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Commons¹

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Introduction

The commons is a theoretical formalism that is useful in understanding many diverse problems of civil society. Commons models have been applied to major environmental issues from resource depletion to global warming (Ostrom, 1990), legal questions from land ownership to intellectual property and culture policy (Lessig, 2008), and to understand voluntary associations, nonprofit organizations and philanthropy (Lohmann, 1992; Van Til, 2000). Sciences, academic disciplines, professions and knowledge (Hess and Ostrom, 2007) have all been instanced as important examples of commons.

A common (or *commons*) is any economic, political, social, and legal institution that enables joint, shared, mutual or collective natural or social action by agents using a “pool” of shared or jointly held or mutually controlled resources. The noun common can refer to an actual, existing natural or social object (such as an ocean, a property or a philanthropic foundation), a unit of analysis or theoretical formalism (e.g., an ideal or theoretical type) or an element or figure in an abstract logical construct or narrative (e.g., “commons tragedy” or prisoner’s dilemma games) used to highlight or isolate certain related political, social, economic or legal phenomena.

Common pool resources (CPR) refers to any collection of resources affected by and facilitating action (physical or social) by a plurality of natural, physical, legal, economic or social agents. The term *common goods* is used to characterize actual or planned products, outputs, goals, or desired ends of common choice or action.

Historical Background

Common fields agriculture is an ancient and medieval institution found in many areas throughout the world. English common law has engendered a rich vocabulary of practical and legal terms with precise (mostly agricultural) meanings, like *common pasture* (right to graze animals on common land), *estover* (right to collect wood from smaller trees), *piscary* (common rights to fish), *tubary* (right to collect sod), and *mast* (right to turn out pigs in the fall).

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A widespread assumption has been that the “enclosure” (privatization) of property commons is a universal correlate of economic modernization and privatization of property. Even so, intellectual and academic interest in contemporary commons has grown across a broad front since the late 1960s, stemming from an essay in *Science* (Hardin, 1968) asserting a “tragic” trajectory in the tendency to over-utilize natural resources, for which the only viable solution was said to be public ownership and control. Although little employed by civil society researchers, Hardin’s analysis – like similar work by Mancur Olson (1965) and others – detailed various consequences of uncoordinated private decision-making. The commons model has continued to find many enthusiasts among researchers and theorists in environmental and life sciences, economics, law, history, political theory, agriculture, sociology and numerous other theoretical and applied disciplines that have invoked diverse models of commons, common pool resources (CPRs) and common goods to reframe an increasingly broad range of practical and theoretical issues. The literature on commons problems has grown so dramatically that reviewing it completely would be almost impossible. The International Association for the Study of the Commons (IASCP) is an interdisciplinary research society formed in 1989 exclusively for work on the topic. (www.iascp.org/)

International Perspectives

To locate civil society commons studies relative to the larger body of commons research and the international interdisciplinary body of commons researchers, a literature review of a large body of recent work on the commons was conducted. (See Lohmann, 2008) A representative sample of the identified studies were categorized in a three-part typology as follows (see Figure 1):

A substantial body of work exists detailing natural common resource pools acted upon by physical or biological agents (denoted as NRPs in Figure 1). These include studies of the electromagnetic spectrum, ‘associations’ of star galaxies, geothermal energy commons, microbial populations, and plant water use. Natural commons studies works within the basic commons model of a shared resource pool, identified natural “agents” and natural chemical or physical processes of “agency” responsible for changing the distribution of resources from that pool.

There is also a second large body of work (denoted humanly-directed natural resource pools or DNRPs in Figure 1) on the human-natural environment interface, interspecies conflict and population density. One of the most widely studied topics is in the broad area of conservation, environmental and evolutionary biology and natural resource management and spatial issues. Much recent work on the commons specifically engages

human social institutions impacting natural resource pools. Historical investigations, for example, tend to focus on real, actual instances of past and present common agricultural lands and practices. There is a widespread false belief that common field agriculture was limited primarily to England and Wales in the late middle ages. This and widespread belief in the ineluctably “tragic” nature of common resource pool management are perhaps the two greatest fallacies associated with commons theory.

Commons have also been located in most of the countries of Europe, Japan, India, Indonesia and countless other places. Common problems in law also extend to common arable fields, maintenance of shared property lines and a host of such issues (Ellickson, 1991). There is also a vast literature on fisheries and common pastures. Scrutton (1887) may be the earliest work in the vast literature on common field agriculture. The enclosure movement in Great Britain, which “enclosed” many common pastures and fields and “privatized” ownership has figured prominently in what Karl Polanyi (2001; first published in 1941) termed “the great transformation” as well as analyses of public welfare and charity systems. (e.g., Cloward and Piven, 1971) Many studies of commons emphasize local and community referents, and reinforce the sense of an intermediate stage between the public domain of nation state institutions and the purely private domains characterized by alienation, ownership, exclusion, and rivalry (the domain of civil society).

Recent issues in information technology and copyright issues have shown the continuing impact of commons models. (Brown, 2002; Lessig, 2001). One of the important issues in current copyright debates, for example, involves efforts to privatize knowledge and corresponding efforts for the attempted identification of knowledge commons (Hess and Ostrom, 2006; Williams-Jones, 2005). It is not an accident that there have been vast increases in the number of web-sites incorporating commons themes, including many associated with the “open source” movement. Two examples are particularly apt. Apache is the most widely used open-source web server on the internet, serving roughly half of all known websites. The data archive where Apache code “applets” are archived is known as the Apache Commons (commons.apache.org). Equally as significant is the Creative Commons licensure approach to copyright and intellectual property (creativecommons.org). The use of the term “commons” in both cases to signify a group-directed, collectively held, common resource pool has provoked a large and growing literature. Both the Apache Commons and the Creative Commons actually function as common resource pools, drawn upon by human and electronic agents.

Likewise, medical and health care research have taken interest in the commons along a variety of paths including studies of health, emergency medicine, family medicine, Canadian Medicare, pathology, and public health campaigns.

A large body of commons studies also take specific historical, geographic or community foci, including works on pastoralism, the Anasazi, the Buffalo Commons, cattle ranges, fish mining, groundwater, grasslands, rangeland, folkways.

In addition, the environmental movement has provoked concern with global commons including oceans, atmosphere, and Antarctica and also world systems and global commons as public goods.

Commons studies have also looked at a broad variety of topics more directly related to the role of commons in civil society, including a companionate concept termed the anti-commons to describe cases of exclusion of multiple rights. Harrington (2004) applied the commons model to civic life to suggest “an alternative analytical framework for civic engagement based on small-group interaction”. Carlsson and Berkes (2005) addressed co-management as “a continuous problem-solving process ... involving extensive deliberation, negotiation and joint learning within problem-solving networks”. Antoci, et. al., (2006) and Kase, et. al. (2008), examined firms and nonprofit organizations as commons, with particular focus on trust and learning. Macy (2003) fit the commons model to collective action and the dilemma for organizers of balancing “efficacy” and “the free rider problem”. Casas-Corts, et. al., (2008) examined social movements.

Other recognized civil society topics approached as commons include: mutual aid and self-help (Borkman, 1999); collective intelligence (Wolpert and Turner, 1999); cooperation (Helbing, et. al., 2005; Kollock, 1998); discourse (Ignatow, 2004), folk ecology (Atran, et. al., 1999A; Atran, et. al., 1999B); the future (Cain, 2003); governance (Ostrom, 1990); narcissism (Campbell, et. al., 2005); professional environments (Abbott, 2005); prosocial behavior (Brucks and Lange, 2007); reputation (Millinski, et.al, 2002); social issues (Aram, 1989); trans-generational altruism (Lehmann, 2007); universities (Brown, 2000) and volunteering (Semmann, et. al., 2003)

While defined resource pool and agents (together with appropriate identification of causal mechanisms) may be both necessary and sufficient in consideration of natural commons, both humanly directed natural resource commons or purely social or artificial commons require economic, political and social explanations. In both cases, we may speak of the social organization of commons.

Social Organization Of Commons

The organization of natural commons is a matter completely outside our concern. The social organization of artificial commons, completely organized and directed by human social action, and human-directed common resource pools of natural resources, shown graphically on the left side of Figure 1, raise several interesting questions. Most notable is the question of what can

be said about the social organizations that create, direct and control CRPs? The remainder of this article addresses a social organizational perspective on commons problems in civil society, with particular attention to those involving associations, foundations, social movements, some nonprofit firms and other forms of collective and voluntary action. (Figure 1)

Given the prominence of artificial and humanly-directed common resource pools, it is somewhat surprising how little sustained attention has been given to the question of their organization. Lohmann (1992) is one of only a few sources to examine this issue from the standpoint of general social and economic theory. In that account, the presence of common resource pools, or shared resources, is one of three basic, defining conditions of the social organization of commons. Also important are *voluntary, uncoerced participation* of groups of people and *mission*, or a shared sense of goals or purpose.

When groups directed by a joint mission control one or more common resource pools, several things are said to happen over time. First, a sense of *philia*, or camaraderie, or fellow-feeling will develop among the members; a development which itself can become a powerful resource for the commons. The resulting trust and networks of relationships that evolve form a distinctive and important form of *social capital*. At the same time, groups of voluntary participants, possessed of purpose and shared resources can also begin to evolve an emergent *moral order*, consisting of operating and procedural rules (e.g., by-laws), status systems (e.g., officers, membership requirements, etc.), and other more powerful mission and vision statements, and even manifestos, philosophies, and intentional communities and ways of life. As part of this process, individual participants frequently experience mild to profound modifications in their sense of *personal identity*. Thus, being a scientist or social scientist, a Christian or Buddhist, a Shriner, Elk or Moose, a computer hacker or an open source practitioner, are all examples of identities associated with distinct moral orders arising out of participation in commons.

In the case of social commons, at least three important forms of common-pool resources can be identified: One, of course, is money, credit, donations and other *financial resources*. Also particularly important in the case of religious organizations, museums, libraries, and other types of civil society organizations are *collections* of “priceless” objects that differ from business inventories in that the objects are valued for themselves and not for their exchange value. The mundane meaning of the term “priceless” applied to such objects connotes not only that they are not priced and not for sale, but also that their non-monetary (ritualistic, symbolic or other social) value is of greater importance.

Finally, some of the most intriguing types of common pooled resources found in social commons are *repertories* of social skills, practices,

methodologies, and other social behaviors. Both the performance of such repertoires and the underlying knowledge of such performances are important. Addressing repertoires as common-pool resources open many possibilities for commons theory to bring together a broad variety of social science insights. For example, the sociologist Charles Tilly has identified important features of *repertoires of contention* in pre-industrial social movements. Likewise, an important theorist of social capital, Pierre Bourdieu also offered an important study of *practice* that can be applied here. The strong emphasis on methodology in various social science research specialties is also an important form of repertoire as a common-pool resource.

Many different types of common pool resources are to some extent fungible, or convertible from one form to another, in commons: Thus, cash can be used to hire employees with expertise in particular repertoires, purchase objects for a collection, or as tuition for development of new repertoires. At the same time, collections can be used to attract large and small donations from patrons, and form the basis for all manner of repertoires to evolve (archeological excavation and restoration, curation of *objects d'art*, propagation, preservation and myriad other distinct and identifiable repertoires have evolved around different types of collections).

An important discovery of commons theory has been that some types of repertoire that are not initially viable commercially because no markets for them exist can be developed and refined by organizations in civil society possessing common resource pools. Some such developments will later become commercially viable while others do not. Thus, many forms of home health and education services were first developed with common pool resources and later became commercially viable. In some sense, commercial art galleries and companies selling classical music recordings are likewise dependent upon the prior existence of art museums and symphony orchestras to shape and develop tastes and preferences which art and music buyers can then act upon.

Common resource pools in civil society are also important in processes of government formation. Public funds may not be available, for example, for the complex and elaborate repertoires and social and political capital that a President, Prime Minister or Governor must engage to form a new government following an election. Identifying, recruiting and vetting suitable candidates are typically tasks undertaken by ad hoc networks of political parties, interest groups and other factions, utilizing common resource pooled funds donated – often by those expecting to receive some consideration from the new government.

A staggering variety of terms exist in every language for different types of commons as social organizations: In English, we speak of groups, associations, clubs, societies, fraternities, sororities, sodalities, peer and friendship groups, parties, campaigns and many other terms to describe

pluralities of persons gathered together outside the bounds of the political state, economic markets or family-households for various shared, collective or mutual purposes. Foundations are an important form of legally constituted and formally organized common resource pool in contemporary civil society. Some forms of common resource pooling are purposely temporary: fundraising campaigns, parades, festivals and religious pilgrimages are notable examples.

In the U.S., Section 501 of the U.S. Internal Revenue Act, for example, is one major enabling statute for a wide variety of common resource pools. Similar enabling legislation exists in most countries today. In the U.S., legislation tends to focus heavily on financial matters: Laws typically spells out the conditions under which financial resources may be pooled and held, conditions for defining membership and participation, and allowable circumstances for distributions from common resource pools, whether fisheries, forests or philanthropic foundations. “Property”, “contract”, “lawful purpose” and the “right of association” which explicitly includes both “peaceable assembly” and petitioning government for “redress of grievances” (a.k.a. advocacy) are important concepts around which the legal institutions for enabling common resource pooling are established in American life. Such legal principles obviously do not extend to natural commons, but only to common resource pools in which human agents are paramount in importance.

Common Goods

Lohmann (1992) also links a distinctive type of output of the concerted use of common pooled resources termed *common goods* as the product of production based on common resource pools. These are, he asserts, a distinct third category of goods distinct from both public and private goods. It is now clear that there are not one, but two categories of such intermediate goods: Those that are rivalrous, but not exclusive; and those that are exclusive but not rivalrous. (It is also possible that these may, in fact, be two different states of common goods under different circumstances.) These distinctions have typically been hedged in many civil society discussions with phrases like “quasi-private” goods and “semi-public” goods. We might simply term them “club goods” and “community goods”.

Embracing two logically distinct intermediate types of common goods to supplant the two different forms of sort-of-private and quasi-public goods is a straightforward logical exercise invoked by removing in turn one of the two defining characteristics of public goods, as the contingency table (Figure 2) shows. Differentiation of rivalrous, non-exclusive (community) goods from non-rivalrous, exclusive (club) goods is also a key to understanding the importance of commons theory for civil society.

In point of fact, the decision-making by agents of common resource pools in civil society are not restricted to any particular type of good. CRPs can be

used to produce all four types of goods shown in Figure 2. Thus, for example, the common resource pool of a private, or voluntary charity or faith-based organization may be utilized to make financial payments or provide services to individual poor, ill or other clients. As such, this constitutes production of an important form of private charity goods. In U.S. law and the English Poor Law tradition, efforts are made to carefully restrict such production (e.g., for the poor or sick, for educational purposes, etc.)

Conversely, social clubs, membership organizations, and a bewildering variety of other associations are engaged in the production of (non-rivalrous, excludable) club goods, which may be available only to members as “member benefits” and non-rivalrous, often largely on the basis of disinterest on the part of nonmembers. Thus, members of stamp-collecting clubs may have exclusive access to certain first-issue stamps; a fact that may be of overwhelming disinterest to non-collectors. Non-collectors wishing to share in the benefit are encouraged to join and thereby become eligible.

Club goods are significantly different from private and public goods but also from community goods, like various bodies of knowledge. An abstraction one might term *the social organization of the calculus* serves to illustrate the point. Calculus (like Shakespeare or Mandarin for English-speakers) is an esoteric but widely studied and important body of knowledge. First developed by Newton and Leibnitz and passed from teacher to student in mathematics, science and engineering since that time, calculus-knowledge might at first be thought to be a club good of sorts: the basis of an *international society of those who know calculus*. However, calculus is in several important senses, non-excludable. Just about anyone on the planet could, with a little effort, have access to a calculus text, and there is no practical limit on the number of people who may learn calculus, and knowledge of calculus by anyone does not exclude, limit or restrict the ability of others to learn it; in fact, it facilitates it, as a subset of those who know calculus form the pool of those who teach calculus. However, the club of those who know calculus is, like many forms of knowledge, rivalrous in an important opportunity cost sense. Calculus is a rivalrous good in the important sense that life is short and the cost of learning calculus is measured in reduced time available to study Shakespeare or Mandarin or some other subject. Thus, calculus knowledge is not strictly speaking, a club good but rather a community good because of the effort involved in learning it and the exclusion resulting from the fact that not everyone can.

Key Issues

Currently, there are many different disciplinary, professional and cultural approaches to the study of commons, not all of them cognizant of one another. A key issue for future development is whether different threads of commons research and theorizing can be informed by, and profit from, one another.

Hess (2000) correctly notes that the commons theory presented in Lohmann (1992) was developed with little reference to the body of work presented through the IASC. Krashinsky (1995) made a similar observation of the dissimilarities between Lohmann's third sector approach and the common goods economics of Ostrom, et. al. (Baden and Noonan, 1998; Ostrom, 1990; Ostrom, 1994, et. al.). In the same vein, work on natural resource commons or common good economics has likewise seldom been informed by even the most elementary understanding of civil society, associations, groups or organization research. Some groups engaged with common resource pools are sets of inanimate objects or chemical agents, insects or animals and other clusters completely outside the domain of civil society. But those in which agents controlling common resource pools are human social groups have much to gain from better understanding of the civil society context.

Future Directions

Examination of recent research on common resource pools shows three basic varieties. Natural resource pools are of relatively little interest to civil society studies. The other two branches, social or artificial common resource pools and humanly directed natural resource pools, are both of significant interest to civil society studies, and current research on these covers a bewildering variety of topics, issues and questions. No one can say for sure where commons studies are headed next. In fact, every few years we see the emergence of an entirely new and evocative branch of interest grounded in this fascinating metaphor, as Benkler (2006) has demonstrated most recently.

See Also

Mission
Membership and membership associations
Peasants' and farmers' organizations
Social capital

Figure 1. Types of Commons:
 Social(SRPs), Directed Natural (DNRPs) and Natural Resource Pools (NRPs)

Common Resource Pools							
SRPs					DNRPs		NRPs
Meaningful Expressive/Spontaneous			Instrumental Mission/Purpose				Natural processes
Associations/Commons			Nonprofit firms/Benefactories				Colonies
Lifeworlds			Systems				
Vol. Assns.	Clubs & Congreg.	Prof. Assns.	Charities	Mutuals	Foundations	NP Firms	

Figure 2
Public, Private and Intermediate Goods

	Non-exclusion	Exclusion
Non-rivalry	Public Good	Club Good
Rivalry	Community Good	Private Good

Figure 3
Ostrom & Ostrom Version

	Non-subtractability	Subtractability
Non-rivalrous	Public Good	Common Good
Rivalrous	Toll Good	Private Good

Ostrom & Ostrom, 1977

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