

The Charters of English Liberties

The processes of the privatization of public property and common goods are by no means new. They – as well as the resistance to them – can be traced back far into history. In medieval England, for example, the sovereign of that time, John "Lackland" of England, was forced by revolting barons discontented with his rule – his seizure of land, levying of taxes, and strict executive power – to sign the Charters of English Liberties. This accord, initially comprised of two documents that were later joined, the 1215 Magna Carta and the 1217 Carta de Foresta, significantly limited royal powers, defined mutual obligations between the king and the barons, and ensured a number of essential rights. Whereas the Magna Carta became famous as a forerunner to modern constitutions – best known for its clause that no free man was to be punished except within the context of common law – the Carta de Foresta, usually referred to as the Charter of the Forest, had a greater social impact with regard to the question of the commons and sustaining people's livelihoods.

The Charter of the Forest, by redressing many grievances against the implementation of forest law, protected the subsistence and material well-being of medieval commoners. At that time, the forests, or more precisely, the woodlands, were the most important source of subsistence, providing fuel for cooking and heating, pasture for the peasants' livestock, as well as basic foods. Free access to and common use of these lands were part of longstanding and vital common practices. Infringements upon these customary rights by the king's and the barons' land seizures threatened this way of life. The formerly freely accessible and commonly used woodlands were successively put under royal jurisdiction (forests) or transformed into exclusive private property, thereby turning the previously common practices of grazing, cutting wood, hunting, or fishing into illegal acts and depriving commoners of their means of subsistence. Thus the Charter of the Forest, by codifying everyone's access to land, was an important accomplishment in two ways: Contrary to the Magna Carta, which mainly enforced rights and privileges only for free men, the Charter of the Forest protected the rights of common people against the assaults of the king and the aristocracy. Moreover, and this is a crucial point, the Charter, rather than *granting* the right of access to land, *confirmed* an already commonly existing practice of the people and put it into legal terms.

It is this distinction between confirming and granting rights, or, in other words, the significance of practicing rights instead of demanding them or waiting for "benevolent powers" to voluntarily grant those rights, that we found crucial in looking at the early commoners. Those long-ago confrontations between forces granting only

exclusive access to land and resources and struggles for a common right of use in many ways mirror contemporary conflicts – despite all differences between the respective social systems. From this perspective, those medieval commoners forcing the authorities to confirm the rights they had already taken might tell us more than the old-fashioned notion of subsistence initially suggests. Interested in this continuity, we tried to follow the history of struggles for common rights of use from the Charters of English Liberties on. A diagrammatic overview shows the different conditions and forces – those fostering and those opposing enclosures and the creation of private property – and the respective legal regulations from the feudal system to today's mode of capitalism with its new forms of enclosure. An interview with the historian Peter Linebaugh, author of "The Magna Carta Manifesto", and a talk by the law professor Louis Wolcher, given at the "Law of the Commons" seminar in Seattle in 2009, further contextualize the Charters of English Liberties and elaborate on their meaning for transforming our current society.

Cover image: Map of Laxton 1635 (Map II, West Field and Westwood Common) from: C.S. and C.S. Orwin: "The Open Fields", Oxford 1967.

The open field system was the basic method used for the communal organization of cultivation in European agriculture. In the Middle Ages each manor or village had both a number of very large unfenced fields, which were divided into strips and farmed by individual families (using crop rotation) and fields for common grazing. Laxton parish in Nottinghamshire is one of the few villages in Great Britain that has retained some of its common fields up to the present day.

An Interview with Peter Linebaugh
by Mike McCormick

The Magna Carta Manifesto

What was your motivation for writing "The Magna Carta Manifesto: Liberties and Commons for All"?

Peter Linebaugh: To me, although written in the times of medieval Europe, the Magna Carta is still of great importance today, especially in reference to the current situation in the US, the simultaneous war and aggression in Iraq and Afghanistan, on the one hand, and the imprisonment without charges of men and women in Guantanamo, the wholesale destruction of liberties in the US under the regime of the Bush autocracy and tyranny, on the other. I felt it was time to look deep into history to see whether or not the manuscripted basis of human liberty, such old charters as the Magna Carta, might help us. Written in 1215 in feudal Europe, those 63 short chapters not only became a foundation for English law, but also strongly influenced the US Constitution: The American Supreme Court has quoted and referred to the Magna Carta ever since its beginning. All our legal principles – trial by jury, prohibition of torture, habeas corpus, due process of law – derive from these few lines of chapter 39 of the Magna Carta. It is this principle of resistance to autocratic power by any means necessary, this foundation in the Magna Carta, which we should remember today.

Researching the Magna Carta, however, I came across an even deeper forgetting: the second of the two Charters of English Liberties, the Charter of the Forest, issued in 1217. At that time, during the woodland epoch of history, in contrast to the coal or petroleum epoch, people were using the forest as the most important source for their subsistence: for fuel for cooking, heating, and industries; as pasture for their cattle or pigs; or as a simple pharmacopoeia. Of course, the conquerors of England – the Norman Conquest had begun in 1066 – came in with their own forest law to ensure the forest basically as a game preserve for the king, but those common people had common rights in the forest that the Charter of the Forest recognized and acknowledged as the right of common access to royal private lands. And it was this discovery that just blew me away because it seemed that in our epoch the feminization of poverty, the deprivation of forest, and the increase in immigration and boat people arose from the absence of rights to subsistence. So I made a parallel between the woodland epoch and the petroleum period, and it is these two themes that are interwoven in the Charters of English Liberties: the theme of subsistence for all and the theme of protection against autocracy or tyranny.

Regarding the actual document, was the Magna Carta written primarily at one point in time or was it added to over the years?

Peter Linebaugh: That question really occupies scholars. Normally, the Magna Carta is understood to refer to a single document, that of 1215. However, the document was revised several times in the following years by respective kings, so that there exist various versions of the Magna Carta. It is the 1297 version that remains on the statute books of England and Wales.

At the beginning, there existed 17 handwritten copies of the Magna Carta. You have to remember that printing was not possible then. So, the Magna Carta and the Charter of the Forest were published not by print, rather they were broadcasted via voice, by reading them aloud from pulpits in cathedrals, in Latin, in Norman French, and even in English by the fourteenth century. After the invention of printing, they became more widespread. But even in the Middle Ages, the peasantry was pretty suspicious of printing and writing, as often these contained traps for them, and in the great peasant revolts of the Middle Ages one of the targets was the destruction of such manuscripts. There were only a few peasants who were literate and able to read the manuscripts of that time.

Who were the authors of the Magna Carta, and how were the commoners represented in it?

Peter Linebaugh: Although there were, of course, individuals involved in negotiating the Magna Carta – Steven Langton, the archbishop of Canterbury, comes to mind, first of all – their authority as authors was a collective one, as they had to, above all, respond to social forces. The archbishop had to negotiate with barons, with merchants, and with the peasantry in order to attain stability in this armistice. The Magna Carta, in this light, is basically a peace-treaty between class forces. It was kind of a settlement, a treaty among contending forces in a civil war, a political document. It attempted to put to rest seven conflicts, namely between church and monarchy, between individual and the state, between husband and wife, between Jew and Christian, between king and baron, between merchant and consumer, and between commoner and privatizer. The class war of course has not ended; it now takes other forms.

The commoners were represented in it very powerfully in Chapter 7, which grants to the widow her reasonable so called "estovers" in the common, which means the right to subsistence access to wood. So, they responded to commoners. It is, however, not until the seventeenth century, the time of the English revolution and such activist political movements as the Levellers and the Diggers that the common people begin to appear in history in their own names. England wanted to get rid of those indigent servants and white slavery and exported them to the American colonies. And, in this way, the verbatim chapter 39 from the Magna Carta now reappeared on the other side of the ocean as the principles of Virginia, Massachusetts, and some other colonies, and it is from there that then Thomas Paine or the founders of the US derive their link: the Magna Carta to the Declaration of Independence and then to the American legal tradition.

How would you describe the contemporary meaning of the Magna Carta?

Peter Linebaugh: Even today we have important principles that derive from the Magna Carta. As I pointed out in the beginning, chapter 39 has grown to embody fundamental principles, but its work is far from done. Other chapters too must grow. It is, for example, interesting to have a closer look at how not only the principles of anti-enclosure and resistance against autocracy were written in the Carta, but also that of reparations: The King had to not only return

the forests that he and the others took, but justice also involved material restitution for harm caused. And so the Magna Carta could potentially also be used in our debates about reparations.

The Carta is on our side, so to speak, if we choose to employ it, but, in itself, it is no answer to our current problems. And there are many documents of human liberation, like the Fourteenth Amendment to the United States Constitution, article 7a of the National Recovery Administration of the New Deal, or the Wagner Act that we have to rediscover to renew law, whose principles should be brought alive again as a basis for equality and solidarity, not as a means to serve the powerful.

Peter Linebaugh is Professor of History at the University of Toledo and author of, among other works, „The Magna Carta Manifesto: Liberties and Commons for All“, 2008 and, together with Marcus Rediker, „The Many-Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic“, 2001.

The interview is based on a conversation recorded on March 14, 2009 by Mike McCormick for the public affairs show Mind Over Matters on KEXP 90.3 FM Seattle (www.kexp.org).

Louis Wolcher

The Meanings of the Commons

The English noun the commons is not wholly unambiguous, which is why my title refers to the meanings (plural) of the commons. In the Anglophone legal tradition the commons is rooted in a particular kind of historical memory. This memory goes back to the feudal era, and took institutional form in two founding documents of the English Constitution: the Magna Carta of 1215 and the Charter of the Forests of 1217. These so-called Charters of Liberties are widely remembered today, at least by lawyers, but generally speaking they are remembered in only one of their meanings. The meaning with which most American lawyers are familiar is also the one that drew the attention of the founders of the U.S. Constitution in the eighteenth century. This is the idea that the king grants people certain legal rights and thereby puts limits on a sovereign power that would otherwise be absolute. Take for example the famous article 39 of Magna Carta: "No free man shall be arrested, or imprisoned, or deprived of his property, or outlawed, or exiled, or in any way destroyed, nor shall we go against him or send against him, unless by legal judgment of his peers, or by the law of the land." Here we can find the origin of the modern notion of due process of law, including especially the idea of habeas corpus as a judicial remedy for the arbitrary deprivation of personal liberty. As important as due process and habeas corpus are for a free society, however, there is another meaning of the Charters of Liberties that is barely remembered today. I am referring to the notion that the king did not grant his subjects their rights in the charters, but rather confirmed certain customary practices that the commoners had been engaging in for hundreds of years – practices which were under threat at the time from the king and his nobles. As the historian Peter Linebaugh demonstrates in his magisterial new book, "The Magna Carta Manifesto" (2008), these social practices included the use, in common with others in the community, of the forests and the rivers for such purposes as grazing, the collection of firewood, fishing, and the fulfillment of other basic economic needs.

Both of these charters bear directly upon this forgotten tradition of having certain rights confirmed rather than granted by the sovereign. But more importantly, it is politically and morally imperative in today's world to tell the story of how this tradition ultimately came to be forgotten. It seems to me that it is extremely important to reinforce the distinction, drawn above, between sovereign authority (a state or a king) granting people new rights and sovereign authority confirming already existing privileges that owe their entire existence to the simple fact that they have been exercised by the people themselves. In the twenty-first century, and certainly in the United States, we have been thoroughly indoctrinated by a positivistic conception of the law and the state. I mean that it is hard for many people to think of rights as anything other than created legal entities that are given to us by the powerful. But the customary rights that were confirmed in Magna Carta and the Charter of the Forest were not exactly given by anyone. They were previously taken by the people acting in concert, who then forced King John to confirm what had already been taken. The commons in this sense, as Peter Linebaugh so eloquently puts it in his book, is best expressed as commoning – not a noun, but a verb. In the historical act of commoning, human beings actually expressed not a set of property relationships, but rather a form of life. And while the daily life of medieval peasants was not exactly a bed of roses, materially speaking, the practice of commoning gave them a surprising degree of autonomy in comparison with the lives of most Westerners today. It would seem that in the social institution of thirteenth century English commoning the power to meet basic subsistence needs lay within the grasp of the commoners themselves, and was not a mere gift bestowed on them by a superior authority.

Compare the foregoing concept of commoning with the widespread belief that the provision of basic social welfare is something that is given by the state, controlled by the state, and can be diminished or taken away by the state at will. This comparison ought to show that the commons (in the medieval sense of commoning) is not the same as property that is held in common. The commons in this original sense was not a tract of land or a forest the deed or easement to which the king granted to a list of named villagers so they could satisfy their basic subsistence needs. In its original sense, the commons was not piece of property held in common because the modern concept of property, private property, stands opposed to the social practice of commoning. Private property entails the unfettered right to exclude; commoning entails the right to make reasonable use of a resource. To common was to engage in a form of life in which you took the provisioning of your life and the life of your family into your own hands, without waiting for crumbs of subsistence to drop from the plates of the powerful. This point has a political dimension that is seldom mentioned in rightwing critiques of the so-called "tragedy of the commons." Although we tend to associate medieval serfdom and peasant life with abject servility to cruel and uncaring nobles, there is a not-insignificant sense in which the social practice of commoning gave people more, not less, autonomy than we sophisticates have today. It seems to me that this fundamental idea of autogenetic autonomy vis-à-vis the environment world is what Magna Carta and the Charter of the Forest confirmed. And at the same time, this ancient confirmation

of autonomy is what remains most obscure about the Charters of Liberties in the Western world today.

The medieval population that commoned and that was confirmed in its commoning by the Charters of Liberties possessed a joint cultural memory that enabled individuals to form a point of resistance to any effort to extinguish their ancient form of life. When the landed nobility in England began to engage in a process known as the enclosures, popular resistance was possible and became actual precisely because people knew or could remember their earlier form of life. People could resist based upon their memory of the kind of commoning in which they took the problem of providing for their lives into their own hands. This memory let them know that they did not ultimately owe the existence of their lives to the king and the rights that he may or may not choose to give them.

Of course, we all know that the practice of commoning eventually succumbed to the enclosures, albeit not without a considerable amount of bloodshed. In modern terms, we call the ultimate success of the enclosure movement the rise of a regime of private property rights. Private property is the right to credibly invoke the threat of sovereign violence, in the form of the court system and the police, to exclude others from using one's property without one's consent. And we all know that thinkers such as Marx, Proudhon, Sorel and Anatole France have had a lot of interesting things to say about the world that this regime of private property rights has made for us. Nevertheless, I think that the distinction between the commons and commoning goes to the very heart of the meaning of the commons, and especially to its political importance for us today. If we continue to think of the commons as commonly owned property, then the best we can do is imagine cajoling or begging governments and their technocrats for solutions to our problems as we cower in our homes waiting for the floodwaters, both figurative and literal, to rise up and engulf us. On the other hand, if we can think of commoning in its original sense as an un-granted, un-scripted form of autonomous living itself, then we can catch sight of the possibility, however remote, of creating a better future in common with one another from the ground up, so to speak, instead of from the top down.

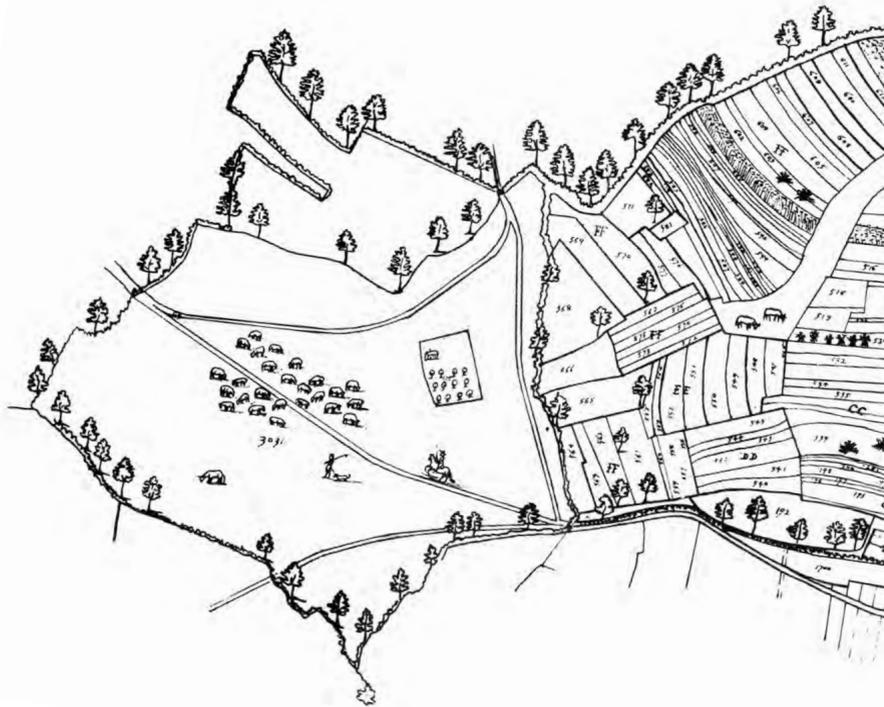
There is, however, a very grave problem with the distinction that I have drawn between the commons as some newfangled sort of property concept and commoning as a primordial form of being-together-in-the-world. Contrary to the state of affairs prevailing in thirteenth century England, most of us have not experienced commoning as a normal, natural part of daily life. For us, a worldwide regime of private property is all we know, and therefore we are in a less fortunate position than those who managed to force King John to sign the Great Charter of English Liberty . This is because the enclosures in the largest sense of the term – i.e. the marketization of this world and all that is in it under the auspices of private property and global capitalism – has thoroughly eclipsed the common imagination to such a degree that we have lost contact with this earlier meaning of the commons. Many people associate it, wrongly I think, with the disasters and suffering perpetrated by various forms totalitarian communism during the twentieth century. But Stalin and Mao would have hated commoning as I have described it, for commoning by its very nature tends

to subvert all forms of authoritarian control and discipline. Thus, today we have very few memories of a different and non-authoritarian form of commons to fall back on. To put it differently, the only kind of solution that most people can think of for the palpable failures of the market during the present Great Recession and the meltdown we are currently experiencing from global warming is to depend on the market itself: more markets and different forms of marketing; more private property and different forms of ownership. Unlike the medieval commoner, we do not have any common cultural memory of a different way of being or a different way of approaching our common problems.

What has the global market actually wrought? What has the rightwing movement towards deregulation and laissez faire during the past three decades actually produced for global humanity? Many good things, to be sure, but also many catastrophes. These questions, if we take them very seriously, ask us to grapple with the public meaning of private property, and not just its private meaning to particular property owners. This is because the notion of private property, if we put it into opposition to the concept of commoning, has never been wholly private. Just as Heidegger said that the meaning of technology is not itself anything technological, so too we must say that the meaning of private property is not itself a private matter. Establishing the social meaning of private property is a public task, not a private one. How limited our imaginations have become! We have let ordinary, received truths and habitual ways of looking at things turn us into sheep following the Judas goat of whoever seems best able to use the power of the state in a way that at least will not make our lives more miserable than they already are. We have let ourselves become docile subjects of the law and the forces that somehow manage to make law and regulations far beyond the horizon of our daily concerns. Our passivity has led us to become complicit in our own subjugation and dehumanization. Especially now, when the world is confronting such a vast array of truly frightening problems, it seems to me that it is imperative to begin breaking the grip of the immediate, which strangles our imagination and does not allow us to think critically. For make no mistake about it: thinking critically is the very essence of human freedom. Without critical thought, freedom is merely liberty: the unconstrained physical power to grab one of the limited options that other, more powerful, people have put on the table before us. Thus, for me the most important meaning of the commons is not inscribed within the ambit of property rights. The commons is not a bundle of goods, a piece of land, a copyright, or even this or that valuable portion of the internet. No, the commons in its most basic sense consists in the shared imagination of individual human beings acting in solidarity with one another to confront a world that seems to be falling apart before our very eyes. If this is not the meaning of the commons for our era, at least it is a meaning that deserves our attention.

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Transcription of a lecture given March 13, 2009 at the Law of the Commons Conference organised by the Seattle Chapter of the National Lawyers Guild.



1100: Issuing of Charter of Liberties
Henry I of England, addressing abuses of royal power by his predecessor, committed himself to certain laws regarding the treatment of church officials and nobles by issuing the Charter of Liberties, which is considered to be the forerunner of the Magna Carta.

1217: Issuing of Carta de Foresta
The Carta de Foresta was sealed as a supplement to Magna Carta, providing, among others, rights and protections for serfs and vassals and confirming the right of common access to royal lands. It remained in force until 1971.

June 10, 1215: Walk on London
In an attempt to combat the abuses of royal power by King John, the revolting English nobility entered London to force him to agree to the "Articles of the Barons", a set of stipulations on the basis of which Magna Carta was drawn up.

1217: Reissuing of Magna Carta
Henry III's regent reissued Magna Carta (47 chapters), including one significant addition in chapter 7 protecting the widow's subsistence.

June 15, 1215: Issuing of Magna Carta
King John of England, giving in to the revolting English nobility, sealed the first version of Magna Carta (63 chapters), in which he limited his own power by law and subjected it to legal procedures as well as confirming certain rights and privileges (pertaining to freemen).

1369: Merging of Magna Carta and Carta de Foresta
From now on, Magna Carta and Carta de Foresta were treated as a single statute.

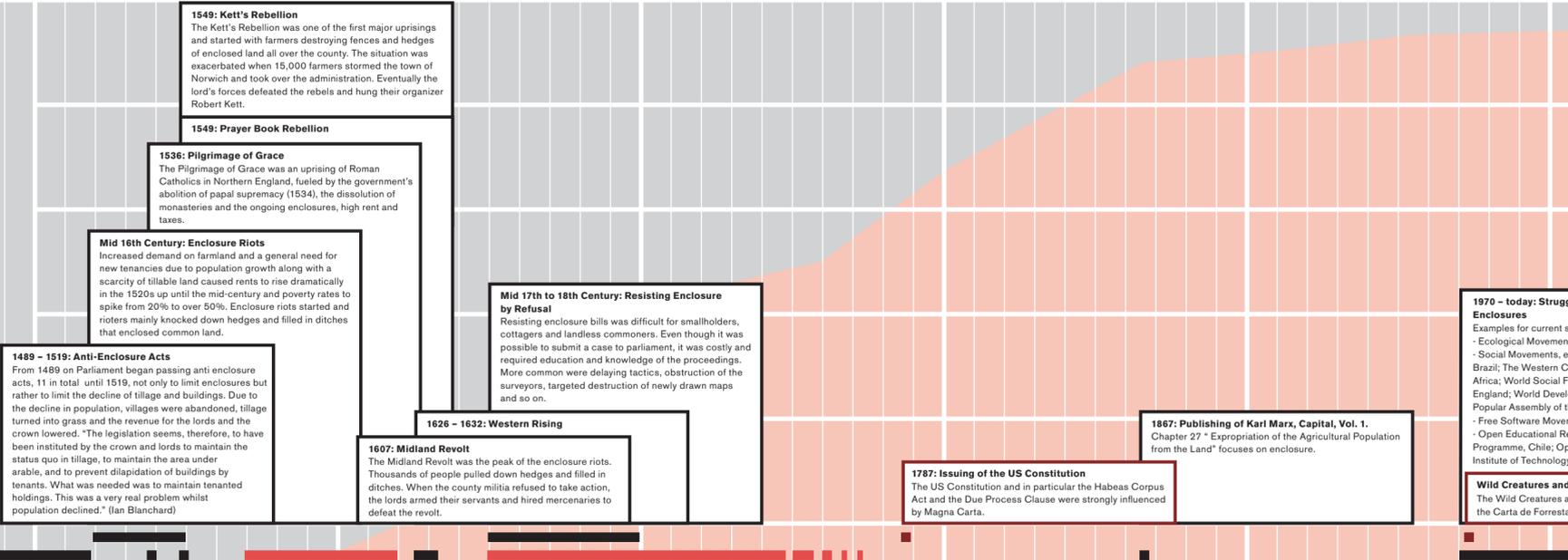
1225: Reissuing of Magna Carta and Carta de Foresta
Henry III reissued Magna Carta (37 chapters) and the Carta de Foresta. From now on and for the next two hundred years both charters were confirmed by each new king.

1235 and 1285: Codifying of Enclosure Practice
With the Statute of Merton, 1235, and the Statute of Westminster, 1285, the existing enclosure practice in England was legally sanctioned. Both statutes permitted landlords to enclose wasteland on condition that they left sufficient land for their free tenants.

1297: Confirmation of Magna Carta and Carta de Foresta
Edward I confirmed the charters as both common law and statute law.

1350 - 1530: Soaring Enclosures and the Growth of Wool Production
The upcoming wool manufacturing in Flanders and the expanding market for raw wool made sheep farming in England profitable. Due to the Black Death 1348 - 1349 the population decreased and the number of tenants as well. Sheep farming required fewer laborers than tillage and former arable land was partly turned back into pasture. The revenue on arable land, however, was still higher than on land for sheep farming and therefore the landlords began to enclose open, commonly used woodland and turn it into pasture. The increasing enclosure of common land destroyed people's livelihood and was a cause for the pauperization of many smallholders and landless tenants.

Percentage of enclosed land in England



1489 - 1519: Anti-Enclosure Acts
From 1489 on Parliament began passing anti enclosure acts, 11 in total until 1519, not only to limit enclosures but rather to limit the decline of tillage and buildings. Due to the decline in population, villages were abandoned, tillage turned into grass and the revenue for the lords and the crown lowered. "The legislation seems, therefore, to have been instituted by the crown and lords to maintain the status quo in tillage, to maintain the area under arable, and to prevent dilapidation of buildings by tenants. What was needed was to maintain tenant holdings. This was a very real problem whilst population declined." (Ian Blanchard)

1607: Midland Revolt
The Midland Revolt was the peak of the enclosure riots. Thousands of people pulled down hedges and filled in ditches. When the county militia refused to take action, the lords armed their servants and hired mercenaries to defeat the revolt.

1626 - 1632: Western Rising

Mid 17th to 18th Century: Resisting Enclosure by Refusal
Resisting enclosure bills was difficult for smallholders, cottagers and landless commoners. Even though it was possible to submit a case to parliament, it was costly and required education and knowledge of the proceedings. More common were delaying tactics, obstruction of the surveyors, targeted destruction of newly drawn maps and so on.

Mid 16th Century: Enclosure Riots
Increased demand on farmland and a general need for new tenancies due to population growth along with a scarcity of tillable land caused rents to rise dramatically in the 1520s up until the mid-century and poverty rates to spike from 20% to over 50%. Enclosure riots started and rioters mainly knocked down hedges and filled in ditches that enclosed common land.

1536: Pilgrimage of Grace
The Pilgrimage of Grace was an uprising of Roman Catholics in Northern England, fueled by the government's abolition of papal supremacy (1534), the dissolution of monasteries and the ongoing enclosures, high rent and taxes.

1549: Prayer Book Rebellion

1549: Kett's Rebellion
The Kett's Rebellion was one of the first major uprisings and started with farmers destroying fences and hedges of enclosed land all over the county. The situation was exacerbated when 15,000 farmers stormed the town of Norwich and took over the administration. Eventually the lord's forces defeated the rebels and hung their organizer Robert Kett.

1604 - 1914: Parliamentary Enclosure
The first parliamentary enclosure Act was issued to enable enclosures by parliamentary means, that were previously regulated by agreements between lord and tenant. These "parliamentary" enclosures consolidated strips in the open fields into more compact units, and enclosed much of the remaining pasture commons or wastelands. This system usually provided commoners with some other land in compensation for the loss of common rights, although this was often land of poor quality and limited extent.

1628 and 1679: Issuing of the Petition of Right and Habeas Corpus Act
The Petition of Right, 1628, and the Habeas Corpus Act, 1679, can in England both be traced back to clause 39 of the Magna Carta, which stated that "no free man shall be...imprisoned or dispossessed...except by the lawful judgment of his peers or by the law of the land."

The enclosing of common land still proceeds
Between 1570 and 1620 nearly one third of all the land in England changed hands - from the poor and commoners to the wealthy. Many of the tenant farmers were evicted.

Mid 17th Century: Enclosure for the advancement of Agricultural Efficiency, Agricultural Revolution
New agricultural techniques, including fertilizer, new crops, and crop rotation had been implemented, all of which greatly increased the profitability of large-scale farms. Enclosure became a means for furthering agricultural efficiency.

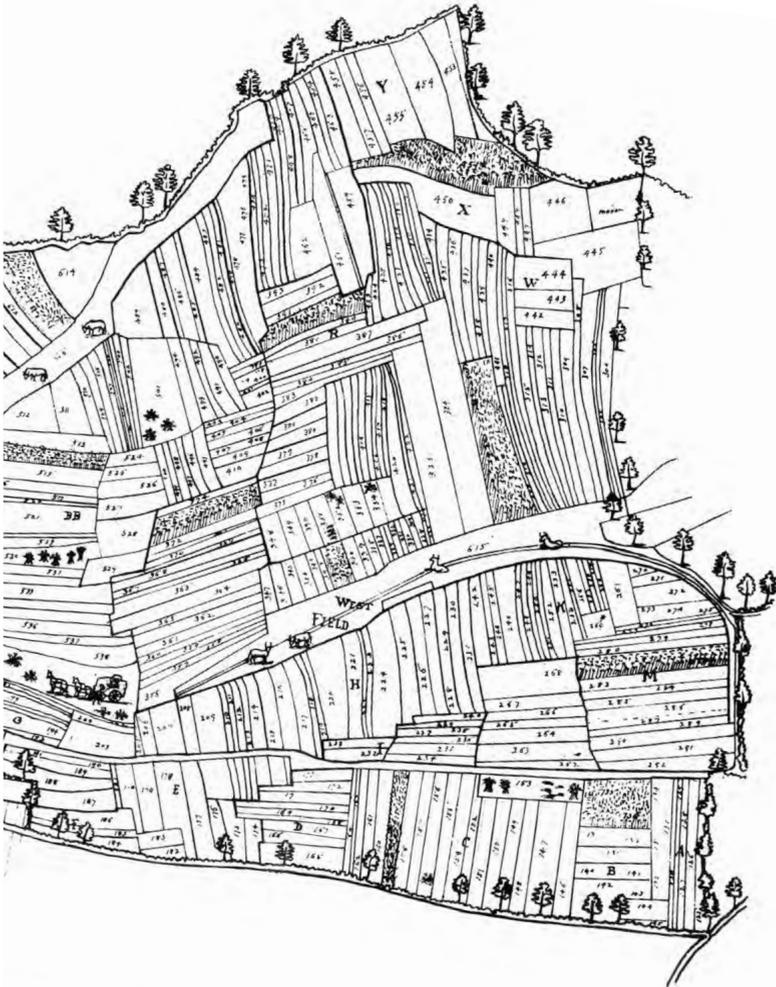
1801: Enclosure Consolidation Act
With the Enclosure Consolidation Act the series of government acts addressing individual regions were given a common framework.

1845: Inauguration of Enclosure Commissioners
Another general enclosure act allowed for the appointment of enclosure commissioners who could enclose land without submitting a request to Parliament.

1914: Ending of the Parliamentary Enclosure
Altogether twenty percent of England's total agricultural area had been enclosed by parliamentary means. After a low impact of the first parliamentary enclosure acts, the process of enclosure was accelerated following the start of the agricultural revolution and the rise of agrarian capitalism.

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Navarinou Park, Athens 2009

Self-Organization in Every Neighborhood

For those of us seeking autonomy rather than subordination in their lives, there is no other choice but to act immediately. Do not let any open space in the concrete jungle of the city be transformed into a space of confinement, control and commercialization in the name of renewal. Participate actively in the creation of open, green spaces for self-expression and leisure, where we will be able to establish our discourse and actions together and show our solidarity as a praxis. Break the concrete and the cells. We are turning parking spaces into living parks. We, here and now, and for all of us.

Flyer distributed in March 2009

In early March 2009, neighborhood activists squatted a parking lot in Navarinou Street, Athens. Several hundred people followed an open invitation sent out by the squatters to turn the privately owned land into a public park. Within just a month a small park was built in one of the most densely built areas of Athens with only a few green spaces. People broke and removed the asphalt, planted trees and bushes that had been donated and built benches, a poster wall, and even a small hut for storage and exhibitions and as a place to meet and show presence should the police attempt to clear the site.

The squatted site is the property of the Greek chamber of architects and engineers that made plans to build a park there almost 20 years ago, but have never done so. Instead, the plot has been used as a commercial car park. It is situated in the district of Exarcheia, which has a long history of leftist movements, for example the 1973 student uprising that began at the National Technological University, only a few streets away from the park and was part of a general protest movement that led to the fall of the military dictatorship. Low-level confrontations between police and youth groups have been common over a longer period of time, but in December 2008 the situation became more acute when 15-year-old Alexandros Grigoropoulos was shot by a police officer close to the park. During the subsequent uprising that soon spread to other cities in Greece, a number of buildings in the area were squatted in protest actions, among them representative and public buildings such as the nearby Opera House. The Navarinou Park project should to be seen within the context of the December uprising: It only became possible through the collective mobilization and action of this period.

The park is perceived by its organizers to be common space, open to everyone who wants to use it. It is organized through an open assembly that in the beginning met on the site every day to decide about its refurbishing and use. The park serves both recreational and cultural purposes, as a meeting place, but also for showing films, hosting evening discussions or as a starting point for

demonstrations. It is an experiment in commoning with a very public and relatively diverse group of people, and has to face the many conflicts typical of commonly shared resources: the questions of access, maintenance and responsibility, of different interests, political positions and limits of tolerance. For instance, conflicts had to be mediated between residents and visitors to the park, who had different ideas about its use, but also with the police forces that are constantly present in this area.

This An Architektur insert documents the events linked to the squatting of the park and their spatial arrangements and also discusses the social, organizational and planning aspects of this commonly used park with Katerina Chryssanthopoulou of the neighborhood group.

Athens, June 2009

Structures of Engagement

An interview with Katerina Chryssanthopoulou

How would you describe the project of squatting Navarinou Park within the uprisings of December 2008 as a whole? To what extent was the particular environment in Exarcheia important for the squat?

Katerina: The way the occupation proceeded, the ease with which the empty lot was transformed, the optimism contained in the initial action and the massive participation of all kinds of people are directly connected with the uprisings of December 2008. December awoke a lot of enthusiasm, created strong bonds of solidarity and a sense of collectivity for many people, as well as a need to act immediately, to step up, and to propose new structures. As for Exarcheia, it is definitely the most politically active district of Athens, with a long tradition of movements, collectives, and various other forms of political action. Let's say that at the time the park might have also succeeded elsewhere, but it probably would not have lasted anywhere else. Being in Exarcheia assures the constant presence of people in the park, day and night, which in a way is its best protection.

The intentions, actions, and organizing that are needed to squat a parking lot and convert it into a park seem to be really different from those needed to squat a house. We imagine that the neighborhood's support for a public park is broader than for a house, especially in the early phase. But then there might be similar problems to build long-term structures of engagement and responsibility. What are your strategies for keeping the park going?

Katerina: The park has certain advantages compared to a squatted house. First of all, it is a territory, it provides a space for everybody, and it is a park, something that has a positive connotation and unites everyone from young to old, including people with no specific political intentions and people from outside the neighborhood. If it were only a squat for residents, it wouldn't work so well. The fact that about 200 people pass through the park every day is crucial, both symbolically and politically. Without the physical presence of these people, the park would have already ceased to exist; the police would have evicted us long ago.

It is these exterior menaces – the threat of eviction for example – that unite and strengthen people's spirit, despite all differences and problems, which, of course, exist in such a project. Politically, it is important that it is a public green space because this is something that the owners of the land themselves – the Technical Chamber of Greece – have always promoted. They would lose credibility if they took action against an initiative that is exactly that.

How to sustain the park for a longer time? We have no official policy that has to be followed. It is all about creating spaces and making use of situations to render our discourse and actions more powerful; it is a tactical rather than a strategic approach. From the very first day on, the

park was planned as an open occupation. Anybody can organize a talk, a cinema night, a party, or a concert without being necessarily part of the core group. Keeping this openness, not regarding the park as your personal private project, maintaining the horizontal distribution of power, all this is essential to keep the park alive for a longer time. After a year, there are still different tactics being tried out, more as reactions to specific situations than as coordinated plans of action.

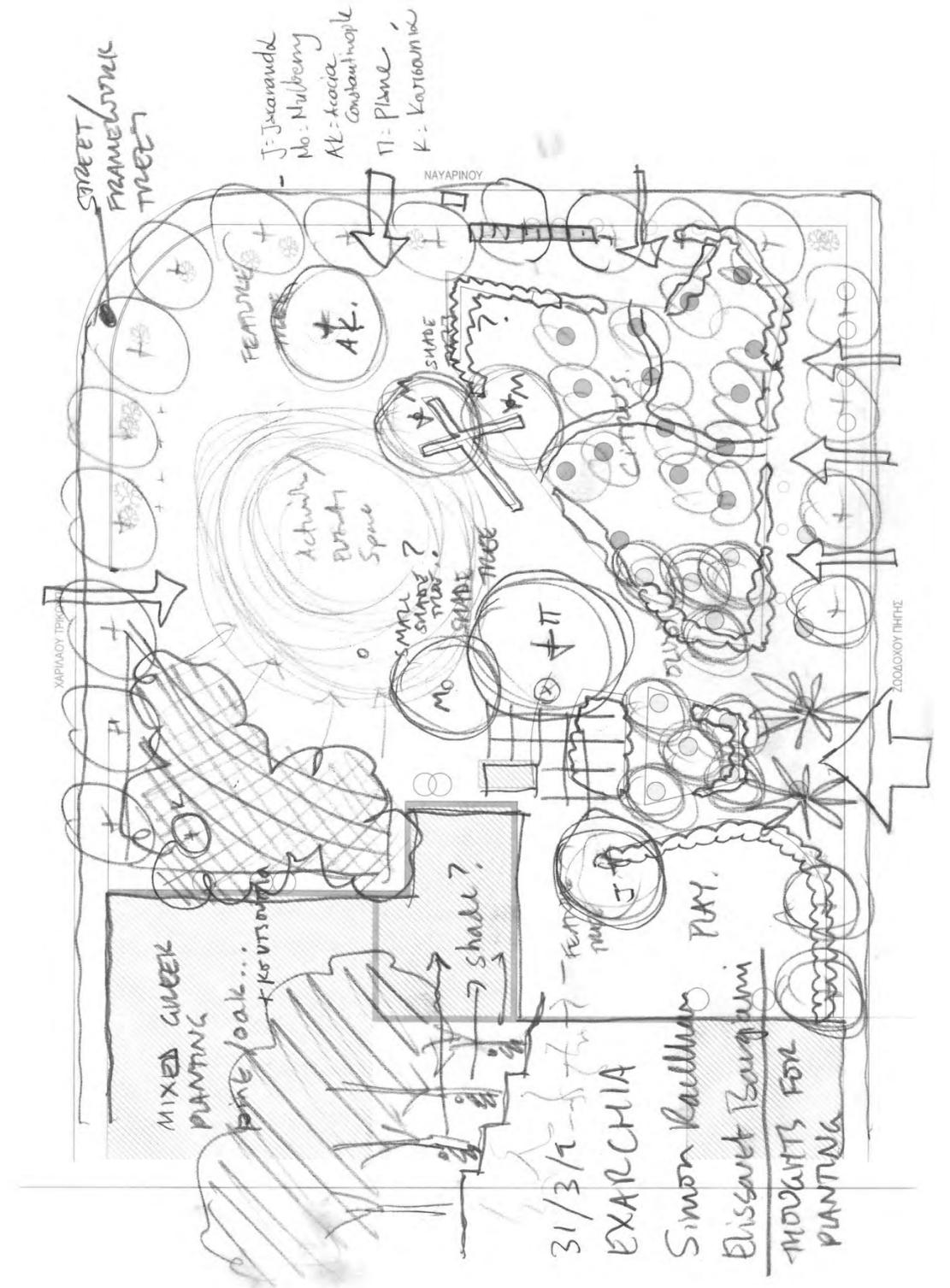
Could you say more about the decision-making process for the park and how you decide on its use, the rules, and the organization? For example, how did you develop and decide on the design of the park, the way it looks? It seems like there are mainly architects involved.

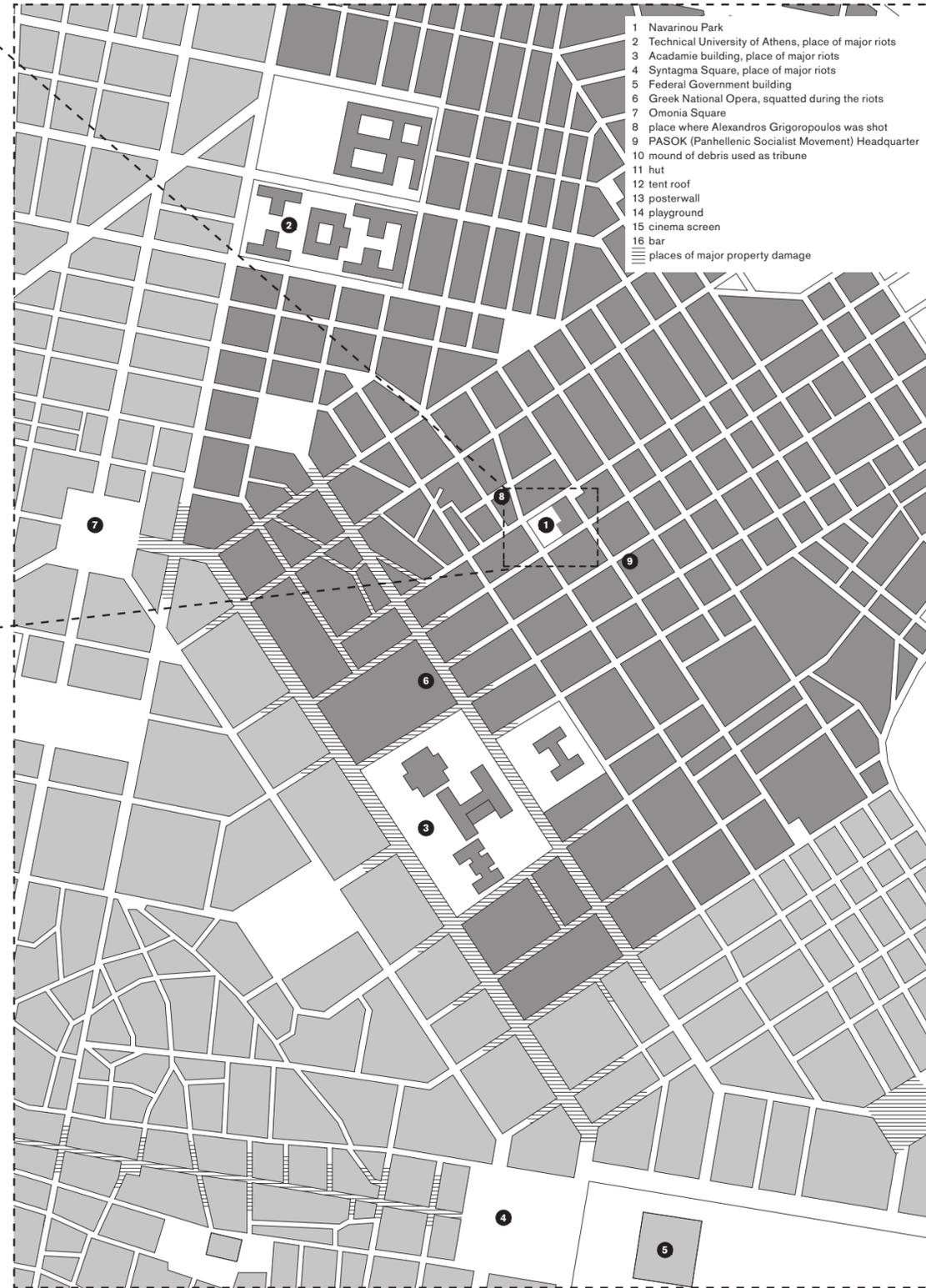
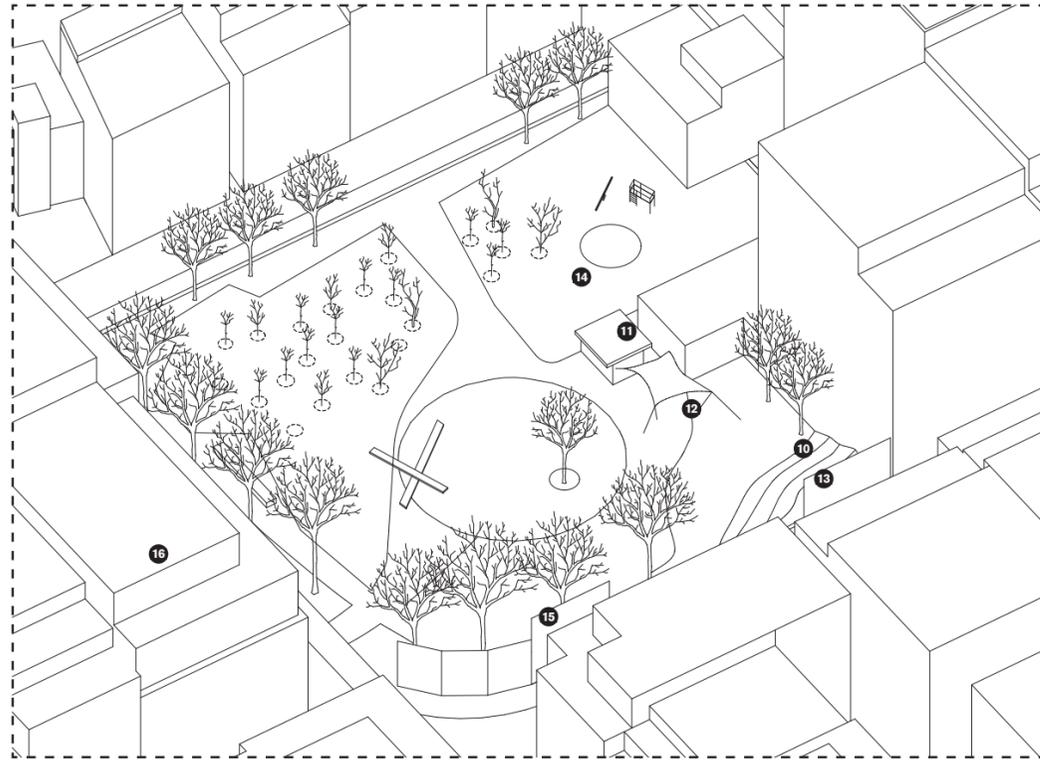
Katerina: Nowadays, yes, there are mainly architects involved in the design, but in the beginning this was not the case. The organizational principle is that the General Assembly, which currently meets once or twice a week and is open for everyone who wants to be involved, makes the general decisions and different working groups can make specific decisions on their own. The design team takes care of the architectural aspects of the park, but there is also a planting team and a team of journalists that is responsible for communicating with the public. Only when an important issue comes up do they have to discuss it in a meeting of the General Assembly. It all depends on initiatives, personal and collective energies, and changes from one period to another depending on the specific intentions, desires, and concerns of the people involved. However, there is the general rule of proposing and discussing new ideas in the General Assembly and making sure that they are respectful of the existing structures and decisions.

The work is an open process, and we had, for example, meetings with a design group of around forty people, from all kinds of backgrounds, trying to figure out the best shape for the playground. During those processes, some things are planned in one way but then develop quite differently. For example, when we cut the asphalt, we drew the shape directly onto the ground, and then people started digging. People were really excited about breaking the asphalt. We carved a line, and they took out the asphalt on one side of the line and then on the other side, so there was no line anymore! Then we stopped and draw a new, larger curve and asked them to remove the asphalt on one side only in order to keep a shape. In general, the actual doing of things had its own dynamic, and people who wanted to participate in the design of the park had to be there when things were done; that was the only way. Now that a lot of things are agreed upon and at least partly finished – like the hill, the small basketball and game field, and the playground – there is less work to be done, and this happens according to people's availability and energy.

How do you then define your role as an architect? How do you handle the different levels of expertise? Is there a point where you would intervene and say, "I am the expert, what you propose is really nonsense, we are not going to do that"?

Katerina: It's a difficult situation, but you have to find ways to deal with this without insulting others, expressing





- 1 Navarinou Park
- 2 Technical University of Athens, place of major riots
- 3 Academie building, place of major riots
- 4 Syntagma Square, place of major riots
- 5 Federal Government building
- 6 Greek National Opera, squatted during the riots
- 7 Omonia Square
- 8 place where Alexandros Grigoropoulos was shot
- 9 PASOK (Panhellenic Socialist Movement) Headquarter
- 10 mound of debris used as tribune
- 11 hut
- 12 tent roof
- 13 posterwall
- 14 playground
- 15 cinema screen
- 16 bar
- ▨ places of major property damage

your opinion as one opinion among others, and not as the expert's opinion. For example, when people were putting the steel rods in the foundation, I didn't say, "That's my profession. I know how to do it." The work was a collective task, and these questions of identity and personal expertise were present from the first day on. People involved felt that they had to reposition themselves outside of their normal position and profession. I have, for example, done much more digging and planting than designing. All decision-making processes and actions in relation to the park have been influenced by this shift in behavior. We developed a new relation to the work and the people involved. Keeping the space open, not separating ourselves from others, not having a boundary between us and the sidewalk, getting to know people, all this encouraged a lot of us to participate and engage in a manner that was new to us.

What has changed in the work since the project started? Our understanding is that conflicts about the use of the space have come up due to different attitudes towards and expectations of the park as a collectively organized structure? Different understandings about responsibility, respect, and rights of use exist and seem, to some extent, to conflict with one another in this situation. Do you think this is a serious threat to the park? How do you deal with this in order to keep the park a collective and independent space?

Katerina: For the future, we want to collectively establish some basic rules for using the park and make them understandable and acceptable for everyone. For the neighbor-

hood, the noise during the night is a nuisance, and the garbage is a problem for those who clean up behind others. We have to deal with those problems and the people that don't accept standards that have already been established. We are still experimenting with which methods might be best, addressing people firsthand, putting up posters or establishing a blog where we announce new issues. The aim is that these rules start functioning properly and that the park can be sustained without the need for the permanent engagement of a small core group of people. After more than a year, most of the initial problems, such as noise and park maintenance, are still unresolved and dealt with day-to-day. However, more and more people have experienced and understood basic protocols of the functioning of the park, and some things are not discussed so often anymore. Many problems are also periodic, depending on the season, the weather, etc.

Could you say more about the conflicts between different ways of life in relationship to a commonly organized project?

Katerina: It is not only ways of life; it is different backgrounds, ideologies, political opinions, differences in general. It has been quite a few months since the park has been attacked by the police. In such circumstances, the interior conflicts, egos, etc. surface and become more evident. There are times or meetings when the situation feels desperate, and then the weekend comes, a lot of people show up to work on the hill, the fences, or a new flower bed, and all is forgotten, at least momentarily. There really is no recipe for or guarantee of success; it is all an ongoing process.



AN ARQUITECTUR

Produktion und Gebrauch gebauter Umwelt

The Oaxaca Rebellion, Mexico 2006

From May to November 2006, parts of the city center of Oaxaca, Mexico were squatted. Teachers throughout the state, organized in the teachers' union, began a strike to bring attention to the schools' poor economic situation. Initially, the public paid little attention to the sit-ins, but, after a couple of weeks, the protests turned into a broad social movement supported by large parts of the local population. In the strike's early stages, the protesters mainly demanded better school equipment and teaching material, food programs for poor children, and access for all to education, but with the broadening of the protest, political demands came to the fore, reaching far beyond the educational sector, demanding the replacement of the ruling political class, perceived as an oligarchy, and the establishment of a new, radical-democratic society.

The case of the Oaxaca rebellion raised many expectations and hopes for a new social and societal movement and was often compared with the Paris Commune of 1872. Despite many differences, both were uprisings that sought for utopian forms of community and attempted to constitute alternative forms of societal organization against an authoritarian state. Begun as a sit-in, the Oaxaca protest soon spread all over the city. Protesters squatted public spaces and took over governmental buildings and institutions of the Oaxaca state. Among others, the House of Representatives, the Office of the State Attorney General, the finance building, and the Governor's headquarters were blocked, forcing the governor to leave the city, and leading to his attempt to continue to rule from the airport. The protesters also occupied radio and television studios after their demands for broadcasting time were refused by the stations and set up their own news program. The protests eventually developed into the manifestation of a political and social movement in urban space, a rebellion that for several months challenged existing power structures and demonstrated that the state is not necessarily the only political reality. The rebellion and its organization were proof of the existence of other political entities that are both legitimate and operational. People not only organized to solve daily problems and managed to supply infrastructural services during the long-term occupation of the city center, but also developed a political agenda merging and fostering their ideas. In November 2006, a constitutional congress was organized to draft a declaration of principles expressing the demands and objectives of the representatives of the different groups and regions of the state of Oaxaca and to rewrite Oaxaca's constitution. By this means, the APPO, the Popular Assembly of the Peoples of Oaxaca, demanded a different form of governing, focusing on local practices of consensus and open citizens' assemblies as a way of decision-making

Gustavo Esteva

Enclosing the Enclosers

"They might have the strength to impose their will, but we will never give them our consent..."

From June to October, 2006, no police were seen in the city of Oaxaca, Mexico (600.000 inhabitants), not even traffic police. The governor and all of his officials were reduced to meeting secretly in hotels and private homes; none dared come to work. The Popular Assembly of the Peoples of Oaxaca (APPO) had continued sit-ins around the clock in front of Oaxaca City's public buildings, as well as in the private and public radio and television stations it had in its hands. One night, a convoy of 35 SUVs, with undercover agents and mercenaries, drove by the sit-ins and began shooting. They were not aiming at the people, but trying to intimidate them. APPO reported the situation instantaneously on its radio stations, and within minutes people organized barricades to stop the convoy. After that experience, every night at 11pm more than a thousand barricades closed the streets around the sit-ins and at critical crossroads, to be opened again at 6am to facilitate circulation. In spite of the guerrilla attacks by the police, a human rights organisation reported that in those months there was less violence in Oaxaca than in any other similar period in the last 10 years. Many services, like garbage collection, were operated by their corresponding unions, all also participants of APPO. Were we winning? Some analysts started to talk about the Oaxaca Commune. Smiling, some Oaxacans commented: "Yes, but the Paris Commune lasted only 50 days; we have been here for more than 100 days." No matter how pertinent, this historical analogy is an exaggeration except for the logical reaction both initiatives provoked in the power structure. In the same style in which the European armies crushed the communards, Mexican Federal Police, with the support of the Army and the Navy, were finally sent to deal with the uprising.

When the Federal Police arrived, on October 28, APPO decided to resist non-violently, avoiding confrontation. In the face of the police, with all their aggressive equipment, the people of Oaxaca exhibited enormous restraint. Unarmed citizens stopped the tanks by laying their own bodies on the pavement. Adults held back young people trying to express their anger. When the police reached the main plaza, APPO abandoned it and regrouped on the campus of the university. The police began selectively capturing APPO members at the barricades or in their homes. By the end of the day, there were three dead, many injured, and many more disappeared. Those picked up by the police were sequestered in military barracks.

For months, the government and the media condemned APPO in the name of law, order, public security, human rights, and stable institutions. All these elements were employed to justify the use of police force. But without realising it, the authorities gave us a lesson in revolutionary civics. The Federal Police became the vehicle for a massive violation of human rights: searches and arrests were carried out without warrants while the number of dead, wounded and disappeared increased. Only vigilantes of

the dominant party and the government's own hired guns were allowed to travel freely.

Many were afraid that we would not be able to stop the bloodbath the governor and federal government seemed determined to provoke. In spite of APPO's continual appeal to non-violence, the people of Oaxaca felt deeply offended and angry. Moreover they didn't want to be cowards... What could we do confronted by this barbaric, irrational violence of the state against its own people? How do we deal with the mounting anger of the youngsters, after months of constant vigilance on the barricades?

On November 2 the people resisted an attack on the University by the Federal Police. The clash was the largest between civilians and police in Mexico's history, and perhaps the only one that resulted in an unequivocal popular triumph. The fight was certainly unequal enough: although the police were outnumbered five or six to one if we count children, they had shields and other weapons, not to mention tanks and helicopters, while the people had only sticks, stones, rockets (fireworks), a few slingshots, and some uninvited molotov cocktails.

Following this victory, the largest march in the history of Oaxaca took place on November 5: almost a quarter of the 3.5 million Oaxacans came to it. Among the participants were scores of indigenous authorities from communities throughout the state who came to the capital carrying their staffs of office to publicly declare their allegiance to the movement. (Oaxaca is the only state in Mexico where two thirds of the population are indigenous).

In order to strengthen our coordinating bodies we had a "constitutive congress". The last session of the exhausting meeting ended at 5am on Monday, November 13. Some 1,500 state delegates attended this peculiar assembly. A Council of 260 delegates was created, in order to coordinate the collective effort. They were to "represent" everyone; indigenous peoples, of course, but also every sector of society. Some barricades also sent delegates to the Congress and they now have a representation in the Council. The Congress approved a charter for APPO, an action plan, and a code of conduct. Most of the agreements were reached through consensus. Some of them were very difficult. It was not easy to agree on gender equity, for example, but we reached a good agreement: everyone recognised that women had been at the forefront, in all aspects of the struggle, and had given to it its meaning and soul. One of the easiest agreements was the decision to give the struggle a clearly anti-capitalist orientation. During the Congress the city was still occupied by the police. Eight more people disappeared that night. But "they cannot occupy our soul", said one member of the Council. "We have more freedom than ever."

Are we thus winning?

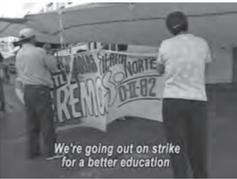
On January 20, 2007, the International Civil Commission for Observation of Human Rights presented its preliminary report – after collecting hundreds of testimonies and documents, most of them focused on the massive, violent repression of November 25. The Commission reported 23 documented and identified dead and others disappeared but unidentified for lack of formal report. People are afraid. "They disappeared one of my sons. If I report it, they will



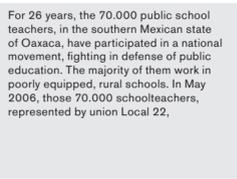
Children, next week we won't have classes.



Your children come to school hungry.



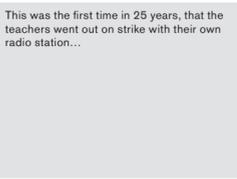
We're going out on strike for a better education



For 26 years, the 70.000 public school teachers, in the southern Mexican state of Oaxaca, have participated in a national movement, fighting in defense of public education. The majority of them work in poorly equipped, rural schools. In May 2006, those 70.000 schoolteachers, represented by union Local 22,



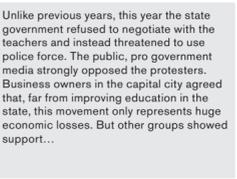
went out on strike occupying Oaxaca's capital city



This was the first time in 25 years, that the teachers went out on strike with their own radio station...



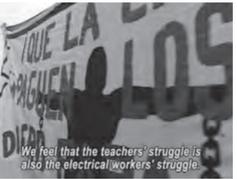
Radio Planton



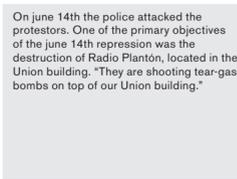
Unlike previous years, this year the state government refused to negotiate with the teachers and instead threatened to use police force. The public, pro government media strongly opposed the protesters. Business owners in the capital city agreed that, far from improving education in the state, this movement only represents huge economic losses. But other groups showed support...



I want to tell the teachers that they are not alone.



We feel that the teachers' struggle is also the electrical workers' struggle.



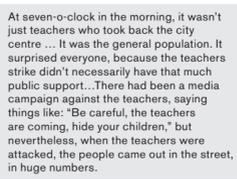
On June 14th the police attacked the protesters. One of the primary objectives of the June 14th repression was the destruction of Radio Planton, located in the Union building. "They are shooting tear-gas bombs on top of our Union building."



After the police attack on the teachers, and the destruction of Radio Planton, they took over Radio Universidad, and informed people to tune in Radio Universidad.



At seven o'clock in the morning, it wasn't just teachers who took back the city centre... It was the general population. It surprised everyone, because the teachers strike didn't necessarily have that much public support... There had been a media campaign against the teachers, saying things like: "Be careful, the teachers are coming, hide your children," but nevertheless, when the teachers were attacked, the people came out in the street, in huge numbers.



The following day, the teachers joined with over 300 organizations from across the state to form the APPO, Popular Assembly of the Peoples of Oaxaca. They had one, non-negotiable demand: the removal of Ulises Ruiz Ortiz from power. At first it was called the Popular Assembly of the people of Oaxaca, but one of the first debates was that we aren't just one People in Oaxaca. We are many peoples, the name was changed to the Popular Assembly of the Peoples of Oaxaca.



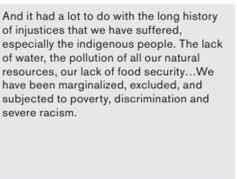
The decision to create an assembly was clearly influenced and inspired by the indigenous governance traditions in Oaxaca, which are widely practiced. Normally, important decisions are made through consensus. In some communities an assembly might last for days, because it is important that there be consensus on the final decision, so that it truly represents everyone involved.



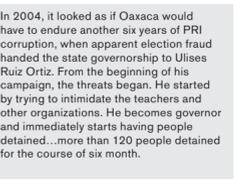
Radio Planton is off the air, because the equipment was destroyed.



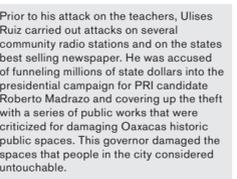
And it had a lot to do with the long history of injustices that we have suffered, especially the indigenous people. The lack of water, the pollution of all our natural resources, our lack of food security... We have been marginalized, excluded, and subjected to poverty, discrimination and severe racism.



In 2004, it looked as if Oaxaca would have to endure another six years of PRI corruption, when apparent election fraud handed the state governorship to Ulises Ruiz Ortiz. From the beginning of his campaign, the threats began. He started by trying to intimidate the teachers and other organizations. He becomes governor and immediately starts having people detained... more than 120 people detained for the course of six months.



Thousands of people shut down almost every state government building in the capital,



with permanent plantones, including the House of Representatives.



the governor's building.



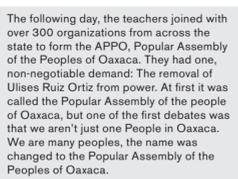
the state attorney general's building



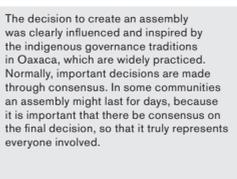
and the finance building.



We finally had the media in our own hands, which is how it should be.



What had basically been a teachers' struggle becomes a huge, popular movement which demonstrates ingovernability by occupying Oaxaca, by taking responsibility for public order, and by occupying public buildings. The City of Oaxaca is transformed into the beginnings of a new form of popular organization that offers an alternative to the existing institutions and the established form of government.



Televista and TV Azteca were there and we are so fed up with them, because they never had told the truth. And what really made me mad, and gave me strength, was when they said that "the teachers' supposed Guelaguetza was a complete failure." That really hurt, and I said to myself this can't be. We are going to... damn them... of course we are going to do it. So, when someone took the initiative and said:



"Let's go take over Channel 9!"



I was so happy because I had already been thinking about that.



We got outside and the first person to come out was the manager. We told her we wanted to go on the air, and she said... that won't be possible. All we wanted was a little bit of time on the air. A half hour, maybe an hour, and we were going to leave. We just wanted to disseminate a little bit of so much truth. And we told them we would leave but they denied us an hour of airtime, and I think that they now regret not giving us the time we asked for.



We write the people of Oaxaca to tune in to 1400 AM, Radio Universidad.



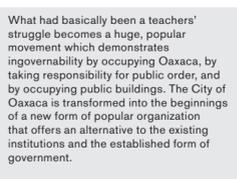
the governor's building.



the state attorney general's building



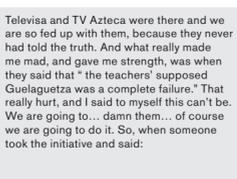
and the finance building.



We marched to the zocalo, where we had a rally.



...outside Radio La Ley 710 AM! They're shooting here in the Reforma neighborhood, close to one of the newspapers. These are municipal police trucks. The process enters a phase that is similar to state terrorism seen during the south American dictatorships. State forces participate. They opened fire on the radio station that the people of Oaxaca have occupied



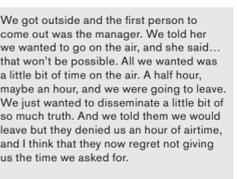
But, with the take-over of the radio stations,



...one of the characteristics that bothered me and many others, is that they were always rallying the people to take immediate and direct action. And yes, that does influence the people's frame of mind.



But it did little to expand their consciousness.



Throughout the six month of conflict, the APPO had been creating spaces where civil society could look beyond the demand for the resignation of Ulises Ruiz and envision a new kind of governance in Oaxaca... The central promise of the new constitution will be the well-being of all persons regardless of ethnicity, age, gender, social condition, or religious belief. On November 10th, with thousands of Federal Police occupying the city, those efforts culminated in the APPO's first constitutional congress.



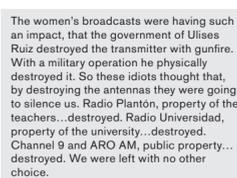
Over the course of 4 days, the congress established a statewide council of over 250 representatives. With the constitutional congress, the APPO became more inclusive and broad based. People from neighborhoods and barricades became representatives, as did some of the minority groups like youth and students. The congress is a turning point. Lots of indigenous communities and organizations also joined.



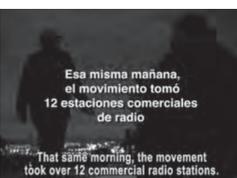
On September 21st more than 3.000 teachers and other members of the APPO set out on foot to walk from Oaxaca to Mexico City. They walked over 560 kilometers depending almost entirely on the communities along their path for food and shelter.



and also 96.9 FM



The women's broadcasts were having such an impact, that the government of Ulises Ruiz destroyed the transmitter with gunfire. With a military operation he physically destroyed it. So these idiots thought that, by destroying the antennas they were going to silence us. Radio Planton, property of the teachers...destroyed. Radio Universidad, property of the university...destroyed. Channel 9 and APO AM, public property... destroyed. We were left with no other choice.



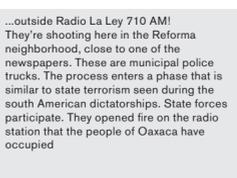
Esa misma mañana, el movimiento tomó 12 estaciones comerciales de radio. That same morning, the movement took over 12 commercial radio stations.



Balacera y toma de estaciones de radio en Oaxaca ARMED ATTACK PROVOKES TAKE OVER OF RADIO STATIONS IN OAXACA



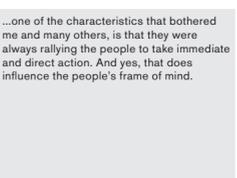
We can hear shots being fired



Running wherever we could, because the bullets were flying.



The agreement is that we will not be aggressive, we will not enter into direct confrontation with the federal police. They are informing us that the federal police are taking the Zocalo, right now. The APPO re-established itself in the city center, with a new Planton only four blocks from the PFF encampment...



There they celebrated Day of the Dead.



Over the course of 4 days, the congress established a statewide council of over 250 representatives. With the constitutional congress, the APPO became more inclusive and broad based. People from neighborhoods and barricades became representatives, as did some of the minority groups like youth and students. The congress is a turning point. Lots of indigenous communities and organizations also joined.



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disappear the other," said an old woman. Hundreds were injured and arbitrarily detained, and all kinds of abuses and violations of human rights – including torture and sexual abuses – were committed against them. For the Commission, what happened in Oaxaca was the linking of a juridical and military strategy with psychosocial and community components. Its final purpose is to achieve the control and intimidation of the civil population especially in areas in which processes of citizen organization and non party social movements are developing.

Are we winning? Is it enough to win to learn as much as we learned, about ourselves, our strengths and autonomy, and about the system oppressing us?

Some background

For almost two years, the people of Oaxaca were in increasing turmoil. The immediate cause was the corrupt and authoritarian administration of Governor Ulises Ruiz, who took office after a fraudulent election in December 2004. But as the Oaxaqueños resisted Ruiz, deeper struggles came to the surface and began to find expression in a process of awakening, organization, and radicalization.

On May 22, 2006 the teachers union, with 70,000 members throughout the state, began a sit-in in Oaxaca City's main plaza in order to dramatise their economic plight. They did not get much attention or solidarity from the public. But on June 14 the governor ordered a violent repression of the sit-in. This episode changed the nature of the mobilization, unifying large numbers of Oaxacans with their own reasons for opposing Ruiz's misrule. Overnight ¡Fuera Ulises! ("Out with Ulises!") became the popular slogan in Oaxaca's neighborhoods and streets. On June 20 hundreds of social and grassroots organizations invented APPO.

All this has happened within a profound political transition in which Mexico is currently engaged. Our ancient régime is dead. Economic and political elites are attempting to substitute it with a "neoliberal republic", while the social majorities are trying to reorganise society from the bottom up to create a new regime.

Over the last 25 years corrupt leaders who control public institutions have almost succeeded in completely dismantling them. Some were driven by market fundamentalism, others by greed or ambition. While their acts often shock us, enrage us, and even lead some of us to experience a kind of paralysis, sometimes they serve to awaken autonomous action among the people. As Marx wrote in a letter to Ruge, "what we have to do is undertake a critique of everything that is established, and to criticize without mercy, fearing neither the conclusions we reach nor our clash with the existing powers." This is all the more pertinent when those powers opt for violence in an attempt to solve conflicts they are incapable of resolving peacefully and democratically, as in the current impasse in Oaxaca. Their use of force can cause great harm, but it can't restore their power. They have bloodied their hands in vain, for the people of Oaxaca will not back down under this threat. It is said that Napoleon once observed that "bayonets can be used for many purposes, but not to sit on." This warning for amateur politicians has not been heard by Mexican political

classes – not even after seeing the spectacular example of Iraq. With the army or the police you can destroy a country or a people but you cannot govern them.

August 1: the revolution will be televised

Confronted with the government's use of the media against the movement, several thousand women from APPO peacefully occupied the studios of the state radio and television network – after it refused to give them 15 minutes on the air. Through its outlets in Oaxaca, the media has continually been used by the governor to distribute propaganda against the movement. Now instead the occupiers of TV and radio stations disseminated the ideas, proposals, and initiatives of APPO. They also opened both radio and television for members of the public to express their own opinions 24 hours a day. Despite every imaginable technical difficulty (the women occupying the network had no previous training for this), thousands who called the stations made it onto the air. Eventually, a group of undercover police and mercenaries invaded the facilities, shooting up and destroying the equipment and injuring some of the APPO "broadcasters". In reaction, a few hours later APPO occupied all private radio and TV outlets in the city. Instead of one, APPO suddenly had 12 options to both disseminate information about the movement, and to give voice to the people. A few days later they gave the stations back to their owners, keeping only one powerful enough to cover the whole state. It broadcasted information about the movement 24 hours a day until it was jammed at the end of October.

Radical democracy

APPO is the product of a slow accumulation of forces and many lessons gathered during previous struggles. In particular, three different democratic struggles have converged in the single one being waged by APPO. The first joins together all those who wish to strengthen formal democracy. People are tired of fraud and manipulation. The second gathers those who want a more participatory democracy. Besides transparency and honesty they want more civil involvement in the workings of government through the use of popular initiatives, referendums, plebiscites, the right to recall elected leaders, participatory budgeting, and other such tools. The third looks to extend and deepen autonomous or radical democracy. Eighty per cent of all municipalities in Oaxaca are indigent and have their own particular, autonomous forms of government, following ancient traditions. Although this autonomy was legally recognized by Oaxaca's state law in 1995, it continues to be the subject of pressure and harassment. The advocates of radical democracy attempt now to invert this situation: to put the state and federal governments under pressure and harassment. The ultimate goal is to move from community and municipal autonomy to an autonomous coordination of groups of municipalities, from there to regions, and eventually to an autonomous form of government for the entire state. While this is an appeal to both sociological and political imaginations, it is also firmly based on legal and practical historical experience with autonomous self-government. Nor are the people of Oaxaca waiting for the inevitable departure of the governor to put these ideas into action; there are already many APPOs operating around the state on community, neighborhood, municipal, and regional levels. A group of lawyers is nourishing our dialogues and

reflections with specific proposals for the new norms we will enact, transforming all public officers into public servants. The only authority will be the people themselves.

Oaxaca has already abolished its old, badly constituted state government. But there has never before been a "crisis of governability". In mid-September a violent brawl erupted during a private party in a neighborhood of Oaxaca. A half-drunk couple stumbled out onto the street. "We should call the police," he said. "Don't be an ass," she said, "there are no police." "True," he answered, scratching his head. "Let's call APPO."

"They're trying to force us to govern, but it's a provocation we're not going to fall for." ["Nos quieren obligar a gobernar. No caeremos en esa provocación."] This subtle bit of graffiti on a wall in Oaxaca reveals the nature of the present movement. It doesn't seek to take over the current power structure but to reorganize the whole of society from deep inside and establish new foundations for our social life together.

APPO cannot be reduced to a mere local disturbance or a rebellion. Rebellions are like volcanoes, mowing down everything before them. But they're also ephemeral; they may leave lasting marks, like lava beds, but they die down as quickly as they catch fire. They go out. And this one hasn't. In this case, the spirit of defiance has become too strong. Although Ulises Ruiz was the original focus of popular discontent he was just the detonator, the take-off point for a lasting movement of transformation to a peaceful, truly democratic society, for the harmonious coexistence of the different. As the Zapatista say, this is part of a struggle to create a world in which many worlds can be embraced. This is needed more than ever in a polarized society in which all forms of racism, sexism, individualism and violence are erupting.

The end of an era

Fifty years ago Paul Goodman said: "Suppose you had had the revolution you are talking and dreaming about. Suppose your side had won, and you had the kind of society you wanted. How would you live, you personally, in that society? Start living that way now! Whatever you would do then, do it now. When you run up against obstacles, people, or things that won't let you live that way, then begin to think about how to get over or around or under that obstacle, or how to push it out of the way, and your politics will be concrete and practical."

Thousands, millions of people assume now that the time has come to walk our own path. As the Zapatistas put it, to change the world is very difficult, if not impossible. A more pragmatic attitude demands the construction of a new world. That's what we are now trying to do, as if we had already won.

Ulises Ruiz appeared as a great obstacle. He incarnated the old world we wanted to get rid of. We thus provoked the collapse of his government. When the whole political system coalesced to support him, preventing his removal from office, we looked for alternatives. As Goodman suggested, we are finding ways to get over or around or under his police and his maneuvers. He can no longer govern but he daily organizes shows for the media to

pretend that he is still in charge. He cannot go anywhere in the state without a hundred bodyguards, protecting him from people's hostility. (The same is happening, by the way, with president Calderón. Even in Germany he needed to be protected by the police).

We cannot wait for world revolution to dissolve the new forms of corporate capital. But we can attempt to make them marginal to our lives and to create new kinds of social relations. After refusing to be reduced to commodities and forced into alienated labor, after losing all the jobs many of us had, we are celebrating the freedom to work and we are renovating our old traditions of direct, non-exploitative exchange. We are thus enclosing the enclosers. And yes, we are winning, in spite of their violent reactions. Myriad initiatives are being launched in every corner of the state, offering solid proof of the vitality of the movement and people's ingenuity and courage. We need, of course, all kinds of national and international solidarity. True, David can always win over Goliath if he fights him in his own territory, in his own way. But we cannot resist forever the daily aggression we are suffering, when everyone of us is going to sleep, every night, not knowing if we will wake up in jail ... or disappeared, or dead. But still, we are full of hope, smiling at the horror.

The time has come for the end of the economic era. Development, once a hope to give eternal life to economic societies, has instead dug their graves. Signs of the new era, though appearing everywhere, are still perceived as anomalies of the old. The old one, in turn, looks stronger than ever and the death it is carrying is still perceived as a symptom of vitality. If people are fooled by such images, disguised by slogans of the older period and remain blind to the evidence of the new era, the economy will continue to dismantle and destroy its own creations to the point of collapse.

There is an option. Now is the time for the option.

San Pablo Etla, January 2007

Gustavo Estevo is a prolific independent writer, a grassroots activist and a deprofessionalized intellectual based in Oaxaca, Mexico. He works both independently and in conjunction with a variety of Mexican NGOs and grassroots organizations and communities. In 1996, he was invited by the Zapatistas to be their advisor. Since then, he has been very active in what today is called Zapatismo, involving himself with the current struggle of the indigenous peoples, particularly with APPO.

Oaxaca Rebellion Chronology 2006

May 2006: Section 22 of the teacher union (Sindicato Nacional de Trabajadores de la Educación, SNTE) demands a wage raise for teachers and employees of the public education sector, better school equipment and social benefits, for example breakfast for pupils who often come to school hungry. Governor Ruiz Ulises refused to agree on those demands. In succession the union called for a statewide strike in all public schools. A square in the old town of Oaxaca, the Zócalo¹ was chosen as starting point for demonstrations and an encampment called Plantón was erected. A radio station, Radio Plantón² was established in the union building and started to coordinate the protests.

June 14th: After 23 days strike around 3,000 local policemen and some firemen supported by helicopters tried to drive out the protestors from the centre of Oaxaca. Supported by local citizens the protesters resisted the forced eviction. During the struggles the studios of radio Plantón were destroyed by police forces. Radio Universidad³ took over and started to broadcast.

June 17th: An assembly of teachers, representatives of municipalities and wards, cooperatives and parents launched an umbrella organization. Under the leadership of the Asamblea Popular de los Pueblos de Oaxaca, APPO, further protests should be coordinated.

June 18th: APPO reestablished the encampment at Zócalo and declared the administrative board deposed. Hundreds of barricades were established to avoid further police attacks. APPO started to search for solidarity statewide and called on social movements from other federal states to organize accordingly.

July 2nd: Presidential election and congress member election. In the run-up APPO discussed an electoral boycott but then decided for the support of the opposition left-reformist PRD and their candidate Lopez Obrador. The conservative PAN and their candidate Felipe Calderón won the elections by a very close vote. The opposition spoke of election fraud. To demonstrate ingovernability thousands of people shut down almost every state government building in the capital, with permanent Plantónes, including the House of Representatives⁴, the Governor building⁵, the State Attorney General's building⁶ and the finance building⁵.

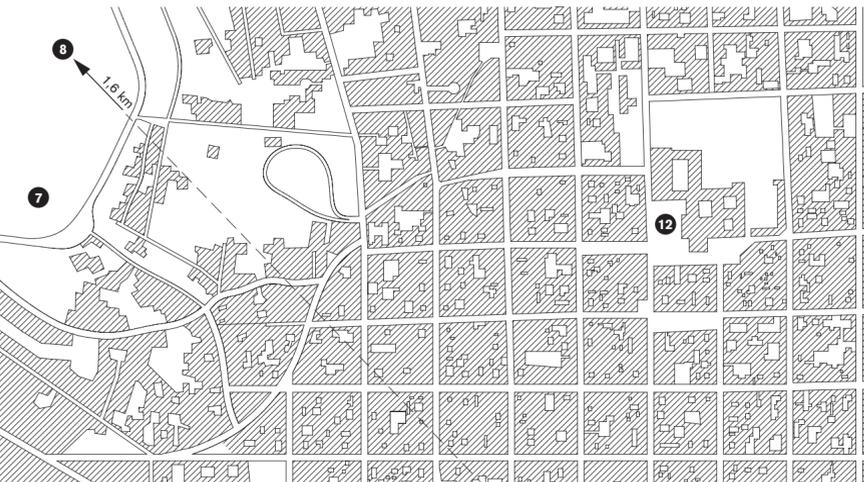
July 15th: Protesters blocked access to the Guelaguetza⁷, the annual fiesta in honor of the goddess of corn and a mayor tourist attraction and the government canceled the fiesta, instead APPO organized an alternative fiesta claiming it as their own indigenous cultural heritage. APPO members entered public broadcasting studios⁸ asking for time on the air, a demand that was refused by the management. So they took over and started to broadcast on their own. To stop the program, the governor ordered an attack on the transmitters⁹ and they were destroyed by gunfire.

August 1st: After the destruction supporters of the movement occupied private TV and Radio Stations in Oaxaca. Armed militia perpetrated attacks on APPO controlled radio stations and destroyed the equipment. APPO installed barricades on the streets to prevent police-raids and militia attacks. Plain clothes policemen and pro PRI organizations attacked the barricades, this resulted in the first casualties. Governor Ruiz tries to govern from a building nearby the airport¹⁰.

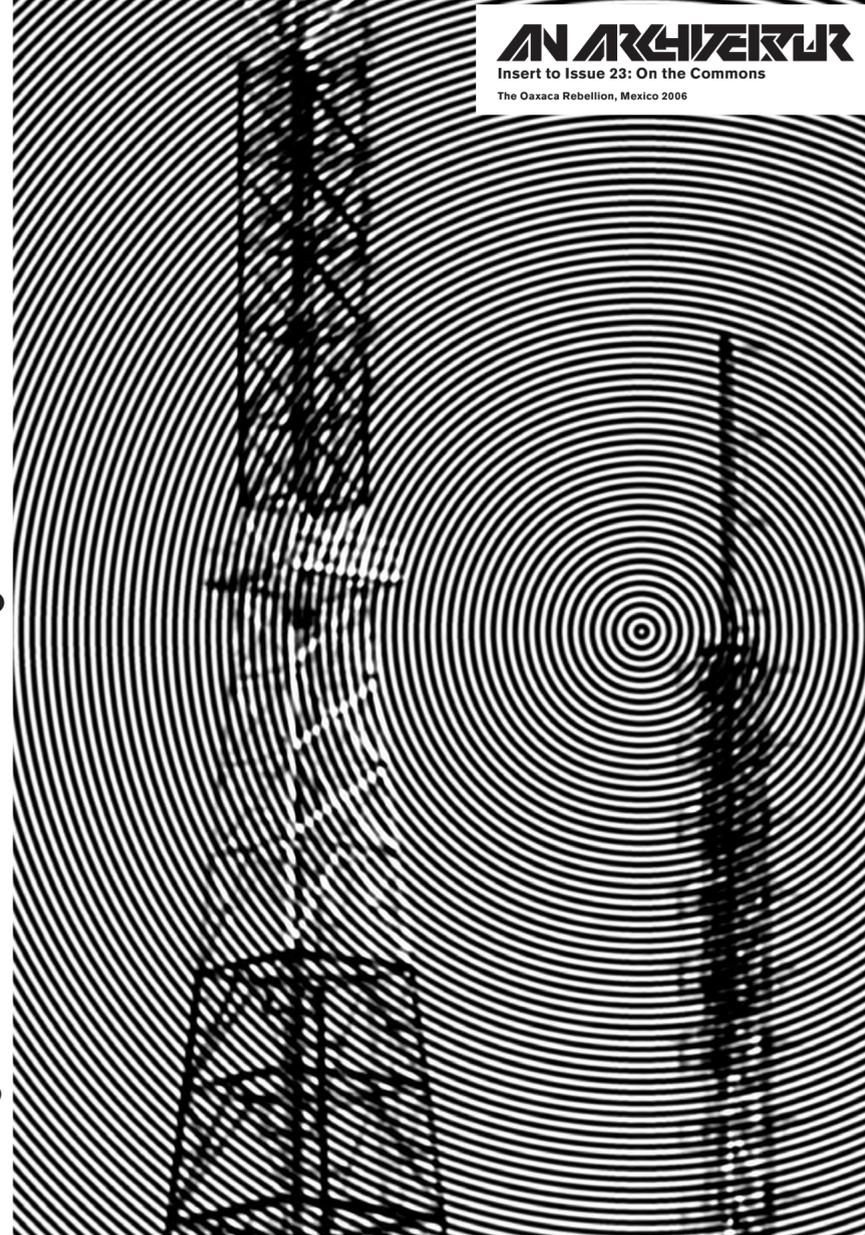
September 20th: A march from Oaxaca to Mexico City is organized to search for primary dialog with the federal authorities. On October 9th the protesters reach the government district in Mexico City and approached the authorities. An agreement is brokered that the teachers after 5 month return to classes.

October 27th: During a shootout¹¹ the US Indymedia journalist Bradley Roland Will and two teachers, Emilio Alonso Fabián and Esteban López Zurita were killed. The protesters stated, that armed men attacked unarmed protesters defending a road block. The top ranking law officer of Oaxaca, Lizbeth Cana claimed that the group of armed men were residents of the area and were provoked by the protesters, but APPO and the US embassy in Mexico asserted, that the gunmen most likely have been plain clothes policemen from Oaxaca. The sitting mexican president Vicente Fox sends federal police to Oaxaca to restore order. An army of 3,500 federal policemen, 3,000 military policemen and 3,000 soldiers invaded Oaxaca. The protesters resisted the forced eviction, amongst others of the Plantón; during the struggles between two and several dozen people were killed. Radio APPO reported police raids of activist's houses, promptly denied by the government.

October 31st: The Mexican parliament requires with huge majority the resignation of Governor Ruiz Ulises, but this demand was promptly refused by Ulises declaring this as a violation of the independence and the constitution of Oaxaca.



- 1 Zócalo, place of the encampment
- 2 Radio Plantón, located in the union building
- 3 Radio Universidad
- 4 House of Representatives
- 5 Governor building
- 6 State Attorney General's building
- 7 Guelaguetza, amphitheatre
- 8 public broadcasting studios
- 9 transmitters
- 10 airport building
- 11 place of shootout with three casualties
- 12 Santo Domingo monastery



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