

## Hardin's Putative Critique\*

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Of the neo-Malthusian voices emanating from ecologist ranks, one of the most powerful and certainly the most provocative is that of Garrett Hardin (1915–2003), professor emeritus of human ecology at the University of California, Santa Barbara.

I propose to show that, despite secondary disagreements, Garrett Hardin and Henry George may, in what is most germane to the focus of these explorations, be far closer to each other than might first appear. I propose to show that what they have in common is obscured by a semantic difference—ironically, a difference in the meaning that they attach to the *word* “common.”

### What George Meant by “Common Property”

When, in book VI, chapter 2, of *Progress and Poverty*, George asserted, “*We must make land common property*,” he was guilty of a tactical blunder that hobbled the advance of his proposal from the start. For although he took pains later in his book to clarify this declaration, it has been used by his antagonists with deadly effect to portray him as an advocate of nationalizing land.

Actually, of course, nationalization, with its concomitant collectivization and regimentation, was not at all what George proposed. By “common property in land,” he intended to signify the effectuation of common rights in land, not (except in instances involving generally-accepted public functions) its collective use. Neither did he intend to signify a common resource to be drawn on individually without concern for social consequences.

The true meaning of the phrase for George is best exhibited in book VIII, chapter 1. He first speaks there of a lot in the center of

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San Francisco: "This lot is not cut up into infinitesimal pieces nor yet is it an unused waste. It is covered with fine buildings, the property of private individuals, that stand there in perfect security. The only difference between this lot and those around it, is that the rent of the one goes into the common school fund, the rent of the others into private pockets."

He then turns to the Aleutian islets of St. Peter and St. Paul, the breeding places of the fur seal, an animal so wary that the slightest fright causes it to flee its customary haunts forever.

To prevent the utter destruction of this fishery, without which the islands are of no use to man, it is not only necessary to avoid killing the females and young cubs, but even such noises as the discharge of a pistol or the barking of a dog . . . Those who can be killed without diminution of future increase are carefully separated and gently driven inland, out of sight and hearing of the herds, where they are dispatched with clubs. To throw such a fishery as this open to whoever chose to go and kill—which would make it to the interest of each party to kill as many as they could at the time without reference to the future—would be utterly to destroy it in a few seasons, as similar fisheries in other countries have been destroyed. But it is not necessary, therefore, to make these islands private property. . . . They have been leased at a rent of \$317,500 per year [partly fixed ground rent, partly payment of \$2.62½ on each skin, with an annual harvest limited to 100,000 skins], probably not very much less than they could have been sold for at the time of the Alaska purchase. They have already yielded two millions and a half to the national treasury, and they are still, in unimpaired value (for under the careful management of the Alaska Fur Company the seals increase rather than diminish), the common property of the people of the United States.

Although George thus illustrates his principle by means of actual examples involving leaseholds, his prescription envisages an easier and less drastic application than that of confiscating land and letting it out to the highest bidders. Instead, he advocates that land titles be left in private hands, with rent appropriated by means of the existing tax machinery. Commensurate reductions would be made in taxes on improvements and other labor products (culminating ideally in the total abolition of such taxes), and the machinery reduced and simplified accordingly. "By leaving to landowners a percentage of rent which would probably be much less than the cost and loss involved in attempting to rent lands through State agency, and by making use

of this existing machinery, we may, without jar or shock, assert the common right to land by taking rent for public uses.”<sup>1</sup> But this is simply a practical refinement; the principle remains the same.

### **The Tragedy of the Commons**

In his seminal essay, “The Tragedy of the Commons,”<sup>2</sup> Hardin focuses on the inherent tendency of individuals, each in the pursuit of his own interests, to overgraze, denude, and use the commons as a cesspool. That which belongs to everybody in this sense is, indeed, valued and maintained by nobody. The Enclosure Movement ultimately brought an end to the commons in Europe as a basic institution, but not without exacting a baneful price in human misery that might well be termed “The Tragedy of the Enclosures.”

It makes no difference, really, whether or not Hardin believes that most people are utility or profit maximizers who value their individual goods more than they do social goods. If common property is free to all without restraint, it only takes one such person, once an area’s carrying capacity has been reached, to degrade the area. As with persons, so also with nations. The stocks of blue whales are so depleted that the International Whaling Commission recommends the virtual stoppage of whaling, and all but two nations have ceased whaling on the high seas altogether. But Japan and Russia continue to fish for whales aggressively, and the depletion becomes ever more acute. Soon the blue whale may be extinct. Actually, Hardin does not deny the existence of altruism either in individuals or in societies. But his “conservative policy,” as he calls it, is “to regard altruism as a marginal motive.”<sup>3</sup> To me, this policy seems only sensible. Archbishop Temple must have been thinking along similar lines when he defined the art of government as “the art of so ordering life that self-interest prompts what justice demands.”<sup>4</sup>

When I commenced the research for the paper that evolved into this chapter, I set out, with the aid of two British colleagues, David Redfearn and Julia Bastian, to disprove Hardin’s thesis. Together, we compiled an impressive list of counter-examples, showing that the historic commons, far from being an unregulated free-for-all, were mostly operated according to agreed-upon rules that ensured a

fair distribution of opportunity, spread work evenly throughout the seasons, and generally tended to conserve the soil and other natural resources.<sup>5</sup> These rules worked effectively in England for about a thousand years. It was only after the enclosure of the open fields was well advanced that the common pastures, having been thus divorced in large measure from their traditional employment, became subject to overgrazing and other environmental abuses as the old regulatory machinery fell into abeyance.<sup>6</sup> Vestigial remnants of the historic commons, such as the Swiss alpine village of Törbel, survive and thrive even today.<sup>7</sup> As for the supposed ecologically beneficent effects of “private” as opposed to “common” ownership of land, a report in the *Financial Times* of London speaks of pollution resulting from the use of chemical fertilizers and pesticides, deterioration of habitats, erosion, loss of topsoil, acidification of rivers, desertification, unsuitable afforestation, etc.<sup>8</sup> But this is not a brief for “government” ownership (nationalization); there is probably no sizeable body of water in the world more polluted than is the Aral Sea, as the result of Soviet policies.

“The Tragedy of the Commons” was first published in 1968, and has been reprinted in numerous collections since that date. Among the more vigorous efforts to rebut it is an article by John Reader, which appeared two decades later. “The true commons,” Reader properly insists, “was, by definition, an area of mutual benefit and responsibility, managed by those using it in a manner that acknowledged that environmental resources are not unlimited. Access to the commons was restricted by entitlement; use was regulated to ensure that no individual could pursue his own interest to the detriment of others. Far from bringing ruin to all, the true commons functioned to keep its exploitation within sustainable limits, thus providing every commoner with a dependable food supply in the short term, and maintaining the viability of available resources for generations to come.”<sup>9</sup> A more careful analysis of Hardin’s essay demonstrates that, like my own compilation of counter-examples, Reader’s attack, while factual enough, is utterly beside the point: What Reader calls the “true commons” is not what Hardin meant by “the commons” in his essay. The essay presents a hypothetical illustration of a pasture open to all.

Each herdsman, seeking as a rational being to maximize his gain, will try to keep as many cattle as possible on the pasture. So long as tribal warfare, poaching, and disease keep the numbers of both man and beast below the carrying capacity of the land, the arrangement may work satisfactorily. But once that capacity is exceeded, "the inherent logic of the commons generates tragedy," since the rational herdsman, knowing that without regulation others will pursue their individual interests even if he abstains, adds animal after animal to his herd. "Each man is locked into a system that compels him to increase his herd without limit—in a world that is limited."<sup>10</sup> So much for the hypothetical illustration. But one looks in vain in the essay for historical references.

It is true that, in other work, Hardin alludes in passing to the ecological destructiveness of the system of English commons that was replaced as a result of the Enclosure Movement.<sup>11</sup> In this, he may have been historically inaccurate, but this was a mere incidental error, as in neither case was he writing to establish a historical thesis. Hardin uses the term "commons" to refer, not primarily or necessarily to any actual historical institution, but to what sociologists, following Max Weber, call an *ideal type*—a pure logical construct, in this instance, one of the four discrete politico-economic systems of environmental utilization. The "system of the commons" is the one in which the environment is utilized by the group with the proceeds going to the individual. It is, practically speaking, a synonym for anarchy.

In a piece entitled "Ethical Implications of Carrying Capacity," Hardin discusses an "excellent report" by Nicholas Wade, which ascribes the advancing desertification of the Sahel largely to (often well-intended) Western interference. Prior to this interference, the Sahelian peoples carried on a way of life that was a remarkably efficient adaptation to their environment, with migrations, routes, the length of time a herd of a given size might spend at a given well, etc., governed by rules worked out by tribal chiefs. But, according to Hardin, the "old way of treating common property in the Sahel" was not really the system of the commons but rather a kind of informal socialism.<sup>12</sup> It may, of course, be argued that the words "commons" and "socialism" are both used by him in idiosyncratic fashion, but an

author is entitled to use words any way he chooses so long as he specifies what he is doing, and Hardin cannot in this context be accused of failing to so specify.

"*The morality of an act,*" says Hardin, "*is a function of the state of the system at the time it is performed.*"<sup>13</sup> In the Old Testament period, "Be fruitful and multiply" might have been a sound injunction; today, it is in most cases a mandate to behave irresponsibly. For a lone frontiersman to discharge waste into a stream may harm nobody; as population reaches a certain density, such conduct becomes intolerable. "Property rights must be periodically reexamined in the light of social justice."<sup>14</sup> In a complex, crowded, changeable environment, statutory law cannot make adequate allowance for particular circumstances, and must therefore be augmented by administrative law. But Hardin admits that administrative law, depending as it does upon decision-making by bureaucrats, is singularly liable to corruption. To it applies with special force the age-old question: *Quis custodiet ipsos custodes?*—"Who shall watch the watchers themselves?" Hardin draws attention to this difficulty, but does not attempt an answer.

### **An Implicit Endorsement**

How can exploitation be adjusted to carrying capacity, allowing for particular and changing circumstances, yet avoiding the corruption and caprice of bureaucratic regulators? Inasmuch as we live in an imperfect world inhabited by imperfect beings, a perfect solution to this dilemma does not exist. Yet the program of Henry George, since it calls for a process that is virtually self-regulating, comes as close to being foolproof as anything conceivable. To leave the land in private hands, while appropriating through taxation the greater part of its annual rental value as determined by the market, would assure, not maximum, but optimum, exploitation.

In an illustration concerning the lumber industry, Hardin correctly remarks that "high taxes on land that is many years away from being timbered encourage cut-and-run."<sup>15</sup> But they wouldn't have this effect if combined with heavy severance taxes, which encourage conservation while reducing the land's market value. Thus the tax on annual rental value could be set at a high percentage yet still be low enough

to induce retention of title, together with noninjurious harvesting schedules and techniques. Although the taxation of land rent is, of course, the method characteristically emphasized by Georgism, a severance tax is simply a different technical application of the same philosophy, adapted to different circumstances but equally amenable to determination by the market.

I make no pretense of familiarity with the whole of Hardin's copious literary output, but the adverse reference to which I just alluded is the only one I have encountered that speaks explicitly of land taxation, although he makes a slighting reference to Henry George in a discussion of the Malthusian question.<sup>16</sup> Conversely, in *Stalking the Wild Taboo*, one finds a glancing but favourable mention of the graduated income tax.<sup>17</sup> Yet he proposes internalizing pollution costs (and simultaneously discouraging pollution) through taxation<sup>18</sup>—a proposal very much in keeping with the Georgist accent on using the tax mechanism to protect common rights in the environment within an overall framework of private enterprise. And in a book he edited, Jay M. Anderson suggests, quite possibly with his tacit approval, “the taxation of industry at a rate proportional to used commons.”<sup>19</sup>

But most significant, I think, is an easily overlooked passage in “The Tragedy of the Commons” in which Hardin, perhaps unwittingly, endorses by implication the essential Georgist concept:

During the Christmas shopping season [in Leominster, Massachusetts] the parking meters downtown were covered with plastic bags that bore tags reading: “Do not open until after Christmas. Free parking courtesy of the mayor and city council.” In other words, facing the prospect of an increased demand for already scarce space, the city fathers reinstated the system of the commons.<sup>20</sup>

By calling this a “retrogressive act,” Hardin demonstrates his belief that the meters ought to have been left in operation. Now, parking meters exemplify (in specialized form) the public appropriation of land rent; they constitute payment for the privilege of temporarily monopolizing a site—compensation to the members of the community whose opportunity to use the site is extinguished for a given time by the monopoly. The payment, to be sure, is typically only partial. Compensation reflecting the full market value of the temporary

monopoly would be at levels comparable to fees charged by commercial parking lots in the vicinity of the meters.

But more than compensation is involved here. If parking meter fees, instead of being used to pay for community services or even for their own collection cost, were buried in the ground, their collection would still be justified in order, as Hardin puts it, “to keep downtown shoppers temperate in their use of parking space”<sup>21</sup>—i.e., as a means of rendering monopoly temporary and innocuous. So, also, the public appropriation of land rent in its more comprehensive application, by removing any incentive to hoard and speculate in land, would be warranted in terms of social justice and well-being, even if its yield were cast into the sea. For in rectifying distribution, this approach liberates production; in apportioning the wealth-pie fairly, it increases the size of the pie. Instead of being a cruel contest in which the cards are stacked against most players because of gross disparities in bargaining power, the market becomes in practice what capitalist theory alleges it to be—a profoundly cooperative process of voluntary exchange. And all this is accomplished without stressing the environment. Cities, more compact, return to human scale as artificial pressures for expansion outward and upward are removed. The availability of land at prices no longer bloated by speculation, makes profitable agriculture possible without the wholesale use of ecologically harmful chemicals and machinery.

In addition to the “system of the commons,” which amounts to anarchy, Hardin distinguishes three other discrete systems of environmental utilization: “socialism,” “private philanthropy,” and “private enterprise.”<sup>22</sup> He tends in general to favor the last, since under it the individual decision-maker and society usually both lose when the carrying capacity of the environment is overloaded, and thus decisions are more apt to be “operationally responsible.” Yet he concedes that this is not invariably the case, and is no apologist for absolute private ownership of land.<sup>23</sup> Not only does he grant that an owner, seeking rationally to maximize his gains, may under certain conditions behave in an ecologically *irresponsible* fashion<sup>24</sup> (a conclusion set forth in greater detail respectively by Daniel Fife and Colin W. Clark<sup>25</sup>) but he holds that the Enclosure Acts, even though ecologically desirable, were unjust.<sup>26</sup> “We must admit,” he asserts moreover, “that our legal



system of private property plus inheritance is unjust—but we put up with it because we are not convinced, at the moment, that anyone has invented a better system.”<sup>27</sup>

Well, someone surnamed George did “invent” a better system—one that eminently satisfies all of Hardin’s criteria, one that secures the advantages of both commons and enclosures with none of the disadvantages of either. For, paradoxical though it may seem, the only way in which the individual may be assured what properly belongs to him is for society to take what properly belongs to it: the Jeffersonian ideal of individualism requires for its realization the socialization of rent. Were rent socialized, population stabilized, the costs of negative externalities internalized, and the returns of private effort privatized, we and our posterity would prosper, at least roughly, according to our deserts, and healing come to our abused and wounded habitat, the earth.

### Notes

1. Henry George, *Progress and Poverty* (1879; New York: Robert Schalkenbach Foundation, 1962), p. 403.

2. Garrett Hardin, “The Tragedy of the Commons,” *Science*, Vol. 162 (Dec. 13, 1968): 1243–48.

3. Hardin, “An Operational Analysis of ‘Responsibility,’” in Garrett Hardin and John Baden, eds., *Managing the Commons* (San Francisco: W. H. Freeman and Co., 1977), p. 68.

4. William Temple, *Christianity and Social Order* (1942; London: Shephard-Walwyn Ltd., 1976; New York: Seabury, 1977), p. 65.

5. See C. S. and C. S. Orwin, *The Open Fields* (Oxford: Clarendon, 1938), pp. 38–58; and *Laxton: Life in an Open Field Village* (Nottingham: University of Nottingham Manuscripts Department, Archive Teaching Unit No. 4), Introduction, pp. 12–17, Transcripts and Summaries of Documents, pp. 10–11.

6. W. G. Collins and L. D. Stamp, *The Common Lands of England and Wales* (London: Collins, 1963), pp. 56–60.

7. John Reader, “Human Ecology: How Land Shapes Society,” *New Scientist*, No. 1629 (Sept. 8, 1988): 55.

8. Bridget Bloom, “Erosion Threatens Europe’s Agricultural Land,” *Financial Times* (London), July 18, 1988, Environment IV. See also Teri Randall, “Topsoil Erosion ‘Silent Crisis’ Threatens Farmers,” *Chicago Tribune*, rpt. *Birmingham News* (Alabama), July 19, 1989. Randall quotes William Fyfe, geology professor at Western Ontario University: “At the root of the problem is a rapidly growing world population. Each year, 90 million babies join the

more than 5 billion humans already on earth, yet the total area of farmland available to feed them decreases.”

9. Reader, p. 52.
10. “The Tragedy of the Commons,” p. 1244.
11. Hardin, *Exploring New Ethics for Survival* (New York: Viking, 1972), p. 116.
12. Hardin, “Ethical Implications of Carrying Capacity” and “An Operational Analysis of ‘Responsibility’” in Hardin and Baden, eds., *Managing the Commons*, p. 122 and p. 69.
13. “The Tragedy of the Commons,” p. 1243.
14. Hardin, *Exploring New Ethics for Survival*, p. 127.
15. *Ibid.*, p. 26.
16. Hardin, “The Feast of Malthus: The Social Contract,” *Journal Archives* (Spring, 1998).
17. Hardin, *Stalking the Wild Taboo* (Los Altos, CA: William Kaufman, Inc., 1973), p. 177.
18. “The Tragedy of the Commons,” p. 1245; *Exploring New Ethics for Survival*, pp. 123, 244 f.
19. Jay M. Anderson, “A Model of the Commons,” in Hardin and Baden, eds., *Managing the Commons*, p. 41.
20. “The Tragedy of the Commons,” p. 1245.
21. *Ibid.*, p. 1247.
22. “An Operational Analysis of ‘Responsibility,’” p. 69.
23. *Exploring New Ethics for Survival*, pp. 125–27.
24. *Ibid.*, pp. 125–26.
25. Daniel Fyfe, “Killing the Goose” and Colin W. Clark, “The Economics of Overexploitation,” in Hardin and Baden, eds., *Managing the Commons*, pp. 76–95.
26. Hardin, “Denial and Disguise” in *ibid.*, p. 46.
27. “The Tragedy of the Commons,” p. 1247 s.