The commons as a trust for protecting the Earth

The polycentric governance approach

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Outline

• The Commons?
• Governing the commons??
• Polycentric governance????
• Points for debate
The commons?

<table>
<thead>
<tr>
<th>Difficulty of excluding potential beneficiaries (&quot;rivalry&quot;)</th>
<th>Can the good be used by others, once used by me? (&quot;subtractability of use&quot;)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low (easy to exclude others)</td>
<td>Low (once used, it’s still available to others)</td>
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<tr>
<td></td>
<td>Toll- or Club Goods</td>
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<td></td>
<td>Sport stadiums (?), photo safari, country club..</td>
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<tr>
<td>High (hard to exclude others)</td>
<td>High (once used, it’s not available to others anymore)</td>
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<td></td>
<td>Private Goods</td>
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<td></td>
<td>Apples, real estate, cars, bikes, detergent ..</td>
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<td></td>
<td>Public Goods</td>
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<td></td>
<td>National security, clean air, education (?), health care (?)</td>
</tr>
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<td></td>
<td>Common Pool Resources</td>
</tr>
<tr>
<td></td>
<td>Forests, fisheries, atmosphere, fridge in a dorm..</td>
</tr>
</tbody>
</table>
The commons?

• 1. *Open Access versus The Commons*
  
  Hardin refers to ungoverned open-access regimes from which nobody could be excluded, and individual behavior cannot be constraint
The commons?

2. Resource Attributes versus Property Regimes

- There is a difference between the resource and the (legal) regimes that govern them
- The attributes of a resource (difficult exclusion and rival resource units) do not dictate any particular governance solution
- E.g. the development of barbed wire changed how livestock was managed in the (not so) wild, wild west
3. Resource System versus Resource Units

- The resource system can be seen as the *stock*
- The resource units can be seen as the *flow*
- Examples of systems are forests, fisheries, irrigation systems, pastures, etc.
- Examples of units are timber, fish, water, crop, fodder, etc.
- System and units are two facets of CPR that will probably call for different sets of property rights or ownership arrangements
The commons?

- “Picture a pasture open to all….”
- When someone introduces more cattle to a communal pasture, there is a disparity between the flows of benefits and costs.
- The benefits flow to the herder who has more cattle on the communal grazing land (higher production)
- The costs are shared by all herders (less forage, degraded pasture conditions, reduced productivity)
The commons?

- Hardin’s solutions:
- Privatization
- Central Government Control
- Hardin’s argument has inspired 4 decades of policy making with regard to natural resources
The commons?

- Hardin’s scenario (the tragedy) occurs only under very specific conditions
- E.g. Participants do not know each other;
- They lack property rights to the resource system;
- They are unable to communicate;
- They have no long-term interest in the resource
- Hardin’s solutions apply only under specific conditions, too
- In many instances, CPR users ARE able to stay clear of the “tragedy of the commons”
- There are many more possible solution other than “the market” or “the state”
Governating the Commons

- Fisheries in Turkey
- Irrigation in Spain and The Philippines
- Forestry in Japan
- Pastures in the Swiss Alps, etc. etc.
- In the real world, people manage to more or less stay clear of the Tragedy of the Commons…
- Making and credibly enforcing rules
- How do you do that?
Governing the Commons

Mancur Olson

The Logic of Collective Action: Public Goods and the Theory of Groups
Mancur Olson
Governing the Commons

• Collective action is the pursuit of a goal or set of goals by more than one person
• One person cannot (or very difficultly) achieve that goal
• Problematic when the benefits associated with that goal cannot be made exclusive
• Others – who have not participated in C.A. – can benefit, too
• The latter are called “Free Riders”

Mancur Olson
“Democracy in America” (1835)

In small towns, he saw "Americans of all ages, all stations of life, and all types of disposition [...] forever forming associations."

The associating, assembling, deliberating and resolving townsmen could "wield immense influence over their magistrates and often carry their desires into execution without intermediaries."

The associational life he observed in the New England towns he visited, laid at the heart of democracy in America.

Tocqueville (1805-1859)
Governing the Commons

- Fritz W. Scharpf
- It is unlikely, if not impossible, that public policy of any significance could result from the choice process of any single unified actor.
- Policy formation and policy implementation are inevitably the result of interactions among a plurality of separate actors with separate interests, goals, and strategies.
Governing the Commons

- Eric Swyngedouw
- “The emergence, proliferation and active encouragement [...] of institutional arrangements of "governing" which give a much greater role in policy-making, administration and implementation to private economic actors on the one hand and to parts of civil society on the other in self-managing what until recently was provided or organized by the national or local state.”
Governing the Commons

• Jan Kooiman

"The governance concept points to the creation of a structure or an order which cannot be externally imposed but is the result of the interaction of a multiplicity of governing- and each other influencing
Governing the Commons

• Governance as self organizing networks
• “If it is price competition that is the central coordinating mechanism of the market...
• ...and administrative orders that of hierarchies...
• ...then it is trust and cooperation that centrally articulates networks.
• Integrated networks resist gov’t steering...
• ...develop their own polices...
• ...and mould their environments
Governing the Commons

- Interdependence between organizations (that come from within and beyond gov’t)
- Continuing interaction between network members (because their need to exchange resources in order to achieve goals)
- Game-like interactions rooted in trust & rules
- A significant degree of autonomy from the state
Governing the Commons

• Jan Kooiman: Governance as a socio-cybernetic system
• “Governance can be seen as the pattern or structure that emerges in a socio-political system as “common” result or outcome of the interacting intervention efforts of all involved actors. This pattern cannot be reduced to one actor or group of actors in particular”
• Order is not imposed by a government
• Policy outcomes are not the product of actions by central government
• It emerges from negotiations of the affected parties
Governing the Commons

- The role of “central” actors is limited
- There is no longer a single sovereign authority
- Multiplicity of actors specific to each policy area
- Interdependence among social-political-administrative actors
- Blurred boundaries between public, private, voluntary sectors
- Multiplying and new forms of action, intervention and control
- In sum: Governance is the RESULT of interactive social-political forms of governing
## Governing the Commons

<table>
<thead>
<tr>
<th>Type of organization</th>
<th>Type of relation</th>
<th>Type of good or service</th>
<th>Problem to solve</th>
<th>Institutional challenge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hierarchy</td>
<td>Coercive</td>
<td>Production of public goods; easy tasks; few actors;</td>
<td>Principal-agent problems</td>
<td>Authority; information</td>
</tr>
<tr>
<td>Market</td>
<td>Competition</td>
<td>Production of elements of a public good that can be bought on a market</td>
<td>Imperfect markets</td>
<td>Prices; contracts; legal recourse</td>
</tr>
<tr>
<td>Network</td>
<td>Collaboration</td>
<td>Public goods; complex tasks; interdependence between many partners; wicked problems</td>
<td>Collective action problems</td>
<td>Trust; accountability; legitimacy</td>
</tr>
</tbody>
</table>
Governing the Commons

- Ostrom’s “design principles”
- Nesting of local governance systems within larger governance systems (at higher scale levels)
Polycentric governance?

- The nesting of governance systems?
- Depending on the size and geographical dispersion of a community of interest that perceives a problem that they think needs public addressing,
- ...and on the balance between economies of scale and the importance of time-and-place specific judgment in the production of (components of) a certain public service,
- Governance activities may take place in many action arenas simultaneously..
- ..and operate at many scales of aggregation
Polycentric governance?

• Polycentricity poses the thesis of a dynamic and fluid process in which the level of decision-making about and implementation of rules to constitute order and to solve problems flexibly adjusts to the particular characteristics of both the provision and production aspects of public goods and services.
Polycentric governance

- Polycentric systems are the organization of small-, medium-, and large-scale democratic units that each may exercise considerable independence to make and enforce rules within a circumscribed scope of authority for a specified geographical area.
- Some units may be general-purpose governments.
- Whereas others may be highly specialized.
Polycentric governance???

• Self-organized resource governance systems within a polycentric system may be organized as special districts, non-governmental organizations, or parts of local governments.

• These are nested in several levels of general-purpose governments that provide civil equity as well as criminal courts.

• The smallest units can be viewed as parallel adaptive systems that are nested within ever-larger units that are themselves parallel adaptive systems.
Polycentric governance

- Large and increasing number of jurisdictions, policy areas, and agencies
- Fluid organization
- Redundant, overlapping
- Competing & collaborating
- At times chaotically organized

Consolidated governance

- Solid jurisdictions
- Limited in number
- No overlap
- Economies of scale
- Neatly organized
- Oversight
Polycentric governance?

- Arguments
  1. Consolidated government is more remote, more bureaucratic; Governments are less informed about the needs and demands of their citizens
  2. Polycentric government fosters good citizenship (because unresponsive consolidated government creates frustration and cynicism & fragmented government increases confidence to affect policy)
  3. Because of size, consolidated governments are not conducive to engendering citizen participation
Polycentric governance

- Arguments

4. Citizens get dissatisfied with services in consolidated forms of government (due to unified tax-service systems) - in polycentric governance arrangements there are more opportunities to find tax-service package that accommodates unique preferences

5. Smaller units within polycentric government are better able to respond to change over time (e.g. change in preferences)
Points for discussion?

1. Old vs. New commons – i.e. Governing aimed at staying clear of the tragedy of the commons, or governing to create commons that can lead to the creation of new values?

2. Normative vs. Analytical – i.e. Polycentric governance as an analytical lense, or as an ideal