



# Mapping Concepts and Issues in the Ethics of the Commons: Introduction to the Special Issue

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## Abstract

We introduce the papers in this special issue by providing an overarching perspective on the variety in kinds of commons and the ethical issues stemming from their diversity. Despite a long history of local commons management, recent decades have witnessed a surge of scholarly interest in the concept of “the commons,” including a growing management literature. This swell was impelled especially by Garrett Hardin’s paper of 1968, and the body of work generated by Elinor Ostrom and her colleagues. However, the term itself has come to be used in a variety of ways. To contextualize its ethical dimensions, we map a number of commons-related concepts such as common-pool resources, common property regime, excludability and subtractability, common-pool resource types and commons or “commoning” as a source of production. Following a brief summary of papers in this special issue, the essay concludes with an identification of implications for research, practice and policy.

**Keywords** Commons · Ethics · Common property regime · Common-pool resources · Collective organizing

## Introduction

While the literature in management and organizational studies regarding the concept of the commons is still slim, there has been a growing interest in the concept. For example,

the analysis of the tragedy of the commons and common good has been used in relation to ethical practices within corporations (Hartman 1994; Melé 2009; O’Brien 2009; Sison et al. 2012; Solomon 1994), in relation to reputation of firms (Jonsen et al. 2013) or industry sectors (Fauchart and Cowan 2014). The term has also been used by organizational scholars to address global societal challenges such as poverty and climate change (Albareda and Waddock 2018; Ansari et al. 2013; Bowen et al. 2018; Haugh 2007; Meyer 2020; Meyer and Hudon 2017; Peredo et al. 2018; Tedman-son et al. 2015).

This special issue and its introduction aim to enlarge these conversations, partly by bringing discussions arising in business and management into contact with wider exchanges on the subject of commons. Particularly, our goal in this introduction is to develop a framework for engaging with discussions of the ethics of commons, including the papers that comprise this special issue. We argue that there are significant, under-recognized differences among the entities referred to as “commons.” In acknowledging the variety in the way the term “(the) common(s)” is used, our approach is descriptive and not prescriptive.

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The concept of “the commons”<sup>1</sup> has a long history (Sison and Fontrodona 2012), but during recent decades has attracted increasing attention in the scholarly literature. Van Laerhoven, Schoon, and Villamayor-Tomas (2020) have charted the surge in disciplinary approaches adopted by commons researchers between 1968 and 2020. It is striking that in recent scholarly treatment, the commons have been the focus of deep concern, but also of engaging hope. The revived interest in the commons can be traced in large part to a concern voiced by Hardin (1968), who outlined what he saw as the inexorable “tragedy” for shared resources. “The tragedy of the commons” refers to the condition where a large number of people share access to a given resource, and are motivated to withdraw individual benefits from the resource to the point of resource exhaustion. Given a shared resource, each user decides how much of the resource to use. “If all users restrain themselves, then the resource can be sustained. But there is a dilemma. If you limit your use of the resources and your neighbors do not, then the resource still collapses and you have lost the short-term benefits of taking your share” (Dietz et al. 2002, p. 3). The second stimulus has been the work led by Elinor Ostrom, especially when linked to the economic and social crises that have fostered interest in different ways of organizing economic life. This work has fueled a gathering conviction that recovering and extending the commons, rather than appealing to an anachronism, promises benefits to society that are denied by the hegemony of neoliberalism and dominance of the private property regime (Bollier and Helfrich 2014). Recovering and extending the commons have been hailed by scholars and practitioners as ways of creating new, collective wealth (Akrivou and Sison 2016; Bollier and Helfrich 2014; Caffentzis 2010; Fournier 2013; Tedmanson et al. 2015). The papers in this special issue gather around ethical issues that emerge from this meeting of a concern, and a hope.

Before the mid-twentieth century, scholarly writing on “the common(s)” was relatively scarce (Van Laerhoven and Ostrom 2007). What literature there was, was largely concerned with shared agricultural land, or with a house in the parliamentary system of government (Hess 2000). All that changed when Gordon (1954) and Scott (1955) paved the way for Hardin (1968) to publish his influential argument

that shared resources are doomed to depletion by self-interested users drawing on a resource in a way that cannot be sustained.

Traditionally, discussions of the common(s) were at home in the discipline of history, but Hardin’s paper transformed discussions that had taken place there, both in his view about the sustainability of the commons and his understanding of the concept (De Moor 2011). His argument took the traditional conception of commons as a shared, regulated pasture or meadow, and transformed it into a metaphor for an unregulated resource of almost any kind that is used up in being used.

Hardin’s paper launched the topic into a wide range of disciplinary conversations that built on the article’s amended understanding of commons and extended commons research in several directions (Hess 2000; Robertson 2016; Van Laerhoven et al. 2020). One outcome, however, was that the “the term ‘commons’ is frequently used for essentially different things,” to the extent that it “threatens to become an empty concept” (De Moor 2011, p. 423). The conceptual diversity referred to by De Moor complicates discussions about both the challenges facing the commons, and the hope that they might inspire. It does this, in part at least, by making it hard to be clear about the ethical implications of what happens, or could happen, concerning resources considered to be commons. In this conceptual environment, it is vital to do some conceptual mapping. A clarification is needed concerning what the commons is/are, as a guide to thinking about ethical concerns and hopes connected with (the) commons.

In the next section, we begin by mapping key concepts in the commons literature, including common-pool resources, common property regimes, excludability and subtractability, common-pool resources types and commoning. The section concludes with a critique of existing commons scholarship. The third section of the paper considers the ethical issues that flow from the nature of commons, focusing on the way that differences in commons lead to differences in primary ethical considerations: those that connect with common property, with open-access, with enclosures, and the relationship between common good and commons. The fourth section provides a setting for our outline of contributions to this special issue, which we follow with a final section on some concluding comments on implications for research, practice and policy.

## Conceptual Mapping of Key Commons Concepts

When Hardin (1968) predicted the inexorable destruction of the commons, many scholars and policymakers agreed that commons enclosure was the only way to ensure the sustainability of a shared resource, rendering resources

<sup>1</sup> The term “common” sometimes appears in the literature with the definite article (the), sometimes with the indefinite article (a), and sometimes with neither. De Moor (2011, p. 423) identifies the use with either article as the “historical” use, referring to “a set of well-defined and circumscribed resources (usually land), with rules and sanctions attached to them.” She contrasts this with the “more recent use” without either article, and referring to “anything not privately held.” While this may be a rough guide to the way the term is used in the literature, we have found many exceptions to it, including the use in Hardin’s influential article, and have not attempted to preserve a rigorous distinction between the two uses in our text.

previously held in common into either private property or government control (Ostrom et al. 1994, 1999). There is a widespread inclination, even amongst Hardin's critics, to accept a broad notion of commons as "anything not privately held" (De Moor 2011, p. 423). Indeed, Ostrom stated "The term 'commons' to me means a wide diversity of non-private goods" (Ostrom 2010). These comments represent the blanket under which commons are gathered in scholarly as well as popular understanding. The criticism that Ostrom and her colleagues levelled at Hardin was essentially that he failed to recognize important distinctions among kinds of commons (Hess 2008; Hess and Ostrom 2011; Ostrom et al. 1994).

In the following sections, we explicate a number of key concepts that allow us to recognize vital and ethically relevant distinctions within the vast family of non-private goods: the concepts of common-pool resources, common property regime, excludability and subtractability, common-pool resource types and commoning. This allows us to identify some of the principle ethical issues associated with the different forms of commons.

### Common-Pool Resources

The conceptual framework used by Ostrom et al. begins with the concept of common-pool resources (McKean 2000; Ostrom 1990). Common-pool resources are natural or humanly created resources, with two defining characteristics: (1) it is difficult, but not impossible to exclude people who might benefit from access—the resource is, perhaps with difficulty, "excludable"; and (2) what any individual draws from the resource subtracts from what is available to anybody else—the resource is relatively "subtractable" (Ostrom et al. 1994; Ostrom 2000, p. 337; McKean 2000). Initially concerned with tangible, material resources such "lakes, rivers, irrigation systems, groundwater basins, forests, fishery stocks and grazing areas" (Ostrom 2000, p. 338), the notion of common-pool resources was subsequently enlarged to include commons created by humans, "such as mainframe computers and the Internet" (Ostrom 2000, p. 338). Hess and Ostrom (2003) went on to include information. Scholars drew attention to a distinction between the resource system—e.g. pasture, the flow of water in an irrigation stream, fish stocks, or the mainframe computer—and the flow of resource units, such as quantities of forage, units of withdrawn water, fish or units of processing time (Ostrom et al. 1994). Importantly, common-pool resource depletion is determined not by resource type, but by the rate and extent of withdrawal of resource units (Ostrom 2000).

### A Common Property Regime

A critical counter to Hardin's argument was based in the observation that some commons possess a property arrangement: namely, common property. Ciriacy-Wantrup and Bishop (1975) argued that Hardin's assumption that common property should be conceived of as everybody's property, and therefore nobody's property, conflates a resource which was not under any property regime, and therefore open-access, with a resource that is governed by a distinctive regime that is not private property, but property nonetheless. Commoners' groups agree in excluding outsiders, but also on enforceable and sustainable withdrawals from the shared resource. If "commons" is defined as "anything not privately held" (De Moor 2011, p. 423), open-access resources and common property are thus both kinds of commons; but the distinction between them is crucial, and it challenges Hardin's case that commons are necessarily subject to tragedy.

Property regimes represent complex and variable bundles of rights held by some person or group in relation to an asset (Schlager and Ostrom 1992). Any particular bundle of rights will be made up of some combination of the rights to (1) access, (2) withdraw units, (3) regulate and improve, (4) determine who else may have rights of access and withdrawal, and (5) sell or lease the asset. The common property regime typically involves the first four rights but not the right to sell the property rights in relation to it (Ostrom 2000, p. 234). It is this lack of a right to sell property rights that distinguishes common property from what may be called "collective property", where members of a group sharing ownership of an asset may withdraw their share and sell it, as in ownership of a publicly traded company (Peredo et al. 2018, p. 592).

The above explication of "common property" brings out two features that are crucial for our purposes. First, it is a kind of property, and therefore includes the right of exclusion. "The concept implies that potential resource users who are not members of a group of co-equal owners are excluded" (Ciriacy-Wantrup and Bishop 1975, p. 715). Second, the resource is held in common by a group acting as trustees, not by individual or collective owners.

There certainly is no natural connection between being a common-pool resource and becoming organized as common property. Some common-pool resources are open-access, some are private property of individuals or corporation, some are owned by government at some level, and some are common property (Ostrom 2000, p. 338). There are proposals, but also debate, about what features of the resource, or of the communities of users, tend to support the development and maintenance of common property institutions (Agrawal 2001; Baland and Platteau 2004; Ostrom et al. 1994; Wade 1989). There is no doubt, however, that these

property arrangements for common-pool resources emerge, and it is their existence that serves as a rebuttal to Hardin.

We have identified one kind of commons—common-pool resources held in common property arrangements—and we will see that their characteristics raise ethical issues connected with the commons. But the world of the commons has many more members, all with ethical connections. There are common-pool resources that have not been placed under common property institutions, and a huge, multi-dimensional range beyond that of non-private goods we have not yet considered.

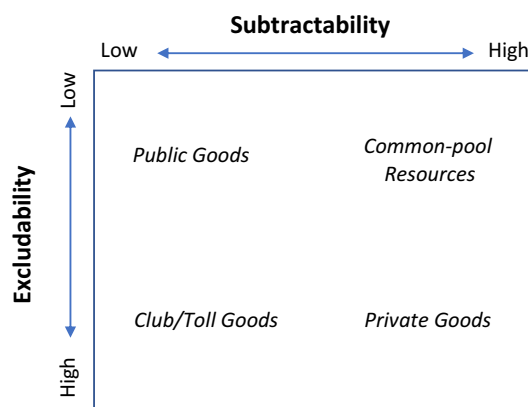
### Excludability and Subtractability

Discussions of the commons are concerned with the production of and access to resources. What fills out and complicates that discussion is the very considerable variety in kinds of resources. We can begin to get handles on this variety by classifying resources according to a pair of criteria used in conventional economics and employed to great effect by Ostrom and her colleagues.

Standard economic analysis identifies kinds of goods or resources (we use the terms interchangeably) by locating them in the four-fold matrix conventionally employed by economists to classify kinds of goods.<sup>2</sup> The axes of the matrix are those we have used to identify common-pool resources: excludability and subtractability. Private property occupies the quadrant of the highly excludable and highly subtractable. De Moor (2011, p. 427) contends that this is the only kind of good that has not been subject to confusing references to “commons,” given that commons can occupy all of, or a variety of locations within, the rest of the matrix (Fig. 1).

Following Ostrom and her colleagues, we have located one kind of common—common-pool resources—in an area where resources are such that it is difficult but not impossible to effect exclusion, and they are high on subtractability. We have followed those scholars in distinguishing a vitally important group within that sector: where common-property regimes are created, at least partly out of ethical considerations, to govern access and management. But that leaves open a range of common-pool resources where those regimes have not developed, and resources are essentially open-access. Further, it leaves open kinds of resources located elsewhere in the matrix.

Thus, “commons” is sometimes used to refer to “public goods.” These share with common-pool resources the attribute of difficulty of exclusion, but they are very low to zero



**Fig. 1** Classification of goods according to excludability and subtractability

on subtractability; one person’s consumption subtracts little or nothing from what is available to others. Typical examples are things like lighthouses, public fireworks, defence, clean air and other environmental goods; but the list is easily extended to information, cultural resources and many more immaterial, human creations. There is a category of goods that, like public goods, are not highly subtractable—that is, one person’s use does not reduce what is available to others—but is relatively easy to exclude. These are known as “toll” or “club” goods, and toll roads and cable television are generally offered as examples. Some uses of “commons” (e.g. De Filippi and Tréguer 2015 discussing internet services) extend to these resources.

Ostrom (2005) and others (De Moor 2011; McKean 2000) have emphasized that the standard economic grouping should not be understood as identifying four sharply distinct kinds of goods: hence the absence of the usual midlines in the diagram above. Both excludability and subtractability exist on continua. It is more or less difficult to exclude people from a resource, not just totally possible or entirely impossible—consider the example of clean air. At the same time, consumption of a resource ranges from the subtraction from a scarce resource exacted when an animal grazes on a meadow through the subtraction from abundant resources, such as the fish stock of the open ocean, to the enjoyment of a lighthouse illumination which subtracts nothing, except, perhaps, from somebody located in a shadow. Importantly, ethical considerations, relative excludability and subtractability change with time and technology, as when the ocean’s abundance is confronted by “advances” in fishing technology, or a television signal is encrypted (McKean 2000). Understanding the way that goods may change position in the spectra of excludability and subtractability is crucial to a nuanced understanding of commons and of their ethical issues (De Moor 2011 p. 428).

<sup>2</sup> This figure is an adaptation of a standard table in economic literature, and used by commons’ scholars, including several we have cited (e.g. De Moor 2011, McKean 2000), in a variety of ways.

## Common-Pool Resource Types

The diversity of common-pool resource types is reflected in the range of tangible and intangible resources referred to in the commons literature (Hess 2008, p. 3). Beyond the environmental resources to which there is more or less open-access, such as oceans and fisheries (Bromley and Cochrane 1994), Hess notes the “seemingly limitless diversity” in “new commons” (2008, p. 3), and offers a typology (pp. 13–33). The common-pool resource types extend from natural and material resources traditionally referred to as “commons,” to humanly created and immaterial resources considered as a “new generation of commons” (Périlleux and Nyssens 2017, p. 155). The categories overlap and, as the articles in this special issue illustrate, the list that follows (based on Hess 2008) is not exhaustive.

- *Cultural Commons* e.g. creativity and art (Hyde 1998; Paul 2008), religion and spirituality (Hart 2003), sports and recreation (Bird and Wagner 1997).
- *Neighbourhood Commons* e.g. the social bonds shared by a community (Arvanitakis 2006), public spaces (Blackmar 2006), public housing (Kleit 2004), local streets and car parks (Epstein 2002), silence (Illich 1983) and street trees (Steed and Fischer 2007).
- *Infrastructure Commons* e.g. transportation, systems, communications systems, systems, and basic public services and facilities (Frischmann 2005), but also the electromagnetic spectrum and wireless communications (Benkler 1998) as well as Internet infrastructure (Huberman and Lukose 1997), air space (Sened and Riker 1996) and seaports (Bowden and de Jong 2006).
- *Knowledge Commons* e.g. ideas, as well as the artefacts and facilities that represent or contain them (Hess and Ostrom 2003, p. 129); commons-based peer production (Benkler 2004); the Internet (as distinct from its infrastructure) (Brin 1995); open source software (Lessig 1999; O’Mahony 2003; O’Mahony and Ferraro 2007; Ossewaarde and Reijers 2017); genetic material (Lucchi 2013), education (Boal 1998) and much more.
- *Medical Commons* e.g. hospitals and other medical facilities, antimicrobial resistance and the general public health care system (Hiatt 1975).
- *Global Commons*: a range of large-scale natural resources such as the earth’s oceans and its fisheries, the atmosphere, large international forests such as the Amazon, biological diversity, and regions such as the Antarctic (Bromley and Cochrane 1994).
- *Reputational Commons* (not included in Hess 2008): A standing or status shared by members of an industry, subjecting them to pooled rewards or sanctions (Barnett and King 2008; Fauchart and Cowan 2014; King et al. 2002; Yue and Ingram 2012).

## Commoning

Meretz (2012, p. 28) argues that “commons and common goods are not merely “goods” but a social practice that generates, uses and preserves common resources and products.” Fournier (2013) also employs the concept of “commoning” to emphasize that “commons are not merely a resource but a form of social organization through which common resources are (re)produced” (2013, p. 438). A strong case has been made for a range of social movements and organizations that employ common property arrangements for recovering use value for social benefit (Peredo et al. 2018). Commoning is the basis of alternative organizational forms such as community-based enterprise (Haugh 2007; Meyer 2020; Peredo and Chrisman 2006), and may well extend to include cooperatives as organizations employing organization and collective practice to produce goods in common (Dey 2016). Community currencies have also been proposed as commons on this ground (Meyer and Hudon 2017, 2019), and what are called “knowledge commons” may also be instances of this kind of commons (O’Mahony and Ferraro 2007; Ossewaarde and Reijers 2017). Thus, commons are not just resource systems that need to be sustained, but may be sources of production, both of shared goods and social arrangements deemed worthwhile.

## Critiquing Commons Scholarship

One difficulty in engaging with the literature on the commons is that some use the term “common(s)” with no explicit definition of the term. Further, many of those initiating discussions concerning commons make little or no use of the common-pool resource analytic tools such as excludability and subtractability and pay little attention to the elaboration of common property institutions (Hess 2000)<sup>3</sup>. The absence of definitions and analytic concepts can complicate engagement with proposals concerning commons, especially in the case of “new commons” that are often immaterial and humanly created. Different kinds of resources call for different types of treatment and distinct ethical considerations. How excludable is the resource? How subtractable? Does it have or could it have a common property regime, or is it/should it be open-access? How does it relate to public goods? Answering questions like these, helps clarify the kind of resource under discussion, and provides handles for questions about how a resource might be managed, including whether a common property regime is relevant. More fundamentally for our purposes, asking these questions can provide a vital tool for identifying and dealing with ethical

<sup>3</sup> In “Critiquing Commons Scholarship” section we acknowledge the influence of Dietz et al. (2002).

issues in these commons. Many kinds of commons, especially new commons, seem implicitly to be seen as resources that are, or should be open-access. But as Ostrom (2000, p. 335) points out there are different kinds of open-access and they result from different features of the good in question. Given especially that some kinds of resources called “commons” do have a property regime, namely common property, and that clearly includes a right of exclusion (Ciriacy-Wantrup and Bishop 1975), generalizing over resources considered commons is fraught with potential confusion (De Moor 2011).

There are three further characteristics of common-pool resources and governance that are relevant to our topic of ethics and the commons, but tend to be overlooked. First, some resource systems may have a variety of products that have differing attributes, suggesting they are different kinds of goods. A forest, for example, may yield timber (a subtractable good) but also soil preservation and flood control (a non-subtractable good), thus combining aspects of common-pool resources and public goods. Recognizing this fact and the significance of the difference between these kinds of goods implications for the appropriateness of different property regimes (Dietz et al. 2002, p. 22). Relatedly, it is important to notice that different property regimes can work harmoniously together, as when crofting farmers own farms privately and share access to common grazing land (Mackenzie 2010), or Andean *campesino* families own their private *chacras* alongside pastures and other property held in common (Peredo 2003). Second, common-pool resources differ in scale from local, single level, global to multi-level (Buck 1998; Dietz et al. 2002, p. 23). Global and local common-pool resources also differ in geography, measurement and monitoring costs (Dietz et al. 2002, p. 23). These differences affect such matters as excludability and subtractability, and are highly relevant to the ethics of commons. Third, the rules created to control the rate of common-pool resource use must respect the rate of resource renewal; e.g. some resources are renewable, such as ecosystems, whereas other resources are non-renewable, such as fossil fuels (Dietz et al. 2002, p. 22; Libecap 1990). The array of relevant characteristics and their interconnections are illustrated in the exploitation of the cod fisheries, Newfoundland, Canada. Prior to the 1992 fishing moratorium, the abundance of cod in the Grand Banks of Newfoundland led governments, businesses and communities (except Indigenous communities) to believe that the cod fisheries were inexhaustible. Unregulated resource extraction however, depleted the cod stocks to just 1% of earlier levels (Nemeth et al. 2014). Despite the closure of the Grand Banks, the cod stocks have yet to recover. Considering the variety of common-pool resource types and governance arrangements, commons research raises important ethical considerations that, to date, have not received the attention they deserve.

## Ethics and the Commons

Hess defines “a commons” as “a resource shared by a group where the resource is vulnerable to enclosure, overuse and social dilemmas” (2008, p. 37). Given that social dilemmas involve “a conflict between immediate self-interest and longer-term collective interests” (Van Lange et al. 2013, p. 125), one could say that the potential for ethical issues is built into this conception of the commons. It might be expected that many of those issues will be variations on the theme of social dilemmas; but, as we have seen, there are importantly different kinds of commons and the differences among them turn out to be ethically significant. Different kinds of shared resources, with different sources and histories and location in different political and social contexts with different property arrangements can be expected to raise a variety of ethical issues, so variations may be of fundamental importance, and variations on that theme may not exhaust the topic of ethics and the commons. Swift generalizations about ethics and the commons are therefore to be avoided. Accordingly, in what follows we draw out some of the most immediate ethical concerns raised by the commons by connecting them with the distinctions we have elucidated among different kinds of commons. Our discussion is by no means exhaustive, and additional concerns are raised in the papers that compose this special issue.

## Ethics and Common Property

The distinctive features of common-pool resources governed by a common property regime clearly have ethical implications. The considerable, but not insurmountable, difficulty of excludability of common-pool resources makes it possible, and their relative subtractability make it desirable—especially if the resources are of high value—to establish and enforce rules of access to avoid the tragedy of the commons. This is a matter of environmental ethics (Des Jardins 2012) and not just a practical concern about available resources. Ethical considerations may arise as well in deciding whether or not a common property regime is the most appropriate way to protect a resource. Ostrom and others have argued that a common property regime may serve as well or better than alternative property arrangements in preserving a common-pool resource (McKean 2000; Ostrom 1990). Where a common property arrangement means a wider range of people might benefit from a resource instead of a limited few, that would be *prima facie* and ethical argument in favour of instituting that arrangement and maintaining it when it exists.

Issues of justice and fairness clearly emerge at this point. To begin with, common property regimes, by

definition, include certain potential beneficiaries while excluding others. Who should be excluded, and on what basis? Further, it might be expected that the rules be more or less fair in their provision of access to those designated as beneficiaries: that they provide for distributive justice. But as McKean points out, this does not mean that in practice rights of access are distributed equally; “Communities vary enormously in how equally or unequally they distribute the products of the commons to eligible users” (2000, p. 46). Some of this inequality may arise from morally or otherwise relevant differences among users; there is, after all, a variety of candidates for norms in determining fair shares (Forsyth 2006). But some inequities may stem from weighted interests in the determination of shares: violations of procedural justice. Heterogeneities occur within groups, such as differences in wealth, status, ethnicity, gender and status, and these may be the basis for rules of access or de facto practices that unfairly favour some of those sharing the resource (Agrawal 2001). While it might be assumed that fair benefits allocation would lead to sustainable common-pool resource management, asymmetric distribution of benefits may be more sustainable (Agrawal 2002, p. 64). How should considerations of fairness be weighted in circumstances like these? The power dynamics in the way rules or practices of resource sharing are arrived at, and the way they assign benefits, is thus a complex focal point for ethical scrutiny.

Any unequal bargaining power between actors responsible for rules negotiations impacts, directly or indirectly, on different resource users. Exploitation occurs when one party receives an unreasonable proportion of the flow of benefits from a resource (Snyder 2010). Unfair distribution of the flow of benefits may be coupled with restrictions on access to common-pool resources. Heterogeneity in permitted common-pool resource use by group members has been noted to be influenced power relations and experience (Agrawal 1999). Conditions such as impaired consent, where resource owners are coerced or duped into accepting unfair property rights (Zwolinski 2007), undermine the ethics of the commons. Ethical standards invoked when negotiating excludability and subtractability are thus integral to the ethics of the commons.

Because self-interest and optimal group outcomes do not always coincide, the governance of common-pool resources in a common property regime has been associated with cultural values of solidarity (Dey 2016; Peredo et al. 2018; Périlleux and Nyssens 2017). Yet when individual and common interests are shared, people are quite capable of cooperative behaviour. In a common property regime, resources are maintained for use-value, not exchange-value, and communities develop rules that regulate the rate of resource extraction with long term resource sustainability (Meyer 2020). Such locally-devised rules are monitored and controlled by

the community and rely on repeated local interactions that uphold resource use constraint so long as others do the same (Ostrom et al. 2002, p. 12). The prioritization of resource use-value above exchange-value de-couples resource use from resource-exchange and is thus particularly important for local common-pool resource governance. In close knit and high trust communities, common property regimes outperform other property regimes, demonstrating that local common-pool resource governance can be effective and sustainable (Berkes 1989; Ostrom 1990). Conditions that promote solidarity and community, such as “long residence, kinship, extended practice and respect for others”, can be marshalled to protect common-pool resource management (Rose 2002, p. 249).

### Ethics and Open-Access

Many papers on commons deal with resources that appear to be open-access. Where those are subtractable resources, Ostrom et al. freely admit that Hardin has a point: “When valuable CPRs are left to an open-access regime, degradation and potential destruction are the result” (1999, p. 279). Questions of fairness arise even more urgently in these conditions concerning the fair allotment of shares in a flow of resource units with open-access, and how one deals with those who violate fairness.

But many open-access commons are not subtractable, or subtractability is so insignificant as not to be an issue. What economists call “public goods” are the clearest example of this, where a resource is open to all and the good is not reduced by anyone’s consumption of it. Commons in goods like these open the door to ethical concerns of “free riding,” where users can derive benefits from a resource without contributing anything to its production (Olson 1965). In addition to reducing the incentive to produce this kind of resource—people may be reluctant to put effort into producing a good that anyone can access without having contributed to its production (Groves and Ledyard 1977), some will say questions of fairness inevitably arise. Is it just that people can have unfettered access to a resource they had no part in producing? This is clearly an ethical question. One well-established way of dealing with both incentive and fairness has been the introduction of some means of limiting access. Patents and copyright are prominent examples, and are defended on the ground that they provide incentives to produce goods that otherwise would not be produced, and satisfy a standard of fairness concerning any rewards that flow from accessing the good. Public goods may thus be converted to private property or toll goods, restricting access to their benefits. Debates concerning intellectual property and the public domain revolve around issues like these. How should the value of fostering the production of valuable resources be

weighed against the value of making them widely accessible and rewarding appropriately those who produce them?

## Commons and Enclosure

Perhaps the most widespread ethical concern raised in connection with commons is the issue of enclosure. The concept of enclosure is rooted in the process by which the traditional agricultural commons, in which certain groups had shared and managed rights of use and extraction such as grazing stock, extracting fuel, timber or fish (Short 2008, p. 192), were converted to resources over which a single individual or family had rights of exclusion and the other rights associated with ownership (Runge and Desfrancesco 2006; Williamson 1987). Extending the concept to the broader and more variegated kinds of commons in current discussions means seeing both the mechanisms and the outcomes of enclosure in a variety of ways (Sevilla-Buitrago 2015, p. 1000), each with its particular ethical edges.

What the various versions of enclosure share is their application of exclusion (Runge and Desfrancesco 2006). In the case of commons under the governance of a common property regime, enclosure is a replacement of the rights held in common by some group by the same or similar rights held by some individual (including the idea of corporations as individuals), or in some instances by political entities such as nation-states. A prominent example of the latter is the conversion of traditional, common property land arrangements traditionally held by Indigenous groups to bundles of privately held land. These practices have generated debates not only about their efficacy in achieving economic outcomes but their morality (e.g. Bjørklund 1990; Monbiot 1994; Rueck 2014). Dell'Angelo et al. (2017, p. 1) point to what they term a pattern of “commons grabbing,” that seizes commonly-held territories, converts them to marketable resources for extractive and other uses in the hands of private owners/developers.

The private enclosure of commons for the purpose of capital accumulation is laden with ethical concerns. Commencing with Marx (Heller 1998; Marx and Engels 1967), the enclosure of the commons was considered to be a condition for the primitive accumulation of capital in the Industrial Revolution in the United Kingdom. The subsequent widespread adoption of capitalism has been built on the continuous, and ongoing, enclosure by privatization of the commons (Gibson-Graham et al. 2016; Harvey 2007). Enclosure commodifies resources, turning them into commodities with exchange-value and the loss of use-value and is a means by which communities are dispossessed of common-pool resources (Polanyi 1944). Contemporary examples of common-pool resource commodification are land encroachment (Bjørklund 1990), and land grabbing by multinational corporations (MNCs) in

the developing world (Dell'Angelo et al. 2017). Complicity between MNCs and local governments in such commons enclosure, crony capitalism (World Bank 2014), has dispossessed Indigenous communities from access to land that they had sustainably managed for generations.

Commons not held as common property present different ethical issues. In the case of common-pool resources (subtractable, and excludable with difficulty), there are those (inspired by Hardin and the primacy of private-property assumptions) who advocate enclosure of certain resources as private property in order to sustain them, arguing that common-pool resource governance would be more effective if such resources were transferred to either government or private ownership (Dietz et al. 2002, p. 9). But there are others advocating conversion of privately held land to common property (Bryden and Geisler 2007; Kenrick 2011). Again, there are vigorous debates about the economic and environmental impacts of these options, but there are equally spirited discussions of their ethical implications. Concerning common-pool resources, there are both advocates and opponents of enclosure, and both appeal to ethical considerations.

Many of the current debates about the enclosure of commons—especially intangible, immaterial resources—concern goods such that one person's use does not subtract from what is available to others; and these present different issues. Some of these commons are currently available to all, but accessibility is seen as under threat, and needing to be protected. Far more prevalent, though, are concerns about non-subtractable, tangible and intangible commons that are seen to be in the process of enclosure, dismantling an access that is argued, at least partly on ethical grounds, to merit open-access. Many view enclosure of this kind as a general and widespread movement, closing off access to many kinds of societal goods that ought to be open-access (e.g. Arvanitakis 2006; Bollier 2001; Sevilla-Buitrago 2015). Boyle (2008) makes plain his concern in the title of his book: *The Public Domain: Enclosing the Commons of the Mind*. There is particular concern about the knowledge commons, especially as those emerge from universities (e.g. Kranich 2006; Triggle 2004). Specifically, genetic information attracts considerable attention (e.g. Scharper and Cunningham 2006; Sterckx and Cockbain 2016). Shiva and Holla-Bar (1993) frame the patenting of the Neem tree and its products as an ethically objectionable enclosure of a commons in traditional knowledge, an argument with wide application (Hess 2012; Joranson 2008). Concerning “creative commons,” Jones and Murtola point to “the increasing socialization of work through which production has become social and cooperative, involving production from the common, in common, of the common,” but they note as well “a “negative” moment that seeks to separate, enclose and capture this common” (2012, p. 635).



Patents and copyright are a clear battleground for the contest, which is partly an ethical contest, between the argument for narrowing access to non-subtractable goods in the interest of motivating people to produce them, and the argument for making goods in which people have an interest widely available (Heller and Eisenberg 1998; Runge and DeFrancisco 2006).

### From the Common Good to the Commons

The common good has been invoked as an ethical approach to analysing typical challenges associated with the social dilemmas of common-pool resources. For instance, the common good principle helps to understand the free-rider phenomenon in the common-pool resources. It can thus address the conflicts between immediate self-interest and longer-term community interest that define social dilemmas. Historically, virtue ethicists have played a prominent role in the emergence of the common good principle in business ethics. In particular, the common good of the firm perspective connects virtue ethics to business and management (Sison and Fontrodona 2012) since it “allows human beings not only to produce goods and services (the objective dimension), but more importantly, to develop technical or artistic skills and intellectual and moral virtues (the subjective dimension)” (Sison and Fontrodona 2012, p. 212). While the notion of the commons and the common good principle may seem at first sight much related, a deeper analysis thus show that they fundamentally differ. The common good principle involves both individual and societal flourishing (Frémeaux 2020) and may thus address the common-pool resource conflict between maximizing short-term self-interest and longer-term community benefits.

This conception of the common good is embedded in the social nature of humans, their values, dignity, sociability, and “need for cooperation and community” (Sison et al. 2012, p. 208). When invoking the common good, governance rules are designed to cater for the interests of a community. In this way, communitarian ethics are brought into common good analysis (Donaldson and Dunfee 1994). The common good principle entails a descriptive dimension through community-based cooperation, as well as prescriptions concerning the moral duty to contribute to the common good. The common good principle is thus humanistic and valuable for analysing and explaining the ethics of the commons. For example, Frémeaux (2020) argues that common good principle could mitigate the ethical risks inherent to the dominant diversity approaches, and therefore avoid the risk of exclusion by generating solidarity.

Scientific knowledge is explicit about the importance of remaining within the planetary boundaries to support human life on Earth (Whiteman et al. 2013). Employment of the common good can guide collective action to address the

social dilemmas linked to environmental degradation. Translating the common good to MNCs and other organizational forms suggests that the strategies and practices that integrate planetary boundaries framework in all organizational components, from strategy to operations. Such endeavour raises many challenges but demonstrates inter-generational responsibility and appreciation of the need for planetary sustainability. Furthermore, future resource scarcity and climate change may cause social unrest and undermine cooperation at all levels. Connecting common-pool resource governance and common good flourishing represents a major ethical challenge linked to the role and responsibilities of businesses and all forms of organizations in societies.

### Papers in the Special Issue

This special issue contains six papers that shed light on number of the ethical foundations and implications of the commons. The selected papers reflect a range of methodological and disciplinary perspectives. In the first paper, Slimane, Justo and Khelil address the strategies that institutional entrepreneurs adopt in contested commons, where conflicts about ownership, management and use prevail. The paper is based on an exploratory case study of the Oasis of Jemna, Tunisia. As we noted in “[Commons and Enclosure](#)” section, the private enclosure of commons raises ethical concerns as it commodifies resources and excludes people from accessing and using them. Slimane, Justo and Khelil identify two main strategies used by institutional entrepreneurs to frame the commons as a superior alternative to enclosure: idealizing the commons and coalescing the community to harness its potential. Contested commons are good settings to understand grassroots dynamics opposed to privatization that favours the state or market over community action. The authors thus argue that strategies devised for creating new commons are ill-suited for supporting a pre-existing commons logic in a contested common. Finally, they coin the concept of *de facto* commons as an intermediate situation between a contested commons, that lacks both legitimacy and legality, and a full commons that is legally and socially endorsed.

In the second paper, Cornée, Le Guernic and Rousselière adapt the commons paradigm to the cooperative realm and develop the concept of common-property assets. They define common-property assets as human-made resources that are owned under common property regimes. Cornée, Le Guernic and Rousselière address some types of common property arrangements outlined in “[A Common Property Regime](#)” section and explain how the diversity of property rights in the social economy can enable the constitution of commons. Through a systematic literature review of agricultural cooperatives, the authors show that the institutional arrangements

that underpin cooperatives are rooted in both the qualitative and quantitative dimensions of resource sharing: the quantitative dimension of resource flows appropriated by members, and the qualitative dimension of the positive impacts that resource sharing has on users and their community. Through their analysis, the authors include an ethical component to the institutionalist perspective of commons governance, and demonstrate that shared ethical values and community aspirations are a prerequisite for collective action. In doing so, they shed new light on the relationships between common property regimes and cultural values of solidarity to share resources for their use-value and not their exchange-value.

The third paper, Siqueira, Honig, Mariano and Moraes, examines how entrepreneurial actions and interaction with diverse stakeholders influence the development of social commons and new community currencies. The authors analyse two Brazilian community banks that provide microfinance services and issue community currencies that question the ethics of traditional methods of money creation and distribution. Their findings demonstrate that community currencies contribute to building community relationships and catalyse other social activities beyond market relations. They argue that stakeholder diversity helps increase opportunities to launch new community-specific enterprises. Their discoveries stress the importance of broader stakeholder diversity in the context of social commons and thus have implications for all entrepreneurial actions that promote inclusive participation to accomplish collective goals and thus deal with the challenges of exclusion described in “[Excludability and Subtractability](#)” section. This article provides new insights on the creation of new commons to promote social inclusion, reciprocity and community development in areas traditionally excluded from state and capitalist market interventions.

The fourth paper, by Albareda and Sison, explores the integration of the theory of common good of the firm—outlined in “From the Common Good to the Commons” section above—and common-pool resources to expand our understanding of the commons. Albareda and Sison therefore contribute to the literature of the commons by drawing original connections between the concepts of the commons and the theory of the firm. On their view, the theory of the firm supports the commons in two ways: by achieving a common good through producing together a good, which they call the objective dimension; and by supporting human flourishing through skills, virtues and meaning, which they call the subjective dimension. The paper also uses the theory of community-based enterprises to explain common good flourishing, thereby examining how the ethics of the common good is translated into organizations and collective action at a local level.

In the fifth paper, Mandalaki and Fotaki extend the classification of commons resource types introduced in “[Common-Pool Resource Types](#)” section above, to embodied

interactions. Adopting the feminist lens of embodied relationality, the authors explain how individuals reproduce their resource systems and communities based on recognition of their actual corporeal vulnerabilities. Viewing the body as a source of resistance and knowledge, challenges Aristotle’s virtue ethics in which the soul is prioritized over the body and, by acknowledging embodied experience as a precondition for morality, extends the ethics of the commons beyond rational ways of ethical thinking, acting, and behaving. Using case study exemplars of refugee collectives and urban gardening, the authors demonstrate how the collectively performed values in common leads to re-articulation of social relations and sustainable living in everyday practices. In doing so, the authors offer an understanding of the bodily dimension of living and experiencing the commons; an aspect not considered in the literature.

In the final paper in this special issue, Lees-Marshment, Dinnin-Huff and Bendle develop a model to operationalize a social commons ethos in policy-making. Building on commons and stakeholder theories, the authors propose that the shared public resources of a nation can be considered as common-pool resources and therefore require stakeholder governance. Analysing a qualitative dataset from five representative democracies, they propose a Broad, Deep and Continual (BDC) model of stakeholder engagement in order for policymakers to solicit inputs from a broad range of stakeholders and continually engage stakeholders through regular and frequent meetings. BDC contributes to the ethical debates linked to public participation in government and the processes of policy-making for the common good. They therefore contribute to the debate about the role of government in the commons mentioned in “[Commons and Enclosure](#)” section above, and offer a perspective to render public policies more inclusive. The authors discuss the normative and strategic benefits of engaging a wide range of stakeholders in policy-making and, in doing so, shed new light on the way public and nonprofit organizations can promote bottom-up participation for the management of shared resources.

We conclude the special issue with a book review by Dey on Standing (2019), *Plunder of the Commons. A Manifesto for Sharing Public Wealth*. In his review, Dey reflects upon the past and ongoing enclosure and destruction of the commons in the United Kingdom as a process of market expansion that transforms collective wealth into commodities. As a way of resisting to this phenomenon, Dey presents Standing’s propositions for a Commons Charter that would regulate and govern the commons for continuing to be generative of communities and societies. In doing so, this review provides a critical perspective on the plundering of the commons and offers practical directions to oppose this process and restore the commons for collective benefits.

## Implications of the Ethics of the Commons for future Research, Policy and Practice

The papers in this special issue make important contributions to understanding the importance of foregrounding the ethics of the commons in organization and management research. Considering the scale of ethical and sustainability challenges associated with common-pool resource governance, many opportunities remain to generate and examine new theoretical and empirical knowledge. For scholars, there are important implications of foregrounding the ethics of the commons in future research. Property rights, including common property rights, are human creations and capable of protecting rights yet also susceptible to infringement. For example, while prior commons research has investigated the impact of corporations on environmental degradation, the impact on Indigenous communities tends not to feature in such studies. Yet consideration of the ethical implications of property regime governance, especially the impact of enclosure, has important implications for community values as well as access to resources. Further, the many analyses of common-pool resource governance arrangements have examined common property regimes of long duration and the findings imply that the rules rarely change over time. However, as resource stocks and conditions change, rules at emergence are likely to require adaptation. Acknowledging the impact on social justice of the evolution of common-pool resource governance arrangements will deepen temporal understanding of organizational impacts.

For policy-makers, the deleterious impacts of enclosure and commodification of common-pool resources on local communities is well documented in the commons literature. The rising global demand for products such as fish, timber and palm oil has been responded to by encroaching on ocean, forest and land commons. Innovations to control the new markets in former commons, such as tradeable allowances, have had mixed success. More promising, and in a reversal of misfortune, innovations in land reform have transferred commons governance back to communities (Bryden and Geisler 2007; Kenrick 2011). How the new wave of commons challenges the dominant neoliberal political systems suggests that the ethics of the commons will be central to future policy-making.

The negotiation by communities of workable rules for common-pool resource governance and management suggests the co-development of organizing structures, yet knowledge about the organizational forms created to monitor and control resource use remain scattered across the commons literature. Practitioner-led innovations, such as community currencies, land and housing trusts and community food production, demonstrate the vitality

of practitioner interest in commons organizing. Bringing together and sharing practical commons organizing knowledge will enable practitioners to develop context-sensitive solutions that prioritize equally economic, social and environmental outcomes.

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