

INTERNATIONAL CONFERENCE ON CITIZENSHIP AND COMMONS

CITIZENSHIP AS KEY TO A SUSTAINABLE MANAGEMENT OF THE COMMONS

Mexico City, Mexico, December 7th – 9th, 2006

Hotel Geneve. Londres Street No. 130, Col. Juárez.
Delegación Cuauhtémoc. Mexico City.

RATIONALE FOR CONFERENCE

According to Kofi Annan, “peoples’ human development is not sustainable without a democratic political system”. We believe that besides the consolidation of democratic political systems human development needs as a condition the equitable and fair access to the commons.. Common goods such as water, air, biodiversity, cultural diversity, genetic resources, ideas and knowledge “belong to everyone”, as David Bollier has pointed out. We feel it is important to develop a policy of sustainable use and equitable access to commons, both in their tangible and intangible form. Material commons wear out if unrestricted access is given to them, while commons of the minds (ideas, knowledge, imagination) are lost if their use is restricted. Policies concerning the commons must be put into place by citizens who become involved in defining, controlling and looking over the management of the commons. An administration of the commons that is democratic, citizen- and gender-oriented, to name but a few factors, is what allows commons to be protected and defended, and lets society at large access them equitably.

CONCEPTUAL FRAMEWORK AND ELEMENTS OF THE DEBATE

Commons

Commons are part of public goods. In economic theory, public goods are characterized by: *an absence of rivalry in use*, meaning that using a good by one person does not impede access by another to the same good, and the *absence of exclusion*, where access is not limited to anyone.

One difference between public goods and material common goods is that the latter are non-renewable and become depleted, i.e. clean water in some regions becomes more and more scarce. Thus, if they are seen as goods without a regulated access (such as public goods), they may deteriorate or be exhausted, a phenomenon that has been described historically as the “tragedy of the commons”. Yet, frequently and historically, the different processes of the commons’ slow privatization are justified by using ideological arguments about the blessings of private property that supposedly guarantees a more efficient and less damaging use of the resources. Ironically, the result thereof is that the “tragedy of the commons” -already privatized- has turned into their plundering by a vast range of economic actors. However, staying with the example of water, using simplifying mottos such as “water for everyone”, cannot establish a true exit strategy that would avoid such a plundering. Therefore, we must explicitly differentiate between the various uses of water and must create rules for an equitable access to and sustainable management of the vital liquid.

In the case of the commons of the minds, restriction to their access (i.e. via privatizing certain codes of knowledge through copyrights or patents that limit the access to genetic information more and more) gives rise to what has come to be known as the *enclosure of the commons*. If knowledge (the outcome of many ideas building up a common deposit) is privatized, then its potential to develop new ideas and other types of knowledge becomes restricted. What will happen to knowledge if no one can use others’ ideas freely?

Point of departure of this conference is the conviction that ideas grow by sharing them, not by limiting them through regulations –such as copyrights, technological restrictions, or the so called Digital Rights Management.

As we know, a hardly representative management of the commons by national governments does not guarantee the protection or defense of the commons for the well being of all. States throughout the region tend to concentrate on earnings and not on the sustainability of the commons. For example, during the 4th World Water Forum, government representatives did not declare the water/resource as a common good or as a human right. Rather, the opposite was openly argued in order to help to convince people to see water as merchandize. Other examples of states’ continued shortsightedness with respect to the protection of the commons are the non-sustainable management of water in Mexico City, or the cost of privately held software programs. How many (limited) resources such as Mexico’s oil, or El Salvador’s sugarcane will both countries have to export in order to pay for a software package that

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doesn't even become theirs, and which must be renewed several years later? To what extent will we have to warm up the earth's atmosphere, patent genes and exterminate endangered species in order to "gain" economic earnings from the commons? How many scarce tangible goods will we deliver in exchange for intangible, immaterial ones whose cost of reproduction are close to zero, and which are therefore by self-definition limitless? What does all this mean for our way of looking at the economic system as such?¹

As stated before, the solution does not necessarily come by viewing the challenge through the "state or private" dichotomy. Inge Kaul gives us an interesting tool: the Triangle of Publicness (TP). The TP states that there are three indispensable elements to guarantee the public character of a good: the publicness of its use, the publicness in decision-making about its supply, and the publicness in the distribution of its benefits. Concordantly to this analysis, the idea about a sustainable, democratic and citizen management of the commons must fulfill the following three criteria:

1. the population enjoys an equitable access to them;
2. a participatory democratic and transparent management is in place ; and
3. use of these goods benefits everyone in an equitable fashion.

The commons belong to everyone and must not be anyone's private property. They are mankind's heritage and impact the life of society at large. Therefore, our management proposal is based on intergenerational justice, on the building of an informed citizenry with the capacity to use their formal rights to discern, decide and choose collective solutions, and last but not least on gender democracy. We believe this approach will allow for the possibility of citizens to access these commons which are indispensable for their development; it will also help to gain greater independence from economic conditions and from the legal-political or technological restrictions placed on them, thus reducing the lack of fairness and conditions of extreme inequality that hold sway over the region.

Commons and citizenry

To consider different resources as commons –and not as merchandize- is, of course, a political statement, which will have to be translated into tools and regulations accepted by society at large. In this context, it is essential that citizens enjoy full access to any type of information related to the management of the commons. Quality information is the basic requirement for effective social participation in the control and monitoring of public institutions that take care of fundamental social and environmental services. This is, the heart of democratic systems does not lay alone or fundamentally in the quality of their institutions,

¹As the recently published and internationally acclaimed 'Stern Review on the Economics of Climate Change' suggests, we are also losing one fifth of the world's economic wealth from unmitigated climate change. http://www.hm-treasury.gov.uk/independent_reviews/stern_review_economics_climate_change/sternreview_index.cfm

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but in the quality of the citizenry using their full potential as citizens to exercise their rights and duties as the sovereign in a democracy.

We think that an integral citizenry is an important precondition – within the political and social dimension – of sustainability. Without social participation, without a citizenry that becomes involved in public affairs and shares responsibility in the defense and protection of the commons, without transparent and democratic regulations that can anchor this participation to provide citizens with the tools needed to exercise their role, it is impossible to have:

- neither equality of access to the commons,
- nor sustainability in running them, nor
- a consolidation of democratic principles in the sharing of their benefits.

At the same time the protection and defense of the commons for this generation and for future ones is one of the guarantors for the development of integral citizenry, reaching their full potential, both individual and collectively. Who would consider participating in politics, in using their right to access information, in organizing themselves with the intention of sharing responsibility with public affairs, if access to fundamental resources necessary for survival is not guaranteed? Being immersed in an endless number of daily struggles (such as walking several hours every day to fetch water, or fighting diseases caused by polluted water, or facing the erosion in the quality of their soils as happens in many rural homes around the region, thereby adding to the workloads especially of women) substantially reduces the opportunities of people to make other dimensions of citizenry, namely the active participation in managing public affairs, their own right and responsibility. Without the sustainable handling of the commons, there can not be a citizenry who promotes a culturally, socially and economically fair development.

GOALS

In order to protect the commons, more effective strategies have to be found. Therefore, the conference aims:

- To argue for a correlation between commons and citizenship from a multidisciplinary approach; taking into account that citizens are the guarantors of sustainable management of the commons, and moreover that equal and fair access to the commons is essential for the exercise of informed citizenship.
- To contribute to an integral, multi-sectorial South/South and South/North approach, which takes into account the link between the fair access to the commons and sustainable management of the commons by citizens, which would also integrate a gender-democratic perspective
- To promote new, unexpected and inter-sectoral alliances in order to develop and encourage mutually beneficial policy procedures.
- To insert these issues into the public debate through an awareness raising and the sensibilization of journalists and by striving for extensive media attention and coverage in spanish, english and german

CONFERENCE CHARACTERISTICS AND PREREQUISITES

- Language: bilingual Spanish/English with simultaneous interpretation.
- Length: 3 days, knowledge transfer and debates in working groups in threetracks
- **TRACK 1:** Implications of the commons' classification, (marking a difference between commons and public goods, or others) in order to define political and strategical proposals, at the access, protection and benefit levels.
ELEMENTS TO TAKE INTO ACCOUNT: similarities and differences between various resources regarding their quality and nature (character); benefits of managing commons for human beings and other live beings; the functionality of the sustainability concept with which to manage the different types of commons; locate the various kinds of resource properties belonging to mankind's heritage and to the heritage of the biosphere in history, considering that those property models do not guarantee *per se* neither a sustainable handling, protection nor quality-based recovery of a common.
- **TRACK 2:** Identification of trends and techniques of enclosure (technological, legal, economic and political) of the resources/goods considered to be mankind's heritage and heritage of the biosphere.
ELEMENTS TO TAKE INTO ACCOUNT: identify the different strategies in their historical dimension beyond those covered in the event's panels; challenges of these enclosure tendencies and techniques, beginning with the identification of

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strategic points of entrance (windows of opportunity) in order to fight against these restrictions.

- **SUBJECT 3:** The State (democratic) -Society (citizen) relationship, and defense of the commons.
- **ELEMENTS TO TAKE INTO ACCOUNT:** Explore the democratizing potential of the commons defense/protection/recovery approach; proposals for management systems for different types of goods from the citizen perspective taking into account possible conflicts of interests and necessities among social groups and the democratic representation within the framework of the Nation-State. The culture-citizen-commons relationship: What does political culture mean as it relates to common goods? What practices, norms and behavior are we talking about?

Prerequisites for participating in the Conference: Selected reading in each of the main fields (commons, sustainability, citizenship). Proposed reading list on the HBF's website: www.boell-latinoamerica.org

PROGRAM

Wednesday 6th

- **Arrival**
- **Hotel registration.** Calle de Londres No. 130, Col. Juárez. Delegación Cuauhtémoc, México, Distrito Federal. T: (+52) (55) 52 800 800
- 20:00 – 22:00 **Welcome dinner at hotel**

Thursday 7th

- 08:30-09:00 Registration of participants
- 09:00-09:30 **OPENING**
- ◆ **Opening Session**
 - Annette von Schönfeld. HBF, Germany
 - Thierry Lemaesquier. Resident representative of UNDP in Mexico.
- 09:30-10:30 **INTRODUCTORY KEYNOTES**
 - ◆ **“To whom belong the commons, whose duty is it to protect them?”** Silke Helfrich. HBF, Mexico
 - ◆ **“Technological, political and economic restrictions of the access to the commons on a global scale”.** Pat Mooney. ETC Group, Canada.
- 10:30-11:00 **BREAK**
- 11:00-13:00 **COMMONS AND CITIZENSHIP. CONCEPTUAL FRAMEWORKS.**
 - ◆ Chair: Jorge Villarreal, FHB, Mexico
 - ◆ **Keynote: “Material commons”.** David Bollier. Editor, 'OntheCommons.org', a project of the Tomales Bay Institute, USA.
 - ◆ **Keynote: “Intellectual Commons”.** James Boyle. Duke Law School, USA.
 - ◆ **Keynote: “The role of Citizenship in democracy challenges and common goods protection in Latin America”.** Andrés Pérez Baltodano, University of Western Ontario, Nicaragua.
- 13:30-15:00 **LUNCH**
- 15:00-17:30 **ROUND-TABLE DIALOGUES**

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- ◆ **Track 1:** Implications of the commons' classification, (marking a difference between commons and public goods, or others) in order to define political and strategic proposal, at the access, protection and benefit levels.
 - Facilitator: Róger Madrigal with the support of Beatriz Busaniche
 - Roundtable dialogue: Lucía Gallardo, Palmira Granada, Ariel Vercelli, Chuck Collins.
- ◆ **Track 2:** Trends and techniques of enclosure (technological, legal, economic and political) of the resources/goods considered to be mankind's heritage and heritage of the biosphere.
 - Facilitator: Daniel Moss with the support of Gonzálo Flores
 - Roundtable dialogue: Federico Heinz, Sujatha Jesudason, Anil Naidoo, Percy Schmeiser, Silvia Rodríguez
- ◆ **Track 3:** The State - Society relationship, and Defense of the commons.
 - Facilitator: Eréndira Cruz-Villegas with the support of Armando Chaguaceda
 - Roundtable dialogue: Álvaro Artiga, María Luisa Torregrosa, Andrés Baltodano, Manuel Ortega Hegg
- 18:00 – 18.45 **VIDEO SCREENING: “THE CORPORATION”
CHAPTER FOCUSED ON COMMONS. Optional**
- 19:00 **OF FREE DISPOSAL, OPTIONAL VISIT TO THE
HISTORIC CENTER OF MEXICO CITY. DINNER OF FREE CHOICE**

Friday 8th

- 09:00 – 10:30 **THE LINK BETWEEN CITIZENSHIP,
SUSTAINABILITY AND COMMONS.**
 - ◆ **Chair:** Martha Delgado Peralta, Presencia Ciudadana, Mexico.
 - ◆ **Keynote: Sustainability as a mechanism of Social Power .** Ricardo Navarro. CESTA-FOE. El Salvador.
 - ◆ **Keynote: "'Sustainability', common goods, and substantive democracy: exploring the scope, limits, and contradictions of citizenship".** Esteban Castro, University of Newcastle, England.
- 10:30 – 11:00 **BREAK**

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- 11:00 – 13:30 **CONFLICTS AROUND THE “PILLAGING” OF THE COMMONS**
 - ◆ **Chair:** Lina Pohl. FHB, El Salvador.
 - ◆ **Keynote: “Privatization of knowledge and ideas”.** Enrique Chaparro. Fundación Vía Libre, Argentina.
 - ◆ **Keynote: “Enclosure of the genetic resources”.** Silvia Ribeiro, ETC Group, Uruguay
 - ◆ **Keynote: “Implications of human genetic engineering”.** Sujatha Jesudason, Center for Genetics and Society, USA.
 - ◆ **Keynote: “Enclosure of water commons – the case of bottled water”.** Tony Clarke, Polaris Institute, Canada
 - ◆ **Keynote: “Greenhouse Gas Emissions as pillaging of a common”.** Peter Barnes, Tomales Bay Institute, USA

- 13:30 – 15:00 **LUNCH**

- 15:30-17:30 **ROUND-TABLE DIALOGUES**
 - ◆ **Track 1:** Implications of the commons' classification, (marking a difference between commons and public goods, or others) in order to define political and strategic proposals at the access, protection and benefit levels.
 - Facilitator: Róger Madrigal with the support of Beatriz Busaniche
 - Round-table dialogue: Jorge Ringenbach, Alejandro Nadal, Renata Reis, Jean Robert, Hemman Agrawal
 - ◆ **Track 2:** Trends and techniques of enclosure (technological, legal, economic and political) of the resources/goods considered to be mankind’s heritage and heritage of the biosphere.
 - Facilitator: Daniel Moss with the support of Gonzálo Flores
 - Roundtable dialogue: Ulrich Brand, Hellen Wallace, Elvia Barajas, David Bollier, Anna Valadéz
 - ◆ **Track 3:** The State - Society relationship, and Defense of the commons.
 - Facilitator: Eréndira Cruz-Villegas with the support of Armando Chaguaceda
 - Round-table dialogue: Carlos Briones, Paulo Lima, Andrés Pérez Baltodano, Esteban Castro, Manuel Ortega Hegg

- 19:00 **MUSIC CONCERT WITH TONANA. Mexican indigenous and traditional songs. The concert will be realized as part of the conceptual framework of the Conference. The concert tries to highlight the**

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cultural diversity and to rescue traditional knowledge. The concert will take place in the Hotel.

- 20:30 **DINNER IN HOTEL**

Saturday 9th

- 09:00-10:00 Presentation of diverse materials.
 - Eva Carazo
 - Ariel Vercelli
 - Álvaro Artiga
- 10:00 – 11:30 **PROPOSALS FOR THE MANAGEMENT OF COMMONS BY CITIZENS, ELEMENTS FOR A STRATEGICAL DEBATE.**
 - ◆ **Chair:** Silke Helfrich, FHB, México
 - ◆ **Keynote: The Sky Trust as an proposal for the management of commons by citizens.** Peter Barnes, Tomales Bay Institute, USA
 - ◆ **Keynote: Towards a movement for the defense of the commons – the example of the commons of the minds in Germany.** Oliver Moldenhauer, Attac Germany, Germany
 - ◆ Introduction to networking time
- 11:30-15:00 **NETWORKING: SPACE FOR EXCHANGE AND INTEGRATION. Lunch will be served from 13:30.**
- 15:00-17:30
 - **PRESENTATION OF FIRST RESULTS OF THE ROUNDTABLE DIALOGUES.** With the participation of Eréndira Cruz-Villegas, Daniel Moss and Róger Madrigal.
 - **FINAL ROUNDTABLE DIALOGUE.**
With the participation of: Silke Helfrich, Jurema Werneck, Pat Mooney, David Bollier, Jean-Pierre Leroy, Federico Heinz, Anil Naidoo, Gustavo Esteva, Carlos Briones, Gustavo Esteva.
- **CLOSING MESSAGE.**
 - Andreas Polterman. HBF, Germany.



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19:30

TRADITIONAL MEXICAN DINNER AT THE HBF OFFICE!