REPORT: WORKSHOP ON THE URBAN COMMONS

Urban Research and Policy Programme
National Institute of Advanced Studies, Bangalore

18-19 August 2010

Day One – August 18th

Introductory session

The workshop began with a welcome by Solomon Benjamin followed by a speech from the Director of the National Institute of Advanced Studies (NIAS), Dr. V.S. Ramamurthy. Dr. Ramamurthy urged the participants to think outside the box and also to communicate the results of their deliberations to the wider public.

The concept and objectives of the workshop were then outlined by Prof. Vinay Gidwani (City University of New York; visiting faculty at NIAS). In his presentation he drew on the background readings as well as the participants' notes that were circulated in advance, drawing connections between the various contributions. Gidwani began by emphasising how the economy and the society are embedded within the commons. Practices of commoning are ubiquitous but fragile. The reading by De Angelis shows how various kinds of value production get reduced to one type, capital accumulation. This takes place through various processes: 1) enclosure, i.e., privatisation for profit, as in Denis' argument about the conversion of value space to wealth space. He noted that several of the abstracts delineated processes of enclosure or privatisation of lakes and other public spaces, displacement of user groups, etc; 2) 'disciplinary integration' – this process homogenises various kinds of activities, such as in Ritajyoti Bandyopadhyay's work on hawkers in Kolkata and their adoption of the language of entrepreneurship; or wastepickers who are constructed as providing ecological services.

Gidwani also highlighted the question of particularity vs universality, noting that several studies are based on detailed and rich local research, but what general conclusions can be drawn from such work; how do we understand how larger scale forces combine with local processes and places? The pieces by Massey and Harvey illustrate this tension between particular and grounded versus general and structural analyses. Gidwani stressed that locality studies are not just about studying the local; they can be brought together with Harvey's kind of perspective.

Another question he raised was how to bring together different kinds of commons and 'commoners', given that commoning practices can be exclusive. Commons are 'striated', and people have different kinds of relations to the commons. This is also a question of different kinds of claims versus a 'right to the city'.

Practices of commoning are not only ubiquitous but also sometimes banal. He spoke about different types of commons and the various tasks of protecting and regenerating commons. Production of commons is a part of collective meaning making process. He distinguished between different kinds of value production for which people come together. Gidwani also raised the question of how commons relate to the category of the public – the public being a juridical category that is always contrasted with the private. Is public transit for example about the commons, he queried?

Gidawni noted that the idea behind the workshop was to collaboratively come up with a concept note that would be a point of departure from the existing understandings of commons, and which could be circulated for wider discussion. We stressed that we need to imagine how our cities could be different, and how they might function differently if we are attentive to the problems of the commons.

THEME I: CONCEPTUALISING THE URBAN COMMONS

The first session was organised around breakout groups, which were given the mandate to discuss how to conceptualise the urban commons. The five groups made presentations of their ideas and following each there was a general discussion.

Group 1 presentation
(Eric, Vinay G, Sanam, Bhuvana)

Vinay Gidwani made the presentation for the group:

1. Is it important to draw distinctions between 'rural' and 'urban' commons?
    a. Commons are contested, but perhaps more acutely in cities?
    b. From value spaces to wealth spaces / use value to exchange value – against a process that we perhaps witness more acutely in cities where commons and commodity production have become densely interlaced?
    c. Is it the case that commons are more salient for the poor in cities given thin survival margins of error?

2. Commons is a sweeping category. Is it more productive to think about commoning than commons?

3. If the city is understood as a site for enabling life and meaningful social-cultural relations, not just accumulation, then is it more generative to think about the production of common conditions and means of life, not just territorial commons? And how unequal access to these conditions leads to different capacities to function and as an effect, different spatial and temporal patterns of inequality.

4. Commons may have multi-layers of use and users, who are in differential relationships to these commons – often this differential relationship may have a temporal dimension (Bhuvana's example of market space, or street spaces during religious festivals)

5. The practices of commoning that produce common conditions are contextual and temporal (scarce water in slums; street markets as temporal arrangements; etc). In short, commons as spatial commons and temporal commons. (Thus, the idea of flexibility appears to be important to commoning practices.)

6. If we look at a history of commons it is a history of negotiation – a way of sharing or allocation; part and parcel of this history is the emergence of a certain set of rules, principles, arrangements of use and forms of conflict resolution.

7. The commons in cities have become commodities-in-waiting, whereas as Linebaugh frames it, commons are contrasted to commodity. Thus commons are made by commoning practices oriented to non-commodity forms of value production.

8. Again, commoning practices are contextual, deeply entangled with places and the commoning practices that historically emerge in those places. But commoning practices in one place may impose costs or diminish the possibility of commoning practices in other places – in short, commoning practices are inclusive and exclusive; and there is a need to understand the interdependencies between practices of commoning in cities. Thus, conceptualising the role of commons in cities requires attention to issues of scale.

9. But we need to be ever mindful that these commons can be (partly or fully) incorporated into forms of commodity production; indeed, in cases to leading to destruction of commons.

10. Distinction between public and commons: Public is a juridical category (contrasted to private) and governed by a transcendent authority (typically the state). By contrast, commons are governed by immanent and negotiated forms of authority.

Comments following the presentation:

Jayaraj – The distinction between the rural and urban seems superficial. The main difference seems to be exclusions which give rise to contestations.

Vinay G – The difference is in the type or manifestation of community in the rural and urban areas.

Ritojyoti –Suppose the state designates the commons as commons, does it become a public space?

Anant – What practical purchase will the concept of commons have in rural and in urban areas? In the 1980s, wasteland development projects were carried out on a large scale, which transformed many spaces into a plantation economy and also impacted local social relations.

Divya R – There is no legal title or definition of the commons even in rural areas.

This led to a debate on the question of ownership and land titling, e.g., does all land which is not privately owned by default become government land?

Jayaraj – It will be interesting to look at Forest Rights Act, i.e., land designated as community land by the law.

Solly – Common lands are increasingly being appropriated as privatised recreation spaces. He cited the example of a lake in Koramangala being claimed by RWAs based on the Master Plan designation of space set aside for parks in specific areas.

Jayaraj – Any land which cannot be proven to be private land is government land.

Group 4 presentation
(Chandan, Zainab, Divya, Prasad)

The group's discussions were presented by Chandan Gowda:

1. The notion of the 'commons' is present in plural form in relation to the diverse legalities that exist. For ex. The state legality defines 'the public' in a certain manner,

which allows regulated access to resources, in theory, to *the* public. Whereas the informal legality seen in slums allow for a different conception of the 'commons' in relation to its own 'illegal' living realities. A relation of conflict could exist between the different conceptions of the commons.

2. Since the word 'commons' does not prevail in local/public discussions here, it will be useful to look for its conceptual analogues. There is a need to contextualise the term 'commons' in order to avoid glossing over the heterogeneity of the term's invocation in varying institutional contexts? How has the concept of the 'commons' shifted over time?

3. Commons exist within private enclosures like big apartment complexes or gated communities. How does this inform our discussions on the commons?

4. Any form of monetising access to the commons is almost certain to make their appropriation *not* common in urban India.

Discussion:

Prasad – Talked about how mobilising the idea of the commons is done for tactical purposes; it may be of benefit to local groups to retain ambiguity.

Zainab – Wondered whether the notion of commons is aspirational.

Anant – Preserving the ambiguity of commons means moving from one position to another. In some cases ambiguity is lost when a victory neutralises the ambiguity.

Prasad (in response to Anant) – Gave an example where engagement led to the closing off of ambiguity.

Zainab – Even if the fight is won, the resolution still leaves some ambiguity which can be mobilised later.

Jayaraj – Can commons be conceptualised for the purpose of planning?

Solly – Is there a necessity for conceptualising for planning?

Prasad – A plan is a position. Is it important to internalise and contextualise specific notion of spaces in the context of planning?

Jayaraj – Can one do without conceptualising the commons?

Chandan – Conceptualising the commons without contextualising the local can be problematic.

Vinay G – Is the notion of the urban commons useful? Instead of thinking of the commons as particular spaces, the practices of the commons are important.

Chandan – It is difficult to delink urban commons from rural areas. There is a relationship between them.

Deepak – Adding concepts of commons that are more local will be useful. Negotiations between citizen and state guides commons.

Other participants highlighted the question of commons versus enclosures: commons in one place can create enclosures elsewhere.

Commons cannot have a universal meaning – we need to make judgements about what kinds of commons we value, e.g. gated communities vs gomala land.

Group 3 presentation
(Karen, Rohan, Anant, Deepak S)

Group 3 was represented by Karen Coelho:

> We don't have a stable notion of the commons,
> but a sense of a shifting, morphing, transitioning, contested notion
>
> the two poles we are heuristically posing are:
> a user-defined notion, very different from a legally defined one
>
> operationally distinct, in terms of their meanings, contexts, institutions (terms of access, what is permissible
>
> where ultimately there is a process of juridical concepts built on the idea of 'the public' being overlaid on the contingent, historical, material practices of the commons
>
> customary forms of governance, management   inscribed, congealed, planned, expert-defined
>
> uses – very embedded in and enabling of local livelihoods and economies
> vs strictly recreational, residual to the private, no livelihood activities
>   allowed
>
> uses defined by negotiated, struggle, active processes of debate and dispute
>   juridical spaces, marked by absence of deliberation and dispute
>
> *Can we conceptualise the commons as a space for practices of deliberation and debate?*
> As defined by particular modes of sociality?
>
> commons as embedded in struggles often within feudal regimes – shaped by practices of gifting, inam, particular kinds of local authority
>
> then a hiatus as modernising state reconfigures the structures of governance, introduces new revenue categories and inserts stewards into systems of wage work
>
> if one sees thus, as part of a struggle between political clasees, how to conceive of commons as a space for politics
>
> Is there something specific about urban commons?
> Where scales and economies of proximity and density can yield a different way of looking at services, needs, life
>
> How to produce practices of commoning,
>   alliances of actors with shared interests

the idea of a stewardship wherein private interest is also contingent on, enmeshed with idea of common benefit

how to recuperate a notion of commons that takes elements from modernity rather than feudal practice?

Commons, then, as an entry point for reimagining urban politics more widely

Discussion:

Rajarishi – The notion of needs leads to a rights discourse which can be problematic.

Deepak – Needs can be articulated by communities that are different from those involved in the rights discourse.

Anant – Given that here is no technical definition of commons, can that be used as a new way to enter and understand commons? Disjunctures at where new urban commons can be visualised?

Vinay G – Commons may offer an entry point to politics but what would it imply if it was to be posited in the language of the public?

Karen – In rural areas, spaces like puramboku are spaces of livelihood whereas in the urban, livelihood activities done in the private spaces but needs to be in the public spaces. E.g. – Groundnut sellers on beaches.

Divya R – Cites the example of Avenue Road road widening project, where traders and hawkers are at loggerheads. However in one meeting the traders acknowledged the usefulness of hawkers in terms of providing indirect security to their shops. In some cases social relationships and some commons notions of interest can help.

Vinay S – In same example (road widening), though slum dwellers and upper middle class came together for a common issue where there was convergence. But in other circumstances there are adversarial positions between these groups.

Solly – Practice and actual processes of law need to be looked at more carefully. Cited example of case in Koramangala where there is a use of legalities such as the master plan to claim a space as a lake. Texture of what we see as law more complex and playing out at different sites.

Ritojyoti – It's difficult to conceptualise state as an enemy to groups as it is difficult to see the state as a homogenous block.

Anant – Alliances such as those mentioned being transitory, should we look at commons and processes as well as politics differently? Is there a way in which the commons can be used as an entry to critique the practices of government in terms of use of public property? Stewardship and management of rural commons use to be by local landlords etc. But after 1950 by making these lands public property the local control of these commons tweaked.

Ritojyoti – Why can't the term public be appropriated?

Karen – Multiplicity of uses and values of pormaboku are and example where history is speaking to the public.

Rajarishi – It could be useful to fall back on a basic sense of political economy to undo the drawbacks of political economy.

Group 5 presentation
(Solly, Ritajyoti, Meera, Rajarshi)

Group 5 was represented by Rajarishi:

1. We may need to contextualise the term 'commons' to our particular experiences and then try to work towards possible generalizations. Generalizations need not necessarily be universalising but create a working relation between the isolated particular cases and the universal.

2. Specific experiences could lead us to think of mobile people in urban spaces – for example, bodies of migrant labor, using the paralegal/tout system – examples of Chungking Mansion, Geneva Camp, and the use of the network of slums/squatters in South Asia– perhaps, revealing a new kind of cosmopolitanism – negotiating identities primarily in tactical ways.

3. Such experiences might lead us to think of disruption of singular forms of property – for instance, in cases of land belonging to tribal communities – giving rise to multiple forms of property claim – often with troublesome information and anti-archival elements – especially the instance of fuzzy and fugitive material – radicalising the nature of documents and problematising status of governmental archives.

4. Mobile people of the nature we refer to often have multiple and unstable identities – this creates a major problem for legality and gives rise to a number of serious difficulties for the juridical and rights discourse – how does one generate a census and create policy target populations without being able to pin down legal personhood? We need to keep in mind here the World Bank and NGO moves to survey/archive such people of late.

5. How is the commons related to class, as well as to caste and gender? We are now witnessing the re-commodified and bourgeois nature of new public spaces – meant for stakeholder consumer-citizens – can we productively contrast this with, say, the dalit moves to create what can be seen as their public sphere and take cues from such cases?

6. How does the notion of commons figure in the territorial framing of the nation – if it is seen to figure frequently in an oppressive manner, how do we distinguish it from our use of the commons, and what political relation will   ommuning have with the nation state?

7. The genealogy of the idea of 'commons' need not be simply traced back only to the Marxists or communitarians: it must be related to other kinds of genealogies, addressing exclusions and oppression not always visible as critical in these frameworks.

8. Finally, what kind of community do we have in mind when we think of the commons – territorial, diasporic, practice-based, virtual?
    a. actually existing ones with corresponding commons – which has the advantage of being translatable into a program of identifying and generating a

new kind of rights discourse. But they can also be exclusive – switching back to – new forms of private publics – especially from the class perspective, or

   b. think about community as a potential figure – that one may expect to emerge in the near future – corresponding to the way we conceive the practices of ommuning today, where, apart from addressing existing communities, the practices of ommuning could also gesture to a future community not entirely in a determinate manner so that there are provisions of different layers and strata and changing mobilisations?

Discussion:

Karen – Asked for examples of future communities

Rajarishi (in response) – Talked about example of Dalit writing which is new and addressed to a particular public which was not present earlier as the writing didn't exist then.

Vinay S – If there are no direct uses, what does the practices of communing refer to?

Solly – Example of 'toutery' which obfuscates surveys. This complicates the notions of activism and how we think of it.

Vinay G – If this progressive notion of commoning has to be seen, illegibility seems important.

Solly – Agrees with Vinay G. Transparency in commons would be the RWA notion of it.

Vinay G – Are you saying illegibility avoids disciplining the nature of the state?

Rajarishi – If village ethnography is done, data becomes outdated in three months. This is perhaps a purposeful strategy. Similarly in slums this is done so as clear identification cannot be done. Can we see this as productive?

Anant – One way to think about illegibility is that perhaps it is already existing, possibly just becoming more intense. As people studying these spaces, its our role to contribute to this illegibility. Then how can these spaces be studied and understood?

Zainab – In response to a comment on open source being a common, it is being glorified. Ideology came in later. It started with the reason that source code was available and so shared. Not really about transparency. There is a material basis on which the open source community operates.

Vinay S – The open source community may be so but the free software community is explicitly ideological.

Anant – Principles possibly emerge later but action starts initially on a different basis.

Rajarishi – We can think of different ways of looking at and engaging with different papers for e.g. which contribute to illegibility rather than checking them.

Group 2 presentation
(Carol, Jayaraj, Mythri, Vinay S)

Group 2 was represented by Carol:

1. Liberal versus communitarian view of commons?
   Liberal view: Commons = what everyone should have access to *in principle*
   - Commons is what is needed to sustain life of people
   - Restriction on use/ access to commons flows from need to sustain commons
   - → classical liberal problem of mediating between public goods and private interests
   - Hence government is supposed to be custodian of public goods

   Communitarian perspective: can it work in urban context?
   - What would be role of state then?
   - Must a communitarian concept of commons be linked to specific communities?
   - How are communities to be defined in urban centre?
   - Is the community of users of a particular common resource the only valid reference community?

   Is there a third way?

2. 'Public' vs commons in urban context? Are they coterminous?
   - Roads, lakes, parks, public services? = same as public resources?
   - Question of citizenship – liberal notion versus communitarian concept? Does idea of decentralised governance of commons introduce possibility of creating/ affirming exclusionary communities?
   - Public is associated with state, commons is not?

3. Role of state/ government vis-a-vis commons?
   - In theory state should govern and maintain commons so that they remain accessible to all
   - But in practice state acts like owner of common lands, in consequence they are no longer commons
   - If state governs access to commons is it diluting the commons?
   - Adjudicating between different claims to particular commons?
   - Role of local democracy in working through contesting claims?
   - Public land versus government land? Are government lands public or common?
   - When state takes over commons and defines it as public, is it still a commons? E.g., charging entry fee for entry in a park.
   - Local municipal government creates public goods that are in reality not common, because state may act in interest of particular groups so commons does not remain commons
   - Should governance of commons be within powers of state or municipal government? Can devolution/ decentralisation work in the city?
     - Localities/ RWAs/ ward committees etc → public goods may become exclusive

4. Urban commons and communities?
   - Local communities within urban context have traditional commons that are getting eroded by urban development
   - But, communities / interest groups may also emerge through their stakes/ claims in particular spaces/ resources that are not 'traditional'
     - E.g. walkers, birdwatchers versus fisherman using a lake
   - Communities in urban context often are fluid, transient
   - Urban communities not necessarily geography/ locality based

- So, how are 'communities' different from interest groups? Can different kinds of commons be claimed/ governed by different 'communities'? How can we conceive of a public (as in a liberal Habermasian public) in this context? Are there split publics, multiple publics?
- What are the political implications of this?

5. Practical/ conceptual issues?
   - How can concept be translated in India? There is no term for commons in Indian languages. There are specific resources that are common but no overarching category. The term commons has a specific genealogy in English history, can it even apply here?
   - Historically are there commons in India? Proposition: Commons have always been understood in communitarian terms.
   - Need to re-invent concept of commons to do away with the exclusionary aspects, in democratic equitable manner.

Discussion:

Vinay S – What is a public space, what s commons? What is the difference between public space and commons in an urban space? In Indian languages, for e.g. in Kannada, words for describing commons have components of the word public. Also the notion of custodianship and ownership of government over the public space is important to think about.

Anant – In Telugu, well is *ooru-bhavi*, which means village well, which implies that it belongs to the village. Thought there are regulations over the use of the well.

Karen – Public space is premised on property relations.

Vinay G – Is public associated with government and commons not associated with public?

Anant – Is it possible to retain a common space and fight for inclusion of certain excluded groups?

Vinay G – Maybe we don't need to be clear about the differentiating public and commons?

Anant – There is a need to differentiate as when we mention public, property is what follows from that.

Eric – There is a difference between multiple use and unique use of public spaces and commons.

Vinay G – Public spaces has the government involved in managing particular contexts and used based on negotiations.

Karen – Difference lies in the activities and not nature of use.

Vinay G – (Responding to Karen) – To you, commons are which generate livelihood whereas public space is where recreation occurs and not necessarily livelihood activities.

Prasad – Acute issue of timing is the problem. In a street in a place in Western Maharashtra, there is a sharp and clear definition of property. Property assertion is very acute.

Riotjyoti – What happens when state constructs commons for capital accumulation?

Anant – Constructing of commons and communities is done around common forest produce. Ambivalent about the FRA, as it sets up communities as negotiating partners with corporate. How does one prevent the trading off of commons by powerful members of the community?

Divya R – State did not create commons. It just identified the specific areas of commons. Cultural connectedness and significance is attached to the commons. Therefore not sure about purely livelihood conception of the commons.

Vinay S – If we are to see streets as commons, we can use the commons argument for the streets. In that case a street vendor policy for e.g., wouldn't be there.

Divya R – Strategy for whether the government should be there or not needs to be worked on. Its difficult to sit in a room and decide on this. There are different models of common management like Panchayats that have evolved from the commons.

Ritojyoti - The term sarvajanik can be looked at in different ways. For example, in processions of Durga puja, the streets get blocked by what is termed as a 'sarvajanik' activity, which privatises public space for a while.

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The day ended with a field visit to Malleswaram 8th Cross street market and Malleswaram municipal market, which has been under consideration for renewal making it a multi-storied complex.

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Day Two – August 19th

Day Two began with a briefing on the previous day's visit to Malleswaram by Bhuvana and Vinay Srineevasa. They recounted their discussions with traders who talked about the decline in business in Malleswaram market due to entry of several large food retail stores in the area, and also to the eviction notices they received because the BBMP wants to develop a multi-story shopping complex there. The traders have an association and they are demanding alternative spaces before shifting out. It seems that many traders who have shops in the market just use them as godowns and do business on the street, where there are more customers.

Divya brought in the question of pedestrianisation of streets as shopping zones vs parking on streets. This has been tried in Bangalore, for example in Commercial Street, but shopkeepers feel that places where parking is prohibited see fewer shoppers. So this may not work unless there is an alternative system, like in Avenue Road where shuttle bus service is available.

Karen - Pedestrianisation of streets is a western thing and is a design to generate sanitised space. E.g. City Connect is talking about clean pavements with sidewalk cafes etc, in contrast to the reality of our dense shopping spaces.

Vinay Gidwani – We can't design such streets but can enable commons in streets by closing it for instance as in the case of Malleswaram 8th Cross.

Denis – Closing Malleswaram 8th Cross to vehicles during the festival days was not something that was decided but negotiated. This comes back to question of public spaces versus commons. Someone queried whether street trading can be seen as a form of urban commons? Trading is a private economic activity.

Deepak – Perception of things differ resulting class based contestations about aesthetics.

Anant – What makes basement markets in a complex possible in Singapore which is not possible to think of in Bangalore (hawkers were relocated to basements of large shopping complexes in Singapore)? Another question that could have been probed in the market was whether there were subleases happening which would mean that there is a huge rent based economy at work there. This is perhaps why the BBMP wants to cash on it through redevelopment.

Ritajyoti – In Calcutta this has failed, hawkers have demanded basements but the place always ends up with new people. When there exists a link between hawkers and traders (selling complementary products, or negotiating terms of sales), then eviction is difficult.

Prasad – There is a temporariness to the commons. It isn't a public space but a commoning space. Its important to extract these commoning practices which are shifting but real.

Carol – During common festivals lot of commoning of places happen but it is usually guided / permitted by the police or state so is still commoning? There are activities that may be illegal but legitimate and vice versa.

Vinay S – In Bangalore everything is touched by the state so what is commons then?

Sailen – Actual lived in spaces can be seen as critiquing the idea of commons.

Solly – Two stands of thought seem to be coming out -- one is a commoning perspective and the other is the designed imperative (where question of illegality comes in). Concept of 'commons' is different from commoning practices; latter concept seems more useful. There seems to a simplification of things in our anxiety of doing something for the commons. Idea of commons has changed, it means different things to different people now than it did earlier.

Solly also pointed out the 'performance aspects' of the bureaucracy, how they conduct ritual raids from time to time, or how such raids differ if done by local police versus Police Commissioner's office. When we try to define commons we tend to get locked into a design perspective, whereas if we focus on commoning practices we may be able to get away from this view and the illegality/ legality framework.

Karen – Solly's differentiation of two ways of seeing commons are not different actually. Also, as seen in Kalyan Sanyal's piece, the traders we saw at Malleswaram are what is referred to as non-corporate capital. They do make profit but have to make way for other vendors or traders. Their mode of operation is different compared to corporate capital.

Someone asked whether malls can be seen as the new commons – spaces that are occupied by middle class youth for example – in contrast to the old National Market and Sunday markets. We have class divided commons. The example of the labour chowk in Kochi was discussed. Is the emergence of a market equivalent to commoning? One response to the above question was that we can view it as different kinds of capital colonising different city spaces. Vendors represent nonformal capitalism.

Jayaraj – What are the communities for the commons that we are talking about? Are we looking at practices or trying to define commons? Public assertions of community identity through festivals could be seen as commoning practices but they can be exclusionary. So what kinds of rights can be claimed vis-à-vis such practices? Or he gave the example of begging, and different kinds of labour that produce the commons. Commons versus public – is it a normative concept?

Recap of first day's discussion:

Anant presentation a summary of the previous day's discussions:

*Director's message:*Commons have always existed, but they are now increasingly becoming acutely contested, and much more so in urban areas. As a society we have been abdicating our responsibility towards making decisions about such issues. The political, the administrative and the technological agencies refuse to take decisions and it falls to the judiciary to take decisions, but it is not their job. How do we move beyond this? As a society we are faced with a bewildering variety of choices in our everyday life. How do we move beyond the kind of paralysis that this induces so that we can take decisions that are for the good of all, but decisions in which in the short run, some may gain and others may lose? And finally, can we make our work relevant for the ordinary people and actually take our thinking to them through the media ?

Forays:

Urban Commons are **not homogenous**

Urban commons are products of what may be called **commoning practices**

They are productive of and results of various kinds of **value generating activities** - currently under threat from a regime that is trying to overlay a singular capitalist profit motivated value generation, which is both about apropriation of places and about **disciplinary regimes**

Decision making processes

Commons may be thought of as collective **meaning making**

How do we conceptualise commons ?

What do we mean by commons ?

Do the commons exist already in forms that we can recognise ? Do people recognise them as commons? (Questions of language, legal regimes, historical transitions, users versus state imposed order, emergent places versus effects of zoning laws.)

Are rural commons substantively different from urban commons ? Or is the difference only in degree?

Is there a question of sociality here ? There are at least different ways of thinking about this conflicting views about this - in the villages everyone knows everyone else - so there is a
        kind of proximity there - but then in the cities there is another kind of proximity which
        comes from the density of populations and multiple uses to which places are put.

Tentative definitions:

Commons are what are needed to sustain life for everyone. Libertarian versus communitarian perspectives on the commons.

Thinking politically about 'commons':

Commons are about aspirations and about collective visioning - they are not actually existing places but places full of contingent possibilities and constant openings. They are places of emergent governance.

Commons versus the public :

The commons are often conflated with the 'public'. Is this something to work against ? What is the real difference between the commons and the public ? (One view is that the commons are about a variety of life sustaining activities which could include economic activities.) But the public is often understood as a place of trade-offs; places where only a very narrow range of activities is permitted and the others are proscribed.

The planners' anxiety ?

Are commons protected by illegibility ? What should we do about it ? How do we live with and embrace ambiguity which may in fact be the only way to ensure that conflicts do not result in black and white storie of victory and defeat for one of the contesting parties ?

Can we envision commons as possible entry points into a new urban polity that is about deliberative, create new possibilities etc.

What kinds of polity are we talking about here ? One of interest group alliances in conflict one another or are we talking about a different order of politics ?

Finally, it appeared towards the end of the day there was a constant watchfulness about getting trapped into bad things -- for example the moment we say deliberative we are concerned about whether or not we are becoming Habermasian, the moment we say social regulation, we are worried if we are becoming neoliberal and so on. The moment we say legal, we are worried about whether we are giving into the bourgeois democratic order.

Next **Deepak Srinivasan** made a presentation in which he tried to theorise the different approaches of activists, academics, artists, and architects, in terms of how they theorise, experience and intervene in reality. He asked whether we can arrive at a common understanding of the commons and then move in different directions, depending on our particular perspective or goal (to understand, to impact, to communicate, etc).

In the following discussion several questions were raised (mainly by Vinay G), to frame the discussion for the afternoon: What is at stake in the notion of commons? How can we use the concept? What are the ground on which we should decide to retain or discard the term, and how we arrive at them? Would they be strategic or political reasons, or analytical? Can the concept of commons inform different imaginations of the city? Why do we feel dissatisfied with the present processes of urbanisation? Can we reclaim the notion of the public, instead of using commons, or is it too flawed, or too caught up in political/ legal entanglements? If so, we need new categories. After all, politics is about introducing new terms and ideas. Should commons be promoted as a juridical/ legal category, or as an ethical-normative vision? Should commons refer to resources/ territory, or to knowledge, or can it refer to social organisation? What is our goal, to observe practices of commoning or actively intervene? The concept of 'quiet encroachment' as a pre-political act put forth by Asem Bayat was mentioned. What is distinctive about commoning?

Session 2

For the afternoon session, the participants divided themselves into different groups interested in specific areas such as ecological commons, road widening etc, and discussed a set of choices regarding how we take the idea of commons forward. These were:

The groups then presented their ideas to the workshop group:

Group 1:
Anant Maringanti, Ritajyoti Bandyopadhyay, Rajarshi Dasgupta, Deepak Srinivasan, Bhuvana Raman, Vinay Gidwani

Having considered the four alternative positions, the group arrived at the following position:
- Work with the notion of the Public !
  - What is our perceived problem with the public? We are witnessing a certain 'embourgeoisment' of the idea of the public -- manifested in proscription of certain activities and tied to corporations via through various administrative means to corporations ? This embourgeoisment is not surprising given that origins of the idea of the public are in classical democratic theory where property is the enabling condition of the public (aggregation of private property owning individuals). However, the genealogy of the 'public' is not a simple straight line from classical democratic theory. There is a post-colonial trajectory which can be read from the constitutional law and from the numerous ways in which the 'public' is invoked in constitutional law and case law in India. One example of such alternatives could be seen in the Volga Tellis case where the 'Public' is interpreted in light of the Fundamental Right

to Life and Liberty. What we are seeing perhaps is a gradual eclipsing of such alternatives.

- o Under these conditions of embourgeoisment, we can take two different directions – one is to take the route of Sahmat or Maram whereby social groups claim any space as a counter public space, producing insurrectionary effects and enabling a new logic of the public which makes it difficult to hold on to the classical theory.
- o On the whole, we feel that it is important to hold on to the notion of the 'public' but with a view to expand its horizons, to subvert its embourgeoisment.

- Work with the notion of the 'commons' !
   - o The commons is a notion that we can stand behind in a strongly ethical sense -- because it contains a transformative potential in the sense in which David Harvey speaks of the Right to the City -- where he says that the right to the city is far more than the liberal and specific rights to use urban spaces. It is the right to change ourselves through changing the city. The idea of the commons has a valence in that sense. Its radical potential comes from the fact that commons in English liberal history has been associated with the waste. We should however guard against getting trapped in user rights based arguments (based on co-presence) and remain open to any form of participation that allows the transformation. Broader solidarities should not be foreclosed -- especially when its ethical strength becomes possible.
   - o We must guard against commons becoming a juridical category. Rather, we should use the commons as a way to critique the public which is already a juridical category.

Group 2:
Eric Denis, Prasad Shetty, Meera Moorkoth, Mythri Prasad, Solomon Benjamin, Zainab Bawa

The following issues were discussed:
1. Commons is a potent concept. However, members of the group feel that it should not be converted into a movement. Prasad Shetty pointed out that the notion of commons could also be used to critique particular kinds of interventions.

2. Further, it was felt that marking something already as 'commons' can be problematic depending on the context and the moment. In this respect, group members also felt that categorisation is problematic and that it is important to interrogate and unpack categories. It was also felt towards the end of our discussions that critiquing is also a kind of intervention.

3. Solomon Benjamin pointed out that when something is already marked as 'commons', the issue of regulation and law comes into play. Lack of regulation/protection of resources marked as 'commons' tends to be viewed as a neoliberal tendency. Instead, he suggested that it might be useful to think with Karl Polyani's notion of regulations as social and socialised where institutions and groups are embedded in society and economy in ways whereby they exercise regulations that allow them to hold the resources in question.

4. We also felt it important to understand how categories get mobilised. In this respect, it was also felt that an important question to address is who is the notion of commons pitched to and when? Zainab discussed the case of the CMH Road traders and explained how these tenant traders mobilised the notion of public interest in the High Court to prolong their ability to hold on to the properties they were occupying.

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5. Eric Denis later pointed out that the notion of the 'commons' can also be misused. He cited the case of how common property sources marked as commons become the first target for developers in Puducherry. These developers mark a fence around the common properties and start privatising water in the surrounding water bodies. Over time, they stake a claim over the common property and use it to their benefit.

6. We also discussed about activism and how the normative cannot be delinked from the material. We argued among ourselves that politics needs to be understood through its material bases and everyday material practices in order to deduce how particular interventions impact certain groups.

7. We discussed the issue of how rhetoric is problematic especially when it acquires a representative status and/or the institutional arrangements stemming from the rhetoric can become exploitative.

Group 3:
Divya, Rohan, Carol, Vinay S, Sanam

1. The group agrees on the idea of an ethical vision of commons

2. Drawing on experiences of anti road widening campaigns of HU etc, also campaigns to save Lal Bagh, lakes etc in Bangalore:
   a. lesson - people get mobilised in general sense, even when they are not directly affected (about the city, environment, etc) when it concerns objects of 'nature' like lakes, parks, trees; but in road widening case people get mobilised only when own property is affected.
   b. property owners affected by road widening do not see roads as commons; public does not get agitated about this issue because they don't perceive roads as common spaces with multiple uses. Activists try to promote this idea but not much success.
   c. But can we see roads/ streets as commons? How can this perception be promoted, ie street as place where multiple users have claims that cannot be abrogated in specific interests.

3. There are different communities/ user groups with interests in urban spaces; by and large they can get mobilised only around their specific interests and uses. E.g. fisher community and walkers using a lake; they can get mobilised against privatisation but can their protests be linked together? There are examples of where this is happening in Bangalore – Kaikondrahalli kere.

4. Activists look at streets, roads etc as commons but they cannot get this idea across to general public.
   a. Tactic: need to organise user groups; whole city population cannot get mobilised around abstract sense of commons? Or, how can this idea be propagated?
   b. Can the mobilisation of specific user groups (neighbourhoods etc) and bringing them together in one campaign like 'Save Bangalore' can create a common political movement with an emergent idea of commons? When and how do individual interests converge into a movement or a common cause?
   c. Difference of opinion in group:
      Vinay: people can get mobilised only around self-interests
      Divya: a movement can be built around the concept of city as commons whether re road-widening or any civic issue.

Rohan: most such mobilisations on parks etc are middle class movements; what about rest of city? Multiple strategies can and must be used to save common spaces, resources.

5. Symbolic value of common spaces that invoke response to campaigns and attempts at privatisation – e.g. Cubbon Park, Lal Bagh... people have a sense that these spaces belong to everyone in the city, they symbolise what the city is; can such symbols be incorporated into idea of commons and used in political campaigns?

6. Concluding points –
    a. The group agrees on the idea of an ethical vision of commons
    b. Commons: commons are created, depending upon the negotiated use of the resource (physical or non-physical)
    c. There are different strategies to claim commons – campaign, individual interest, political strategy
    d. ''Nature'' – lakes, trees, parks seem to attract shared notion of commons. Streets and roads do not necessarily evoke the same response.
    e. Personal property /directly being affected by anything evokes the most interest in fighting for a larger cause

Group 4:
Sailen, Karen, Robin, Jayaraj

The contemporary conjuncture is characterised by an attack on the notion of the public and public spaces. Therefore, this group feels that there is an urgent need to defend and expand the boundaries of what constitutes the public. From one direction the notion of the public is being co-opted by narrow class interests (when communities with longstanding claims are evicted from government lands for creating 'public' spaces such as parks); from the other direction in the name of accessing land for the urban poor, slumlords/other vested interests privatise public land and resources incrementally. In such a scenario, it is important that we use narratives surrounding commons, especially in urban areas, to defend and expand 'the public.' In such a conceptualisation, commons is not a placeholder; it cannot have a positive content in terms of practices and spaces. The commons become the null set, the wedge that makes an incremental and perpetual widening of the public spaces possible.

The following discussion ensued after the group presentations:

Karen – Didn't get the point of group three about commodity production becoming dominant.

Vinay G – Commodity production is taking over all other forms of commoning.

Carol – There seems to be a binary being made between capital accumulation and other activities.

Rajarishi – Exchange value doesn't govern common spaces. That is what would differentiate the commons.

Anant – There is trading going on which is not capital accumulation.

Mythri – How can that be said as they maybe linked to the commodities produced in a capital mode of production.

Divya – In the case of lakes, fishermen use the lake for commercial purposes but when a group like the Oberoi is leased a lake and takes it over it limits the access of fishermen.

Jayaraj – Fishermen also use lakes for surplus maximisation and corporates have the control of shareholders.

Carol – Uncomfortable with framing the debate as commons as commodities as we maybe targeting a wrong 'enemy'. Why must we unnecessarily exclude for e.g. small traders from capital accumulation/profit maximisation? The traders maybe petty capitalists.

Rajarishi – Why do we assume them as petty capitalists?

Vinay G – Whats wrong with capitalism as a process?
Solly – Trying to relate particular forms of capitalism and sections of society and different practices of commoning.

Eric – Should look at the use of a space. In the case of lake privatisation, it is the monopoly of space.

Karen – Malleswaram market vendors don't have property relations.

Bhuvana – They do have particular types of property relations.

Jayaraj – Capital is seen in the sense of commons out of which everyone needs to make their living. The question is about regulating distribution and how to manage commons.

Rajarishi – We are slipping into accumulation without problematising it. For e.g., auto unions, when unionised, factors such as number of rides etc are regulated. We must differentiate between livelihood situations and corporate hegemonic situations. Talking about the example of Nandigram, the residents were part of a particular capitalist system with a limited surplus from agriculture. So what made them react in a particular way, where they refused to sell their land?

Solly – Taking the example of the auto drivers union case, linking it to Desoto's attempt to clear up tenure so it can be managed better by larger interests. So multiple tenures or like in this case the regulation through unionisation could be a counter.

Rajarishi – In a question to group 2, if we don't contrast the public to private, how do we conceptualise the public?

Karen – How to conceptualise the public by going beyond the notion of the private? Can the ethic of communing inform the notion of the public?

Jayaraj – Different kinds of public resulted in the crisis of the commons in the city.

Sailen – Trying to give the idea of commons an empirical context with its ethical context. Even to make the idea of public and private space you need the space of the commons. Helps us critique the idea of the commons.

Finally, a list of possible future, follow up activities were drawn up and participants were asked which activities they thought the group should pursue:

- A) Do nothing
- B) Position papers
- C) Continue conversations in various fora
- D) Concept notes

Everyone felt that option A is out. Other suggestions included continuing discussions online through blogs after posting working papers, conducting a commons workshop in Kannada, preparing a ready reckoner for use by activists, a follow up workshop etc. It was suggested that some of the group could meet during the Commons conference in January in Hyderabad. The Vocabulary of the Commons project was also mentioned. It was decided to also submit an article to DNA and other newspapers.

For the near future it was agreed that all the presentations would be sent to the organisers and then consolidated along with the record of proceedings and circulated to all. A workshop report would also be circulated. After this, a set of discussion notes would be prepared by groups of participants and circulated among ourselves, and then circulated more widely after finalisation. These could lead to discussion papers and even a publication. These notes could be case studies, and/ or digests of key theoretical ideas linked to case studies, forming something like a 'keywords' series. Such notes could also be translated into Kannada and other languages. We could aim at a final piece in EPW, it was felt. The initial draft notes should be finished within two months, it was agreed.

Another concrete outcome of the workshop will be to form an Urban Studies Research Group, which could interact via the internet but also a smaller group within Bangalore could have meetings.

The workshop concluded with everyone agreeing to continue their interaction through various modalities.

SHORT CONCEPT NOTE ON URBAN COMMONS

Vinay Gidwani
14 July 2010

Recent economic upheavals and the ensuing global slowdown have once again underscored the crisis tendencies of capitalism – particularly of its most reified form, finance capital. The destruction of livelihoods and social safety nets, and pressures to cutback state investment on public goods such as drinking water, education, housing, health, and transportation have spurred renewed interest in the fate and social possibilities of 'commons' that are enabled by and in turn enable collective practices that deposit the cement of community. These practices, which the historian Peter Linebaugh calls 'commoning', are distinctive in at least two ways: a) they underwrite production and reproduction through the 'commons' they depend upon and oversee; and b) typically do so through local social arrangements that more or less equalitarian, incorporative, and fair. In short, commons need *communities*: without sufficiently strong communities of people willing to create, maintain, and protect them, commons are at risk of falling into disarray or becoming privatized.

The destruction of common resources and the communities that depend upon them is a longstanding outcome (some would argue, prerequisite) of capitalist expansion. Such destruction, now accelerating in both rural and urban areas as corporate capital in tow with neo-liberal policies extends its colonization of space, is inevitably accompanied by displacement and drudgery for populations that were sustained by these commons. In urban areas with high population densities and thin survival margins of error, the expropriation of commons can be particularly devastating for the poor.

Commons, it ought to be clear, are made. Urban commons include the obvious public goods: the air we breathe, public parks and spaces, public transportation, public sanitation systems, public schools, public waterways, and so forth. But they also include the unobvious: municipal garbage that provides livelihoods to waste pickers; wetlands, water bodies, and riverbeds that sustain fishing communities, washerwomen, and urban cultivators respectively; streets as arteries of movement but also as places where people work, live, love, dream, and voice dissent; and local bazaars that are sites of commerce and cultural invention. Indeed, the distinctive public culture of a city is perhaps the most generative yet unnoticed of urban commons. These are all at risk as cities in India and elsewhere are striving to reinvent themselves as utopias for investors, entrepreneurs and consumers, often as sites of spectacle (Beijing and the 2008 Olympic Games; Johannesburg and the 2010 World Cup Football Championship; Delhi and the 2010 Commonwealth Games being recent examples of the spectacular makeover of cities). Involved in this reinvention is, at best, an official amnesia and at worst, a willful erasure, of the economic and cultural contributions of 'commoners', whose everyday labors make possible the city as we know it.

Two types of urban commons are worth foregrounding in this regard: a) ecological commons (such as air, water bodies, wetlands, landfills, and so on); and b) civic commons (such as streets and sidewalks, public spaces, public schools, public transit, etc). Each of these is rapidly diminishing due to erasure, enclosure, disrepair, rezoning, and court proscriptions, replaced in many instances by new – privatized, monitored – public spaces, such as malls,

plazas, and gated venues. The ongoing diminution of urban commons is cause for concern because they are critical to economic production in cities, to cultural vibrancy and democracy, to regenerating the sense of place that forms communities and, ultimately, to the reproduction of urban populations and ecosystems.

As such, the workshop could have a four-pronged remit:

a) To conceptualize the role of commons in cities;
b) To investigate how they are managed and defended as shared resources;
c) To document and diagnose their fate, and the causal processes that are affecting them;
d) To chart a collaborative agenda for regenerating commons as part of new urban imaginaries for ethical and ecological cities.

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Recommended Background Readings

1. S'bu Zikode. 2005. 'The Third Force'.Online at the Abahlali base Mjondolo website: http://www.abahlali.org/node/17

2. Massimo de Angelis. 2008. 'Enclosures and Disciplinary Integration', Chap. 7 in *The Beginning of History: Value Struggles and Global Capital* (London: Pluto Press).

3. David Harvey. 2008. 'The Right to the City', *New Left Review* 53 (Sept-Oct).

4. Peter Linebaugh. 2010. 'Some Principles of the Commons'. Counterpunch - http://www.counterpunch.org/linebaugh01082010.html

5. Silvia Federici. 2008. 'Precarious Labor: A Feminist Viewpoint'. Lecture delivered at the Bluestockings bookstore, New York City, in October 2006.

6.   David Harvey. 2000. 'The Insurgent Architect at Work', in his *Spaces of Hope* (Berkeley: University of California Press), pp. 233-255.

7.   Doreen Massey. 1991. 'The Political Spaces of Locality Studies'. *Environment and Planning* 23(2): 267-281.

8.   Nicholas Blomley. 2003. 'Law, Property, and the Geography of Violence: The Frontier, the Survey, and the Grid', *Association of American Geographers* 93(1): 121-141.

9. Vidyadhar K. Phatak, Shirish B. Patel. 2005. 'Mumbai Floods, Would Decentralisation Have Made a Difference?' *Economic and Political Weekly*, September 3.

10. Chandrashekhar Prabhu. 2005. 'Why Mumbai choked', *Frontline* Volume 22, Issue 17, Aug 13 - 26.