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Escaping The Tragedy of The Commons¹

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The major conceptual departure for the modern theory of the commons was Garrett Hardin’s powerful metaphor of the “tragedy of the commons.” In the metaphor of the communally shared space of a medieval English commons denuded when livestock owners supposedly could establish no effective controls to prevented over-grazing, Hardin’s provocative metaphor appeared to sum up the limitations of all efforts at voluntary cooperation and collaboration. If Hardin was correct (which, it turned out he wasn’t as Lohmann (1989 and 1992) argued and Elinor Ostrom (1990 convincingly demonstrated) then the entire enterprise of “rational choice” social, political and economic theory points to free-riding as a genuinely tragic outcome of ventures in cooperation, sharing and joint purpose as Mancur Olson (1965) had claimed. Fortunately, it is not so, but if it were, true believers in voluntary action, volunteerism, donation, and philanthropy would be justly condemned as naive and misguided if they fail to recognize this limitation.

If, on the other hand, Hardin’s powerful metaphor were empirically misleading or incomplete – which it has since been shown to be by Ostrom and her colleagues’ and doctoral students’ gathering of an increasingly large body of historical and cross-cultural evidence – then the problem is not in the behavior of participants in nonprofit organization, voluntary action and philanthropy, but in the theory. In point of fact, not only are the tragedy of the commons, and the associated problem known as “free riding” avoidable, they pose dynamic and powerful alternatives to Hardin’s dualism – which was also evident in Paul Samuelson’s economics: public or private; market or state.

Table 1 – Ostroms’ Four Types of Goods

		Subtractability (aka Rivalry)	
		Low	High
Exclusion	Difficult	Public Goods Useful knowledge Sunsets	Common-pool Resources Libraries Irrigation systems
	Easy	Club Goods Journal Subscriptions Daycare centers	Private Goods Personal computers Donuts

Ostrom and Hess (2007; adapted from Ostrom & Ostrom, 1977).

¹ An earlier version of this statement was published in a 1995 newsletter of the National Society of Fund Raising Executives (NSFRE).

Thus, the metaphor of the commons (absent the necessary tragedy) suggests itself as a suitable metaphor on which to elaborate the major theoretical issues of nonprofit studies. It is increasingly clear that the commons metaphor is a very powerful one; It has turned out to be the departure point for an entirely new body of theorizing about collective action with implications for history, law, political and economic theory, social behavior and social practice in many fields and communities.

Choosing to confront the central theoretical issues of nonprofit studies within a commons theory frame, rather than on the more familiar grounds of “public goods”, “open systems”, “social exchange” or some other more familiar metaphor must seem a dubious choice to psychologists, sociologists, social workers and other researchers and practitioners. At least one law school colleague has inquired why I made such a choice and a social work colleague has criticized me in print for failing to incorporate the familiar terms of conflict theory into my approach (Brilliant, 1995). Both fair critiques, but currently, commons theorizing is less than three decades old.

Like it or not, the traditional institutional infrastructure of nonprofit law, tax exemptions, service contracting and other practical features of the nonprofit world have been spelled out in terms of rational choice theory, largely by lawyers, economists and political scientists (roughly in that order). Efforts to address significant practical and policy questions still largely occur within that theoretical lens. Failure to recognize this merely increases one’s (already slight) chances of impacting policy and practice in that arena.

One reductionism which was immediately obvious to me was the assumption that the philosophical premise that humans are simply and merely self-interested and, therefore, profit-oriented (with which I disagree for reasons stated throughout my work). In fact one way to view commons theory is an effort to state the circumstances under which cooperation is motivated by conditions other than shared profits. Another reductionism which was not obvious to me at the beginning, but which has emerged in the wake of several reviews is the view that human relations are inherently conflictual and therefore real cooperation is only possible under certain circumstances, if at all.

Reductionism #1. The more substantive concerns which animated that presentation amounted to a direct, frontal assault on the futility of nonprofit research which insists upon limiting its investigations only to the most market-like nonprofits.

My lens on nonprofit organization and voluntary action is somewhat different than that of the majority of my research and theoretical colleagues. This is so for a variety of reasons. First of all, unlike most whose experience is limited to a single community or region, I have had an opportunity to witness at least limited local community commons, and important

differences, in four distinct regions of the U.S.: the Midwest, New England, the mid-South and Appalachia. More importantly perhaps, theoretically speaking, I have chosen to focus on the sphere of activity known as voluntary action, rather than the more customary and increasingly well-trod terrain of nonprofit organization.

Reductionism #2. The conclusion of a recent reviewer that “conflict is missing from” the theory of the commons is an ill-considered conclusion on at least two grounds: 1) Latent conflict perspectives (e.g., between donors, between donors and staff, among staff, between any of these and beneficiaries, etc.) can be “teased out” and developed at any point without damage to the overall theoretical structure. However, commons are not originally, constitutionally or structurally intended as vehicles for conflict; although some – organized deliberation and dialogue being primary examples – are clearly organized for purposes of conflict resolution. 2) The more important point, however, seems to be that any assumption of inevitable and universal conflict is a departure from the constitution and social contract of most commons – which are about cooperation as a regulatory agent in voluntary action.

The notion that conflict should be a central premise of what is, in essence, a theory of organized and collective cooperation would be as misguided and foolish a piece of disciplinary reductionism as the view that if all behavior is self-interested and profit-oriented that therefore greed in commons is good.

The issue is not whether or not self-interest or conflict exists in the real world, nor whether conflict or self-interest exists in the commons. What is really at stake here is the willingness of economic and political theorists to give up (or at least modify in a more realistic direction) the Hobbesian view of human life as *exclusively* “solitary, poor, nasty, brutish and short”. Even more misguided is the illusion on the far right that we need to make it so.

A plausible case can be (and has been) made, for example, that while Adam Smith in *The Wealth of Nations* appeared to be the source of current views in the centrality of self-interest, he just as clearly rejected narrow self interest and articulated quite another position in his other classic work, *The Theory of Moral Sentiments*, especially in the second (1790) edition. Credit the economist Robert Garnett for bringing this alternative view more clearly into focus. (Garnett, 2015; Garnett, 2019)

What may be confusing these folks is that the commons offers a strictly inward-focused view of voluntary association and assembly. However present interpersonal conflict may be, it is not the overriding purpose. It is, from a systematic perspective, an unintended consequence. I have never known a group, association, union, religious faction (except, perhaps, an athletic “fight club” or a debating society, where members cooperate for conflict), to organize for the stated purpose of fighting with one another.

Conflict does exist within commons, but primarily as a breakdown of comity. Conflict also exists between commons; in which case defeating the common

enemy becomes one of the shared purposes. Conflict between commons, or between commons and other social institutions, is another matter entirely.

The Dark Side

Another criticism of commons theory is that it is too optimistic, sunny and insufficiently attentive to “the dark side(s)” of human behavior: not only conflict, but also association to promote social disorganization, criminality and anti-social behavior, even evil. The sad reality is that the means of voluntary action work equally well for dark-side purposes as for pursuit of prosocial goods. This issue is properly engaged at the level of assumptions. If you adopt the universal priority of the self-interest assumption, you get one set of results, if you substitute the affluence assumption you get another. In essence, the issue can be stated thus: In my expressions of commons theory, I was primarily interested in organized cooperation for the achievement of a set of collective “goods”. This does not mean that I believe that “bads” do not exist, or that people do not organize for bads.

This is different from the externalities issue in economics, where “bads” are produced incidentally as byproducts of goods production. And it is something worthy of further exploration.

Bargain-Baseament Affluence

Some readers have misunderstood the intent of the affluence assumption in the commons theory of voluntary action. Nowhere in the book (Lohmann, 1992) or elsewhere do I ever suggest that I am intending affluence to mean anything like an income in the upper 25% (or any other bigger or smaller percentage) of the income distribution, although this is how it has been interpreted. Conversely, I state explicitly (Lohmann, 1992, p. 48-49) that: “Bona fide participation in the commons is available only to the affluent: *those people whose individual and group survival and reproduction are sufficiently assured so that their own self-interest is not their paramount concern.*” (emphasis added)

At least one critic has taken this to mean that I intend the theory only for the voluntary action of patronage or philanthropy by the idle rich. My original intent was actually quite the opposite. I meant to suggest here that a principal lower limit on voluntary participation is Self-help groups among homeless and unemployed chronically mentally ill persons (who are, in conventional socio-economic terms simultaneously unproductive and nonaffluent) are nonetheless affluent -- in my sense -- in their available time)

Incidentally, as this statement illustrates, I purposely adopted the somewhat stilted language and present-perfect tense of classical theory. (“Bona fide participation... is available only to the affluent...”)

A Third Type of Goods

One of the most resistant notions in current utilitarian and rational choice theory is the view that all human goods are readily dichotomized into private and public. Theoretically, this dichotomy stems directly from the tendency to pose “individual” and “society” (or singularities and pluralities) as polar opposites. In this view, it appears commonsensical that goods pursued by “individuals” are “private goods” and those pursued by society are “collective”, “social” or “public” goods. Such dichotomies are entirely consistent with the overall tone of rational choice theory (which also tends toward grandstand views of “objective reality” from the viewpoint of an objective observer looking in, parallelism of knowledge and reality, and other markers of an outdated positivism.)

The dualism of public and private goods is directly related to the seemingly ineluctable conclusion that if a good is not public, then it must therefore be private. Generally, this approach has been antithetical to many “nonprofit” interests in the arts, human services, health care and other fields, as well as resulting in a kind of “capture the flag” approach to many public issues. This results in a kind of high-stakes roulette: If a group is able to successfully capture the mechanisms of the state, its goods are proclaimed “public” and universal; if not, they are purely private and individual.

It escapes the notice of dualists that this is one of the primary contributors to the problematic quality of the term “public” in our lives. The rather modest suggestion of the theory of the commons is that the “special case” which goes by various titles in rational choice theory (limited public goods, etc.) is actually a completely separate category. Rather than applying the usual neologisms, it seemed appropriate under the circumstances to extend the metaphor of the commons and label these desirables “common goods”.

Actually commons theory resolved this question several decades ago. Such common goods are those pursued jointly by pluralities less than the dominant majority controlling the state and its unique ability to define public goods. In an era when the state has proven relatively powerless to define unambiguous public goods and public policy making is largely circumscribed in terms of a competition among interest groups, the state itself has become a major producer of common, rather than genuinely public, goods.

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