the field as a whole stands as the only practical response to an environmental bureaucracy that is now enormous." Mary Christina Wood, *Nature's Trust: Environmental law for a New Ecological Age* (Cambridge University Press, 2013), p. 7 and p. 13.
- 118 ***Autonomous Marxists, the state, and the commons.*** See, e.g., Massimo De Angelis, *Omni Sunt Communia: On the Commons and the Transformation to Postcapitalism* (Zed Books, 2017); Camille Barbagallo et al. *Commoning with George Caffentzis and Silvia Federici* (Pluto Press, 2019); Silvia Federici, *Caliban and the Witch: Women, the Body and Primitive Accumulation* (Autonomedia, 2004), and *Re-enchanting the World: Feminism and the Politics of the Commons* (PM Press, 2018); Peter Linebaugh, *Stop, Thief! The Commons, Enclosure and Resistance* (PM Press, 2014); Michael Hardt, *Empire* (Harvard University Press, 2001); Michael Hardt and Antonio Negri, *Multitude: War and Democracy in the Age of Empire* (Penguin, 2005); and Michael Hardt and Antonio Negri, *Commonwealth* (Belknap Press, 2009). Re Midnight Notes Collective, see James Lindenschmidt, "Revolution at the Witching Hour: The Legacy of Midnight Notes," September 2015, at <https://blog.pmpress.org/2019/07/17/revolution-at-the-witching-hour-the-legacy-of-midnight-notes-2>.

Chapter 7: The Commons as a Relational Organism

- 121-122 ***The ontology and epistemology of commons.*** Silke Helfrich and I tackled this topic in our book, *Free, Fair and Alive: The Insurgent Power of the Commons* (New Society Publishing, 2019), especially in Chapter 2, "The OntoShift to the Commons," and Chapter 3, "Language and the Creation of Commons." available online at <https://freefairandalive.org/read-it/#2> and <https://freefairandalive.org/read-it/#3>, respectively. See also this report from a 2019 workshop: Zach Walsh and Commons Strategies Group, "Ontology as a Hidden Driver of Politics and Policy: Commoning and Relational Approaches to Governance" (Commons Strategies Group, 2019), at https://commonsstrategies.org/wp-content/uploads/2021/10/Ontology_as_a_Hidden_Driver_of_Politics.pdf.

Two books that speak to the OntoShift that commoning implies are Arturo Escobar, *Designs for the Pluriverse: Radical Interdependence, Autonomy, and the Making of Worlds* (Duke University Press, 2017); and Arturo Escobar, Michal Osterweil, and Kriti Sharma, *Relationality: An Emergent Politics of Life Beyond the Human* (Bloombury, 2024).

- 122 **Ostrom design principles for successful commons.** Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action* (Cambridge University Press, 1990).
- 123 **Christopher Alexander and pattern languages.** *The Nature of Order: An Essay on the Art of Building and the Nature of the Universe, Books 1-4.* Center for Environmental Structure, 2002-2012). For an overview of pattern language methodology, see Helmut Leitner, *Pattern Theory: Introduction and Perspectives on the Tracks of Christopher Alexander* (Pattern Research Series 001), (CreateSpace Independent Publishing Platform), 2015.
- 123 **Pattern language methodology applied to commons.** See Appendix A: Notes on the Methodology for Identifying Patterns of Commons,” in Bollier and Helfrich, *Free, Fair and Alive: The Insurgent Power of the Commons* (New Society Publishers, 2019), pp. 351-364, available at <https://freefairandalive.org/read-it/#AppendixA>.
- 123-126 **The Triad of Commoning and its patterns.** See Part II: The Triad of Commoning and Chapters 4-6 in Bollier and Helfrich, *Free, Fair and Alive: The Insurgent Power of the Commons* (New Society Publishers, 2019), pp. 93 - 200, available at <https://freefairandalive.org/read-it>.
- 126 **The OntoShift.** See Chapter 2, “The Ontoshift to the Commons,” in Bollier and Helfrich, *Free, Fair and Alive*, pp. 29-50, available at <https://freefairandalive.org/read-it/#2>
- 127 **Rabindranath Tagore.** *The Religion of Man* (Martino Fine Books, 2013 reprint of 1931 edition). **Martin Buber.** *I and Thou*, Ronald Gregor Smith, translator (Collier Books, 1958). **Martin Luther King, Jr.** *Why We Can't Wait* (Harper & Row, 1964). *Laudato Si'*, Encyclical Letter, “On Care for Our Common Home,” at **Pope Francis.** https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_encyclica-laudato-si.html.
- 127 **Relationality as a core dimension of life.** **David Abram.** *The Spell of the Sensuous: Perception and Language in a More-than-Human World* (Vintage, 1997); *Becoming Animal: An Earthly Cosmology* (Vintage, 2011). **Graham Harvey.** *Indigenous Religions: A Companion* (Cassell, 2000); *Shamanism: A Reader* (Routledge, 2003); *Handbook of Contemporary Animism* (Acumen 2013); **Andreas Weber.** *Biology of Wonder: Aliveness, Feeling, and the Metamorphosis of Science* (New Society Publishing, 2016); *Matter and Desire: An Erotic Ecology* (Chelsea Green Publishing, 2017); *Enlivenment: Toward a Poetics for the Anthropocene* (MIT Press, 2019). **Isabelle Stengers.** *Thinking with Whitehead: A Free and Wild Creation of Concepts* (Harvard University Press, 2011); *Cosmopolitics I*, R. Bononno, translator (University of Minnesota Press, 2010); and *In Catastrophic Times: Resisting the Coming Barbarism*, A. Goffey, translator (Open Humanities Press, 2015). **Philippe Descola.** *Beyond Nature and Culture*, Janet Lloyd, translator (University of Chicago Press, 2011). **Tim Ingold.** (and G. Palsson), editors, *Biosocial Becomings: Integrating Social and Biological Anthropology* (Cambridge University Press, 2013).
- 128 **Graham Harvey quotation.** Harvey, *Animism: Respecting the Living World* (Columbia University Press, 2006), p. xi. For more on animism, see the anthology edited by Harvey, *The Handbook of Contemporary Animism* (Routledge 2013).
- 128 **Lynn Margulis on symbiosis.** *Symbiosis in Cell Evolution: Life on its Environment in the Early Earth* (W.H. Freeman, 1981); *Early Life: Evolution on the PreCambrian Earth, 2d edition* (Jones & Bartlett, 2002); and *Symbiotic Planet* (Basic Books, 1999); among other books.

- 128 **Francisco Varela on autopoiesis.** Varela and Humberto Maturana Romesin, “Autopoiesis, Structural Coupling and Cognition: A history of these and other notions in the biology of cognition,” *Cybernetics & Human Knowing* 9(3-4), 2000, pp. 5-34. **Varela quotation on “meshwork of selfless selves.”** Francisco J. Varela, “Organism: A Meshwork of Selfless Selves,” in A.I. Tauber, editor, *Organism and the Origins of Self* (Kluwer Academic Publishers, 1991).
- See also Andreas Weber, “Beyond Emptiness: 'Compassion' as the Hidden Ground of Francisco Varela's Thinking,” in *Journal of Consciousness Studies* 30(11) (2023), pp. 259-281; and Weber and Varela, “Life After Kant: Natural Purposes and the Autopoietic Foundations of Biological Individuality” *Phenomenology and the Cognitive Sciences* Vol. 1 (2002), pp. 97-125.
- 128-129 **Andreas Weber on humans as “colonies.”** Weber, *Matter & Desire: An Erotic Ecology* (Chelsea Green, 2014), p. 37, with a reference to Peter J. Turnbaugh, et al., “The Human Microbiome Project: Exploring the Microbial Part of ourselves in a Changing World,” *Nature* 449(7164) (October 18, 2007), pp. 804-810.
- 129 **Daniel J. Siegel and the integration of self and wholeness.** *IntraConnected: MWE (Me + We) as the Integration of Self, Identity and Belonging* (W.W. Norton, 2023); and Daniel J. Siegel, *Personality and Wholeness in Therapy: Integrating 9 Patterns of Developmental Pathways in Clinical Practice* (Norton Series on Interpersonal Neurobiology) (W.W. Norton, 2024).
- 129 **Andreas Weber quotations on interdependence and “creative aliveness.”** Andreas Weber, “Reality as Commons: A Poetics of Participation for the Anthropocene,” in *Patterns of Commoning* (Off the Commons Books, 2015), p. 388, at <https://patternsofcommoning.org/reality-as-commons-a-poetics-of-participation-for-the-anthropocene/>
- 130 **Andreas Weber quotation on commons as a unifying principle dissolving society/culture divide.** *The Biology of Wonder: Aliveness, Feeling, and the Metamorphosis of Science*, (New Society Publishers, 2016), pp. 353-354. See note above, “Biopoetics and reality as a commons,” for pp. 133-134.
- 130 **Merlin Sheldrake.** *Entangled Life: How Fungi Make our Worlds, Change Our Minds, and Shape Our Futures* (Random House, 2021). **Peter Wohlleben.** *The Secret Life of Trees: What they Feel, How They Communicate -- Discoveries from a Secret World* (Greystone, 2016). **Suzanne Simard.** *Finding the Mother Tree: Discovering the Wisdom of the Forest* (Vintage, 2022).
- 130-131 **Eduardo Kohn.** *How Forests Think: Toward an Anthropology beyond the Human* (University of California Press, 2013). **Quotation, “All beings...are constitutively semiotic.”** *How Forests Think*, p. 9.
- 131-132 **Gaia theory.** James Lovelock, *The Ages of Gaia: A Biography of the Living Earth* (W.W. Norton, 1995); and Bruce Clarke, *Gaian Systems: Lynn Margulis, Neocybernetics, and the End of the Anthropocene* (University of Minnesota Press, 2020); Stephan Harding, *Animate Earth: Science, Intuition and Gaia* (Green Books, 2006); and Bruno Latour, *Facing Gaia: Eight Lectures on the New Climatic Regime* (Polity, 2017).
- 132 **Indigenous understandings of nature.** Wahinkpe Topa and Darcia Navaez, *Restoring the Kinship Worldview: Indigenous Voices Introduce 28 Precepts for Rebalancing Life on Planet Earth* (North Atlantic Books, 2022); Vanessa Machado de Oliveira, *Hospicing Modernity: Facing Humanity's Wrongs and the Implications for Social Activism* (North Atlantic Books, 2021); Yuria Celidwen,

Flourishing Kin: Indigenous Wisdom for Collective Well-Being (Sounds True, 2024); Tyson Yunkaporta, *Sand Talk: How Indigenous Thinking Can Save the World* (HarperOne, 2020); and Robin Wall Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants* (Milkweed Editions, 2013).

- 132-133 **Biopoetics: living organisms as meaning-making and subjective.** Andreas Weber, *Enlivenment: Towards a Fundamental Shift in the Concepts of Nature, Culture and Politics*, at <http://www.boell.de/en/content/enlivenment>. See also Weber, *Matter and Desire: An Erotic Ecology* (Chelsea Green Publishing, 2017).
- 133-134 **Biopoetics and reality as a commons.** Andreas Weber, “Reality as Commons: A Poetics of Participation for the Anthropocene,” in David Bollier and Silke Helfrich, *Patterns of Commoning* (Off the Common Books, 2015), pp. 259-290, at <https://patternsofcommoning.org/reality-as-commons-a-poetics-of-participation-for-the-anthropocene>.
- 134 **Thomas Berry quotation.** Brian Swimme and Thomas Berry, *The Universe Story* (HarperOne, 1994), p. 243. See also Thomas Berry, *The Dream of the Earth* (Sierra Club Books, 1988 / Counterpoint Press, 2015); and Thomas Berry, *Evening Thoughts: Reflecting on Earth as Sacred Community* (Sierra Club, 2006), p. 149.

Chapter 8: Local, Vernacular, and Alive

- 135 **On capitalist modernity.** Gustavo Esteva and Madhu Suri Prakash, *Grassroots Post-Modernism: Remaking the Soil of Cultures* (Zed Books, 2014); Alnoor Ladha and Lynn Murphy, *Post Capitalist Philanthropy: Healing Wealth in the Time of Collapse* (Transition Resource Press, 2022); And Mihnea Tanasescu, *Ecocene Politics* (Open Book Publishers, 2022).
- 135-136 **Wendell Berry quotation, “This alignment destroys the commonwealth....”** *The Art of the Commonplace: The Agrarian Essays of Wendell Berry* (Counterpoint, 2003), p. 58.
- 136 **Recovering local ownership & use of land.** This is a large and complicated topic whose dynamics vary from country to country, but a good overview can be found in Frank Moulaert et al., editors, *From Land Ownership to Landed Commons: Social Innovation in the Commoning of Scarce Land Resources* (Edward Edgar, 2024). The Schumacher Center for a New Economics has pioneered work in this area, especially in its community land trust program. See <https://centerforneweconomics.org/apply/community-land-trust-program>. See also Eric T. Freyfogle, *The Land We Share: Private Property and the Common Good* (Island Press, 2003). A brilliant, well-written meditation on the social boundaries that property law enacts is Nick Hayes, *The Book of Trespass: Crossing the Lines That Divide Us* (Bloomsbury, 2020).
- 136 **Wendell Berry quotation on “coherent community.”** From a speech, “The Purpose of a Coherent Community,” delivered on September 29, 2004, to the National Preservation Conference of the National Trust for Historic Preservation, Louisville, Kentucky, USA, published in *Forum Journal*, 19(2) (2005), pp. 14-20, available online at *Project MUSE*, <https://muse.jhu.edu/article/907550>.
- 136 **Alexander Pope quotation, “Consult the genius of the place in all.”** *Epistles to Several Persons*, 3(42) Epistle IV, “To Richard Boyle, Earl of Burlington” (1731).

- 136-137 **David Fleming on localism.** David Fleming, *Lean Logic: A Dictionary for the Future and How to Survive It* (Chelsea Green Publishing, 2016). A shorter, more readable version of *Lean Logic* is *Surviving the Future: Culture, Carnival and Capital in the Aftermath of the Market Economy* (Chelsea Green Publishing, 2017). For a summary of Fleming’s prophetic and yet developed vision of a post-capitalist economy and culture, see David Bollier blog post at <https://www.bollier.org/blog/david-fleming%E2%80%99s-%E2%80%9Csurviving-future%E2%80%9D>.
- 137 **Rejecting the global/local binary.** Bruno Latour argues in *Down to Earth: Politics in the New Climate Regime* (Polity, 2020), that “becoming modern” has for generations been juxtaposed with “the local.” The modern is upheld as an aspirational world of innovation, progress, and cosmopolitan sophistication and development, whereas the local is seen as backward, premodern, and in need of technology, growth, and modernization. Latour believes we need a new “third attractor” to help articulate a new vision for humanity. He proposes “the Terrestrial,” by which he means reconnecting with the biophysical realities of the Earth and rejecting the fantasies of modernity.
- 137 **Aldo Leopold's land ethic quotation.** Aldo Leopold, *A Sand County Almanac* (Oxford University Press 2020). See also the Aldo Leopold Foundation, “Understanding the Land Ethic,” at <https://www.aldoleopold.org/blogs/understanding-the-land-ethic>.
- 138 **John Locke's theory of land ownership.** See notes for Chapter 10, pp. 167-185, but especially note, “On the malleability of property rights,” for pp. 170-171; and the note, “Property as a relational system,” for p. 171.
- 138 **Culture Hack report.** Culture Hack, *Territories of Transition -- A Narrative Research Report* (issue #2, September 19, 2022), at <https://www.culturehack.io/issues/issue-02-territories-of-transition/territories-of-transition-a-narrative-research-report>.
- 138-139 **Community Land Trusts.** Schumacher Center for a New Economics, Community land trust program, at <https://centerforneweconomics.org/apply/community-land-trust-program>. See the Directory of Community Land Trusts in North America, at <https://centerforneweconomics.org/apply/community-land-trust-program/directory>. See also books by John Emmeus Davis such as *Reweaving the Tapestry of Tenure: Eight Elders of the CLT Movement Who Championed Community Ownership of Land* (Terra Nostra, 2023); *The Community Land Trust Reader* (Lincoln Institute 2010); and *On Common Ground: International Perspectives on Community Land Trusts* (Terra Nostra, 2020).
- 139 **Agrarian Trust.** <https://www.agrariantrust.org>.
- 139 **Terre de Liens.** <https://terredeliens.org> (in French)
- 139-140 **Community supported agriculture (CSAs).** Elizabeth Henderson, *Sharing the Harvest: A Citizen's Guide to Community Supported Agriculture*, 2d edition (Chelsea Green Publishing, 2007). Josh Trought, *The Community-Scale Permaculture Farm* (Chelsea Green, 2015). Bonnie Gregson and Bob Gregson, *Rebirth of the Small Family Farm A Handbook for Starting a Successful Organic Farm Based on the Community Supported Agriculture Concept*, 3d edition (Acres U.S.A., 2024). Find a local CSA near you: www.localharvest.org/csa.
- 140 **Pioneer Valley Jazz Shares.** <https://www.jazzshares.org>
- 140 **Cape Anne Fresh Catch.** <https://capeannfish.com>.

- 140 **Community-owned forests.** Several organizations in the US help establish and sustain community forests: Northwest Community Forests, www.nwcommunityforests.org; Northern Forest, www.northernforest.org/programs/community-forests/overview; and Sustainable Northwest, www.sustainablenorthwest.org.
- 141 **Convivial Conservation.** The international Convivial Conservation network at <https://www.convivialconservation.com> is attempting to forge new strategies and a new ethic for conservation that “takes seriously our economic system’s structural pressures, violent socio-ecological realities, cascading extinctions and increasingly authoritarian politics.” Bram Büscher and Robert Fletcher, “Towards Convivial Conservation,” *Conservation & Society* 17(3) (2019), pp. 283-296. See also the seminal book by Bram Büscher and Robert Fletcher, *The Conservation Revolution: Radical Ideas for Sharing Nature Beyond the Anthropocene* (Verso, 2020).
- 142 **Shadow Work.** Ivan Illich, *Shadow Work* (Marion Boyars, 1981).
- 142 **Trent Schroyer quotation.** Trent Schroyer, *Beyond Western Economics: Remembering Other Economic Cultures* (Routledge, 2009), p. 69.
- 143 **Margaret Stout quotation on “a constant state of mutual becoming.”** “Competing Ontologies: A Primer for Public Administration.” *Public Administration Review*, 72(3) (May/June 2012), pp. 388-398.
- 143 **Friar Richard Rohr quotation on God as an experience of reconnecting parts to the Whole.** Richard Rohr, *Falling Upward: A Spirituality for the Two Halves of Life* (Jossey-Bass, 2023). Summary by Rohr: <https://hidinsight.com/wp-content/uploads/2019/10/falling-upward.pdf>.
- 144 **Airline pilot after 9/11.** David Remnick, “Many Voices,” *The New Yorker*, October 7, 2001, at <https://www.newyorker.com/magazine/2001/10/15/many-voices-2>.
- 144 **Alternative currencies movement.** This topic has a vast literature that focuses on many different spheres such as the nature of money, digital currencies, crypto-currencies, local complementary currencies, and beyond. Some useful, insightful books: Gwendolyn Hallsmith and Bernard Lietaer, *Creating Wealth: Growing Local Economies with Local Currencies* (New Society Publishers, 2011); Bernard Lietaer and Jacqui Dunne, *Rethinking Money: How New Currencies Turn Scarcity into Prosperity* (Berrett-Koehler, 2013); William O. Ruddick, *Grassroots Economics: Reflection and Practice* (2025). Printed book: <https://www.blurb.com/b/12316593-grassroots-economics>. PDF: [https://raw.githubusercontent.com/grassrootseconomics/org-website/master/content/pdfs-downloadable/Grassroots%20Economics%20-%20Reflection%20and%20Practice%20\(PDF%20Single%20Spread\).pdf](https://raw.githubusercontent.com/grassrootseconomics/org-website/master/content/pdfs-downloadable/Grassroots%20Economics%20-%20Reflection%20and%20Practice%20(PDF%20Single%20Spread).pdf).
- See also Mary Mellor, *Money: Myths, Truths and Alternatives* (Policy Press, 2019); Keith Hart, *Money in an Unequal World* (Texere, 2000); and Pacific Northwest College of Art, “What Counts: Signaling Our Values Through Creative Currencies,” <https://howardsilverman.xyz/files/What%20Counts.pdf>. Local Currency Directory: centerforneweconomics.org/apply/local-currencies-program/localcurrenciesdirectory/northamerica.
- 144 **Mutual credit and timebanking.** The Wikipedia entry for “mutual credit” offers a good overview at https://en.wikipedia.org/wiki/Mutual_credit. See the entry for “time-based currency” at https://en.wikipedia.org/wiki/Time-based_currency. For more on time-banking, see Timebanks.org.

- 145 **Food sovereignty movements.** Matthew C. Canfield, *Translating Food Sovereignty: Cultivating Justice in an Age of Transnational Governance* (Stanford University Press, 2022); Ivette Perfecto et al., *Nature's Matrix: Linking Agriculture, Biodiversity Conservation, and Food Sovereignty*, 2d edition (Routledge, 2019). Liza Grandia, *Kernels of Resistance: Maize, Food Sovereignty, and Collective Power* (University of Washington Press, 2024); Ken Meter, *Building Community Food Webs*. (Island Press, 2021).
- 145 **Charters for commoning.** <https://www.communitychartering.org>. Community Environmental Legal Defense Fund, www.celdf.org/community-rights. The European/African Atlas of Urban Community Charters, https://wiki.remixthecommons.org/index.php?title=Atlas_des_chartes_des_communs_urbains#EN (in French).
- 145 **Repair cafes.** See the website Repair Cafe at <https://www.repaircafe.org/en/visit>. Aaron Perzanowski, *The Right to Repair: Reclaiming the Things We Own* (Cambridge University Press, 2022). Podcast interview with Aaron Perzanowski on *Frontiers of Commoning*, Episode #45 (December 1, 2023), at <https://podcasts.apple.com/us/podcast/aaron-perzanowski-on-bottom-up-creativity-the-right/id1501085005?i=1000637134591>.
- 145 **Solar Commons projects.** Solar Commons, at <https://solarcommons.org>. Solar Commons Project, <https://www.solarcommonsproject.org>. Podcaster interview with Solar Commons instigator Kathryn Milun on *Frontiers of Commoning*, Episode #41 (March 1, 2024), at <https://podcasts.apple.com/us/podcast/kathryn-milun-sharing-the-suns-energy-through-solar/id1501085005?i=1000643750147>.
- 145-148 **Insurgent forms of urban commoning.** A notable mobilization of commoners against the enclosure of cherished urban treasures occurred in Rome in 2013 when the city proposed selling the historic Teatro Valle concert building to investors. David Bollier, “Occupations in Rome Defend the Rights of Commoners,” [Bollier.org](http://bollier.org), February 20, 2013, at <http://bollier.org/blog/occupations-rome-defend-rights-commoners>. See also Donatella Della Ratta, “Occupy’ the commons,” *Al Jazeera English*, February 20, 2013, at <http://www.aljazeera.com/indepth/opinion/2013/02/2013217115651557469.html>. Such early notions of urban commoning have matured in recent years as seen in Stefan Gruber’s work at Carnegie-Mellon University, including a book and exhibition, “An Atlas of Commoning.” More at <https://www.bollier.org/blog/atlas-urban-commons-world> and a related podcast at *Frontiers of Commoning*, at <https://podcasts.apple.com/us/podcast/stefan-grubers-global-portfolio-of-urban-commons/id1501085005?i=1000671375157>.
- 146 **Barcelona En Comú.** See <https://barcelonaencomu.cat>, and Wikipedia entry, https://en.wikipedia.org/wiki/Barcelona_en_Com%C3%BA. See also note for p. 202 below.
- 147 **City Repair Project.** <https://cityrepair.org>.
- 147 **Mietshäuser Syndikat co-housing federation in Germany.** See account in David Bollier and Silke Helfrich, *Free, Fair and Alive: The Insurgent Power of the Commons* (New Society Publishers, 2019), pp. 252-257, at <https://freefairandalive.org/read-it/#8>.
- 147 **Fab Labs.** <https://Fabfoundation.org>. Fablab Guide at www.fabfoundation.org/getting-started. Find a makerspace or Fab Lab near you: <https://www.makerspaces.make.co>. Tomas Diez, *Fab Lab: The Mass Distribution of (Almost) Everything* (Institute for Advanced Architecture of Catalonia, 2018), at <https://issuu.com/iaac/docs/fabcitymassdistribution>.

- 147-148 **Mutual aid networks.** Dean Spade, *Mutual Aid: Building Solidarity During This Crisis* (and the Next) (Verso, 2020). J.R. Mortimer, *Mutual Aid for Beginners: How to Start a Project or Join a Group* (Mercury Guides, 2024). The Care Collective, *The Care Manifesto: The Politics of Interdependence* (Verso, 2020). The classic work on the biological, evolutionary, and social bases of mutual aid is Petr Kropotkin, *Mutual Aid: A Factor of Evolution* (Boston: Porter Sargent Publishers/ Extending Horizons Books, reprint of 1914 edition). See also Shareable at <https://shareable.net>.
- 148 **Buen vivir in Ecuador and Bolivia.** “Buen Vivir: South America's Rethinking of the Future that We Want,” *The Conversation*, July 23, 2015, at <https://theconversation.com/buen-vivir-south-americas-rethinking-of-the-future-we-want-44507>. See also Heinrich Boell Foundation (Berlin) report, *Buen Vivir: Latin America's New Concepts for the Good Life and the Rights of Nature* (July 22, 2011), available at <http://www.boell.de/en/content/buen-vivir-latin-americas-new-concepts-good-life-and-rights-nature>. See also Oliver Balch, “Buen Vivir: The Social Philosophy Inspiring Movements in South America,” *The Guardian (UK)*, February 4, 2013, at <http://www.theguardian.com/sustainable-business/blog/buen-vivir-philosophy-south-america-eduardo-gudynas>.
- 148 **Bioregionalism.** The bioregional projects named in the following note (p. 148) will have a variety of reference sources on bioregionalism, including “A Cascadia & Bioregionalism Bibliography,” at <https://cascadiaunderground.org/educational-resources/bioregionalism-cascadia-bibliography>; and the Bioregional Learning Centre, U.K., at <https://bioregion.org.uk/learning-centre>.
- 148 **Specific bioregional projects.** *Earth Regenerators* (international): <https://earthregenerators.org>. Bioregional Learning Centre UK (Totnes): <https://bioregion.org.uk>. *Cascadia* (Pacific Northwest, US): <https://cascadiabioregion.org>. *All Together Now Pennsylvania* (Philadelphia area): <https://circularphiladelphia.org/support-circular-philadelphia/membership/founding-member-spotlight-all-together-now-pa>.
- There are also a number of initiatives to establish bioregional fibersheds for growing textiles for clothing. See, e.g., PA Fibershed, at <https://pafibershed.org>; New York Fibershed, at <https://www.newyorkfibershed.org>; and a report by Zoe Gilbertson, “Bioregional Resilience Through Bast Fibres: Exploring Machinery and Methods to Support UK Fibre Production (2024),” at https://media.churchillfellowship.org/documents/Zoe_Gilbertson_Final_Report.pdf.
- 148-149 **Solidarity and Social Economy.** RIPESS Network: <https://www.ripess.org/?lang=en> US Solidarity Economy Network, <https://ussen.org>. US Solidarity Economy Map and Directory: <https://solidarityeconomy.us>.
- 149 **Transition Networks.** <https://www.transitionnetwork.org>. Rob Hopkins, *The Transition Handbook: From Oil Dependency to Local Resilience* (UIT Cambridge Ltd., 2014).
- 149 **Organizations dedicated to local economies.** *Local Futures*: <https://localfutures.org>. *Schumacher Center for a New Economics*: <https://centerforneweconomics.org>. *Institute for Local Self-Reliance*: <https://ilsr.org>. *Institute for Social Ecology*: <https://social-ecology.org>.
- 149 **E.F. Schumacher quotation on 'the proper scale for things.'** Schumacher delivered a lecture, “Nonviolence,” in Berkeley, California, in February 1977, which contained this remark. The full speech can be found here: <https://centerforneweconomics.org/publications/nonviolence>

Chapter 9: Digital Rebels in the Big Tech Imperium

- 151 **Microsoft executive called Linux 'communistic'.** In 2000, Microsoft CEO Steve Ballmer called Linux “communistic” and “a cancer that attaches itself in an intellectual property sense to everything it touches.” Graham Lea, “MS' Balmer: Linux is Communism,” *The Register*, July 31, 2000, https://www.theregister.com/2000/07/31/ms_ballmer_linux_is_communism. In 2016, Ballmer said, “I may have called Linux a cancer but now I love it.” Liam Tung, *ZDNET*, March 11, 2016, at <https://www.zdnet.com/article/ballmer-i-may-have-called-linux-a-cancer-but-now-i-love-it>. Corporate fear of free and open source software is nicely captured in Peter Wayner, *Free for All: How Linux and the Free Software Movement Undercut the High-Tech Titans* (HarperCollins, 2000).
- 151 **“Information wants to be free” quotation.** This quotation was famously made by Stewart Brand of *Whole Earth Catalog* fame. The full quotation is: “On the one hand information wants to be expensive, because it's so valuable. The right information in the right place just changes your life. On the other hand, information wants to be free, because the cost of getting it out is getting lower and lower all the time. So you have these two fighting against each other.” Brand made this statement to Steve Wozniak, cofounder of Apple Computer, as later recounted in *Whole Earth Review*, May 1985, p. 49.
- 151-153 **Early history of the Internet.** See note, “TCP/IP protocols as a model for communications,” for p. 200 below.
- 152 **Yochai Benkler quotation on 'commons-based peer production'.** Yochai Benkler, *The Wealth of Networks: How Social Production Transforms Markets and Freedom* (Yale University Press, 2006), p. 63.
- 152 **Free software and open source software.** See note for p. 153 on Richard Stallman and the history of free software, below.
- 153 **Wikipedia.** Joseph Michael Reagle Jr. and Jackie Koerner, editors, *Wikipedia @ 20: Stories of an Incomplete Revolution* (MIT Press, 2020); Zachary J. McDowell and Matthew A. Vetter, *Wikipedia and the Representation of Reality* (Routledge, 2021); Andrew Lih, *The Wikipedia Revolution: How a Group of Nobodies Created the World's Greatest Encyclopedia* (Hyperion, 2009); and Joseph Michael Reagle Jr., *Good Faith Collaboration: The Culture of Wikipedia* (MIT Press, 2010).
- 153 **Big Tech's reengineering of online sharing.** Nathan Schneider, *Governable Spaces: Democratic Design for Online Life* (University of California Press, 2024).
- 153 **Nathan Schneider on 'implicit feudalism.'** See Chapter 1 of *Governable Spaces*, “Implicit Feudalism: The Origins of Counter-democratic Design,” pp. 17-38.
- 153 **Free software.** Free Software Foundation, <https://www.fsf.org>. Christopher Kelty, *Two Bits: The Cultural Significance of Free Software* (Duke University Press, 2008). On the subculture and ethics of hacking, see E. Gabriella Coleman, *Coding Freedom: The Ethics and Aesthetics of Hacking* (Princeton University Press, 2013). See also Charles M. Schweik and Robert C. English, *Internet Success: A Student of Open-Source Software Commons* (MIT Press, 2012).
- 153 **Richard Stallman and the history of free software.** There is a large and diverse literature on this topic, but here are five volumes that I have found helpful: Glyn Moody, *Rebel Code: Inside Linux and the Open Source Revolution* (Perseus, 2001); Steven Weber, *The Success of Open Source* (Harvard

- University Press, 2004); Sam Williams, *Free as in Freedom: Richard Stallman's Crusade for Free Software* (O'Reilly, 2002); Joshua Gay, editor, *Free Software Free Society: Selected Essays of Richard M. Stallman* (GNU Press, 2002); and Christopher M. Kelty, *Two Bits: The Cultural Significance of Free Software* (Duke University Press, 2008).
- 154 ***The General Public License (GPL) for software.*** See notes on free software and Richard Stallman, above, for p. 153, but see also Andrew M. St. Laurent, *Open Source & Free Software Licensing* (O'Reilly, 2004) for greater detail on the legal and technical implications of various FLOSS [Free, Libre, Open Source Software] licenses.
- 155 ***Linus Torvalds and Linux.*** Glen Moody, *Rebel Code: Inside Linux and the Open Source Software Revolution* (Perseus, 2001).
- 156 ***Commons and markets can “play nicely together.”*** An early attempt to explore this topic is Yochai Benkler, “Sharing Nicely: On Shareable Goods and the Emergence of Sharing as a Modality of Economic Production,” *Yale Law Journal*, vol. 114 (2005), pp. 273-358, available at <http://benkler.org/SharingNicely.html>.
- 156 ***Lawrence Lessig and the emergent “culture of sharing.”*** Lessig was a hugely influential interpreter of the emerging Internet culture and its legal dimensions between 1999 and the early 2010s, especially through his books and the founding of Creative Commons in 2001. See Creative Commons website at <http://www.creativecommons.org>. His early books on copyright, creativity, and law include *Code and Other Laws of Cyberspace* (Basic Books, 1999); *The Future of Ideas: The Fate of the Commons in a Connected World* (Random House, 2001); *Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity* (Penguin, 2003); and *Remix: Making Art and Commerce Thrive in the Hybrid Economy* (Penguin, 2008). For a broader, interpretive overview of early attempts to legalize creative sharing and culture in digital spaces, see David Bollier, *Viral Spiral: How the Commoners Created a Digital Republic of Their Own* (New Press, 2009).
- 156 ***Creative Commons licenses.*** See also Creative Commons website at <http://www.creativecommons.org>. See also David Bollier, *Viral Spiral: How the Commoners Created a Digital Republic of Their Own* (New Press, 2009).
- 157 ***Corporate “terms of service” (TOS).*** Margaret Jane Radin, *Boilerplate: The Fine Print, Vanishing Rights, and the Rule of Law* (Princeton University Press, 2013).
- 158 ***Corporate platforms and user vulnerability.*** Digital sharecropping. See, e.g., David Bollier, “When Digital Communities Become Ghost Towns,” Bollier.org, August 24, 2009, at <http://bollier.org/when-web-communities-become-ghost-towns>.
- 158 ***The “enshittification” cycle of digital platforms.*** Rebecca Giblin and Cory Doctorow, *Chokepoint Capitalism: How Big Tech and Big Content Captured Creative Labor Markets and How We'll Win Them Back* (Beacon Press, 2022).
- 158 ***Open platforms and how they are different from commons.*** See “How Commoning Moves Beyond the Open/Closed Binary,” in David Bollier and Silke Helfrich, *Free, Fair and Alive: The Insurgent Power of the Commons* (New Society Publishers, 2019), pp. 69-72.
- 159 ***Other modes of legal sharing inspired by CC and GPL licenses.*** Paul Stacey and Sarah Hinchcliff Pearson, *Made with Creative Commons* (Ctrl-Alt-Delete Books, 2017), examines 24

- different business models built around CC licenses and CC-licensed content. See also Christopher Kelty, *Two Bits: The Cultural Significance of Free Software* (Duke University Press, 2008).
- 159 **Open access scholarly publishing.** The Wikipedia entry for “open access” has a good overview of the history and state of OA, at https://en.wikipedia.org/wiki/Open_access. For a listing of open access publishers, go to Scholarly Open Access, at <http://scholarlyoa.com/publishers>. For a listing of OA journals, go to the Directory of Open Access Journals, at <http://www.doaj.org>. There is now an Open Access Scholarly Publishers Association, at <http://oaspa.org>. The Open Educational Resources movement is quite diverse; the OER Commons is a good place to learn more, at <http://www.oercommons.org>.
- 160 **Scholarly and scientific journals raise subscription rates by 273%.** Josko Lozi, “Zero marginal cost in magazine industry: Changing of cost paradigm in ‘new’ magazine industry,” 44th International Scientific Conference on Economic and Social Development, Split, Croatia (September 19-20, 2019), https://www.researchgate.net/publication/342004623_Zero_marginal_cost_in_magazine_industry_Changing_of_cost_paradigm_in_new_magazine_industry.
- 160 **Harvard University goes “open access.”** See Harvard University Faculty Advisory Council, “Memorandum on Journal Pricing: Major Periodical Subscriptions Cannot Be Sustained,” April 12, 2012, at <http://isites.harvard.edu/icb/icb.do?keyword=k77982&tabgroupid=icb.tabgroup143448>.
- 161 **More than 21,000 open access journals now published.** Directory of Open Access Journals, at <https://doaj.org>. On March 3, 2025, there were 21,425 open access journals.
- 161 **Viral Spiral book.** David Bollier, *Viral Spiral: How the Commoners Created a Digital Republic of Their Own* (New Press, 2009).
- 161-162 **Community College Consortium for Open Educational Resources.** Website: <http://oerconsortium.org>
- 161 **OER Commons [open educational resources].** <http://www.oercommons.org>
- 162 **Open design.** Open Source Hardware and Design Alliance: <http://www.ohanda.org>. Bas van Abel, Lucas Evers et al. *Open Design Now: Why Design Cannot Remain Exclusive* (Amsterdam: Bis Publishers, 2011), also available at <http://opendesignnow.org>.
- 162 **Cosmolocal design and production.** P2P Foundation entry for “Cosmo-Localism” at <https://wiki.p2pfoundation.net/Cosmo-Localism>. Jose Ramos, Michel Bauwens et al., *The Cosmolocal Reader*, at <https://clreader.net>. **Open source motor vehicles.** Wikipedia entry for “open-source car”: https://en.wikipedia.org/wiki/Open-source_car
Arduino: <https://www.arduino.cc>
- 163 **Farm Hack.** <https://farmhack.org/tools>. **Open Source Ecology.** <http://opensourceecology.org>.
- 163 **Open Prosthetics Project.** <https://openprosthetics.org>. See also the work of the movement, @WeAreNotWaiting, which has developed an open-source automated insulin delivery (OS-AID) device for people with diabetes. The homegrown OS-AID system consists of a continuous glucose monitoring sensor worn on one's body, an electronically connected insulin pump, and a smartphone app whose sophisticated algorithm automatically monitors glucose levels and delivers just the right amount of insulin needed, in near-real time. David Bollier, “The

- Breakthrough Insulin Device Developed by Commoners,” *Bollier.org*, November 1, 2023, at <https://www.bollier.org/blog/breakthrough-insulin-device-developed-commoners>.
- 163 **Humanitarian OpenStreetMap Team (HOT)**. <https://www.hotosm.org>.
- 163 **Decentralized Autonomous Organizations (DAOs)**. An excellent and recent overview of DAOs can be found in Nathan Schneider, *Governable Spaces* (University of California Press, 2024). Two notable papers in his bibliography: Renita Murimi, “Governance in DAOs: Lessons in Composability from Primate Societies and Modular Software,” *MIT Computational Law Report*, December 5, 2022, in <https://law.mit.edu/pub/governanceindaos/release/1>. See also Kelsie Nabben et al., “Grounding Decentralised Technologies in Cooperative Principles: What Can ‘Decentralised Autonomous Organisations’ DAOs and Platform Cooperatives Learn from Each Other?” Working paper, December 6, 2021, SSRN, <https://doi.org/10.2139/ssrn.3979223>. See also note, “Furtherfield, the artists’ collective,” for p. 164 below.
- 163-164 **Nathan Schneider quotation on 'implicit feudalism'**. Schneider, *Governable Spaces* (University of California Press, 2024), pp. 17-38.
- 164 **Furtherfield, the artists' collective**. Ruth Catlow and Penny Rafferty, editors, *Radical Friends: Decentralised Autonomous Organizations and the Arts* (Furtherfield Collective, UK, 2022), at <http://torquetorque.net/publications/radical-friends>. Furtherfield Collective prefers to talk about “DAOWs” an acronym for, “DAOS with Others.”
- 165 **Commons-based digital infrastructures**. **Loomio**: <https://www.loomio.org>. **CoBudget**: <https://democraciaos.org/en>. **Open Collective**: <https://opencollective.org>. **Community Weaver 3**: <https://communityweaver.org>. **Holochain**: <https://holochain.org>. **NextCloud**: <https://nextcloud.com>
- 165 **Thomas Lommée quotation**. The Belgian artist Thomas Lommée wrote, “The next big thing will be a lot of small things” on the façade of the university in Ghent, as reported by Architecture Workroom, at <https://www.architectureworkroom.eu/en/narratives/3906/the-next-big-thing-will-be-a-lot-of-small-things/full>.

Part III: Expanding the Commonsverse

Chapter 10: Relationalized Property and Finance

- 167-168 **Vaclav Havel**. P. Mishra, “Vaclav Havel’s Lessons on How to Create a ‘Parallel Polis’.” *The New Yorker*. February 8, 2017, at <https://www.newyorker.com/books/page-turner/vaclav-havels-lessons-on-how-to-create-a-parallel-polis>.
- 169-170 **“Allegory of the deck chairs”**. Heinrich Popitz, *Phänomene der Macht* (Tübingen, 1986), cited in Silke Helfrich, Rainer Kuhlen, Wolfgang Sachs and Christian Siefkes, *The Commons – Prosperity by Sharing* [report] (Heinrich Boell Foundation, 2010). PDF file at http://www.boell.de/sites/default/files/20101029_Commons_Prosperty_by_Sharing.pdf.

- 170 **Blackstone quotation.** Sir William Blackstone, *Commentaries on the Laws of England in Four Books. Notes selected from the editions of Archibald, Christian, Coleridge, Chitty, Stewart, Kerr, and others, Barron Field's Analysis, and Additional Notes, and a Life of the Author by George Sharswood. In Two Volumes.* (Philadelphia: J.B. Lippincott Co., 1893). Vol. 1 - Books I & II. Chapter 1: "Of Property, In General," at http://oll.libertyfund.org/index.php?option=com_content&task=view&id=1278&Itemid=262.
- 170-171 **On the malleability of property rights.** There are many treatises that one could read on this subject, but here are five volumes that I have found useful: Carol M. Rose, *Property and Persuasion: Essays on the History, Theory and Rhetoric of Ownership* (Westview Press, 1994); Stuart Banner, *American Property: A History of How, Why and What We Own* (Harvard University Press, 2011); Margaret Jane Radin, *Reinterpreting Property* (University of Chicago Press, 1993); Eduardo Moisés Peñalver and Sonia K. Katyal, *Property Outlaws: How Squatters, Pirates and Protesters Improve the Law of Ownership* (Yale University Press, 2010); and Joseph William Singer, *Entitlement: The Paradox of Property* (Yale University Press, 2000).
- 171 **Fictional commodities.** This idea was introduced by Karl Polanyi in *The Great Transformation: The Political and Economic Origins of Our Time* (Beacon Press, 1944). p. 72. Polanyi writes, "The commodity description of labor, land, and money is entirely fictitious," noting that labor "is only another name for a human activity which goes with life itself"; that land "is only another name for nature, which is not produced by man"; and money "is merely a token of purchasing power, which, as a rule, is not produced at all, but comes into being through the mechanism of banking of state finance." For a hilarious but serious treatment of the fuzzy boundaries of property law in practice, see Theodore Steinberg, *Slide Mountain, or the Folly of Owning Nature* (University of California Press, 1996).
- 171 **Property as a relational system.** See David Bollier and Silke Helfrich, *Free, Fair and Alive: The Insurgent Power of the Commons* (New Society Publishers, 2019), Chapter 7, "Rethinking Property," pp. 207-236; and Chapter 8, "Relationalized Property," pp. 237 - 282), at <https://freefairandalive.org/read-it/#7> and <https://freefairandalive.org/read-it/#8>. See also Trent Schroyer, *Beyond Western Economics: Remembering Other Economic Cultures* (Routledge, 2005). The implicit social and ethical ties between property and a culture – things that should be regarded as inalienable and not sold -- are explored in Joseph L. Sax, *Playing Darts with Rembrandt: Public and Private Rights in Cultural Treasures* (University of Michigan Press, 1999). The topic is also explored by Margaret Jane Radin in *Reinterpreting Property* (University of Chicago Press, 1993).
- 172 **Gerrard Winstanley quotation.** Christopher Hill, editor, *'The Law of Freedom' and Other Writings* (Cambridge University Press, 1973/2006), p. 99.
- 172-173 **Goethe poem.** Johann Wolfgang von Goethe, "Catechism," translated by Silke Helfrich and included in David Bollier and Silke Helfrich, editors, *The Wealth of the Commons: A World Beyond Market and State* (Levellers Press, 2012), p. 112.
- 173 **Copyright on MLK Jr.'s "I Have a Dream" speech.** See, e.g., *Estate of Martin Luther King, Jr., Inc. v. CBS, Inc.*, 194 F.3d 1211 (1999). David Firestone, "Tears and a Confession from Another Dr. King," *New York Times*, January 16, 2001, at <http://www.nytimes.com/2001/01/16/us/tears-and-a-confession-from-another-rev-king.html>.
- 173-175 **John Locke and property rights.** John Locke, *Two Treatises of Government* (1690).

- 176 **The engineering of scarcity.** Wolfgang Hoeschele, *The Economics of Abundance: A Political Economy of Freedom, Equity and Sustainability* (Gower, 2010). See also “A Conversation with Brian Davey, Roberto Verzola and Wolfgang Hoeschele,” on ‘The Abundance of the Commons,’ in Bollier and Helfrich, editors, *The Wealth of the Commons* (Levellers Press, 2012), pp. 102-113, at <http://wealthofthecommons.org/essay/abundance-commons>.
- 176 **Rousseau quotation.** Jean-Jacques Rousseau, *Discourse on the Origin and Basis of Inequality Among Men* and *A Dissertation On the Origin and Foundation of the Inequality of Mankind*. Translation by G.D.H. Cole, at <http://www.constitution.org/jjr/ineq.htm>.
- 177-179 **The deficiencies of the price system.** The rising dissatisfaction with Gross Domestic Product (GDP) as the default measure of national progress is evidence, writ large, of the deficiencies of the price system. This is a growing literature. See an early analysis, Clifford Cobb et al., “If the GDP Is Up, Why is America So Down,” *Atlantic Monthly*, October 1995, p. 59, at <http://www.theatlantic.com/past/politics/ecbig/gdp.htm>; and Eyal Press, “Beyond GDP,” *The Nation*, May 2, 2011, pp. 24-26.
- 178 **Genuine Progress Indicator and GDP.** Ida Kubiszewski et al., “Beyond GDP: Measuring and Achieving Global Genuine Progress,” *Ecological Economics* 93 (2013), pp. 57-68, at http://www.academia.edu/3636103/Beyond_GDP_Measuring_and_Achieving_Global_Genuine_Progress; and Robert Costanza et al., “Time to Leave GDP Behind,” 505 *Nature* (January 16, 2014), pp. 283-287, at <http://www.nature.com/news/development-time-to-leave-gdp-behind-1.14499>.
- 179 **John Ruskin and “illth.”** Peter Barnes has re-popularized this term, especially in his book *Capitalism 3.0: A Guide to Reclaiming the Commons* (Berrett-Koehler, 2006).
- 180 **Neera Singh and the importance of 'affective labor'.** Neera M. Singh, “The affective labor of growing forests and the becoming of environmental subjects: Rethinking environmentality in Odisha, India,” *Geoforum* 47 (2013), pp. 189-198. See other articles by Singh, such as “Payments for ecosystem services and the gift paradigm: Sharing the burden and joy of environmental care,” *Ecological Economics* 117 (2015), pp. 53-61; and “Becoming a Commoner: The Commons as Sites for Affective Socio-Nature Encounters and Co-Becomings” (undated draft circa 2016), at https://www.academia.edu/34052407/Becoming_a_Commoner_The_Commons_as_Sites_or_Affective_Socio_Nature_Encounters_and_Co_Becomings.
- 180-184 **Relationalized property.** See note, “Property as a Relational System,” for p. 171.
- 181 **Vernacular Law.** See notes for “Vernacular Law” on pp. 18 and 109.
- 182 **The Value of a Whale & Green Capitalism.** Adrienne Buller, *The Value of a Whale: On the Illusions of Green Capitalism* (Manchester University Press, 2022).
- 183 **Self-owned land.** Thomas Linzey, Senior Legal Counsel at the Center for Democratic and Environmental Rights, developed the legal notion of self-owned land based on his prior work in developing a legal doctrine for the rights of nature. More at <https://www.centerforenvironmentalrights.org/the-land-that-owns-itself>. See Bollier, “Rights of Nature, Self-Owning Land, and Other Hacks on Western Law,” Bollier.org, July 1, 2023, at <https://www.bollier.org/blog/rights-nature-self-owning-land-and-other-hacks-western-law>.

- 183 **Right-to-roam laws (UK).** See Wikipedia entry for “Freedom to roam” at https://en.wikipedia.org/wiki/Freedom_to_roam.
- 183 **Seed-sharing legal innovations.** See Open Source Seed Initiative at <https://osseeds.org>, and the Wikipedia entry for that project, https://en.wikipedia.org/wiki/Open_Source_Seed_Initiative; and farmer/activist Jack Kloppenburg’s website about seed-sharing, at <https://dces.wisc.edu/directory/jack-kloppenburg>. See also the book chapter by Maywa Montenegro de Wit, “Beating the Bounds: Inside the Struggle to Make Open Source Seed,” in Anna Gear and David Bollier, editors, *The Great Awakening: New Modes of Life Amidst Capitalist Ruins* (Punctum Books, 2020), pp. 149-184, available at <https://www.jstor.org/stable/pdf/jj.2353884.8.pdf>
- 183-184 **Federated wiki platform.** The wiki and federated wiki platforms were both developed by Ward Cunningham, who describes the latter as “a chorus of voices” that allows users to share content while maintaining their individual perspectives,” in contrast to the original wiki platform, which centralizes editorial control and requires consensus or at least acquiescence; flame wars often result instead. See <http://fed.wiki.org/view/welcome-visitors> and the Wikipedia entry for “federated wiki” at https://en.wikipedia.org/wiki/Federated_Wiki.
- 184-185 **Relationalized finance.** David Bollier, “Why We Need Relationalized Finance,” Video presentation at AmsterDOEN, Amsterdam, The Netherlands. September 18. <https://vimeo.com/870667655?>

Chapter 11: Reimagining State Power

- 187 **Liberal state order and commons.** This topic was extensively discussed at a 2016 workshop hosted by the Commons Strategies Group and Heinrich Boell Foundation. See David Bollier, “State Power and Commoning: Transcending a Problematic Relationship” [report on a workshop, February 28-March 2, 2016] (Commons Strategies Group, 2017), at <https://commonsstrategies.org/state-power-commoning-transcending-problematic-relationship>. PDF of 50-page report: <https://commonsstrategies.org/wp-content/uploads/2016/07/State-Power-and-Commoning.pdf>. The limitations and problems of liberal polities prompted the Catholic Academy of Berlin to host a workshop on May 31-June 2, 2023, on “Beyond Liberalism: Commons, Constitutionalism, and the Commons Good,” at https://intellectualdiaspora.org/beyond-liberalism_commons-constitutionalism-and-the-common-good.
- 188 **James C. Scott's books on state power.** *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (Yale University Press, 1998). **Quotation, “The modern state, through its officials....”** pp. 81-82. See also *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (Yale University Press, 2009).
- 189-190 **Roy L. Heidelberg essay.** “The Incompatibility of the Commons and the Public,” *International Journal of the Commons* 18(12) (2024), pp. 177-187, at <https://thecommonsjournal.org/articles/10.5334/ijc.1236>.
- 190 **Heidelberg quotation re commoners and state.** “The Incompatibility of the Commons and the Public,” op. cit.
- 190 **Bob Jessop quotation, “There is no general theory of the state and commons.”** David Bollier, “State Power and Commoning: Transcending a Problematic Relationship” [report on a workshop,

- February 28-March 2, 2016] (Commons Strategies Group, 2017), p. 9. PDF of report can be found at <https://commonsstrategies.org/state-power-commoning-transcending-problematic-relationship>.
- 191 ***Nation-states talking about 'global commons'***. For example, NATO has talked about global commons. See David Bollier, “Global Enclosures in the Service of Empire,” in Bollier & Helfrich, *The Wealth of the Commons* (2012), pp. 212-213, and available at <http://wealthofthecommons.org/essay/global-enclosures-service-empire>.
- 192 ***Green Governance book***. Burns H. Weston and David Bollier, *Green Governance: Ecological Survival, Human Rights and the Law of the Commons* (Cambridge University Press, 2013).
- 193 ***State / commons relationships***. A Belgian research project, DOMINIA, at KU Leuven and VUB, has completed a forthcoming book anthology (to which I have contributed), *Commoning For, With, Against or Beyond the State*, edited by Xenia Katsigianni and Pieter Van den Broeck, on “the role of the state, spatial policy systems in particular, in hindering or supporting the commons.” This topic includes explorations of “commons/public partnerships” (CPPs) and other novel ways in which states and commons are attempting to co-develop operational protocols. For more on CPPs, see note below on pp. 200-204.
- 194 ***Camila Vergara book***. *Systemic Corruption: Constitutional Ideas for an Anti-Oligarchic Republic* (Princeton University Press, 2020).
- 194-196 ***State trustee commons***. The idea of the state acting as a trustee for common assets and the common good -- and the structural limitations and pitfalls of such arrangements -- is discussed in Burns H. Weston and David Bollier, *Green Governance: Ecological Survival, Human Rights and the Law of the Commons* (Cambridge University Press, 2013), especially Chapter 8, “Catalytic Strategies for Achieving Green Governance,” pp. 226-260.
- 195-196 ***Alaska Permanent Fund***. Alaska Permanent Fund Corporation website, at <https://apfc.org>. K. Widerquist and M. Howard, *Alaska Permanent Fund Dividend: Examining Its Suitability as a Model [for Universal Basic Income]* (Palgrave Macmillan, 2012); and *Exporting the Alaska Model: Adapting the Permanent Fund Dividend for Reform around the World* (Palgrave Macmillan, 2012). See also Peter Barnes' proposed adaptations and extensions of the stakeholder trust idea in *Capitalism 3.0: A Guide to Reclaiming the Commons* (Berrett-Koehler, 2006/2022); and the book *Ours*. See note below for p. 196.
- 196 ***Peter Barnes' book Ours***: Barnes, *Ours: The Case for Universal Property* (Polity, 2022).
- 196 ***Peer to Patent Project***. See Wikipedia entry, “Peer to Patent,” for an overview: <https://en.wikipedia.org/wiki/Peer-to-Patent>
- 196 ***Legal hacks as a concept***. See David Bollier, “Hacking the Law to Open Up Zones of Commoning,” in Anna Grear and David Bollier, *The Great Awakening: New Modes of Life Amidst Capitalist Ruins* (Punctum Books, 2020), pp. 223-246, available as book and free PDF at <https://punctumbooks.com/titles/the-great-awakening-new-modes-of-life-amidst-capitalist-ruins>.
- 196-197 ***Serge Gutwirth quotations***. Serge Gutwirth and Isabelle Stengers, “The Law and the Commons,” presentation at Third Global Thematic International Association for the Study of the Commons

- Conference on the Knowledge Commons, October 20-22, 2016, at https://works.bepress.com/serge_gutwirth/121.
- 196 ***Ivan Illich and vernacular practice.*** Ivan Illich, *Shadow Work* (Marion Boyars, 1981). See also *Tools for Conviviality* (Marion Boyars, 2001) and David Cayley's intellectual biography of Illich, *Ivan Illich: An Intellectual Journey* (Pennsylvania State University Press, 2024).
- 197 ***GPL and Creative Commons as legal hacks.*** See note for p. 153 on “Richard Stallman and free software,” and note for p. 156 on “Creative Commons licenses.”
- 198 ***Open Source Seed Initiative.*** <https://osseeds.org>. See also note for p. 183.
- 198 ***Rights of nature and self-owned land.*** See note for p. 86.
- 199 ***Sustainable Economies Law Center.*** <https://www.theselc.org>.
- 199 ***J.K. Gibson-Graham quotation, “If to change ourselves....”*** *The End of Capitalism (As We Knew It): A Feminist Critique of Political Economy* (University of Minnesota Press, 1996/2006), p. xvi.
- 200-204 ***Commons-public partnerships.*** See Kai Heron, Keir Milburn and Bertie Russell, “Public-Commons Partnerships: Democratising Ownership and Urban Development,” in [commonwealth.co.uk](https://wealth.co.uk), at https://uploads-ssl.webflow.com/5e1b5c6919c05c76379535f9/6151b9838c11fe74e0b66882_CW_PCP-Democratising%20ownership%20and%20urban%20development.pdf.
- See also Paul Jerchel and Judith Pape, *Commons-Public Partnerships: New Avenues of Cooperation for Socio-ecological Transformations* (Institute for Advanced Sustainability Studies Potsdam, December 2022) at https://www.researchgate.net/publication/366512754_Commons-Public_Partnerships_New_Avenues_of_Cooperation_for_Social-Ecological_Transformations_IASS_Discussion_Paper#fullTextFileContent; and M. Pera & S. Bussu, “Public-Commons Partnerships and the Democratisation of Public Administration: The Citizen Assets Program in Barcelona,” *International Journal of the Commons* 18(1) (2024), pp. 164–176. See also Bollier and Helfrich, *Free, Fair and Alive*, pp. 333-344.
- 200 ***TCP/IP protocols as a model for communications.*** The importance of the TCP/IP protocols in the evolution of the Internet – by enabling end-to-end connectivity and therefore heterogeneity and decentralization in network systems – are described in two histories of the Internet: Janet Abbate, *Inventing the Internet* (MIT Press, 1999); and M. Mitchell Waldrop, *The Dream Machine: J.C.R. Licklider and the Revolution That Made Computing Personal* (Viking, 2001).
- 201 ***Volunteer fire departments in Germany.*** Bollier and Helfrich, *Free, Fair and Alive*, pp. 333-336.
- 201-202 ***Baan Mankong neighborhood housing and services program (Bangkok).*** Community Organizations Development Institute [Thailand], “Baan Mankong: Thailand's national people-driven, collective housing program,” October 2019, at http://achr.net/upload/downloads/file_17112019162532.pdf and <https://en.codi.or.th/baan-mankong-city-wide-upgrading>. See also Diane Archer, “Baan Mankong Participatory Slum Upgrading in Bangkok, Thailand: Community Perceptions of Outcomes and Security of Tenure,” in *Habitat International* 36(1), January 2012, pp. 178-184; and the website for the Asian Coalition for Housing Rights, at <http://www.achr.net>.

Search for “CODI” (Community Organizations Development Institute), “secure housing,” and “Baan Mankong.”

- 202 ***Barcelona En Comú***. See, e.g., Manuela Zechner, "No Commons Without Micropolitics: Learning from Feminist and Municipalist Movements in Spain," *International Journal of the Commons*, 17(1) (Spring 2024), pp. 447-461, at <https://thecommonsjournal.org/articles/10.5334/ijc.1232>. See also related essays about commons/public partnerships in a special issue of the *International Journal of the Commons*, 17(1) (Spring) 2024, “Advancing the Commonsverse: The Political Economy of the Commons,” edited by Hendrik Wagenaar and Koen Bartels, at <https://thecommonsjournal.org/collections/advancingthecommonsverse>. The Barcelona sensibilities toward social, ecological, and political changes can be seen in this anthology of essays: Sergio Villamayor-Tomas and Roldan Muradian, *The Barcelona School of Ecological Economics and Political Ecology*, Vol. 8 (Springer International Publishing, 2023). *Open access version*: https://www.researchgate.net/publication/371635947_The_Barcelona_School_of_Ecological_Economics_and_Political_Ecology_A_Companion_in_Honor_of_Joan_Martinez-AlierSee.
- 202-203 ***Co-Cities Protocols & Bologna Regulation for the Care and Regeneration of Urban Commons***. See Sheila R. Foster and Christian Iaione, *Co-Cities: Innovative Transitions toward Just and Self-Sustaining Communities*. (MIT Press, 2022). P2P Foundation, “Regeneration of Urban Commons” (2024), at https://wiki.p2pfoundation.net/Bologna_Regulation_for_the_Care_and_Regeneration_of_Urban_Commons.
- 203 ***LabGov.org***. LABoratory for the GOVernance of the City as a commons, at <https://labgov.city>.
- 203 ***Commons-public partnerships and interfaces***. David Bollier, “How Commoners Can Engage with State Power: Legal Hacks, Commons/Public Partnerships and Interface Patterns” [book chapter] in forthcoming anthology edited by Xenia Katsigianni and Pieter Van den Broeck, *Commoning For, With, Against or Beyond the State?* (working title), 2025.
- 203-204 ***Ugo Mattei quotation***. Ugo Mattei, “First Thoughts for a Phenomenology of the Commons,” in Bollier & Helfrich, *The Wealth of the Commons* (2012), p. 42, and available at <http://wealthofthecommons.org/essay/first-thoughts-phenomenology-commons>.

Conclusion

- 208 ***Jenny Holzer quotation***. The phrase is part of a larger collection of aphorisms, *Truisms*, presented by conceptual artist Jenny Holzer. <https://genius.com/Jenny-holzer-truisms-annotated>
- 211 ***Alain Lipietz on commons as gift and duty***. Alain Lipietz, “Questions About Commons,” (French, “Questions sur les ‘biens communs,’ Intervention au débat de la foundation Heinrich Boell, FSM de Bélem, Janvier, 2009), at <http://lipietz.net/spip.php?article2344>.

Acknowledgments

- 231 ***Johann Wolfgang von Goethe quotation***. The original passage reads: “Everything that I have seen, heard, and observed I have collected and exploited. My works have been nourished by countless different individuals, by innocent and wise ones, people of intelligence and dunces. Childhood, maturity, and old age all have brought me their thoughts....their perspectives on life. I have often reaped what others have sowed. My work is the work of a collective being that bears the name of Goethe.” Quoted in Martha Woodmansee and Peter Jaszi, “The Law of Texts: Copyright and the Academy,” *College English* 57(7) (November 1995), p. 769.