

News & Announcements

Call for Papers-1993

The International Association for the Study of Common Property has issued an initial Call for Papers & Posters for the Fourth Annual Common Property Conference. The conference is scheduled to be held June 16-19, 1993, in Manila, the Philippines. The conference theme is *Common Property in Ecosystems under Stress*.

"We invite the submission of proposals for scholarly talks, posters and panel discussions for the conference. We particularly encourage theoretical and panel discussions of common-property property rights regimes and the use and management of common-pool resources in ecosystems under stress. These may be defined as stress from a number of fundamental intervening processes or factors, such as natural and human-made disasters (including pollution and drastic changes in land use), population growth, commercialization, social and political upheavals, government intervention, transnational and local boundary conflicts, etc. The deadline for proposals is January 31, 1993. Early review and notification of organized sessions will be given to proposals received before the deadline."

To apply, type or print on the form inserted in this issue of the *Digest* or provide the information requested below. Also provide the information requested for paper, poster or session proposals as detailed on below: Send to:

Dr. Villia Jefremovas
Department of Sociology and Anthropology
Carleton University
Ottawa, Ontario
CANADA K1S5B6
FAX: 613-788-4062
E-Mail: vjefremo@ccs.carleton.ca

Please note that applicants are responsible for providing their own travel funds. The IASCP will try to help scholars from foreign countries to attend. Please write separately if funding is being requested.

Name:
Preferred Form of address (Dr., Mr. Ms. Sr., etc):
Institutional Affiliation:
Mailing Address:
Telephone Numbers:
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E-mail:

Indicate if you wish to organize a session; organize a session and present a paper; present a paper; present a poster or organize a panel discussion. Please limit abstracts to a maximum of 200 words (about 1/2 page, single-spaced). All paper titles are limited to a maximum of twelve (12) words. Include the following information at the head of the abstract: paper title, author(s) name(s) and author(s) affiliation(s).

Digest Site

While no final agreement has been reached at the time of printing of this issue, talks between the International Association for the Study of Common Property, Winrock International Institute and the International Crops Research Institute for the Semi-Arid Tropics (ICRISAT) have continued and it seems likely that ICRISAT will emerge as the next production site for the *Digest*. While no exact date for an eventual transfer can be forecast, all anticipate that transfer of production to the new site will take place expeditiously and with little delay or interruption in Association or network activities.

Corrections & Clarifications

Secretary-Treasurer's Address

The previous issue of the *Digest* listed an address for Fenton Martin, the new Secretary-Treasurer of the IASCP. While mail addressed to that address will reach her, the following address is shorter and is preferred. Note that the fax number is also different from the one listed.

Fenton Martin
Secretary-Treasurer, IASCP
Workshop Annex
Woodburn 200
Indiana University
Bloomington Indiana 47405-6001 USA
Telephone: (812) 855-3851
Fax: (812) 855-2027
email: martin@ucs.indiana.edu

Sustainable Biosphere Initiative

The April, 1992, issue of the *Digest* described the Sustainable Biosphere Initiative, an effort begun by the Ecological Society of America. The address given in that issue was incomplete. The correct address is:

Sustainable Biosphere Initiative
2010 Massachusetts Avenue NW
Suite 420
Washington D.C. 20036 USA
Telephone: (202) 833-8748
Fax: (202) 833-8775
email: SBI@gwuvvm.gwu.edu

Econ & Law Position, Woods Hole

"The Marine Policy Center, a multi-disciplinary social science research group concentrating on Economics and International Law seeks applicants for economists and lawyers at the Assistant and Associate levels to conduct research on problems relating to marine resources, ocean uses and role of scientific information in the policy process. With Center resources, these investigators will help develop research programs and raise supporting funds.

"Ph.D., J.D. or equivalent degree and demonstrated ability to devise and complete high-quality independent research are required. Fields of law, international relations, law and economics, science policy, economics of technological change, natural resources, and/or conservation/environmental management are preferred, but strong applications from other relevant fields are welcome." Woods Hole is an Equal Employment Opportunity/Affirmative Action employer, its facilities are a smoke-free environment."

"Statements of interest, vitae and names of three references should be forwarded to:

Personnel Manager
Box 54PM
Woods Hole Oceanographic Institution
Woods Hole Massachusetts 02543"

Anthropology Conference

The 13th International Congress of Anthropological and Ethnological Sciences will take place in México City, México, from July 29 through August 5, 1993. Network member B. Chaudhuri, of Calcutta University, is organizing two sessions "Forest, Forest Development and Community Participation" and "Traditional Health Care Systems: Socio-Cultural and Environmental Dimensions". Professor Chaudhuri invites members to participate in these sessions. Members who wish to contribute a paper should submit a short (8-10 line) abstract to:

Dr. Paul Schmidt
Programme Coordinator
Instituto de Investigaciones Antropologicas
Ciudad Universitaria
04510 Mexico, D.F., MEXICO
Fax: 5 548-3667

For other information about these sessions, contact:

Dr. B. Chaudhuri
Dept. of South & SE Asian Studies
Calcutta University
A-3
Karaya Govt. Housing Estates
Calcutta, 700 019, INDIA
Telephone: (91) (33) 47 2900
Fax: (91) (33) 28 2314

Publications

CPR Bibliography - Vol II

Fenton Martin, a research librarian at Indiana University, has been carrying out an exhaustive effort to catalog scholarly materials relating to common property regimes and common pool resources. Her first volume was published in January, 1989 and was described at length in an earlier issue of the *Digest*. Now a second volume is ready. Both volumes are available in printed forms as well as on diskettes in ASCII format.

"*Common Pool Resources and Collective Action: A Bibliography*, Volume II, provides an additional 2280 to the 4977 citations in Volume I. Both volumes draw citations from a variety of disciplines, including anthropology, agricultural economics, agriculture, biology, engineering, law, political science, public administration, rural sociology and sociology. The bibliographies cite books, conference papers, dissertations, master's theses, periodical articles, research reports, and some government documents. Topics covered in the major sections of each volume are: Theory, Fishery Resources, Water Resources and Irrigation, Agricultural Commons, Forest Resources, Grazing Areas, Wildlife Resources, Land as a General Resource, Village and Community Organization, Experimental Research (Volume I only) and General Literature."

The printed versions are available at US\$25.00 for Volume I and US\$35.00 for Volume II plus postage of \$1.50 for U.S. orders and \$2.50 for orders outside the U.S.

The ASCII versions on diskettes cost \$25.00 for either volume plus postage of \$1.00 for U.S. orders or \$1.25 for those outside the U.S. Checks or money orders denominated in U.S. dollars should be made payable to "Indiana University." Send orders or inquiries to:

Patty Dalecki
Workshop in Political Theory and Policy Analysis
Indiana University
513 North Park
Bloomington Indiana 47405-3186 USA
Telephone: (812) 855-0441
Fax: (812) 855-3150
email: ostrom@ucs.indiana.edu

ICS Books & Video

The Institute for Contemporary Studies in San Francisco has formed an International Center for Self-Governance. That center has initiated an ambitious publishing effort focused on common property. Its first two volumes, Elinor Ostrom's *Crafting Institutions for Self-Governing Irrigation Systems* and S.Y. Tang's *Institutions and Collective Action, Self-Governance in Irrigation* were discussed in the April, 1992 issue of the *Digest*. Two additional volumes and a video tape are now also available.

Daniel Bromley's *Making the Commons Work: Theory, Practice and Policy* is an edited volume with the following contents.

Part 1: Common Property as an Institution

1. The Commons, Property and Common-Property Regimes by Daniel W. Bromley
2. Common Property and Collective Action in Economic Development by C. Ford Runge
3. Analyzing the Commons: A Framework by Ronald J. Oakerson

Part 2: Case Studies of Common-Property Regimes

4. Management of Traditional Common Lands (*Iraichi*) in Japan by Margaret McKean
5. Commonfield Agriculture: The Andes and Medieval England Compared by Bruce M.S. Campbell & Ricardo A. Godoy
6. Institutional Dynamics: The Evolution and Dissolution of Common-Property Resource Management by James T. Thomson, David Feeny & Ronald J. Oakerson
7. Success and Failure in Marine Coastal Fisheries of Turkey by Fikret Berkes
8. Sea Tenure in Bahia, Brazil by John Cordell & Margaret McKean
9. Common Property Resource Management in South Indian Villages by Robert Wade
10. Oukaimedene, Morocco: A High Mountain *Aqdal* by Jere L. Gilles, Abdellah Hammoudi & Mohamed Mahdi
11. The Management and Use of Common Property Resources in Tamil Nadu, India by Piers Blakie, John Harriss & Adam Pain.

Part 3: Toward a Theory of the Commons

12. Where Do We Go from Here? Implications for the Research Agenda by David Feeny
13. The Rudiments of a Theory of the Origins, Survival, and Performance of Common-Property Institutions by Elinor Ostrom."

Bromley, Daniel W. (ed.) *Making the Commons Work: Theory, Practice and Policy*. San Francisco, ICS Press, 1992. 339 pp. ISBN 1-55815-198-2 (hardcover), 1-55815-217-2 (paperback). US\$44.95 (hardcover), \$14.95 (paperback).

"In *Dividing the Waters: Governing Groundwater in Southern California*, William Blomquist chronicles the unique development of groundwater management in eight major southern California Basins - a remarkable resource governance system that functions very successfully without centralized state control. The case studies shed much light on the processes by which institutional arrangements are developed, how they function, and why they work."

Blomquist, William *Dividing the Waters: Governing Groundwater in Southern California*. San Francisco, ICS Press, 1992. 413 pp. ISBN 1-55815-200-8 (hardcover), 1-55815-210-5 (paperback). US\$44.95 (hardcover), \$14.95 (paperback).

A 30-minute video production, based on Elinor Ostrom's *Crafting Institutions for Self-Governing Irrigation Systems* is also available.

"Filmed in the Dominican Republic, Sri Lanka, Senegal and other locations in the developing world, this video brings to life eight design principles for governing the social relationships most often found in successful irrigation associations.

"Self-governing' associations actively involve irrigation consumers in the design, operation and maintenance of their water-supply systems. The combination of both human capital (the users and suppliers of water) and physical capital (dams, diversion weirs and canals) is essential to the development of sustainable and responsive irrigation systems."

This video tape is available in the following formats: VHS-NTSC, VHS-PAL and VHS-SECAM. The price is US\$29.95.

The previously described books by Ostrom and Tang are still available in paperback at \$9.95 each. These books, as well as the books and video detailed above can all be ordered from the address below. Payment can be made in checks or money orders denominated in U.S. dollars and payable to ICS press. Visa and Mastercard payments are also acceptable. Specify card number, expiration date and sign your order. A shipping and handling charge of \$3.00 for the first item and \$.75 for each additional item applies to orders shipped within the U.S. or by surface mail outside the U.S. For airmail outside the U.S., the shipping charge is \$10.00 for the first item and \$6.00 for each additional item.

ICS Press
243 Kearny Street
San Francisco California 94108 USA
Telephone: (800) 326-0263 (orders only)
Fax: (415) 986-4878

New Forests News

New Forests News is a newsletter published by the New Forests Project, a special project of The International Center, a non-profit research and educational organization based in Washington D.C. This project's focus is small-scale village-level agroforestry. The Newsletter contains short articles on various aspects of small-scale agroforestry, especially on the introduction of fast-growing, nitrogen-fixing tree species. It also contains communications from practitioners in the field, especially trainers and leaders in small NGO's and farmer organizations. For more information, contact:

Stuart Conway
New Forests Project
731 Eighth Street SE
Washington D.C. 20003 USA

Washington Conference Papers

Anyone who wishes to obtain papers presented at the IASCP conference in Washington in September, 1992 can, of course, contact the authors directly. However, photocopies of the following papers are also available at moderate cost from Dr. Bonnie McCay, the Program Chair. This option may be particularly convenient if you wish to obtain several papers. A paperbound volume containing abstracts of all the papers presented and giving addresses for all participants is also still available.

Agrawal, Arun *Risks, Resources, and Politics: Studies of Institutions and Resource Use From Village India*

Ahmed, Mahfuzuddin & D. Capistrano *Redirecting Benefits to Genuine Fishermen: Bangladesh's New Fisheries Management Policy*

Ahmed, Salehuddin *Impact of New Technology on Traditional Fishing Communities in Bangladesh*

Anderson, Eugene N. *Can Ejidos Work? Forest Management in a Maya Community*

Bailey, Conner *Lessons from Indonesia's 1980 Trawler Ban*

Baril, L Katherine *Private Property Rights and the Public Trust Doctrine: Developing a New Paradigm for Government to Balance Individual Property Rights*

Berge, Erling *Democracy and Human Rights as Conditions for Sustainable Resource Utilization*

Brouwer, Roland *Common goods and private profit: traditional and modern communal land management in Portugal*

Buck, Susan J. & Gregory W. Gleason *The "Institutional Imperative:" Resolving Transboundary Water Conflict in Arid Agricultural Regions of the U.S. and CIS*

Campbell, & Arvind Khare *Regenerating India's Last Common Resource: Making the Conceptual Leap to Equitable Forest Management*

Carlson, Leonard *Institutions and American Indian Farmers: Indian Land Tenure & Farming Before the Dawes Act*

Chakravarty-Kaul, Minoti *Legal Traditions and Inequality: Customs, Law & the Commons in North India*

Chang, Williamson *Native Hawaiians and the Reconstruction of Communal Property Values*

Clark, Mary E. *World Views, Science, and the Politics of Social Change*

Cousins, Ben *A Political Economy Model of Common Property Regimes and the Case of Grazing Management in Zimbabwe*

Cruz, Rex Victor O. *Watershed Approach to the Management of Common Property: The Makiling Forest Reserve Experience*

Devi P, Rema *Legal Framework for Groundwater Management*

Elliott, Steven R. *Further Experimental Investigations into Marketable Emissions Permits*

Espeut, Peter A. *Managing the Fisheries of Jamaica and Belize: the Argument for a Co-operative Approach*

Fernandez, Renate Lellep *An Economic Landscape and Cultural Heritage: Whose Commons is it, Anyway?*

Fitch, Eric J. *Organizational Structure of State Level Natural Resource Management: Impacts on Coastal Protection*

Freeman, Milton *How Environmentally Friendly is Whaling? An Ecological Perspective*

Gardner, Roy, James Walker & Elinor Ostrom *Social Capital and Cooperation: Communication, Bounded Rationality, and Behavioral Heuristics*

Geores, Martha E. *Migration and the Early Years of the Black Hills National Forest: Establishment of Access Rights*

Glomm, Gerhard & Roger D. Lagunoff *Inequality and the Social Stability of Economies with Collective Property Rights*

Gollin, Michael A. *Carving Property Rights Out of the Public Domain to Conserve Biodiversity*

Kalland, Arne *Whose Whale is That? Diverting the Commodity Path*

Kant, Shashi *Economic Theory of Commons Revisited*

Kofinas, Gary *Porcupine Caribou, Impact Assessment, and Political Agendas: Uncertainty and Inequality in the Arctic Refuge Conflict*

La Croix, Sumner J. *Sheep, Squatters, and the Evolution of Land Rights in Australia 1787-1847*

Larson, Bruce A. *The Importance of Local Common Property Resources for Child Health*

Li, Tania *Revisions of Community: Discourse & Strategy in Property Relations*

Mallik, Madhushree *Local Organizations, Common Property Land Resources and Rural Poor: A Comparative Perspective*

- Maurstad, Anita *Closing the Commons - Opening the "Tragedy;" Regulating North-Norwegian Small-Scale Fishing*
- Mitra, Manoshi *The Role of Women's Groups in Common Property Resources Management: Experiences from India*
- Moench, Marcus *Chasing the Watertable: Equity and Sustainability in Groundwater Management, Gujarat, India*
- Moir, Rob, Kenneth S. Chan, Stuart Mestelman, & Andrew Muller *The Voluntary Provision of Public Goods Under Varying Endowment and Distributions: Experimental Evidence*
- Muller, R. Andrew *Emissions Trading With Shares and Coupons: A Laboratory Test of Canadian Proposals*
- Nhira, Calvin *Political and Equity Considerations in Woodland Management in Kanyati Communal Area, Zimbabwe*
- Norgaard, Richard B. *Institutions for Assuring Our Common Future*
- Palsson, Gisli *From commons to quotas: Inequality in the Icelandic fishery*
- Pathan, R.S. *Equity and Bioresources*
- Pomeroy, Caroline *Two Factors Affecting Resolution of Social Dilemmas in a Mexican Fishery*
- Raadschelders, Jos C.N. *Between Ecology and Economy: From Rigid to Flexible Water Deterrence Systems*
- Raju, G. *Joint Management Strategies: Sowing Seeds of Hope in the Commons*
- Razzaz, Omar *Contestation and Mutual Adjustment: The Process of Controlling Land in Yajouz, Jordan*
- Rogers, Peter John *Pastoral Resource Management Institutions in Northern Tanzania*
- Rohlmann, Monika *Integrated Natural Resource Management-A Question of Property Institutions?*
- Roumasset, James *The Coevolution of Property Governance & Inequality: A Constitutional Perspective*
- Sandberg, Audun *Rights and Justice in Sea-Tenure: the Northern Abundance Trap*
- Shah, S. A. *Participatory Management of Common Property Resources (A New Concept)*
- Shivakoti, Ganesh P. *Farmer's Perceptions of System Effectiveness, Level of Participation and Equity in Farmer and Agency Managed Irrigation System in Nepal*
- Singh, Chhatrapati *Basic Issues in Management of Common Resources*
- Sinha, Prabhas C. *Property Rights Issues and Emerging Ocean Regime in India*
- Stanbury, Pamela *Irrigation Management and Conflict Resolution*
- Thompson, Paul N. Wilson & Gary D. Thompson *Common Property as an Institutional Response to Ecological Variability*
- Tiwari, Dirgha Nidhi *Sustainability, Commons and Co-evolutionary View: Environmental Change and Traditional Organizations in Nepal*
- Townsend, Amy K. *Protected Areas as Commons and India's Sundarbans National Park*
- Warren, Sarah T. *Rights and privileges on forest land in India: changing practices on the commons*
- White, Thomas A., Hans M. Gregersen & C. Ford Runge *Common Property and Collective Action: Cooperative Watershed Management in Haiti*
- Wilson, Paul N. Wilson & Gary D. Thompson *Common Property as an Institutional Response to Ecological Variability*
- Yadama, Gautam N. *Participation and Benefit Sharing in Community Forestry Programs*

To order article photocopies, contact Dr. McCay at the address listed below. Clearly specify the author and title of the paper(s) you desire. Send \$3.00 per article in a check or money order denominated in U.S. dollars. Make such checks or money orders payable to "Rutgers - the State University". For foreign air-mail please add \$2.00 per article. If any additional papers become available papers a notice will appear in a future issue of the *Digest*.

A paperbound volume containing all the abstracts is also still available for \$10.00, including postage. Order and make payment in the same manner as for article photocopies.

Dr. Bonnie J. McCay
 Department of Human Ecology
 Rutgers University
 P.O. Box 231
 New Brunswick, New Jersey 08903 USA

Presidential Address

Robert Netting, Professor of Anthropology at the University of Arizona and President of the International Association for the Study of Common Property presented the following Presidential Address to open the Third Annual Conference of the IASCP in Washington, D.C., on September 18, 1992. Several participants suggested that it be reproduced in the *Digest* in its entirety. (Please note: The copyright to this document belongs to Dr. Netting, and contrary to usual policy, readers are asked to not reproduce or further disseminate this section without the author's permission!)

Unequal Commoners and Uncommon Equity: Property and Community Among Smallholder Farmers

We are here today because we share a common belief in common property. As a real interdisciplinary, problem-focused group, we agree that common property institutions can be scientifically studied and understood, and that they are not what Garrett Hardin said they were. But I suspect that beyond the big ideas that have given this international association a vibrant intellectual life, there is also the implicit assumption that common property is a "good thing" because it is somehow based on equality of participation and the voluntary sharing of resources. Sharing has a positive value that people are taught in early childhood, and the notion that there are fundamental, economically efficient social institutions not based on selfish maximizing is very attractive.

Do people in fact share common property resources equitably, and are commoners who hold defined rights in community grazing grounds, forests, and irrigation waters economic and political equals of one another? The stentorian voices from political economy and neo-Marxist theory would 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. Unequal wealth and power arising from the market and the state mean that some individuals will have greater access both to private property and communal resources, and that an egalitarian ethos is false consciousness or a pernicious delusion. Real equality, joint use, and genuine sharing indeed once existed in that evolutionary golden age of pre-capitalist use values and primitive communalism. Marx believed that "in most primitive communities work is carried out in common, and the common product, apart from that portion set aside for reproduction, is shared out according to current needs" (Engels 1884, as cited in Meillassoux 1972:145). Some European peasants, according to Engels (1972), still reflected a transitional stage where woodlands, pasture, and waste remained common land, whereas cultivable soil was held as private property. We may find such a grand evolutionary trajectory simplistic and historically unverifiable, but I think there is still a tendency to link an absence of differentiation in rural communities with common property institutions and shared resources. The contrasts and conceptual antinomies of the past are not easily shed, much less if they remain unacknowledged and unexamined.

I would like to suggest a contrary formulation that appears to fit more closely with the ethnographic and historic realities of smallholder farmers.

1. As agricultural resources become increasingly scarce, due to population pressure and market demand, both private property and common property will become more institutionally elaborated and jurally defined.
2. Some households in the community will have larger and more valuable rights in private property, and they will derive greater returns than

their neighbors from some, though not all, common property resources. These households will be socially recognized as wealthier than others, and their unequal status will be regarded as by and large legitimate, though by no means necessarily permanent.

3. The governance and administration of the commons will, however, continue to employ equitable, broadly representative mechanisms, such as the general assembly of members, democratic decision making, and elected officials.
4. The termination of common property rights, either by the members agreeing to privatize their joint holdings, or an external legal and/or political authority enclosing the commons, will result in a rise in inequality and a decrease in mobility.

This formulation is not meant to characterize all systems of cultivation, ancient and modern. Rather it is applied specifically to smallholder intensive farmers in dense rural populations who compensate for their lack of resources by permanent, sustainable land use with complex tillage, manuring, intercropping, gardening, arboriculture, stall feeding of livestock, irrigation, terracing, and other methods of conserving and restoring the productive capacity of the soil. It is a cultural ecosystem that I have observed in the central Nigerian savanna and in alpine Switzerland, with parallels drawn from the literature on China, highland Philippines, the Andes, Java, Japan, Mexico, and the Netherlands.

In all these cases, private rights to permanently productive land, including long-term use, management, inheritance, and temporary or permanent alienation, are asserted and defended. The social unit that occupies the smallholding, providing labor and management, using the produce for subsistence and sale, and administering and transmitting rights, is typically a family household. (Those of you who know me will recognize my old hobbyhorse and obsession here, one that I have dealt with exhaustively and tried to exorcise in a forthcoming volume, *Smallholders, Householders*.)

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 dependents, the stage in the household developmental cycle, the inheritance of property, and the successful management of the farm as well as on the vagaries of climate and the market. Comparisons of total crop production, land amount and value, livestock ownership, and other measures of wealth show inequality within smallholder communities of .3 to .6 on the Gini index (Netting 1982; McGuire and Netting 1982; Stone et al. 1984). At the same time, there is good evidence that there is considerable mobility, both up and down the ladder of wealth over the life course (Netting 1992). In the Swiss village, only 4 percent of the variation in son's wealth could be explained by difference in father's wealth, and despite the presence of equal, partible inheritance, there was no regular relationship between the achieved wealth of siblings (McGuire and Netting 1982).

Please post or circulate!

International Association for the Study of Common Property

Initial Call for Papers & Posters

Fourth Annual Common Property Conference

June 16-19, 1993, Manila, Philippines

Conference Theme:
"Common Property in Ecosystems under Stress"

We invite the submission of proposals for scholarly talks, posters and panel discussions for the conference. We particularly encourage theoretical and panel discussions of common-property property rights regimes and the use and management of common-pool resources in ecosystems under stress. These may be defined as stress from a number of fundamental intervening processes or factors, such as natural and human-made disasters (including pollution and drastic changes in land use), population growth, commercialization, social and political upheavals, government intervention, transnational and local boundary conflicts, etc. The deadline for proposals is January 31, 1993. Early review and notification of organized sessions will be given to proposals received before the deadline.

APPLICATION:

Please type or print on the form below or provide its equivalent in print or E-Mail. Also provide the information requested for paper, poster or session proposals as detailed on the reverse side of this announcement. Send to:

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Please note that applicants are responsible for providing their own travel funds. The IASCP will try to help scholars from foreign countries to attend. Please write separately if funding is being requested.

APPLICATION FORM:

Name: _____

Preferred Form of address (Dr., Mr. Ms. Sr., etc): _____

Institutional Affiliation: _____

Mailing Address: _____

Telephone Numbers: _____

FAX Numbers: _____

E-mail: _____

(Check one): Want to _____ organize a session; _____ organize a session and present a paper; _____ present a paper; _____ present a poster; _____ organize a panel discussion.

Please limit abstracts to a maximum of 200 words (about 1/2 page, single-spaced). All paper titles are limited to a maximum of twelve (12) words.

Paper Title: _____

Author(s) Name(s): _____

Author(s) Affiliation(s): _____

Abstract:

Please post or circulate¹.

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Paper Title: _____

Author(s) Name(s): _____

Author(s) Affiliation(s): _____

Abstract:

It is apparent that land-short intensive cultivators compete to obtain scarce farm property and that there may be marked inequality in their holdings, whether they are self-sufficient and politically independent or 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.

Common property among smallholders is not a precursor to private property nor is it functionally unconnected. Indeed as the use of scarce land and water is intensified, so resources from the commons become more vital and increasingly subject to regulation. For example in the classic three-field system of medieval Europe, the timing of harvest from the individual arable strips had to be set in order to allow common grazing of the stubble, thus manuring the grain fields and providing necessary pasture for larger herds of sheep and cattle (Hoffmann 1973:25). In upland Portugal, bracken and gorse were taken from communal forests to use as stall bedding (Bentley 1992), and the Swiss scraped up pine needles for the same purpose (Netting 1981). As a larger permanent village population required more fuel and building materials from the forest, regulations to restrict cutting to regrowth, to punish theft, and to prevent erosion of watersheds had to be instituted.

The more demand there is for irrigation water and the more variable the flow, as in Wade's Indian Village Republics (1988), the greater the requirement for ditch maintenance, dependable distribution and sanctioning of illicit appropriation. As medieval Japanese farmers met shrinking ratios of land to population by intensifying agricultural techniques, they had more frequent resort to uncultivated mountainsides for fodder, fertilizer, fuel, and building materials. Meg McKean (1991) points out that "more systematic use of the commons increased the need to manage it well, define eligible users and uses, and exclude ineligible users. Sound resource management required cooperation by all villagers, and became the impetus to solidary (and occasionally democratic!) self-government by village units." The institutionalization of secure private and communal claims to resources was thus coordinate and interdependent.

But does our terminology for the commons and its members who by definition hold resources in common carry with it a misleading connotation of share and share alike? As in so many of the really significant questions of social science, it depends. For scarce resources like firewood needed by every household in a certain minimal quantity, allocations might in fact be carefully equalized. 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, though there were always some who surreptitiously took more than they were entitled to, in the English phrase, "by hook or crook." On the other hand, rights to put cows on the communal alp for the summer depended on an over-wintering rule. A cattle

owner could send only as many beasts as he could feed from his 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. The statutory "stints" which seem everywhere to accompany long-established commons, of intensive cultivators are not a levelling mechanism, and we need to know more about just how much disparity there was in particular cases of access to common resources (Yelling 1977:154). A wealth of case studies support Meg McKean's (1992:262) 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."

Because systems of distribution of access to the commons had long histories of ad hoc local adjustments, and because such rights could often be borrowed, traded, or even sold among members, serious inequities might also grow up over the years. This was true of Swiss irrigation water drawn from a common stream source into a user-maintained system of ditches, but apportioned according to privately owned time periods which were not directly proportionate to the area of land being irrigated (Netting 1974). The great complexities of what I have called "the system nobody knows" shielded the encysted inequities from equalization to the point where any change was widely suspect and only full-scale reform under a different technological system of water delivery was a realistic possibility.

If benefits to the commoners are known to be unequal, and these reinforce obvious differences in smallholder private property, how can we insist that there is also uncommon equity in the local system. I submit that equality of participation by members in governance, rule-making, and monitoring is a requisite of a viable common property institution. Lin Ostrom (1990) has focused attention on the assembly as a body that creates a constitution, modifies and enforces regulations, appoints officers, monitors the state of resources, allocates benefits in terms of changing environmental conditions, defends the commons from encroachment by outsiders, officially represents itself as a corporate body in dealing with governmental and juridical bodies, and finally decides on the disposition of common property. If all of this sounds bureaucratic and formal, we have only to watch a local assembly or one of its task groups in operation. Ruth Bejar (1986) describes the assembly or *concejo* of a village in northern Spain, meeting after mass at the church portal, as noisy, raucous, even blasphemous, with violent, ad hominem attacks on neighbors echoing fights and slights that may go back three generations. The members do indeed reach consensus, the results of their deliberations are formally inscribed as laws, and they may finance court cases that drag on for decades, but they are far from decorous and orderly, and their officers do not exert consistent hierarchical authority.

I am reminded that the commoners I know often discuss their "common" problems with the aid, or the hindrance, of social drinking, the Kofyar grouped around a pot of millet beer, and the Swiss partaking of wine from the communal vineyard. I will leave it to your judgment as to whether such yoking of business with pleasure leads to higher transaction costs or to *vino veritas*, but the ostensible procedure is neither an exemplification of Roberts' Rules of Order nor of some harmonious peasant moral economy in operation. With the catcalls, loud interjections, and table thumping, such an assembly sounds for all the world like...the House of Commons. Autocracy or a well-ordered bureaucracy is certainly neater and quieter. The point is that local commons governance may be as messy as any other democracy. The incentives for cooperation seem generally sufficient to produce workable rules and concerted action in the long run.

Even societies like the Balinese that tend to mute public conflict or channel it into such symbolic rivalries as the cockfight have crafted common property institutions with egalitarian governance. The irrigation subak that Clifford Geertz (1972) calls a "wet village" brings together cultivators whose fields form a geographic unit served by a canal. Members may come from different, politically independent communities, and they may own a scrap of rice terrace or a princely holding, upwards of one hectare. But they are all voting members of the subak, bound by the rules of its constitution inscribed on palm leaf, and with equal voice in the deliberation of its council of the whole (Geertz 1972:29). The council elects a chief and other officials who oversee work groups of members, it fines people for infractions, it collects taxes and disburses money for improvements, and it appoints priests to conduct the shrine rituals that schedule the all important distribution of water (Lansing 1991). In a kingdom state society with gradations of status expressed in religious ceremony and linguistic markers, the serious business of irrigation among owners of extremely valuable (and variable) private property is conducted by an assembly of peers with one vote each.

But are we seduced by some romantic ideal of self-determination here? Are we trooping after a Pied Piper of populism? Where are the bosses, the demagogues, the country squires, and the affluent landlords who manipulate and intimidate the ordinary peasants? Richard Hoffman (1975:62), referring to medieval Europe, contends that "...the common field system...was not simply egalitarian. Communal control of limited resources rested not in the hands of all inhabitants nor, with exceptions, even in those of all heads of households. The assembly of cultivators was everywhere dominated, if not monopolized, by the better off peasants." William Roseberry cautions us against romanticizing the community of unequals with its free tenants, villeins, and cotters. "Decisions made in the name of community could be taken by privileged individuals who served as community and manorial officers. It is to be expected that they looked out for private interests to the extent that this was possible"

(Roseberry 1991:22; see also McKean 1992:267; Glaser 1987).

I cannot say how power was exerted in such assemblies. Perhaps we lack the detailed minutes of the manors, but there must be records and observations contemporary commons governance that we should be collecting. I would claim, however, that there are good structural and functional reasons for a local commons to be run by its members. If common property rests as much on exclusion of non-members as on rights, a point made at these meetings last year by Malayang (1991), then the corporate body must explicitly include members. You need everybody, all the available folk knowledge of the environment and every pair of informed, spying eyes to monitor the physical state of the resource and counter the threats of thieves and free-riders. The richest member with the largest potential returns has the greatest risk if his less prosperous fellows are not convinced that all of their interests in the commons must be equally defended. A single individual must rely on the support of the whole group, whether massing with spears to defend the common border from trespass, mending the irrigation dam washed out by a flood, or paying the lawyers in some interminable litigation over a patch of prime forest. Against the legal depredations of a city or a central government, the poorer commoners also must on their own well-connected and literate estate owner or mandarin. The wealthy are expected to provide a higher level of administrative services and cash levies than ordinary folk (McKean 1992:263). Alienating any members rich or poor from the fellowship of the commons may be harmful to the health of that body politic that is in actuality a little commonwealth.

It is not just in externally generated emergencies when people power must be mobilized to protect common property resources. Bob Hunt (1991) suggested, again at the Winnipeg meetings, that rights to the coordinated labor time of corporate group members was as much common property in an irrigation system as the sluice gates and the canals. Work day; from members for regular maintenance and for swift response to damage by the elements are mandatory. If you don't show up, you send a surrogate or pay a fine, and there's always someone to count noses and to take names. Common pasture, water, or woods only have worth for the smallholder if there is skilled, reliable labor to build the infrastructure and carry on the regular maintenance that makes possible individual appropriation of the resource. And work in common may not be confined to the commons. The Swiss community charter that defined the rules of the alp in 1483 also decreed that every householder had to help in the erection of a villager's new log house. The Kofyar farmers that I know in Nigeria quickly privatize land they occupied on a settlement frontier, though 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 labor to work on individual farms.

Though some of this takes place in small clubs of 8 or 10 individuals who exchange work-time equally, there are also community-wide work parties. A host farmer announces to neighborhood officials when he will brew beer, every household sends workers in proportion to its number of productive members, and the 40 to 80 people who assemble with their hoes, make ridges or yam heaps (the same number marked out for each individual), and then enjoy the gallon or more of millet beer per person that gives the occasion its festive air. If a household does not provide its mandatory labor quota without good excuse, the assembled drinkers raise the issue, fine the miscreant (in jars of beer, of course), and if the fine is refused, ultimately ostracize the offender.

This means not only that common labor will be denied in the future to that household but that social contact is dramatically interrupted, the sanctioned party is left sitting at home, and (most severe punishment) no one will drink with him again. The price of community is common, institutionalized labor, and the withdrawal of community from one of its "mutually vulnerable members" (Singleton and Taylor 1992:311) is social death. Even in a society where individual households are economically self sufficient, a defector can be penalized with certainty and speed.

Though all must participate in communal labor, do the resulting benefits make some smallholders more equal than others? Brian Juan O'Neill has demonstrated that labor exchange in a Portuguese rural hamlet benefits the rich disproportionately. The work parties assembled for threshing rye work for each cultivator in turn, but the owner of a large field receives more hours of labor from fellow villagers than he devotes to their much smaller harvests (O'Neill 1987:171-172). The balance is not really rectified by the greater quantities of food provided by the wealthy. For irrigation maintenance tasks, the household of a proprietor with four days of water sends one man to clean the ditches for an equal amount of time as the poor household with only a few hours of water rights. The hamlet council also calls out labor teams for repair of community property such as meadows, public walls and roads, the cemetery, and the water mill (O'Neill 1987:136), and again each household is equally represented. O'Neill vehemently denies that the small, isolated mountain community is egalitarian in social structure, but he points to a toleration of asymmetric labor reciprocity and an expressed belief in cooperation and mutual assistance at particular moments of the agricultural cycle which crystallize ideals of social equality (O'Neill 1987:172,11). Collective obligations temporarily suspend the disparities between rich and poor households in the interests of getting a large task done (O'Neill 1987:143). Inequality and internal conflict, based in substantial differences in private property, is always present, but both governance and labor on common property resources emphasizes equality, and strong cultural values support the non-hierarchical interdependence of households in meeting peak labor demands on their private holdings.

I have been at some pains to call attention to the presence of inequality among smallholders, both in regard to their transferable and heritable private property and, less obviously, in their access to common property resources including communal labor. But just as biologists now question the purported equilibrium and cybernetic qualities of the ecosystem, so social scientists can doubt the stability and reproduction of a system balanced between equality and hierarchy. If there are indeed aspects of common property regimes which distribute access to resources and level differences in political power, what changes lead to greater inequality, polarization, and stratification? I would suggest that the familiar threats to the commons-privatization and the government intervention that institutionalizes state or public land-contribute directly to inequality and permanently prevent the more equitable outcomes of local communal control. To the degree that exclusion, impoverishes community members and limits their legitimate role in decision making, it is a true "tragedy of the commons" (Ciriacy-Wantrup and Bishop 1975; McCay and Acheson 1987:25).

Perhaps the most exhaustively analyzed attack on the commons is that of enclosure, especially in historic England, but also in other European and Latin American countries. Because resources of arable land are limited, rural populations as they grow press against them, and conflict increases, there is often a tendency for property inequities to be translated into diminished rights in the common. In England, the densest rural populations (Levine 1977; Hoskins 1957; Skipp 1978) gave rise to cottagers with holdings below the subsistence level, craft and cottage industry specialists, and landless agricultural wage laborers. These second-class citizens who were often in migrants were more vulnerable to dispossession and at the same time more dependent on the commons to cut firewood (the poor woodcutters of the fairy tales), make charcoal, gather rushes for thatching or fibers for basketry, collect nuts, hunt small game, and fish. For such foragers, the common marshes, forests, and rough grazing were social safety nets (Thirsk 1957; Spufford 1974; McKean 1992, citing Jodha 1990). They could also take the jobs of shepherds, field guards, and communal irrigators that paid too little to hire yeoman farmers (Wade 1988). Gleaning of harvested fields was a refuge for women and the elderly with few alternate means of support.

Enclosure was not, however, solely a reallocation of resources driven by population pressure, high food prices, and low wages. It represented conscious strategies of accumulation by the well-to-do, often changing land use in the direction of a single, profitable crop (e.g., wool) and away from the more diversified, intensive production of subsistence food crops. James Fernandez notes that in Andalusia, southern Spain "...the medieval and early modern rights of the poor and subtenant classes to rent and cultivate common arable lands, to pasture on common pastures, and to gather on and otherwise exploit the wastes were gradually withdrawn from them by connivance between the nobility and prosperous farmers.

The use of these lands, along with the right to pasture animals on the stubble of private croplands...were rights basic to the well-being of the lower strata. Their loss because of various kinds of enclosure was a primary factor leading to the rural poverty of Andalusia in the 19th century and the conflict-ridden crisis that has continued to plague this area of Spain (Fernandez 1987:268)."

While opportunities for subsistence supplements from the commons shrunk, charity and the meager support of mechanisms like the Elizabethan poor law could not pick up the slack (can't you just hear those comfortable farmers and squires muttering NO NEW TAXES?).

Reallocating individually held strips from the open field and consolidating larger plots could be worked out in part by swaps and exchanges among owners, but the simultaneous loss of grazing privileges after the harvest and the proportionately high costs to smallholders of survey, hedging or ditching the new field, and paying off remaining dues or tithes on the land pushed poor farmers to the edge of ruin (Turner 1984:74). Falling crop prices or some bad years could force them into bankruptcy and off the land. As in contemporary attempts at land reform, there are always richer neighbors willing to snap up the minifundia that come up for emergency sale. Even with such an economic logic, it must have been difficult to sweep away a host of law-like local customs, rooted deeply in the past of a community, and reaffirmed by generations of practice and dispute resolution. Can't you imagine a respected English 18th-century farmer discussing the prospect of enclosure and affirming over his ale that it would take an Act of Parliament to do that! Indeed it did require the full legal power of the state in a multitude of separate, specific laws to abrogate the commons, and even then vestiges survive to the point where present-day English environmentalists and corporations harvesting peat moss continue to scrap about fen land as common property. In the Swiss village, a single case of tapping a spring on private land for a household drinking water source went to the national Supreme Court because the water had once served a public watering trough.

I suspect, though I cannot prove, that enclosure and similar breaches of common property institutions contribute to growing inequality not because they represent privatization alone but because they are conducted under the dominance of a national state and its sovereign legal apparatus. The local assembly of informed, economically interested peers with their own brand of "common" sense and unique understanding of a particular environment, is by-passed by statutes that are standardized, rigid codes, and a judicial system designed to ignore geographical and political variation. Those with the qualifications of literacy, cash for court costs and bribes, and friends in high places can insure, even guarantee, an unequal distribution of the benefits of enclosure.

Outsiders, absentee landlords, and urban entrepreneurs are not subject to the social controls of village life, and they can ignore restrictions on resource exploitation and short-term maximization.

If one can purchase or otherwise acquire rights in the commons without local kin ties, residence, formal admission to the community, fulfilling labor and official service obligations, and participation in the assembly, then membership is shorn of its responsibilities and its constraints. Common property is not a joint stock company with limited liability. Membership does have its obligations as well as its privileges.

But are the commoners equal or not? Do they have the same duties and obligations but different rights? Certainly Elinor Ostrom is right when she points out that "common-property institutions are as diverse as private-property institutions and no clear assertion can be empirically supported regarding distributional effects of all such institutions" (Ostrom 1992:244).

In the more limited case of smallholder intensive agriculturalists, we can, perhaps, discern some regularities. Common property institutions closely tied to local resource use will be defined and developed in parallel and symbiotically with private property. Households with more private property will derive greater benefit from some productive uses of the commons, but household necessities will often be equally allocated. Work can also be considered as common property. Obligatory labor on both communal projects and individual farms is often drawn equally from all member households, but this may disproportionately benefit large cultivators. Governance, however, tends to be provided by assemblies of members with procedures of one-man-one-vote and democratic decision making. Defense of the commons against outsiders, investment of labor and money in the resources, and monitoring against excessive use and free-riding require a responsible corporate group of interdependent rich and poor members. Privatizing or enclosing the commons, either by agreement of the commoners or external force, tends to widen existing economic and political inequality among smallholders and to impede the solution of collective action problems.

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A Final Note From the Editor

This 25th issue of *The Common Property Resource Digest* will be mailed almost exactly six years after the first issue was mailed in October, 1986. This issue will be the last that I will be responsible for in any way. I hope that the Digest, Network, and International Association continue to have fruitful institutional lives. But I have moved on to a new position, new duties and from now on I will simply be another member.

It is sobering to look back and see that six years have passed so quickly. I have spent one seventh of my life, and I suppose, one seventh of my career on this effort. I hope that my work has been, on the whole, beneficial to you - members of the Common Property Network - as well as to humankind as a whole.

When I accepted this position, common property was not really one of my strong interests. I was looking for a position to support myself while my wife returned to graduate school. This specific one was simply the most convenient one offered to me. But the topic soon grew on me. It is instructive for me to look

back to a night in a cold hotel room in Sicuani, Peru, in December, 1980, when a colleague and I discussed the lack of congruity between Hardin's then generally accepted model and the reality of the grazing communities we were studying in the Peruvian sierra. Much has happened in these twelve years. A revolution, albeit perhaps still an incomplete one, has occurred. That revolution was due to the scholarly inquisitiveness and persistence of many of you. My contribution to the effort was small, but I do take satisfaction in having had a part in it.

I want to thank all those of you who have been helpful to me as the *Digest* editor. My job would have been impossible without the suggestions, contributions, and encouragement of many of you. I thank you for that support as well as for your patience when I did not answer your letter or cash your check as quickly as I might have.

I also want to thank those of you with whom I have formed personal friendships. The variety of warm, vital, and interesting people that I was privileged to meet was one of the most rewarding aspects of the position. Many thanks and best wishes to you all!

Common Property Resource Digest

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