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# Commons: Can This Be The Name of 'Thirdness'? (Revised)

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## Introduction

Everyone interested in research and theory of nonprofit organization, voluntary action and philanthropic studies has their own tale to tell about how they came to be interested in this subject. In my case, my theoretical interests come from a variety of experiences in community practice.

After graduating from college in the mid-1960's, I spent a couple of years as a reporter and editor at two local newspapers in central Minnesota. One of my regular beats was local government, where I received a "front row" education on the then-emerging subject of federal grants to local governments. I gradually zeroed in on news coverage of grants from the Office of Economic Opportunity for pre-school programs (Head Start), youth employment (Neighborhood Youth Corps) and other similar programs. My articles apparently attracted the attention of the state OEO office and I was contacted by their field representative for Southern Minnesota, Gene Flaten, and encouraged to apply for any of three open positions.

I was hired to establish and direct a small, rural community action agency in three counties of the First Congressional district in Minnesota. The Congressman

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from this district at the time, Rep. Albert Quie, had established himself as one of the principal House critics of the War on Poverty and its controversial Community Action Program (CAP). his district was one of the bastions of conservatism in the liberal Democratic-Farmer Labor state still dominated at that time by Vice President Hubert H. Humphrey.

Whether out of loyalty to Quie, ideology, principle, or other possible motives, county commissioners in roughly 15 counties, and city officials in the larger cities of Rochester and Winona were unwilling to authorize participation in the war on poverty. The party line was that there were no poor people in these counties, although statistics, subsequent experience and even the officials' own county welfare departments told a very different story. The county and city officials' unwillingness amounted to a kind of legal blackball. since the existing guidelines mandated that one third of the board of CAP agencies should be elected or appointed local officials. It also meant that grant funds for CAP programs could not be awarded in those areas. Thus, the Minnesota First District was one of the last areas in the Midwest to establish CAP agencies and did so only in the face of official local opposition, intent on branding this activity as illegal and even in some instances, subversive.

The solution to this (devised by Flaten, with support from the Governor's Office of Economic Opportunity and the OEO Regional Office in Chicago) was to by-pass reluctant elected county officials and seek involvement of leading citizen volunteers who replaced the third public officials. The final result included a number of small-town mayors seeking grant money for additional workers and local school officials interested in the Head Start program.

From my personal vantage point decades later, the shift from community action with the support of local officials to the quasi-voluntary associations of citizens' action councils is far less interesting than the working knowledge of nonprofit law, tax policy, and the complex problems of legitimacy, representation, board composition, and relations between nonprofit corporations and the state and federal governments that came with implementing this solution.

Another formative experience of some personal importance gives me an ongoing experience with another central theoretical issue of the third sector. In West Virginia, we have a network of local roads known as "orphan roads" because they were abandoned by the state years ago and county governments have consistently refused to adopt (and in particular, maintain) them! These are fully public roads: Anyone can drive on them and do, They are in the most real sense public goods, but their maintenance is completely left to property owners who live along them. To add to the confusion, the county sheriff has stated on more than one occasion that he will enforce any speed, traffic and stop signs which neighborhood associations authorize and install.

For more than three decades our home was located on one such orphan road in a neighborhood with an organized and fairly active but unincorporated neighborhood association which assumed maintenance of three streets on the basis of purely voluntary membership dues and has authorized a number of speed limits and stop signs. Membership in the association overall was quite high, but legally voluntary. Only a small minority of us on my street participate or support the association. This has given me an on-going practical exercise in the conflicts and problems of voluntary action— and also the limits – of "free-riding" for the three decades. This situation changed recently as the City of

Morgantown reached agreement with two of the three streets in the neighborhood and annexed them – and assumed responsibility for managing the streets. For us, this means no more spring “patching parties” with pick-up loads of asphalt and no more association meetings to debate what to do and whether or not additional stop signs, street lights or fire hydrants were needed. It also means we are now served by city fire and police services rather than the County Sheriff and a nearby volunteer fire department.

In addition, over the course of my career I spent parts of five decades as an officer, board member, consultant and educator for a variety of community nonprofit service organizations. All of these experiences, mostly in small towns and rural areas in the Midwest and Appalachia, have contributed to my own understandings of what we still call the third sector.

## Theory As A Problem in Language

My interest in third sector theory arose out of my personal experiences and interests and has been most concerned with language, basic terms and fundamental questions.

We can begin an exploration of the theoretical space termed the “third sector” with the observation that the denomination *third* comes from the better-theorized “other two” spaces: the political state and market order. (Lindblom, 1977) The third, from this perspective is the space outside or apart from states and markets.

Apparently for the economic and political theorists who are largely responsible for the term these three are exhaustive, while others see other possibilities (e.g., Smith, 1991). In the commons theory of voluntary action, I have advanced the possibility of a fourth sector termed the family or household sector or intimate sphere. In this context, the term third sector refers to the social,

economic, political and cultural space outside or apart from markets, states and households.

Based on any of these we can ask: if it is a third sector that interests us, of what does its 'thirdness' consist? And how can we find better labels for those qualities of greatest interest? In seeking answers to such a question, I have relied heavily on what in the earlier version of this I called the poetics of theoretical physics. That proved to be an interesting choice of phrases – one which provoked a derisive public comment by the president of an international research association at a conference I was attending in Europe later that year. My colleague, it seems, did not share my enthusiasm for creative language.

Nevertheless, I remain impressed by the manner in which, in the face of the impossibility of direct, empirical observation and the barrage of new, unexplained phenomena, physicists employ both creativity and rigorous logic in their uses of metaphor and invented terms. If physicists can deploy language resources to name *mesons* and a *quark* named *charm* (to name just a few of dozens of such examples), why should those of us in the social sciences feel so bound theoretically by the terms and thought ways of 19th century German and French? Why, for example, must virtually every named process end in *-tion* ?

Social science theory is also constrained by the fact that subjects of the theory speak the same language(s) as the theorists. In third sector studies, for example, the accountants, managers, members, fundraisers, consultants and others routinely employ the same terminology as the most hidebound theorists. But this may not be the barrier it can appear to be. In considering the third sector theoretically, we may yet come to realize that the traditional language of participants of the sector is less a liability than an asset.

One of the most fundamental tasks facing the theoretical advancement of voluntary action and philanthropy involves simply being more creative with the language. In those cases where there are already adequate terms (like benefactor and patron), why not simply continue to use them, and build them into theory? When adequate summary terms are missing, and only convoluted and ambiguous expressions like “nonprofit service organizations” are used, should it not be a primary task of theory to create new and better terms? Since the earlier version of this article first appeared, I have continued to practice this approach to language with several old terms rescued from near oblivion or given new meanings and literally dozens of new and borrowed terms introduced into the commons theory of voluntary action. See Lohmann, (2015, pp. 12-14) for a partial list. Portmanteau terms like philanthropology have been particular favorites. Combining an anachronistic form of factory (“manufactory”) with the conventional term “benefactor”, in the simple sense of someone who dispenses benefits has a very salutary result in benefactor.

When perfectly adequate terms (like dower) have fallen into disuse, why should we not necessitate them for theoretical purposes? Indeed, it appears that this is precisely what is occurred with the term “philanthropy”, which had clearly fallen out of favor and was at risk of extinction before being rescued, first as a summary term for foundations and fundraising, and more recently in much more robust terms (McCully, 2008).

Use of the conventional language of the sector is no panacea. Not all theoretical language problems in this field can be easily sorted out. Some terms (e.g., foundation and endowment) are gradually losing their general meanings and taking on much more limited (and less theoretically interesting) connotations. Some very basic terms (e.g., nonprofit, voluntary and community)

seem to be almost limitless in their ambiguities and contradictions. Even so, there is much theoretical richness yet to be mined out of the careful consideration of terms in this field.

Through using roughly these kinds of basic language operations, I have derived a couple of candidate general theoretical terms intended to speak directly to the issue of the *thirdness* of the third sector in what I have been calling a “theory of the commons”: At one level, I concluded in the early 1990s that the five conditions of the Greek term *koinonia politike* attributed to it by the ancient historian Moses Finley appeared to summarize quite well what most of my colleagues found to be the essential *thirdness* of the third sector: They are characterized by “voluntary” (uncoerced) participation; shared purposes; shared resources; mutuality (or social capital) and indigenous standards of fairness (or moral order).

More recently, I have divided these five definitional terms into two groups (Lohmann, 2015). The first three can be seen as formative or constitutional of voluntary action, while the latter two are better seen as *emergents*, arising from ongoing operations by the formed or constituted associations or assemblies of voluntary action.

Thomasina Borkman concluded in a presentation at the 1991 ARNOVA conference that these five terms closely matched the central concerns of a national panel on self-help groups. Such borrowing of terms from Latin or (in this case) Greek is a common practice in the third sector, as with charity, philanthropy and other terms. However, *koinonia politike* does not appear to work well as an umbrella term for the third sector: “the *koinonia*” lacks panache and “the *koinoniac* sector” is downright arch.

If, however, one were to utilize yet another ordinary language process and attach the characteristics of *koinonia* to (in effect translating the Greek term as) a more conventional English language term, the results might be worthy of consideration as a sector label. My own candidate for this is the term “commons”, because of its traditional connotations of a shared space, prior related usage (i.e., “the tragedy of the commons”), its etymological similarities with community and communications and its versatility as a noun and adjective (as in common goods and common resources).

More recently, I have drawn an additional distinction between “old” commons, or traditional, medieval, customary and ‘folk’ practices mostly in agriculture and irrigation carried out solely by cooperative agreement among participants, and “new” commons supported by various legal institutions and self-governance arrangements such as accreditation and professionalization. Increasingly significant is the category of commons labeled as knowledge commons (Hess & Ostrom, 2007).

One of the major reasons for using the term commons is the robust additional language it suggests. Thus, if the third sector is designated as a commons, this suggests a further usage of equally great importance. The general class of products or results produced by or within the commons can be termed “common goods.” To do so, however, presents some difficulties. One of the greatest is use of the terms “public goods” and “common goods” as synonyms. In *The Commons*, I introduced a way to differentiate between public good as *the* (general or singular) common good and particular common good(s) produced by various associations and assemblies of the commons. Along with this, the theory introduces the possibility that while the three sectors (family, market, state and commons) are associated with distinct ideal types of goods (intimate, private, public and common), in

actuality any type of goods can be produced in any sector.

The most complete initial statement of the theory to date is found in book form. In *The Commons: Multidisciplinary Perspectives on Nonprofit Organization and Voluntary Action*, (Jossey-Bass, 1992) I set forth a multidisciplinary theoretical interpretation of what I take to be the essential characteristics of nonprofit organization, voluntary action and philanthropy. In a series of papers, chapters and journal articles published since 1992, I continued to add to the perspective, and I tried to summarize these in *Voluntary Action and New Commons* (2015).

From the start, the perspective of the commons has sought to take emphasis off the large enduring institutions and quasi-commercial nonprofit establishments as definitive of the third sector and place it instead on the more ephemeral, participatory, collective and mutual endeavors of voluntary action. The latter are often also smaller, possessing fewer resources and farther from the central corridors of power. To state the matter most directly, my intent with the theory of the commons is to locate the “heart and soul” of the third sector in the commons. The core of thirdness is found in the clubs, mutual aid societies, neighborhood associations, community churches and other commons displaying uncoerced participation, shared purposes and resources, mutuality and indigenous standards of fairness, rather than in the giant foundations, national oligarchies and quasi-commercial nonprofit firms which so frequently position themselves to speak in the name of the contemporary third sector.

At some point, however, any theory of the third sector straining after completeness must come to terms with the commercial or entrepreneurial nonprofits as well. While they may be assigned a role which is

*theoretically* marginal to the core of the commons as a social, political and economic construct, their importance in contemporary public life can hardly be disputed. (Certainly, I do not wish to do so.) Indeed, stimulating debate over the role of voluntary action in the third sector was the original intent of commons theory (c.f., Lohmann, 1989, pp. 367-8). The challenge still facing the theory of the commons in the 21<sup>st</sup> century is whether the theoretical terms and perspectives of commons theory offer a meaningful theoretical basis for approaching the entrepreneurial and commercial nonprofit corporations and “shadow state” extensions of public policy which make up such a quantitatively large part of the contemporary third sector. (Dart, 2004; Wolch, 1990)

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