



Review of *Plunder of the Commons: A Manifesto for Sharing Public Wealth* by Guy Standing

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Everybody nowadays should take an interest in notions of the ‘commons’ and ‘commoning’. Although hardly used in colloquial talk any more, these terms are of utmost significance in pointing toward the availability of resources for collective production and shared consumption, and of practices and spaces of being and producing in common that provide the freedom to redefine the realm of economic practice by our own rules. It is hence reassuring to observe a steady swell of academic interest in the commons and commoning as vehicles for challenging traditional understandings of property and labor (Gibson-Graham 2006), while offering a ‘politics of possibility’ that permits realigning the subject matter with the broader interests of community (Amin and Howell 2016).

Guy Standing, a Professorial Research Associate at the London University who has written extensively about migration, development economics, and labor markets, is probably best known for his two books *The Precariat: The New Dangerous Class* (2011) and *Basic Income: And How We Can Make It Happen* (2017). While the two books are united by an interest in how work is becoming increasingly more unstable and insecure, and how increasing levels of poverty and inequality can be overcome, his newest book *Plunder of the Commons: A Manifesto for Sharing Public Wealth* (published 2019 by Pelican Books), blends seamlessly into his previous oeuvre by exploring the potential of the commons and commoning as an antidote against the erosion of society. Specifically, the book takes a close look at the Magna Carta, and especially at the lesser known Charter of the Forest, to recover a historical sensitivity for how citizens

in Britain were granted the right to access and use common land, forests and water to lead a self-defined and dignified life. The Magna Carta, which celebrated its 800th birthday in 2015, and which is still considered by some as the most important legal document in the evolution of democracy, was sealed by King John at the request of the Church and barons to prevent the British nobility from expropriating the commons, thus forming the foundation of a liberal order devoid of tyranny. Celebrating the legacy of the two foundational charters, Standing goes on to present his idea of a Commons Charter offering a safeguard for people’s unrestricted access to the commons and representing an institution for governing the commons through a system of rules and norms. The commons are worth protecting, so Standing, precisely because they are generative for the creation of community: “Without a commons and commoning, there is no community” (p. 28). Based on detailed excavations and illustrations of the historical evolution and gradual demise of the commons in Britain since the Middle Ages, Standing demonstrates that the commons and commoning entail a double movement: on the one hand, they reveal a normative critique of the problems with the neoliberal present, while on the other hand prefiguring the availability of a concrete utopia. His manifesto for a Commons Charter meshes well with existing assessments of the Magna Carta as the bedrock of communally-based society, and as a powerful critique of globalization, liberalization and privatization efforts (De Angelis 2007). Moreover, *Plunder of the Commons* forms part of a greater movement summoning the Magna Carta as a way to protect the subsistence rights of the disadvantaged and the poor (Linebaugh 2008).

The book begins by boldly making the case that the commons in Britain are in a bleak state today. In the preface, Standing uses anecdotal insights from his own life to conjure a vivid exposition of the ongoing erosion and neglect of the natural commons, which sets the tone for all following

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chapters. Chapter One introduces the idea of the Magna Carta and in particular of the Charter of the Forest as effective means for reintroducing people's right to the commons on a national scale. In Chapter Two, Standing goes on to lay out and define the key terms of his treatise, notably commons, commoning, and commoner, while briefly sketching out the different ways in which the commons are destroyed, created, protected and saved respectively. This culminates in the introduction of the Commons Charter which describes norms and principles of sharing, and identifies authentic stewards, custodian and gatekeepers as integral parts for the effective administration and governing of the commons. The overarching aim of the Commons Charter is to grant people not only access to the commons but the right to obtain subsistence in them: "The objective should be not only to restore the commons as 'public amenities' and 'resources', to be used by commoners, but also to encourage commoning—collective, collaborative activity" (p. 59). What is crucially at stake in the Commons Charter is the ability to offer people a source of social income that can mitigate inequality and insecurity, which seems particularly urgent in our current situation characterized by widespread precariousness. Chapters 3–7 trace the history of the different forms of the commons in Britain—i.e. natural, social, civil, cultural and knowledge commons. These chapters offer detailed and nuanced analyses of the evolution, development and destruction of these different commons, the general plot being that common resources and opportunities for commoning have become increasingly rare: public parks are in decline and public spaces are privatized, the environment is contaminated and destroyed, water is turned into a commodity, essential social services become a matter of private provision, the list goes on. A recurring theme in these chapters is that the property form is variously used—e.g. through acts of inheritance, legal enclosures, the transfer of land ownership, austerity policies, etc. —to turn the commons into 'fictitious commodities' (Polanyi 2001), i.e. commodities that were never produced for or by the market. As the commons are turned into commodities, they lose their essential character (Woods et al. 2019). Although these chapters reinforce the impression that the commons in Britain, as elsewhere, are in bad shape, thus evoking a nostalgia for a lost past to which we yearn to return, there is always a ray of hope and a sense of radical breakthrough echoing in Standing's descriptions. "We must resist contemporary attacks on the commons" (p. 27) thus forms the leitmotif of all five key chapters. To realize this vision, Standing formulates appropriate articles in each of the chapters to establish the commons and commoning as a formal right. The central question that arises in this context is how the commons can be recovered in light of the fact that they have mostly been transformed into private property. Chapter 8 provides a solution to this conundrum by delineating the contours of

a Commons Fund which is sourced by levies on the commercial use of the commons (Article 43 of the Commons Charter). The basic mechanism of the Commons Fund thus consists in generating revenue from the use of the commons, including non-renewable resources such as oil, replenishable commons such as forests and non-exhaustible commons such as ideas. The income thus created is then used, on the one hand, to protect the commons for future generations and, on the other, paid out to the people in the form of dividends (Article 44). In this way, the Commons Fund becomes a source of basic income which can help counter-act the social suffering caused by austerity politics, while creating the conditions under which principles and practices of reciprocity, solidarity and sharing can flourish. The book ends with a brief epilogue summarizing the main arguments of the book and a comprehensive description of the Commons Charter which is published as an appendix.

Three Brief Reflections

Even if I keenly share Standing's assessment of the potential of the Commons Charter and the Commons Fund, the power his book attributes to a (quasi-)legal rationality is not without its problems. Indeed, while the Commons Charter allows us to dwell on the possibility of a better future on the basis of individual rights, it is arguable that the right to the commons cannot be realized solely via the stipulation of a system of norms, rules and roles. This is perhaps what Linebaugh (2008) had in mind while stating that the commons must not only exist in its juridical form, but also as a "day-to-day material reality" (p. 8). I would thus like to use the remainder of this review to briefly elaborate on three aspects of Standing's book that seem to be particularly pressing. These reflections in no way try to taint the importance of Standing's book, but are rather to be thought of as a friendly 'addendum' whose primary aim consists in identifying productive avenues for future business ethics research.

I: The Dirty Secret of Capitalism and the Role of Business Therein

Standing identifies neoliberalism as the main culprit in using the property regime to turn the commons into something that can be privately owned and exploited for commercial interest. Pointing toward the ubiquity of acts of enclosure, and briefly elaborating on the processes through which the commons are destroyed, *Plunder of the Commons* traces the dirty secret of capitalism with a fine blade: modern capitalist society relies on ongoing acts of violence (legal, military, political, corporate) to secure its ongoing growth (Sassen 2014). Marx (1976) spoke of 'primitive accumulation' to describe the forcible methods of expropriation by which the

conditions of capital accumulation were reproduced. His focus was mainly on how commoners in the early industrial era had been robbed of their means of production, which forced them to give up their subsistence existence and take on work in the factories (read: from free producers to wage-slaves). While Marx suggested that the expropriation of the commons was only an episodic event, i.e. a stepping-stone in the transition from feudal to capitalist society, Luxemburg (1951) made it clear that practices of dispossession are at the very core of how modern capitalism works: capitalism's incessant compulsion to grow and expand calls for the ongoing enclosure of extra-economic geographies to satisfy national economic growth expectations.

Standing's investigation of the destruction of the commons testifies to the foundational violence of neoliberal capitalism. Focusing mainly on the politico-judicial complex upon which the destruction of the commons is based (e.g. legal enclosure acts, privatization policies or austerity politics), Standing essentially sheds light on the role of the state, and wealthy property owners for that matter, at the expense of highlighting the pernicious role played by businesses (Banerjee 2008). This puts an opportunity in front of business ethics scholars to study the specific strategies corporate actors use to enclose, privatize and marketize the commons. Although so far only few studies in the realm of business ethics have been dedicated to how businesses participate in the coercive capitalization of common resources and social relations, there are some insightful examples to follow. Jones and Murtola (2012) for one make an important contribution by suggesting that entrepreneurship plays a central role in the expropriation of the commons. Jones and Murtola's elaboration thus places heed on how enterprises make productive use of the commons (comprising shared resources as well as social relationships, communications and forms of life), which are being nurtured outside of the workplace, by making them an important element in the labor process and the organization of production. By moving the actual laboring process outside of the boundaries of the enterprise, enterprises achieve to create value by using the commons without having to pay for them. Jones and Murtola's main line of attack pertains to the observation that enterprises are no longer primarily involved in generating value themselves, but in taking possession of value created by others, in common and based on the commons. The article by Jones and Murtola signals that the expropriation of the commons by businesses can take many forms, legal as well as illegal. A central concern for future business ethics research should hence be to create fine-grained empirical and theoretically informed insights into how business actors engage in the expropriation of the commons through activities such as illegal land grabbing, rent seeking behavior, tax evasion and avoidance, money laundering, strategies of artificial restriction and scarcity of resources, to name but a few.

Shedding light on these diverse strategies of expropriation will offer important insights into how businesses in different sectors and industries—from the pharmaceutical (Novartis), nutrition (Nestlé), agricultural (Monsanto), or the commodity sector (Glencore)—come to rely on business models that primarily work to capture the value of the commons and commoning by making them an integral part of the value production process (Hanlon 2014).

II: The State, the Legal Status of the Commons Charter, and Transnational Governance

By adopting a legalistic approach, Standing's manifesto harbors, perhaps unwittingly, the ideal of a strong state capable of producing and enforcing laws and policies that favor the disadvantaged based on collective reason and democratic consensus. Needless to say that in many countries such basic government infrastructures and sound political processes are either inexistent or severely corrupted, leading to weak governing institutions and the rule of law. Thus, any attempt at stipulating the right to the commons from a legal, principle-based rationality needs to take into consideration the changing nature and diverse functions of the state in the twenty-first century. This is especially important under neoliberal rule, which tends to default on its obligation to govern on behalf of the people (Jessop 2002), thus making progressive developments such as a Commons Charter rather unlikely. Consequently, business ethics scholars must carefully consider whether and to what extent the state apparatus can be implied in the recovery of the commons, or whether it should rather be seen as a key operator in dispossessing publics of their collectively held and produced commonwealth (Harvey 2003).

Moreover, we need future research to clarify the legal status of the Commons Charter. Standing's book largely remains silent on this issue, and it does not give much consideration to the ambivalent and contested legal inheritance and shifting authority of the Magna Carta either. It thus deserves asking if the Commons Charter is supposed to take on a central role in the constitution of society through a set of formal laws or whether its true power lies more in its symbolic radiance. Irrespective of whether the Commons Charter is envisioned as a foundational element of the constitutional order or rather as a public statement (or manifesto while we are at it) of norms and principles, the pressing issue is how the norms and prescriptions of the Commons Charter can be kept alive not only in our consciousness but in the everyday practices of commoners as well as in the actors responsible for protecting them.

Another point to note is that underlying Standing's Commons Charter lays a distinct national focus. There are a number of good reasons for this choice—not least of course the historical fact that national charters have produced

significant progress in many countries around the world. On the other hand, one may wonder whether a national focus is the most pertinent choice for nurturing commons which are of a transnational nature and which hence defy national boundaries (such as the oceans, the atmosphere or ideas). Indeed, adopting a national focus to govern the commons can feel overwhelmingly optimistic, especially in view of the global commons (which *Plunder of the Commons* only pays a passing glance at). Consequently, to live up to the complexities related to the transboundary nature of the global commons, future research is needed to better understand the working and effectiveness of broader networks and transnational governance models (Spaargaren et al. 2006). Among other things, such a perspective will allow us to take a closer look at how the transnational governance of the commons is enacted in the interplay between diverse actors, including corporations, civil society organizations and international organizations. Nation states in many cases will still be part of such global assemblages, but they will not be studied as independent, stand-alone institutions, but as nodal points in a much broader, dynamically evolving network of organizations, policy documents, financial flows, ideas and norms that regulate the protection of the global commons. Apart from studying the qualities of those networks, such as their size or stability, a fertile avenue for future research is to investigate, based on Standing's categorization, the specific roles the various actors get to play in governing the commons, where they can act as stewards (actors who uphold the integrity of the commons on behalf of the commoners), custodians (actors who acquire a commons in order to preserve it for common use), or gatekeepers (actors who hold stewards to their responsibilities). Investigating the complex interactions and entanglements of the different elements of transnational governance networks will produce important insights into the degree to which such arrangements succeed in implementing Standing's vision of a Commons Charter on a broader scale, by strengthening the democratic management of the commons, ensuring effective stewardship and gatekeeping, and increasing social income to secure people's right to subsistence. As part of this, we also need to increase our understanding of the ability of transnational networks to fend off and overcome the forces of capitalist dispossession and capture. This point cannot be emphasized enough because the commons and commoning, both local and global, will survive and prosper only if collective struggles, contentious politics and civil disobedience are mobilized to transcend capitalist relations (Hoedemaekers et al. 2012). The study by Dobusch and Quack (2008) deserves mention here as it offers an illustrative demonstration of how an international community of critically minded citizens achieved to challenge and overcome the international (private) copyright regime by confronting it with the 'Creative Commons' project. We are reminded by such studies that

countervailing forces that take it upon themselves to attack capitalist relations, such as global property regimes, are not merely serving the protection of national citizens but might act as a counter hegemonic force against the global neoliberal economic order (Bailey and Mattei 2013). This brings us directly to the last point.

III: Anti-capitalist, What Else?

A commons-based society, and commoning as an alternative mode of existence can only succeed if a revolution in anti-capitalist thinking and practice will take place (Harvey 2013). But although it is commonly assumed that the commons and commoning bear the seeds of a post- or alter-capitalist future (Zanoni et al. 2017), one cannot take for granted that they automatically and necessarily challenge, not to say replace, the capitalist fabric. History shows that capitalist and commons-based approaches have often peacefully co-existed without much interference. Also, it has been shown that acts of 'sharing' and 'producing in common' might accomplish precious little in undoing the capitalist relations since "various kinds of 'sharing' or 'making common' can easily be shown to play important roles within capitalist society" (Endnotes 2012, p. 27). By a similar token, Jones and Murtola (2012), whose work was earlier presented, astutely observe that profit-seeking enterprises have made the commons a central element of their business models. IT corporations, for instance, have become very skillful in capturing the digital commons by exploiting the value created via open source programmers (mostly without pay) (Arvidsson 2020). IBM and Amazon offer a case in point of how corporations make productive use of the digital commons (in the form of open source software) by making a profit from it (Hanlon 2014).

The question that arises here is whether and under which conditions the commons and commoning can be considered a true alternative to the capitalist way of living and producing (Bauwens and Kostakis 2014). Is there such as thing as truly anti-capitalist commons (Hoedemaekers et al. 2012)? While this question obviously defies an easy answer, it suggests the need for thoroughly assessing how alternative the various commons and forms of commoning are with respect to the capitalist mainstream (Jonas 2010). Whereas Gibson-Graham's (2008) diverse economy schema appears like an obvious choice, other frames for assessing the post- or alter-capitalist potential of the commons as a resource and a collective practice do exist. Particularly noteworthy in this regard is the scheme developed by Fuller and Jonas (2003) which distinguishes different forms of alter-capitalism: alternative-additional (institutions that function differently from capitalist firms, but which do not directly threaten or interfere with capitalist relations), alternative-substitute (e.g. institutions that act to substitute a traditional institution

which no longer exists; e.g. a community-based enterprises providing social services which were previously provided by the welfare state) and alternative-oppositional (e.g. institutions that consciously try to oppose and replace the capitalist mainstream in terms of function and values). As another dimension for future assessment of the commons and commoning, explicit normative ethical frameworks (DeGeorge 2010) seem expedient to draw attention to how commons-based spaces of cooperation and collective action measure up to higher moral principles. This allows us to shed light on if the lived reality of commons and commoning effectively produces socially beneficial effects which actually correspond with either moral virtues commonly discussed by business ethicists or the principles stipulated by the Commons Charter—such as subsistence, mutuality, reciprocity and solidarity.

In conclusion, *Plunder of the Commons* is an essential book for anyone interested in the restoration of the commons and commoning, and in particular in the potential of the Commons Charter to make it a reality. It is a captivating read, for both the clarity of its argument and the elegance of its style, and it is beyond doubt that Standing has produced a significant contribution to a theme that, in the face of an impending global recession, is going to become increasingly critical. While the *Plunder of the Commons* works the imagination as well as our desire, it is upon us to use our research to further encourage the idea of the commons and commoning, thus making sure that we play our part in counter-acting the social forgetting which has almost pushed those ideas outside of the business common-sense.

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