Index

Aarhus Convention on Public Participation and Access to Justice (UNECE) 311
academic journals 187, 193; see also open access journals
academic knowledge/research access, see open access; restricted access
as a commons 201
funding 187, 190, 195, 199, 200, 201
as a ‘public good’ and a ‘commons’ 190–92, 198
academic publishing
oligopolistic market 193–5, 326
self-governing model 203–4
access
to information 119, 188, 312
to justice 133, 137
see also equal access; open access; restricted access
accountability 13, 84, 142–51, 152, 244
activists 3, 173, 205, 268, 274, 275, 276, 285, 325, 336
actors/participants
global commons governance 102, 103, 112–14, 121, 122, 123, 124
see also non-state actors
adaptive governance 114, 206
African Charter on Human and Peoples’ Rights (African Charter) 248–9, 258, 277, 278
African Commission on Human and People’s Rights (ACHPR) 258, 278
African Court on Human and People’s Rights (African Court) 247, 248, 256, 277
agriculture 82, 236, 242–3
American Convention on Human Rights (ACHR) 247, 278
antagonism 31, 68, 69, 70, 73
Antarctica 6, 107, 108, 115–16
appropriation 24–6, 53, 91, 92, 275
the atmosphere 107, 108, 296
authority
in federal systems 39–40
allocation of competences 43–4
loci of 42–3
global governance and lack of 143
illegal practices and reinforcement of 66
politics of the commons as a challenge to 65
autonomous institutions/organizations 2, 15, 325
autonomy
of the commons 22, 38
in federal systems 42, 44, 45, 46, 53, 54
indigenous right to 279
Balibar, É. 60, 64, 65, 70
beni communi 5, 79, 80, 96
biodiversity 6
as a common concern 305
global public goods and the value of 26–9
offsetting 26
see also Convention on Biodiversity (CBD); regime complexes on biodiversity (RCB)
Bollier, D. 58, 268, 272, 276
bottom-up governance 1, 8, 12, 13, 14, 16, 49, 284, 325, 331
bounded rationality 102, 103, 124
Buchanan, J. 83, 84, 105, 115
bundle of rights 112, 113
capital 224, 225, 226, 236, 267
Capital (Marx) 27
capitalism 5, 28, 234; see also cosmocapitalism
The commons and a new global governance

Catalonia 12, 79, 80, 96
centralization of authority 12, 34, 37, 39, 40, 42, 43, 44, 45, 52, 53, 57, 63, 114, 167, 225, 323
Charter of the Forest (1217) 276
citizenship 29, 34, 47, 51
city-state model 35, 42
civil society
and accountability 136, 145, 146, 148
and the commons 3
core function of 165
and international law 285
civility
politics of 64
as a problem for the politics of the common 65
see also strategies of civility
civilization 232, 233, 234, 235
clarification of property rights 238, 239, 241, 243
climate change 6, 119, 242
collective action challenges 309
as a common concern 305
international environmental law 302
limited success of international coordination 7
need for cooperation 293
see also global climate; Paris Agreement on Climate Change (2015); United Nations Framework Convention on Climate Change (UNFCCC)
club goods 21, 105, 154, 170, 179
cost–benefit analysis 84–5
diversity of actors and participants 103
global governance 13, 124
as a non-alignment of interests 110
overcoming/solving 106, 113, 122, 162
collective institutions 15, 324
collective land 286
collective ownership 85, 248, 268–9, 335
collective property 81, 266, 273, 286
collective rights 241, 278–9, 285
collective self-governance 4, 114, 325
collective-choice rule 109, 121
collusion 26, 123
colonization 219, 220, 225, 232, 234, 235
commodification 10, 14, 15, 28, 176, 235, 243, 244, 245, 266, 267, 281, 284
common
as an adjective 21
learning to act in 73
the common 12
as a collective production of a good 20
defined 5–6
governing of 22–3
institutions of 78
principle of 58
social sovereignty 88–95, 96
see also politics of the common
common concern at customary law 305
environmental problems as a 301
common good 21, 22, 66, 92
common goods
cosmopolitan enthusiasm for 322, 329
defining 21
demand for recovery of 78
in economic theory 22
global commons as 6
GPGs distinguished from 154
hybrid nature of 22
international environmental law 292
viewed as common resources 79
common heritage 24–6, 33, 107, 113, 202, 274, 301, 305
common pool resources (CPRs) 105
collective administration 324
complications of interlinked 108
conflict over mismanagement and overuse of 271
defined 4
global, see global commons
governance, see commons, governance of
over-exploitation, see ‘The Tragedy of the Commons’
rebuttal of prisoner’s dilemma problem 3
susceptibility to free riders 110
vulnerability to depletion 4
common property regimes, see commons
common values 97, 154
commoners 2, 3, 6, 66–7, 70, 272, 276, 285, 323, 324, 336
commoning
creation of autonomous social organizations 325
exclusive focus on practices of 37
and existence of the commons 322
illegalization of 65–6
incorporation into legal order 66
as an organization of social life 73
spontaneous proliferation 59
squatting as 75
and violence 70
commons
academic knowledge as a 190–92, 201
as common ownership 107
denial of access to 272
domination in 75
freedom in a 2
governance of 245
adoption of IAD framework 3
democratic perspectives 11–12
as an innovative model 323–7
institutional perspectives 12–14
legal perspectives 14–16
legitimacy 322–3
see also global governance;
self-governance
justified occupation of land 231–5
in knowledge and research
discussions 186–7
normative approach to 5, 335, 336
open access and democratic values 204–6
as open access resources 79
in pre-modern era 224
revolution 62
as shared spaces 192
terminology 323, 336
Commun: Essai sur la révolution au XXIe siècle (Dardot and Laval) 5, 20, 57, 58, 59, 62, 65
communal ownership 105, 107, 237, 242, 248, 271, 274, 278
communal property rights 83, 279, 280
communication 103, 109, 116, 125, 177, 206
community(ies)
convergence between market and customary practices of 82
global commons and absence of a clear 113
MEAs and constitution of 305–6
technology and environmental exploitation 224
see also international community;
traditional communities
community-based (natural) resource management 81, 82, 83, 86, 87, 106, 246, 252, 254–6, 267
Community-based Natural Resource Management Learning Institute 86
community interests
global commons 293–4
international environmental law 292, 295, 300
treaty-based regimes 304–13, 314
community-level governance 331
community of nations 32
community water management systems 88, 89–90
commutative justice 227, 228
compliance
accountability and 143
environmental interest regimes 309–11, 312
with international norms 137–9
power and 166
selective 169, 178
confederalism 12, 41, 42, 43, 44, 45, 46, 48, 50, 54, 71, 332
consensus 140, 153, 307
conservation 6, 82, 171, 202
Convention on Biodiversity (CBD) 27, 171, 172, 173, 174, 175
Convention on the Law of the Sea (LOSC) 274, 301, 305, 309, 310
cooperation
commons and 276–7, 324, 332
emerging international law of 292
federal systems 38, 39, 48, 51, 52, 53, 54
see also development cooperation; international cooperation
copyright 119, 172, 190, 205, 326
corporate sector 109, 172, 176, 193, 221, 225, 226
cosmocapitalism 20, 23–9
cosmodemocracy 12, 29–34
cosmopolitanism 29–30, 31–2, 322, 329
cost–benefit analysis
collective action problems 84–5
governance systems 111–12
international cooperation 166
investment in monitoring 122
legitimacy of the commons 83
public administrations 84
Creative Commons 14, 200, 273
cultural heritage 28, 174, 198, 199
customary rights 170, 176, 241, 270
customary tenure 241, 242, 245, 246, 249, 251, 253–4, 269, 271, 272, 282
Dardot, P. 8, 12, 61, 66, 68, 69, 70, 71, 73, 74, 107, 324, 331; see also
Commun: Essai sur la révolution au XXIe siècle; federal commons
decentralization 1, 12, 47, 67, 84, 329, 331, 332
Declaration on the Rights of
Indigenous Peoples (UNDRIP) 174, 254, 256, 259, 279
Declaration on the Rights of Peasants (UN) 15, 252–3, 254, 280, 281–2, 283, 284, 285
democracy
accountability and strengthening of 142–51
as co-participation in public affairs 23, 68
contestatory nature 147
correlation of global governance to 329
definitions 11, 144
federal systems 40–41
for the global commons 20–35
problem-solving focus 49–50
rule of law and 132, 134–7
trade-off between effectiveness and 329
see also global democracy
democratization 41, 58, 71, 72, 131, 136, 137, 141, 145, 329
depoliticization 58, 69, 217, 220, 226
design principles, for commons-based institutions 3, 80, 82, 97, 255, 272
developing countries
the commons in 266, 271, 277
compensation claims for use of biological resources 171
criticism of unfairness of WTO agreement 173
government interests at odds with domestic groups 173–4
lack of growth in 237
land as dead capital 269
restricted access to research 188
subscription to TRIPS 172–3
support for REDD+ initiatives 176
development
colonization as 232, 234
the commons as an obstacle to 237
cooperation 268
model favoured by industrialized countries 268
as progress 235
Index

property rights as inherent in process of 232
stages of 235–6
as wealth creation 237
developmentalism 235, 246
developmentalist policies 79, 80–87, 268–72
dispossession 15, 31, 62, 243, 244, 245, 246, 275, 279, 285, 286
distributive justice 227
domination/dominant actors 5, 31, 59, 62, 63, 64, 75, 168, 169, 170, 216, 228
due diligence 294, 297, 298, 299, 300, 303–4, 306, 313
ecology, of international law 15, 212, 215, 224–8
economic efficiency 83, 84, 188, 235, 236, 238, 325
economic growth 132, 162, 191, 236, 237, 238, 239, 245, 270
economic rationality 58, 74, 82, 83, 84, 85, 106
empowerment 38, 82, 95, 133, 188, 267, 273, 275, 309, 312
enclosure(s)
for avoidance of over-exploitation 2
counter-movement in international law 253
failure of Ostrom’s work to explain 324
global commons 205
international law and legitimacy of 275
rethinking of prevailing private property narrative 266–7
enlightened self-interest 140
enthusiasm 149
environmental impact assessments (EIAs) 294, 297–8, 299–300, 303, 304, 315
environmental protection 163, 177, 259, 305, 316
equal access 24, 110, 133, 254, 316

erga omnes 301, 316, 313
European Union (EU) 103, 117, 144, 172, 175, 201
evil technology hypothesis 213, 221–4
excludable goods, see club goods; private goods
exploitation
as a benefit to colonial powers and the world 234–5
of global commons 274, 285
international law and global 219
rational natural law and 225
of resources 24, 25, 173, 236, 237
see also over-exploitation
federal commons 12, 37–55
federal contracts 39–40, 43, 50–51, 52
federalism 12, 33–4, 41, 331
financialization 28, 29, 242, 281
Food and Agricultural Organization (FAO) 86, 172, 250, 283
formalization of property rights 236, 239, 241, 242, 243, 244, 245, 272
free rider problem 3, 7, 84, 110, 114, 115, 121, 124, 163, 324, 330
games/game theory 110–11, 117, 118, 120, 164, 195–6
General Assembly (UN) 131, 132, 153
general obligation 296, 298–9, 304
generative rules 229, 273
genetic resources and traditional knowledge (GRTK) 170, 171, 172, 173, 174, 175, 176
global citizenship 29, 34
global climate 108, 109, 292; see also climate change
global commons 6–7, 102, 267
actors 34
community interests 293–4
domains 107
enclosure 205
governance 13–14, 50
actors/participants 103, 122
cooperation and institutionalization 165
international environmental law 292, 299–304, 331
international law 273, 274
open access 274, 285, 324
rivalry in 108
see also biodiversity; climate change; conservation
global democracy 12, 20, 23, 49, 328–9
global governance
academic publishing 14, 196
accountability 142, 144–5
civil society engagement 146
democratic deficit 143
global politics 28, 29, 38
global public goods (GPGs) 329–32
diversity as 26–9, 170
defined 7–8
global commons governance as 111
impact of structural power on 169–70
knowledge as 191
origin of concept 330
regime complexes and 162–5
rule of law, see rule of law
Global South 85, 87, 153, 170, 172, 175, 176, 214, 219, 266, 267, 273, 275, 284, 324
global warming 49, 215, 216, 307
globalization 30, 31, 38, 67, 237, 328
good governance 109, 132, 133, 142
goods 8; see also club goods; open-access goods; private goods; public goods
governance
adaptive 114, 206
of the common(s), see the common; commons; global commons
distinction between the commons and GPGs as models of 8
distinguished from government 327–8
need for renewed attention to 336
power imbalances in 328
rules 246, 255, 256
see also democratic governance; global governance; good governance; polycentric governance; self-governance

Governing the Commons (Ostrom) 2–3, 81, 82, 266, 268, 271, 272
government
distinguished from governance 327–8
emerging from revolutions 57
see also self-government

Hardin, G. 2, 7, 79, 102, 105–6, 114, 191, 246, 269, 271, 284
high seas 6, 107, 225, 233, 292, 296; see also Convention on the Law of the Sea (LOSC)
Hobbes, T. 62, 63, 140, 225

Hominès économici 3, 83, 235
human rights
civil society engagement in 146
and the commons 276–7
enforcement of obligations 150–51
violations 136, 137, 280, 281
see also international human rights;
Universal Declaration of Human Rights (UDHR)
Human Rights Committee 247, 248, 251, 259
Human Rights Council (UN) 132, 253, 281, 282, 283–4
identity 31, 44, 47, 50, 51, 52, 53, 54, 191, 249, 279, 280
indigenous communities
ownership of natural resources 248
participation in international negotiations 176
recognition of collective ownership 248
rights 171–2, 174–5, 176, 179, 247, 248, 249, 279–80
Indigenous and Tribal Peoples
Convention No. 169 (ILO) 258–9, 280
Indignados 5, 23, 78
information
access to 119, 188, 312
ownership of 326
protection of 120
information-sharing 103, 119–20, 192, 205
Institutional Analysis and Development (IAD) framework 1, 3, 13
institutional arrangements
the commons as community 13
democratic 144
global governance 120–21, 122–3
safeguarding the commons 8, 284
institutional change 14, 145, 146, 149, 152
institutionalization
  of collective interests 304–13
  of the common 12
  of the commons 41–8
institutions
  autonomous 2, 15
  centralized 224
  collective 15, 324
  and international coordination 163
  self-governing 79
  sustainability 226–7
intangible resources 4, 5, 172
intellectual property 14, 172, 173, 175, 187, 190, 192, 273, 326
Inter-American Commission on Human Rights (IACHR) 280
Inter-American Court of Human Rights (IACtHR) 247, 249, 278, 279
interconnectedness 104, 108, 109, 113, 122, 165, 332
interdependence 30, 31, 108, 119, 134, 163, 168, 191
interests
  non-alignment of 110, 173–4
  technology and specialized care of narrow 223–4
  see also community interests; short-term interests
international community 134, 292–3, 302, 313, 314, 327
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 247, 278
international cooperation
  climate change 293, 305
  cost–benefit analysis 166
  GPGs as an advocacy tool for 8
  open access 195, 196, 202
international coordination
  open access 186, 196
  to address under-provision of GPGs 329–30
International Court of Justice (ICJ) 149–50, 151, 220, 294–5
  environmental case law 296–304, 313, 315, 316
International Covenant on Civil and Political Rights (ICCPR) 136, 247, 251, 259
international environmental law 291, 292
  substantive and procedural obligations 15–16, 294, 295, 296–304, 313, 314
international human rights 216, 221, 277–84, 285
International Labour Organization (ILO) 258–9, 280
international law
  actio popularis 302
  the commons
    closing the gap in 272–7
    protection of 14–15, 285
    ecology of 15, 212, 215, 224–8
  see also international environmental law; rule of law
International Law Commission (ILC) 133, 301, 303, 315
International Monetary Fund (IMF) 88, 214
Internet 4, 107, 108, 111, 113, 116, 119, 120, 198
justice 130, 133, 137, 140, 152, 228; see also commutative justice; distributive justice
Kant, I. 29, 30, 140
Kaul, I. 8, 130, 139, 330
knowledge
  private vs public provision 191
  see also academic knowledge/research; traditional knowledge
knowledge commons 14, 107, 116, 119, 120, 186–206, 324
land(s)
  aboriginal title 248
  commodification of 235, 243
  competition for 242
  degradation 242
  rights 232, 247, 253, 254, 279, 280, 282
  see also property rights
land grabs 242, 266, 278–9
land markets 238, 243, 244, 245, 269
law of the commons 65
League of Nations 32, 220, 233
legitimacy
of common property regimes 257
of the commons 83
governance of the commons 322–3
political 134, 139, 140
lo común 12, 80, 90–92, 93–4, 95–6
Locke, J. 140, 232
The Logic of Collective Action (Olson) 84, 105
Magna Carta (1215) 276
mare liberum 107, 274, 225
market failures 7, 21, 83, 188, 330
Marx/Marxism 27, 61, 68
monitoring
community resource management rules 255
in governance systems 111, 116, 117, 120, 121, 122, 123, 124
of government policy 149
Montreal Protocol 304–5, 310, 311, 314
multilateral environmental agreements (MEAs)
compliance and dispute settlement 310–11, 312
non-state involvement 312, 314
procedural elements 295, 306, 314
states’ duties to prevent transboundary harm 296
to address community interests 295, 314
mutual trust 3, 7, 276–7, 324
The Mystery of Capital (de Soto) 237, 269
natural law 225, 227, 231
natural resources
commercial pressures 245
commodification 28, 176, 266
exploitation, see exploitation; over-exploitation
indigenous ownership 248
right to 253, 277–8, 282
sustainable management of 246
nature
commodification of 28
financialization 28, 29
negative externalities 106, 116, 120, 162, 169, 178–9, 246
Negri, A. 5, 11, 58, 72
neoliberalism 26, 57, 58, 67, 74, 82, 153; see also capitalism
non-excludability 111, 139, 330; see also common good; global public goods (GPGs); public goods
non-governmental organizations (NGOs)
anti-globalization 34
role in monitoring 121, 122
non-rivalrous goods 107, 190, 191, 192, 326, 330; see also club goods; global public goods (GPGs); public goods
non-state actors
environmental degradation 293
inclusion in international cooperation 164
involvement in treaty-based regimes 306, 311–13, 314
potential to influence regime complexes 169
see also citizenship; civil society; commoners
Occupy Movement 5, 23
Ogiek peoples 248–9, 256, 257, 277–8, 279
open access
as a coordination game 195–6
global commons 274, 285
goods 6–7, 79, 105, 271, 324, 326
international cooperation 195, 196, 202
journals 189, 194, 195, 202, 203, 204
policies 197–204
scientific research 186, 326
Ostrom, E. 1, 5–6, 11, 13, 58, 63, 74, 79, 102, 106, 108, 112, 114, 116, 120, 121, 192, 273, 284, 322, 323; see also design principles; developmentalist policies; Governing the Commons
Ostrom, V. 13, 83, 84
Index

outer space 6, 107, 108
Outer Space Treaty (1967) 24, 25, 53
output accountability 144, 147–51, 152
over-consumption 102, 106, 214
over-exploitation 2, 6, 106, 107, 119
ownership 22
as a bundle of rights 112, 113
homology between state and private 26
indigenous peoples’ rights to 280
open access and non-rivalrous goods 326
see also collective ownership; communal ownership; private ownership
participation 11, 92, 145, 146, 147, 167, 277
patents 119, 171, 172, 173, 174, 190, 205, 326
peasant(s)
rights of 280–84
see also Cochabamba water war; Declaration on the Rights of Peasants (UN)
Polanyi, K. 83, 224
política del comú 12, 79, 80, 96
political action 62, 64–5, 69, 70, 71, 74, 115
politics of the common 61, 62, 92–5
Cochabamba war and a new 92–5
violence between state and 65–7
see also developmentalist policies; strategies of civility
polycentric governance 1, 2, 13, 84, 113, 120–24, 125, 323, 332
positive externalities 139, 191
poverty/poverty reduction 86, 132, 214, 239, 240, 251, 259, 268
power
corporate 221
rule of law and lack of supranational 143
and violence 61–5
see also empowerment; relational power; structural power
power imbalances 122, 161, 166, 168–9, 170, 177, 178, 219, 328
power-over 62, 63, 74, 144, 327
power-with 62, 63, 327
precautionary principle 301, 303–4
prisoner’s dilemma 2, 3, 110, 323
private goods 21, 105
private ownership 26, 268, 269
private property
avoidance of over-exploitation 2
enclosure of commons and rethinking of 266–7
state violence and protection of 67
transformation of customary tenure into 271
privatization 84, 246
equated with modernity 235
external development interventions 271
resistance to 5
of science 191
of water utilities 88, 266
pro common(s) (goods) politics 79, 80, 88
property
as collateral 238
right to 247, 249, 278–9
see also intellectual property; private property
property rights
certification, see titling schemes
and civilization 232, 233
communal 83
economic growth 236, 239, 245, 270
as inherent in process of development 232
justified occupation of land 231–2
see also intellectual property
proportionality 39, 255, 256
Proudhon, P.-J. 33, 39, 40, 44–5, 63, 74
public bads, avoidance of 163
Public Choice society 83
public choice theory 83–5
public good
academic knowledge as a 190–92, 198
defining characteristics 104
justice systems as a 130
in knowledge and research discussions 186
The commons and a new global governance

public goods 105
  defined 21
  failure of bureaucratic governments 83
  as representing market failures 7, 21, 330
  transaction cost analysis 162
  see also global public goods (GPGs)
  public sphere 41, 46–8, 54, 55, 165, 167
  quotas 118, 251, 259
  rational choice theory 2, 82, 102, 166
  reciprocity 39, 45, 52, 111, 122, 276–7
  regime complexes
    on biodiversity (RCB) 14, 161
    and GPGs 162–5
    internal stability 164
    negotiation powers 177–8
    structural power 165–70, 177
    impact, see regime complexes on biodiversity (RCB)
  reification of the commons 22, 324
  relational power 62, 161, 166, 167, 177
  reputation 3, 6, 103, 111, 119, 122, 124, 164, 166, 173, 324, 332
  *res communis*, see common goods; common heritage; communal ownership
  resilience 224, 256, 257, 295, 314
  resistance
    and initiation of violence 67
    and strategies of civility 73
    to centralized government 57
    to forms of violence 65
    to globalization 30
    to privatization 5
    see also activists; *beni communi*
    Cochabamba water war; *politica del comú*
  restricted access 116, 187, 188, 191, 192
  revolution(s) 57, 59, 66–7, 73
  revolution of the common 72, 74
  rights, see human rights
  Rights and Resources Initiative (RRI) 268, 284
  Rio Declaration on Environment and Development (1992) 296
  rivalrous goods, see common good;
    common pool resources (CPRs);
    private goods
  Roman law 21, 25, 225, 227
  Rosaria, M. 273
  Rosenau, J. 327, 328
  Rousseau, J.-J. 140
  Rule of Law at the National and International Levels 132
  rule of law (international)
    and accountability 13, 142–51, 152
    as a core/meta GPG 130, 139–41, 152
    as an exclusive club good 154
    UN definitions 131–4, 135–6
  Samuelson, P. 105, 330
  sanctions/sanctioning 3, 116–17, 121, 122–3, 124, 255
  scarcity of resources 27, 236, 244, 293
  scientific knowledge 14, 186, 190, 326
  self-determination 53, 176, 179, 247, 248–9, 272, 277
  self-governance 11, 86
  academic publishing 203–4
  collective 4, 114, 325
  global commons lack of 6
  sustainability of small-scale commons 6
  see also community-based natural resource management
  self-government
    federal systems 39, 42, 44, 46, 48–50
    right to 272, 279
  self-interest 2, 51, 111, 140, 167, 269
  self-managed water systems 90, 93
  self-management 38, 92, 267
  self-organization
    collective 84
    of the commons 326
  IAD framework 1
  large-scale 7
  shared rule 37, 42, 43, 50–52, 332
  short-term interests 2, 103, 109
  Smith, A. 130, 152
  social constructivism 8, 164, 166, 324
  social contract theory 139, 140–41, 141, 142, 144
  social movements 34, 79, 267, 268; see also *beni communi*; Cochabamba water war; *politica del comú*
social norms 3, 6, 324, 327
social revolutions 57, 63, 74
soft law 131, 138, 151, 153, 186, 284, 308
solidarity 37, 48, 50–52, 53, 54, 58, 72, 191
Soto, H. de 237, 239, 240, 241, 244, 269
sovereignty
  in legal modernity 225
  see also state sovereignty
state sovereignty
  and the appropriation of space resources 25–6
  biological resources 171, 172
  imperialism 219
  lawmaking and balance between collective action and 308
states
  coercion in federal systems 52–4
  duty to prevent transboundary harm 296
  duty to strengthen common property regimes 247
strategies of civility 12, 65, 67–72, 73
structural adjustment programmes 87, 88, 269, 286
structural power 161, 165–70, 177
  impact of 170–76
subaltern populations, the commons and governance of 85–7
subsidiarity, principle of 94
supply and demand, global governance 13, 102–25
sustainability
  of the commons 6, 323–4
  community resource management 255
sustainable development 132, 301, 304
Sustainable Development Goals (SDGs) 133–4, 138, 147, 148
Teatro Valle 66
tenure insecurity 243, 244
tenure rights 250, 251, 253, 259, 282
tenure security 237, 238, 241, 242, 243, 244, 271, 272, 282
titling schemes 235, 237, 238, 239–40, 240, 241–2, 243, 244, 271
top-down governance 44, 252, 259, 275
traditional communities 81, 82, 83, 249
traditional knowledge 4, 87, 252; see also genetic resources and traditional knowledge (GRTK)
Traditional Knowledge Digital Library (TKDL) 173
tragedy of anticommons 192, 206
‘The Tragedy of the Commons’ (Hardin) 2, 102, 105–6, 108, 246, 268–9, 270, 284
transboundary harm
  international environmental agreements 311
  law and 294, 295, 296–304, 313
transformation, politics of 60–61, 64, 65, 95
transparency 115, 116, 118, 142, 148, 193, 194, 200, 312
treaty-based regimes 12
  and collective interest 304–13, 314
  see also multilateral environmental agreements (MEAs)
trust 3, 7, 111, 124, 276–7, 324
UN Charter 133, 141, 149, 216, 302
United Nations 214, 236
  definitions of (international) rule of law 131–4, 135–6
United Nations Development Programme (UNDP) 86, 240, 329, 330
United Nations Educational, Scientific and Cultural Organization (UNESCO) 186, 197, 201–2
United Nations Environment Programme (UNEP) 6, 27, 171, 274, 307
Universal Declaration of Human Rights (UDHR) 133, 136, 141, 154, 247
universalism 23, 29–30
use rights 53, 242, 257, 279
usos y costumbres 89–90, 92
La Via Campesina 253, 280–81, 282, 284
Vienna Convention for the Protection of the Ozone Layer 304–5, 314, 316
violence
between state and politics of the common 65–7
disruption to power imbalances 328
nation states and legitimate exercise of 74
power and 61–5
race and 75
reflections on, in Commun (Dardot and Laval) 59
revolutionary politics of the common 67–72
Vitoria, F. de 227, 231, 232
Voluntary Guidelines on the Responsible Governance of
Tenure of Land, Fisheries and Forests in the Context of
Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication 250–51
Washington Consensus 269
water, right to 93
Wikipedia 58, 205, 266
World Bank 86, 88, 91, 176, 214, 236–8, 242, 258, 269–72
World Intellectual Property Organization (WIPO) 172, 173, 174
World Trade Organization (WTO) 117, 172, 173