

Unequal Commoners and Uncommon Equity

Property and Community Among Smallholder Farmers

by

Robert McC. Netting

Common property regimes are often held to be examples of "primitive communism" where all commoners share and share alike. Critics of the commons rightly point out that this view is misleading; inequality is in fact a feature of many commons regimes. Nonetheless, even when inequalities are pronounced, the governance and administration of common property regimes ensures a rough equity through broadly representative, democratic decision-making. Privatizing or enclosing the commons, however, undermines this uncommon equity and entrenches inequalities.

Common property rights appear as part of recurrent institutions, widely distributed through space and time, governing local access to resources such as marginal grazing areas, swidden fallows, inshore fisheries and irrigation water. Falling somewhere between private property and state territorial control, common property rights are often viewed as an anomaly. They are applied to resources or facilities subject to individual use but not to individual possession.¹ Controlling the access of potential users to such resources is difficult and costly to enforce. In addition, each user has the capacity to appropriate individually resource units which are thereby subtracted from the goods available to others.² The rate at which individuals appropriate from the common pool affects the rate at which the resource can produce or replenish its supply.³

Advocates of common property institutions tend to assume that such institutions are unrelated to inequalities of wealth, rank and power, or that they somehow rectify such inequalities. Common property is taken to be a "good thing" because it somehow promotes equality and is based on the voluntary sharing of resources, an attractive proof that not all economically efficient social institutions have to be based on selfish maximizing.

But do people in fact share common property resources equitably? Are commoners who hold defined rights in community grazing grounds, forests or irrigation waters economic and political equals of one another?

The stentorian voices from political economy and neo-marxist theory claim that they are not — there are necessarily rich and poor farmers, classes of land owners or kulaks, and smallholders declining into a rural proletariat. Real equality, joint use and genuine sharing, according to Karl Marx and Frederick Engels, may once have existed in pre-capitalist societies,⁴ but, they argue, unequal wealth and power arising from the market and the state mean that some individuals have greater access both to private property and communal resources. An egalitarian ethos, they claim, is thus false consciousness or a pernicious delusion.

Such a grand evolutionary trajectory is simplistic.⁵ Far from

being historical relics, commons regimes are an everyday reality for millions of smallholders around the world, including many who live in modern societies. Inequalities of wealth and status certainly exist within commons regimes — and typically become increasingly pronounced where resources are scarce. Nonetheless, such inequalities are rarely permanent. Moreover, even when inequalities are pronounced, the governance and administration of the commons continues to ensure a rough equity through broadly representative, democratic decision-making. Entrenched inequalities and inequity result, however, where common property rights are terminated, either by members agreeing to privatize their joint holdings, or by an external authority.

Unequal Holdings

To cast commons regimes involving smallholders (and I make no claims for commons regimes other than those involving smallholders) as "primitive communism", where everyone is equal and all share and share alike, is certainly misleading. Among intensive cultivators, the social unit that occupies the smallholding, providing labour and management, using the produce for subsistence and sale, and administering and transmitting rights, is typically a family household (itself the site of inequalities).⁶ The very nature of the household enterprise means that, at any point in time, there will be larger and smaller farms, depending on the balance of workers and dependants, the stage in the household developmental cycle, the inheritance or acquisition of property, and the successful management of the farm, as well as on the vagaries of climate and the market. At the same time, there is considerable mobility up and down the ladder of wealth over the life course.⁷ In the Swiss alpine village where I undertook research, only four per cent of the variation in a son's wealth could be explained by a difference in the father's wealth, and despite the presence of equal, partible inheritance, there was no consistent relationship between the achieved wealth of siblings.⁸

As agricultural resources become increasingly scarce — the result, for example, of market demand or population pressure — both private property and common property tend to become

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more institutionally elaborated and jurally defined. Land-short intensive cultivators compete to obtain scarce farm property, and thus there may be marked inequality in their holdings, whether they are self-sufficient and politically independent or whether they are involved in the commercial economy and the state. Permanently-tilled land, cattle and buildings are never, to the best of my knowledge, regularly reallocated and shared equally among households in the community.

There is, however, proportionately much less private property in systems of shifting cultivation where an abundance of common land in the territory of a descent group or a village can be readily portioned out in usufruct plots. On settlement frontiers, a labour force of subordinates is often built up by a "big man" — a lineage elder or chief, for instance, who maintains his rank by defending his turf. A sort of floating tenure prevails in the flood recession regimes of the Senegal River valley, for instance, whereby privileged groups control a portfolio of lands that they dole out widely to others after a good inundation or keep to themselves in dry periods.⁹ Chaotic flooding and wildly fluctuating agrarian resources stimulate and reinforce stratification. However, where smallholders have reliably productive, permanent real estate in addition to their rights in the commons, priority of access to the common property is seldom a consideration, and inequality is less hierarchical and intransigent.

Moreover, just as there are inequalities in private property holdings within commons regimes, so the sharing of benefits from the commons is by no means always equal — despite commoners having joint control of the resource. For scarce resources, such as firewood, which are needed by every household in a certain minimal quantity, allocations might be carefully equalized.¹⁰ In the Swiss alpine forests, the elected village council marked equivalent shares of standing timber for cutting, and community members drew lots for these shares. Severe punishments were specified for anyone who took wood not dead or down, although there were always some who "by hook or by crook" surreptitiously took more than they were entitled to. Rights to put cows on the communal alp for the summer, however, depended on an over-wintering rule: cattle owners could send only as many beasts as they could feed from their own supply of hay. Thus the total number of animals was kept roughly in line with the fodder potential of all village irrigated meadows, but individual owners of larger hay lands had the right to graze more cows on the commons.¹¹ Indeed, a wealth of case studies support Meg McKean's contention that:

"in common property systems everywhere . . . entitlement to products of the commons was almost always based on private holdings and thus reproduced the inequality in private wealth."¹²

about in the Commons

Indeed, numerous studies point to the presence of inequality among smallholders, particularly with regard to air transferable and heritable private property. Such inequality

also frequently extends to access to another common property resource — the coordinated labour time of corporate group members.¹³

Common pasture, water or woods only have worth for the smallholder if there is skilled, reliable labour to build the infrastructure and carry on the regular maintenance that makes individual appropriation of the resource possible. Moreover, work in common may not be confined to the physical commons. The Swiss community charter that defined the rules of the Torbel alp in way back in the year 1483 also decreed that every householder had to help in putting up a villager's new log house.

The Kofyar farmers I knew in Nigeria quickly privatized land they had occupied on a settlement frontier, although they allow free-range grazing once the crops are harvested. Part of their special genius for increasing the production of market crops has been the organization of traditional communal labour to work on individual farms.¹⁴ Though some of this takes place in small clubs of eight to ten individuals who exchange work-time equally, there are also community-wide work parties. A host farmer, for instance, announces to neighbourhood officials when he will brew millet beer, every household sends workers in proportion to its number of productive members, and then the 40 to 80 people who assemble with their hoes make ridges or yam heaps, the same number of which is marked out for each individual, before enjoying the gallon or more of beer per person that gives the occasion its festive air. If a household does not provide its mandatory labour quota without good excuse, the assembled drinkers raise the issue and fine the miscreant (in jars of beer): if the fine is refused, they ultimately ostracize the offender which means not only that common labour will be denied in the future to that household but also that social contact is dramatically interrupted.¹⁵ The sanctioned party is left sitting at home and (most severely) no one will drink with them again. The price of community is common, institutionalized labour; the withdrawal of community for one of its "mutually vulnerable members" is social death.¹⁶ Even in a society where individual households are economically self sufficient, a defector can be penalized with certainty and speed.

But again, although all commoners must participate in communal labour, do the resulting benefits make some smallholders

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