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Commons

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Commons

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Synonyms

[Common property](#); [Common-pool-resources](#); [Communal land](#); [Community-based production](#); [Peer-to-peer](#)

Definition

From a historical perspective, the commons refer to communal land or shared natural common pool resources (CPRs) belonging to or affecting the whole of a local community. First applied to natural resources in agriculture, forests or fisheries, the commons include a broader range of activities, such as urban and territorial commons, climate and space commons, health commons, energy commons, digital and creative commons, and knowledge and cultural commons.

The Old and New Commons in Historical Context

The study of commons from a historical perspective mainly refers to communal lands (“or commons”) and to natural resources for the agricultural sector, such as water, fishing, grazing, forestry, and wildlife. In medieval Europe, communal lands were often associated with specific activities, such as common foraging and “vaine pature,” as well as gleaning, collecting kindling wood and mushrooms, fruit picking in the forests, hunting, fishing, and trapping. A major change in Western Europe started with the English “enclosure movement” initiated during the eighteenth century and privatization of common lands (Neeson [1996](#)), as well as in other European countries (Norberg [1988](#); Vivier [1998](#)). Over the nineteenth century, a large body of literature addressed this enclosure movement of the commons (and communal property generally), as the premises of the capitalist farmers, claiming the superiority of private property over communal property in preventing the overexploitation of natural resources if used in common or collectively (De Moor [2015](#)). Inspired by a Neo-Malthusian view of population growth and the threat of overexploitation of the environment (Malthus [1798](#)), the commons appeared at that time as an “inadequate” system for the

management of resources when used in common or collectively compared to other regimes (De Moor [2015](#); Frischmann et al. [2019](#)).

In the mid-twentieth century, the diffusion of this negative vision of the commons as a metaphor of the overexploitation of natural resources took an important step with the article by the ecologist Garrett Hardin ([1968](#)) on the “tragedy of the commons.” To illustrate this idea, Hardin ([1968](#)) used the example first described by the British economist William Forster Lloyd in a lecture he gave on “checks to the population” at Oxford University in 1832 on communal lands and pastures shared by local communities where a herdsman can let their cattle graze to describe the conflict between short-term self-interested decisions made by individuals to maximize the benefit they can extract from the resources leading to overuse of the communal land and long-term sustainability of the natural resources and of the well-being of the wider community. A similar situation was described by H. Scott Gordon ([1954](#)) for fisheries, leading to the conclusion: “everybody’s property is nobody’s property”, referring here specifically to unregulated “free-access” use of communal resources. The term “tragedy” coined by Hardin ([1968](#)) referred to the argument that people are not able to self-govern common resources. This argument had important policy implications around the world, as the belief in the inevitability of the tragedy of the commons led policymakers to advocate for increased privatization and deprive local communities of their stewardship of local commons, viewing property rights as one of the only things that can deter people from overexploiting and destroying natural resources (Locher [2013](#)).

By questioning the inevitability of this tragedy of the commons, Elinor Ostrom ([1990](#)), in her seminal work, introduced a paradigmatic shift toward a more positive analysis of the commons. Using an in-depth analysis of comparative case studies on a large set of societies around the world, Ostrom ([1990](#)) clarified that local communities can, and do, self-govern their shared resources and regulate the use of the commons to prevent their overuse, as well as facilitate the joint production of collective goods and services (Ostrom [1999](#)). In the premodern historical period in Europe, commons were never completely open access: There were always rules that limited use and regulated them so that an institution was set up to organize user group access and resource usage (Ostrom [1990](#)). Instead of a tragedy of the commons, the surexploitation of natural resources and the possible under provision of related collective goods and services should rather be analyzed as the outcome of unmanaged commons (Ostrom [1990](#)). In the context of the 1970s, the analysis developed by Hardin ([1968](#)) crystalized for a number of academic critiques of global growth and its ecological consequences (Locher [2013](#); Frischmann et al. [2019](#)). Later, Hardin acknowledged his misinterpretation by retitling his article “The Tragedy of the Unmanaged Commons” (Hardin [1994](#)). Others have suggested that it was rather a “tragedy of the public domain” (Boyle [2003](#); De Moor [2015](#)).

The revenge of the commons thus owes much to Ostrom’s approach to historical commons, e.g., all resource systems that are limited in area have a bottom-up institutional arrangement, are self-governing, and have well-defined access rules (De Moor [2015](#)). The shift in vision developed by Elinor Ostrom ([1990](#)) suggests that commons are the solution to the dilemma of collective action attached to common pool resources (CPRs), rather than the problem. Elinor Ostrom has wisely pointed out that resources do not need to be privatized or collectives to limit overuse but that adequate regulation and institutionalization can help in managing and sustaining collective resources. From this perspective, this is only because the commons are collectively organized that they can be a viable alternative to market or state management (Ostrom [1990](#), [2009](#), [2011](#)).

Over the last decades, the term “commons” has been stretched to extend to very different domains as well as across academic boundaries, such as geography, anthropology, political science, institutional

economics, and especially in the field of law and legal studies. The study of commons, while first applied to natural and agrarian commons, has been extended to global commons in relation to the Earth system, such as the upper oceans, the atmosphere and outer space, or Antarctica (Buck [1998](#)), as well as to the polycentric governance of climate change (Nordhaus [1994](#); Ostrom [2010](#)). A broader range of activities are currently included, such as knowledge and cultural commons (Hess and Ostrom [2007](#); Frischmann et al. [2014](#)), digital and creative commons, scientific commons and open science (Dedeurwaerdere [2010](#); Girard and Frison [2018](#)), urban or territorial commons (Shin and Webster [2006](#), among others), and health or energy commons. Recent studies have explored the nature and role of “negative commons” when related to pollution, waste, and ruins related to human activities that negatively impact the environment (Tsing [2021](#); Monnin [2021](#)).

Governing the Commons: The Analytical Contribution of Elinor Ostrom

Over the last decades, the contribution of Elinor Ostrom ([1990](#)) to the study of the commons has become the most prominent by emphasizing the role of the institutions of collective action governing “common-pool-resources” (CPRs), describing “a natural or man-made resource system that is sufficiently large as to make it costly (but not impossible) to exclude potential beneficiaries from obtaining benefits from its use” (Ostrom [1990](#): 30). When analyzing the commons, a key distinction is made between the CPRs, referring to the biophysical and material characteristics of commons, and the “common property,” defining a set of rules, norms, and conventions, that is, the institutions and social relations that define and maintain various modes of collective action by local communities (Ostrom [1990](#)). Property is viewed not as absolute but rather as allocating a bundle of rights to a group. From an analytical perspective, such a bundle of rights includes ownership, management, use, exclusion, and access to a shared resource (Schlager and Ostrom [1992](#)).

In her analysis, Ostrom ([1990](#)) showed that common property can have positive outcomes when based on some key “design principles” setting boundaries for sustainable access and use for all common pool resources (CPRs). Unfortunately, in the US tradition, common property regimes were rarely granted formal status, based on the assumption that private property is superior to other forms of communal or collective property (Coase [1960](#); Demsetz, [1967](#)). In contrast, E. Ostrom ([1990](#)) suggested that collective action facilitates the realization of economies of scale and scope in the provision of public or collective goods and services that would otherwise be unreachable for individuals subject to social dilemma (Ostrom and Ostrom [1977](#); Ostrom [2000](#)).

A key theoretical contribution by E. Ostrom comes here from her extension of the initial Samuelson/Musgrave classification on collective goods and services (Samuelson [1954](#); Musgrave [1959](#)), adding the criteria of subtractability (and rivalry) to the criteria of excludability first identified to differentiate private and public/collective goods or services (Fig. [1](#)). First elaborated as a comprehensive and normative theory of the public sector justifying the role of the state in providing social or public goods and services to citizens, it also reflected the neglect of commons by classical scholars in institutional economics (Desmarais-Tremblay [2017](#)). Figure [1](#) presents this classification with pure public goods as nonrival and nonexcludable, whereas CPRs are said to have a high degree of “subtractability” (joint consumption and rivalry) and a lower degree of excludability, making them more subject to a risk of overexploitation, suggesting the need to regulate potential overuse and competition for limited and exhaustible natural resources by maintaining small size groups and limiting members (Ostrom and Ostrom [1977](#); Ostrom [2003](#)).

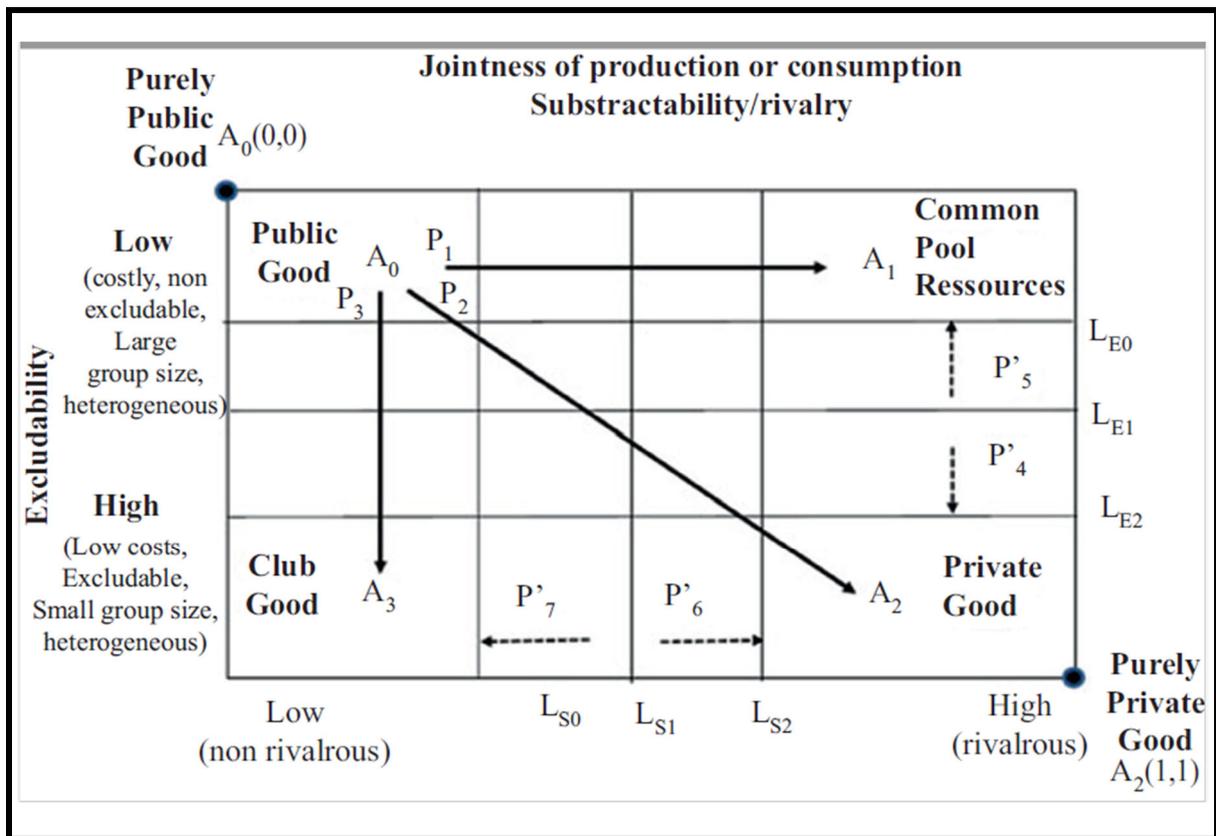


Fig. 1

An extended discrete and dynamic Ostrom's classification (Adapted from Rayamajhee (2020) and Mazé (2023) with endogeneity of de facto or de jure legal rules and institutions)

Ostrom's classification thus proposes a paradigmatic shift highlighting the diversity of alternative models of collective action moving beyond the dichotomy between the states and the markets (Ostrom and Ostrom 1977; Ostrom 2003, 2010). In recent years, critics have addressed this classification as disregarding the institutional and technological setting (Sarker and Blomquist 2019; Rayamajhee 2020). Other critics emphasized the need to better reflect the positive and inclusive social values of "commoning," defined as a social activity and a way for the commoners of living and acting for the preservation of the commons (Linebaugh 2008; Bollier et al. 2012; Nightingale 2019). Far from being static and ontologically given, Elinor Ostrom herself provided some clarifications supporting a more dynamic vision of the commons and of the endogeneity of the choice of rules and institutions of collective action, which can be continuously transformed (Ostrom and Ostrom 1977; Ostrom 2003). The commons are not exogenously given but rather appear as an ongoing process of institutional and social construction and adaptation. In her more recent work, she also acknowledged the need to adopt a more inclusive approach in which knowledge resources are not viewed as a finite pool of resources but rather as an ongoing collective process of joint knowledge cocreation and peer-to-peer innovation (Hess and Ostrom 2007). The study of commons includes taking into account the norms and values of the actors, the rules of cooperation, reciprocity, equity, accountability and redistribution, and human stewardship over the natural environment (Poteete et al. 2010; Ostrom 2009).

The Commons as a Transformative Vision: The Commoners and the Living Earth

Over the last decades, the research program on the study of the commons has been blooming, reflecting its transformative vision as a science, a social movement, or as a practice. It is reflected in the field of law and legal studies by questioning the current legal models and exploring innovative legal solutions and alternative models of collective action and sustainability.

The research program initiated by Elinor Ostrom ([1990](#)) on governing the commons remains a key milestone due to her pioneering role in the “science of coupled social ecological systems” through her extended IAD/SES framework (IAD/SES: Institutional Analysis and development/Social Ecological System) (Ostrom [2009](#), [2010](#); Cumming et al. [2020](#); Anderies and Janssen [2012](#); Anderies et al. [2019](#); Cole et al. [2019](#)). Recent extensions provide new research directions for moving away from the early anthropocentric and extractivist view of common pool resources to a broader approach to the sustainability and resilience of social ecological systems (Ostrom [2009](#); Anderies et al. [2019](#); Cumming et al. [2020](#)). Other studies have stressed the role of power and political relations surrounding the commons, not only between users and other actors but also as a redefinition of citizenship principles and democracy (Kashwan et al. [2021](#)). This broader approach is an attempt to resolve human and environmental conflicts by addressing how groups organize, formally or informally, subject to the ecological contingencies of sustainable habitats and landscapes in maintaining a safe operating space for humanity (Anderies and Janssen [2012](#); Anderies et al. [2019](#)).

Over the last few years, a growing body of research has emerged in the field of critical commons studies. Starting from the premise that there is no commons without commoning, the role of the commoners and their engagement in taking care of people’s needs and concerns in relation to the living and their natural environment becomes central (Linebaugh [2008](#); Bollier et al. [2012](#)). Other studies have emphasized the sensible experience and emotional dimensions of attachment involved as alternative ways of being and living with the socionatural environment (Singh [2017](#); Mazé et al. [2021](#); Bousquet et al. [2022](#)). In the field of anthropology and environmental law, scholars have suggested enlarging the analysis to “other” nonhumans (or “more-than-humans”), redefining the relationships between nature and society (Latour [2017](#); Descola [2019](#)). By granting nature and natural entities extended legal rights (Kauffman and Martin [2021](#)), new perspectives are defined for the study of the commons.

Cross-References

- . [Anticommons \(The Tragedy of \)](#)
- . [Bloomington School](#)
- . [Commons, Anticommons, and Semicommons](#)
- . [Prisoner’s Dilemma](#)
- . [Public Goods](#)

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