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The Commons *Hardin's Anguish, Midas' Quest*

How should one live?
Socrates

There is a fable shared among Kenyans of Luo ancestry of a distinguished hyena being invited to two different parties on the same day and time. One party is in the east, the other west. Hyena reaches a crossroad and he has to decide whether to go east or west. The aroma emerging from both directions are equally yet differently sublime. Hyena dashes west changes his mind and heads east, stops and hastens back to the crossroads. He thinks about it and then with an explosion of energy, sprints in both directions at once. He experiences a devastating split in his body and cannot move. Time crawls by. He is on the road, no help in sight and he is tremendously hungry. Hyena decides to nibble his claws. Then he takes a bite off his left leg. Not bad. He takes a chunk off another leg. As the fable demands, he does end up consuming himself. Only when his teeth remain, does he giggle and say, "Oh!"

In previous epochs, the prevailing cultural climate allowed the idea of The Commons as a communal space --not necessarily physical- to evolve. The Commons were where the experience of existence that transcends time, tradition, environment, culture form and perhaps even destiny could be met, shared, discovered, built upon and learned. The Commons today are still seen as a repository of energy, heritage, shared experience and resources, imagination and meaning. It is accessible and entrusted to 'the public'. It belongs to all. The idealized Commons encompasses all life and knowledge of life under the trusteeship of responsible human citizens. By common

consent, The Commons and the things of it should not be owned, possessed, or sold by or to an entity.

The Commons are also constructed to assume that their meaning is common to all cultures. That the San people of Southern Africa express repositories of life and experience—such as The Commons represent--in the way immigrant Australians do.

On further reflection, The Commons, do seem to gesture to a collective human expectation of a destiny that transcends the fragile, ephemeral present, a defiant signal to each creature's last, sighed breath. Legacy, heritage, future. A statement of what it means to be (or have been) human at a certain point of history. The Commons could be seen as a manifestation of the personality of existence of a people and life forms in a shared time of history.

One might then see The Commons as the inner life of a shared existence out of which a collective, creative energy, vision, and meaning may be drawn upon, learned, shared, taught, grown and asked to inspire. The cynically inclined, however, might point to The Commons as all those things that finite, mortal life does not take with it after death. It is almost inevitable that an exploration of The Commons should accommodate the themes of time, place and space in and of history: Does the twenty first century conversation about The Commons begin as a tragedy—the inherited consequences of the value the previous century has placed on The Commons?

If regarded as such, this tragedy is not of The Commons as much as it is of profane human action that now arouse Aristotelean-

proposed *fear and pity*. The Commons would therefore not only be an arena, but also—in keeping with twenty-first century sensibilities-- the *spectacle* upon which the cosmic tragedy of human choices are acted out. And as the *Poetics* advise, those who hear this account are filled with horror and pity--far more, however, overflow with indifference.

Given the above, an admittedly polemical peek at the context-- the unrolling vista of the twenty first century merits some consideration, here where the contemporary drama of The Commons is playing out:

Beyond memory, in the ‘presence’ of globalization and ‘market driven’ theories of economic sustenance, the contemporary personality of existence seems to be stuck on a treadmill of a special brand of nihilism. This nihilism is characterized by a quasi-religious cult of relativism where anything is ‘good’ as long as it is can be controlled and branded as ‘rights’ or ‘freedom’. Overt socio-political ideologies of the past centuries lie in tatters and from their ruins capital-driven universal lifestyles explode. The epoch’s language elevates what thinker and pope, Benedict XVI terms the ‘thingification’ of life (bling-bling, slasher, regime-change, sustainable use, collateral damage *etc, ad infinitum (ad nauseum?)*). This epoch craves amorphous lines yet the integrity of anything seems to rest in the money it bleeds (or will bleed). Decision-making and technology are intertwined--have superior technology will reign. Fiber optic cables hook the world up to stars but significant provinces of earth are blanketed in darkness, written off as meaningless.

Creativity has its owners, Atlas Shrugs.

Death as a topic of discourse or enquiry even for the sake of catharses, is...dead. Very angry human beings give ‘the finger’ to existence in absurd acts of self-immolation that take others out with them. The provocative acts of life negation, sometimes screamed in the name of a god, are merely reduced into a non-negotiable, no-enquiry-

required word—terrorist¹. Horrified respondents engage the terrorist with shocking and awesome ‘just wars’, to annihilate *the Threat*, invoking gods no longer trusted. If there is an education constructed to learn the language and mores of this new world, it has not been diffused. Therefore, in between neon-lit clamor, there lurks a terrible silence of uncertainty.

Alienation has moved from the category of ‘neuroses to be healed’ into quirky acceptability, Eternal Life elixirs are concocted in science laboratories of omniscient PhDs and there is global glee, renewed faith in Nothing when a sheep is cloned; infinite possibilities and no moralizing God to disrupt the reconstruction of the tower of Babel. DNA is for sale as are replacement human body parts, biogenetics is the new oil rush, Reality (*sic*) Television is the opium of an enlightened people, hours of gazing into other human beings acting out life, tantalizing voyeurs with the gift of humiliation (also for sale). The air heats up and the hole in the ozone layer widens. A judge struggles for words to articulate judgment in a case where one human has traveled to another country to murder another over a deal-gone-wrong. The commodity? A virtual sword won and sold in a virtual game played by a community of humans who do not speak to each other. An epoch fueled by the obsession with possession, transient thoughts, the elevated ‘I’ (and the I extricated from the environment and community), institutionalized distrust where a battle for the collective human imagination is acted out, where knowledge and the basic things that sustain life—like water--are steal-able, patentable items.

Whither The Commons, in this climate?

This question and others may be addressed to The Commons themselves-- How does

¹ (Each epoch had its specialty human delinquent; vandal, barbarian)

the idea of The Commons correspond to the demands of this epoch? Is there a contemporary, accessible universal method of articulating the *meaning* of The Commons? *What is it to be human* in this epoch, what does the human feel, seek, imagine, need and grapple with and how would The Commons articulate this? With regard to the idea of The Commons, is it likely that a language of shared interest that draws in most world cultures can develop? What if The Commons were a mirror of a condensed ideal of the world, like that of tranquil sheep browsing in pastoral peace in the gorgeous English commons?

There is a curious human habit, a throw back to the previous century-- of finding places of the earth and anointing them 'UNESCO World Heritage and Culture Sites'. This formula is supposed to ensure the preservation and conservation of the place for 'future generations'. The twenty first century conflicts, though, negate the blessings and ensure that artifacts from such sites are stolen and sold to collectors and keepers worldwide, such as happened in Iraq.

This anointing could be augmented by in-country legal protection as has happened in Lamu, North Coast, Kenya. Narrow, labyrinthine streets, coral houses, bui-bui clad women, chilled-out *kanzu* adorned men, fish galore, blue seas, balmy weather, supremely skilled boat craftsmen and a flowery language. A treasure trove of mystery, knowledge and high-art charm. So attractive, that the whole island lifestyle, succumbing to the laws of supply and demand, is for sale. Right now, at the waterfront where wooden for sale signs drift in with tides, if the *Kanzu*-wearing, land and artefact owning male population were to be counted, all the nations of the earth, apart from Tuvalu—and that could change-- would be represented.

Begs yet another question; How do The Commons in this epoch translate for an African country such as Kenya, uneasily straining towards unknown economic

nirvana? What are The Commons for a 'developing country' having to also make choices for posterity in a world where the rules of engagement are determined elsewhere?

In the Rift Valley, between Mt Longonot and the 15 kilometre diameter of Lake Naivasha lies Hells Gate Gorge. All creatures great and small gather there. Hells Gate has seasonal watering holes that dry in seasons of drought. However, trails stored in the memory of creatures great and small lead to the riparian commons abutting the lake. Hell's Gate's creatures have never felt the impact of a drought season before.

Until early this year.

Drought came. As is their wont, creatures great and small headed to Lake Naivasha.

But agro-industrialists, commercial flower farms, multinational companies have not only lain pipes to drain water from the lake and other pipes to pour effluent back into the lake, they have also built around and blocked all access paths to the lake.

True, Kenya is a global leader in flower exports. Yes, the farms employ over 50,000 people, provide a solid livelihood for many and generate significant cash for the exchequer. This year, though, carcasses and skeletons of creatures great and small dotted sealed lake entry points. Many creatures died along fences and electrocuted themselves on gates looking for water from a lake they had imagined was also theirs.

What happens to the human being when The Common room is closed for sapient and sentient species to play out their special role in existence?

A somewhat mischievous look at King Midas who essentially wondered what it was to be a *human fully alive*: Midas as is known, acquired the power to touch events, people, things, and circumstances and turn these into gold for his pleasure. It was exciting until he found himself existing in splendid

golden isolation. Midas found himself the Prisoner-of-An-Idea–That-Had-Originally-Sounded-So-Good but had turned out to be a map to Profound Idiocy. In his golden self-constructed cage he encountered despair, loss of intimacy, the death of surprise and the defeat of validation and value. Here he found time to crave raw, messy lived experience and the desire to tangle with life on life’s terms. Midas’ terror in his golden jail was compounded when he discovered he had inadvertently locked out the possibility of creating grander paradigm that encompassed his deepest longings to transcend his now despicable gilded Eden, because almost immediately, his thoughts and desires all turned into gold.

Imagine a hypothetical play; this epoch’s drama about The Commons. Act One seems to suggest a theme of humanity’s disenchantment with the course its collective life has taken. King Midas is legally permitted to touch everything, anything, even the things humans love and are most proud of. His touch grazes the human mind and imagination, the heart and collective soul. Now the reservoir of life’s imagination is threatened by a chronic golden drought and to find a way back to a transcending philosophy of humankind and the hint of a glorious destiny is Sisyphus’ toil.

(The only grace in this performance is that it is just a play, and therefore the offspring of imagination and creativity. Even in an epoch nodding to the beat of Hobbesian misanthropy, there is a commensurate consciousness that creative covenants, laws and other contracts, can be re-examined and re-envisioned for a recognized, imagined, good.)

Scene two in the hypothetical play opens to a desert inhabited by a people called Turkana. They are a nomadic people who have managed through the centuries to draw sustenance from the desert for their cattle that in turn sustain their lives, contribute to their meaning in life. Their lives are governed by dry weather quests for pasture

and water for their livestock, wet weather cattle restocking ventures not necessarily recognized as ‘legal’ in the statutes. Their philosophy of life submits to an idea that Mystery-Being/God/Akuj presides over existence. Begotten from Akuj, all life, therefore, particularly human life remains a mystery to itself. The sense of the sacred imbues even the most banal of circumstance and the concept of ownership is confined to a loose structure of trusteeship and communal agreement.

The dialogue is between the audience and Turkana representatives—an elder or two. The Turkana opinion of Biotechnology and ownership of DNA is required because unknown to them—and this is true-- an Australian Animal breeding company trawling for genetic advantages now holds the DNA patent on their generations nurtured, desert bred cattle—the Borana/Zebu, hardy, resilient, and prolific.

In this dramatic journey mirroring real life, amidst dust storms and a yellow weaver’s song reminiscent of the northern Kenyan desert, it is probable a friendship might emerge between the elders and audience—that sometimes happens when humans share a deep laugh. The audience would have perceived that this play can also be read as the memory of a season of ridiculousness in human being-ness.

Today, the Australian patented African Zebu/Borana cattle are tended by a people who sing to them because they simply are—the moral recognition of shared existence, a tribute to that which sustains a human’s life, a living repository of life. These are a people who do not give a marabou stork’s squawk about patents or gene data ownership. To the Turkana, enforcement of copyright, intellectual property is not a problem. Should Australian enforcers arrive to impose the Zebu cattle gene ownership rule among them, the enforcers will discover what it means to be among humans who have a low tolerance threshold for fools—(fools: special category of humans who imagine they own/possess/are entitled

to/should be paid for yoga postures, turmeric powder, ‘polo’ and mathematical algorithms.) Persistent enforcers would discover the concept of ‘War Commons’ where the accumulated martial imagination is invoked and deployed in the art of threat-elimination and laws are created as circumstance demands.

(Act two and three of the hypothetical play is a blank slate, empty stage and human imagination... Deus ex machina permitted.)

What if The Commons were evolved into a multi-level space in the heart of life where humanity goes in order to remember what it means to be human? A garden where *Man does not try to live by bread alone?* A place of listening to and learning from life’s dialogue with life? Hubris may cause deafness to the conversation of life with life. This conversation, like some rivers, may also flow beneath the radar of human sensibility, but it flows nevertheless, unimpeded by legal abracadabra.

Life is its own knowledge.

The untamed pulse of truth, meaning-seeking; the irrepressible, immortal personality of existence morphs at its own will. Each human being, even if they wear the pseudo-sacred robes of IP lawyers, is vulnerable to this personality. And as part of life (not above it), the human being leaves a narrative of existence, a footprint of choices made, the story of relationship with the cosmos. Arguably, perhaps only the extremely alienated twenty-first century soul would be pleased with a tragic end to the play.

“Oh!” said the Hyena.

There is an ineffable redemptive grace in the fable; the wry laughter of *lessons learned*. In this giggle there is hope. *Hope* is another possible beginning for the story of The Commons in the twenty-first century.

If man as a being (person) is something greater than the world, then as one who exists (living dynamism), he is part of the cosmos. Therefore, while in the final analysis the aim of his actions is his own completeness or happiness, in the immediate terms it is to serve the whole of which he is a part. Even though the objective of the entire universe is to help man attain happiness more fully, man, as part of the world must also serve it.

Luigi Giussani, *The law of life, the gift of self: At the origin of the Christian claim*

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