

# THE TIME IS NOW

## COMMONS FROM PAST TO PRESENT

---

AN INTERVIEW WITH  
**TINE DE MOOR**

The commons are back! And their popularity does not go unnoticed. Progressive thinkers and Green political strategists worldwide like to see them as a sustainable alternative in our competition-driven society. But what exactly are the commons?

Where do they come from and what can they teach us about the economy today? A look back over their long history helps us to see where they might take us in the future...

**GREEN EUROPEAN JOURNAL:** What exactly do we mean when we talk about the commons today? What is all the fuss about?

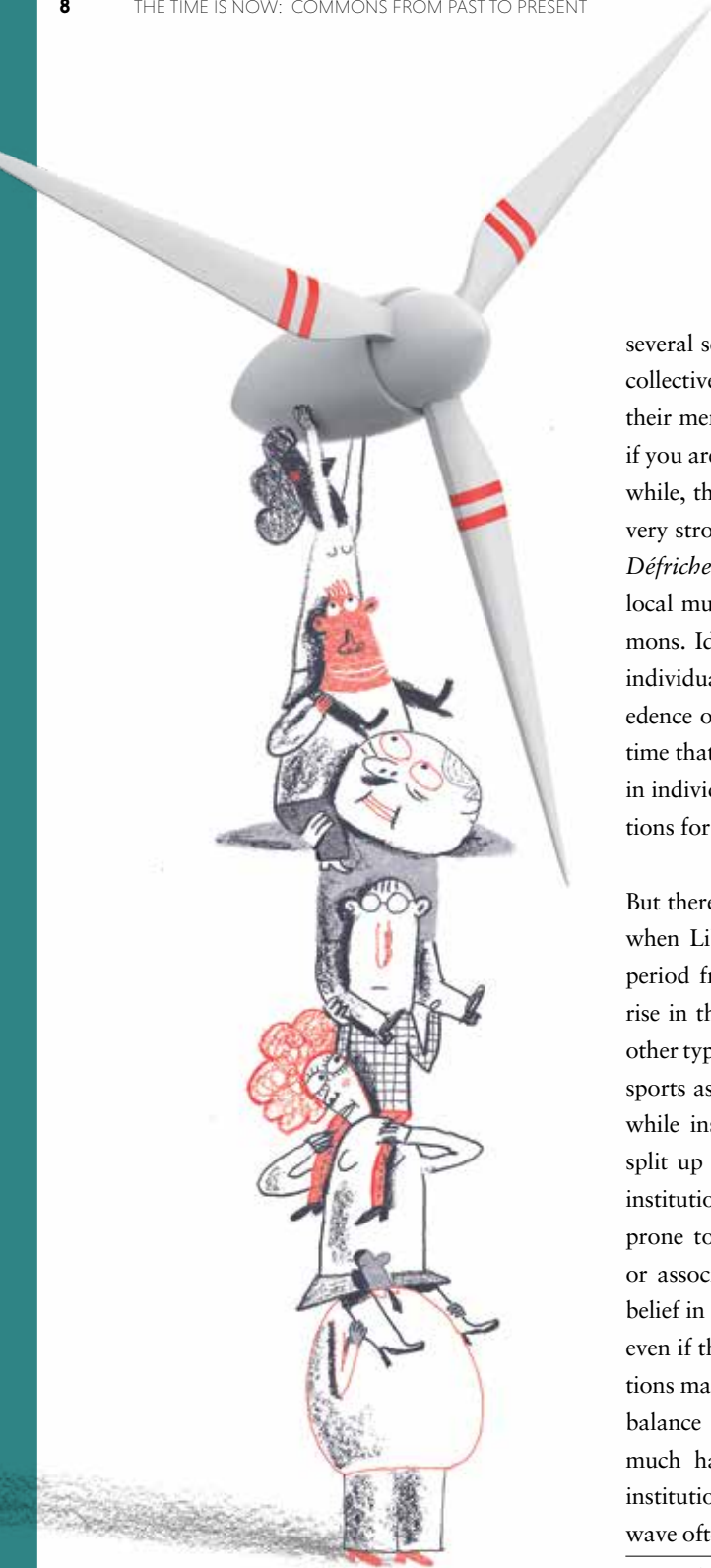
**TINE DE MOOR:** A common is a governance model that facilitates cooperation between individuals who see the benefit of working together, creating a (modest) economy of scale. When talking about the commons, you need to consider the following three aspects: a group of **users**, generally ‘pro-sumers’, meaning they are both producers and consumers at the same time. They take collective decisions on the use of the resources. The **resources** are collective too, meaning that their use is dependent on the group’s decision; as a group member, you have user rights. Although the collective use of a resource can be interesting, both economically and socially, cooperation is not necessarily straightforward. When working and using resources together, a social dilemma may arise, forcing the individual members of the group to choose between their individual short-term benefits or the collective long-term benefits. ‘Commoners’ make rules in order to facilitate interaction between the group of users and the collective resource and to overcome such social dilemmas.

As such, a new institution for collective action emerges. Its design and functioning is markedly different from the market and the state as governance models since it is based on self-governance, meaning self-regulation, self-sanctioning, and self-management. It sounds like a wonderful idea – like a utopia – but it is very hard, so if a commons functions well, it's usually because it has a good balance between the above dimensions. Firstly, it is very important to function as a collectivity. Reciprocity is key but does not happen by itself; you need to have equity in the decision making process. Demanding reciprocal behaviour means involving people in the rule-making and management of the common. Secondly, commoners will be more inclined to act reciprocally if the resources are useful to them. However, the institutional arrangements should be such that they offer sufficient utility to individual users without over-using the resource. The collectivity may disappear if resources are not managed efficiently or sustainably. So if you make sure that your institution allows everybody have a say in what the institution should look like, and that the resources are useful to the users (though not over-used), it should be possible to achieve resilience of the common and to build an institution that lasts for generations, often even centuries.

**Can you tell us a bit more about the commons' historical trajectory and the three waves of institutions for collective action which you describe in your work?**

**TINE DE MOOR:** Over the past 1000 years we have seen a number of major upsurges of institutionalised forms of collective action, both in the countryside and in towns across Western Europe. The first “wave” developed in the late Middle Ages – a period characterised by rapid commercialisation and urbanisation – with a real growth in the 12th century, with commons in rural areas and guilds in cities being built in large numbers, and this lasted until the 17th century. There was no real state to intervene, so people responded to the new market developments by taking advantage of being a group or by engaging in collective action. Top-down enclosure attempts on the European continent were in most cases not yet very strong, and mostly failed due to resistance from the regional boards who saw that their farmers needed the commons to survive. In the 18th century, much harsher legislation pushed the European continent towards privatisation of the commons. Political thought such as that of the Enlightenment or of the emerging Physiocrats<sup>1</sup> fundamentally altered the role of collectivities in European society. The second half of the 18th century was characterised by a population boom and impoverishment due to

<sup>1</sup> From the Greek for “government of nature”, this is an economic theory developed by a group of 18th century Enlightenment French economists who believed that the wealth of nations was derived solely from the value of “land agriculture” or “land development”.



several severe economic crises. Institutions for collective action somewhat lost support among their members – what is the use of a common if you are too poor to graze cattle on it? Meanwhile, the nation state developed rapidly as a very strong actor. The Belgian 1847 *Loi sur le Défrichement des Terres Incultes*<sup>2</sup> forced the local municipalities to privatise all local commons. Ideas based on individual citizens and individual responsibility started to take precedence over ideas of collectivity. It was at this time that judicial and legal foundations rooted in individualism were laid, while legal foundations for collectivities were removed.

But there was already a new wave on the way when Liberalism swept through Europe. The period from 1880 to 1920 witnessed a steep rise in the number of cooperatives, as well as other types of collective action like cultural and sports associations, but also trade unions. But while institutions from the first wave would split up when they became too large, similar institutions from the second wave were more prone to fuse and form a larger cooperative or association. There is clearly a very strong belief in the possibilities of economies of scale, even if the ever increasing size of these institutions makes member control and the necessary balance between equity, utility and efficiency much harder. This explains partly why the institutions for collective action of the second wave often had a considerably shorter lifespan.

2 Act on the Reclamation of Uncultivated Land

## What about today's situation?

---

**TINE DE MOOR:** Today, we seem to be witnessing a third wave, though it is hard to judge while in the middle of it. Although it might have a stimulating effect, the crisis is not, in my judgement, the immediate driver; it is rather the increasing privatisation and commercialisation of public good provisions. In

the Dutch care sector for example, the chain between those who need care and those who deliver it has, due to privatisation, become so long that people realised they could do it much better and even more cheaply by doing it themselves. They started a care cooperative in which they have a stake and a say in how things are done, without having to wait for help. In the Netherlands, cooperatives started booming in 2005, long before the crisis, and they pop up in every sector. These cooperatives are full of people who want reliable, high-quality sustainable energy, for instance, on a short chain so they know what they get and are in charge of how they get it.

But unlike some utopian ideas surrounding the commons, it is important to know that historically, many commons are exclusive. Studies show that public services offered by the government are not equally divided

amongst the users either. Often the middle and upper classes benefit the most from public services. Just like privatisation, the public system is not perfect. Nor are the commons

an “ultimate” solution to the deficiencies of market and state. We should look at how to create more optimal access to more optimal quality products or services for everybody in society. This is supposedly the credo behind pri-

vatization, though in reality this is not always the case; we need to open our minds to other forms of governance regimes which might be more suitable than what the market or the state can deliver.

## How can we explain the emergence and appeal of the commons model that we are currently witnessing?

---

**TINE DE MOOR:** Privatisation and subsequent market failure are probably the most important explanations. A private company might very well be looking for the best way to invest and create a good product, but in many cases it will cherry-pick, leading to a situation in which a substantial part of society has no access to what the private market offers. Many goods and services needed in specific regions are not available because the demand is too low, the economies of scale are

UNLIKE SOME UTOPIAN  
IDEAS SURROUNDING  
THE COMMONS, IT IS  
IMPORTANT TO KNOW THAT  
HISTORICALLY, MANY  
COMMONS ARE EXCLUSIVE

too small. You see that happening in elderly care in the Netherlands. People don't want to leave their village to go to a fancy private care home two villages away because it is too far and they don't want to leave their network behind. I think too much privatisation is leading to an insufficient offer of, and access to, high quality goods and services.

Privatisation works for a lot of things, but not for everything. Take my toothbrush: it would be nice to have it produced in a cooperative company as a useful product, but I don't want it to be a collective or state-governed resource as it is *my* toothbrush. I keep it private. But some resources can be governed in different types of resource regimes, too.

It may be a very radical view, based deeply on the belief in the welfare state and in redistribution of income etc., but when it comes to care, and caring for people who are in need of it – whether it is the elderly, the young or the sick – reciprocity is the basis of the welfare state for which so many people have fought. And it really is worth fighting for. It might not be perfect to go back to the situation of exclusively state-controlled governance, especially in an increasingly open society, but we should invest more in direct solidarity and make it more visible again. A lot of people don't know why they pay taxes. Personally, I think it should be part of the national educational curriculum to learn

why it is that street lights come on in the evening. It's the foundation of citizenship: you are willing to contribute to society as a whole for the common good, so that you can also benefit from it, because if you have street lights, you will drive more safely at night.

**From a historical perspective, what political lessons can be learnt from experiences surrounding the commons? Do we need new governance models?**

---

**TINE DE MOOR:** I'm not sure if the political lessons are always the same as the historical ones. Politicians need to think about how we give people access to resources. They all think in terms of panacea – one size fits all – but that simply doesn't work. I would plead for a substantial rethinking of how we, as a society, apply governance regimes in order to come to wiser solutions to societal problems. For instance, Dutch mums are stopping work in huge numbers to care for their kids, as privatisation of the child care sector has led to very high fees without reliable quality. We need to achieve a better understanding of which governance models work best for what and under which circumstances and come to a society that allows for a diversity of governance regimes, including commons models, but without completely dismantling the state or excommunicating the market.

Today, within the third wave, our choice to build an alternative to what the state or the market have to offer around the commons stems from a lack of options. Not all negative externalities of privatisation lead to new commons initiatives though, as the example of Dutch mothers shows. Often there is a collective solution possible but it takes so much effort, in this case from parents, that they don't even try. We need a system where we have a more diverse institutional landscape; where the choice to set up a cooperative or a commons initiative is a conscious choice among various options. A choice that is supported by governments and not simply 'allowed' because budget-wise, these days, it is a smart solution for governments in the midst of austerity.

When looking at today's wave from a historical perspective, the trick for cooperatives is to have more bargaining power while staying relatively small and local so they can work efficiently and ensure resilience. Being multipurpose may also increase organisations' resilience. There is a real gap for organisations and governments to fill. The Dutch government, for example, is very keen on citizens taking the lead, as it helps to keep government expenditures low. But it's not just about them and us saving money: it can actually be good for society if it runs cheaper and more locally. However, it does cost people considerable time and energy. And it's not always legally easy to set up a cooperative; the current legislation is also not built for competition between collectivities and the private market. So the government can play an important role by stimulating citizens' collectivities, for example in the form of public-collective partnerships. Legal reforms are needed to give these collectivities the power to provide public and private goods.

### **What do the commons tell us about society, the state, and the market in Europe today?**

---

**TINE DE MOOR:** It's a good time to discuss this, considering the topicality of TTIP. A lot of the commons are grounded very locally and thus are rather invisible, especially to higher level governments, unless you

I WOULD  
PLEAD FOR  
A SUBSTANTIAL  
RETHINKING  
OF HOW WE  
AS A SOCIETY  
APPLY  
GOVERNANCE  
REGIMES  
IN ORDER TO  
COME TO WISER  
SOLUTIONS  
TO SOCIETAL  
PROBLEMS

THE FIRST  
THING  
THESE  
INITIATIVES  
HAVE TO DO  
IS MAKE  
THEMSELVES  
VISIBLE

really become an accountable force. So the first thing these initiatives have to do is make themselves visible. But European governments also have to create room in their legislations for these initiatives. A lot of EU legislation is intended to harmonise the way we produce and consume across Europe, which is often a huge obstacle for these local initiatives, given their often local character. Some care cooperatives in the Netherlands, for example, developed a programme to help the elderly meet each other at least once a week in their village over a meal. But their kitchen has to be TAACP-certified, and ingredients from the local food market are not allowed because they're not traceable like those from a supermarket. What are we doing? The European Union should recognise and value local products much more. I doubt that the TTIP-negotiations at the European level failed because of that awareness, but all the protests may have played a role.

**Do we need a new organisation that can help defend the commons at the European level?**

---

**TINE DE MOOR:** I doubt that – because it may end up being a supra-structure again. We're used to state and private organisations that stand for two things: economies of scale; and top-down governance. That's basically the EU, but I would rather plea for more polycentricity, which is a fundamentally different way of thinking about organisations. One of the great things about the commons movement is that it forces people to think differently about governance and how things can be organised. The biggest challenge right now is to involve more people in a different way of thinking; maybe not even to set up a common, but at least to provide room for citizens' initiatives. Breaking open minds for a fundamentally different governance model should be the top priority.

**So how can we get in the game? How can Greens, in the current political and economic landscape, promote the commons?**

---

**TINE DE MOOR:** On a national level, governments have to recognise the existence of collectivities – legally and fiscally – even if many collectivities don’t ask for subsidies. That’s a pity in a way, because it leads to missed opportunities. But on the other hand, it’s the “purest” form. It would also mean that you do not give subsidies to companies in the same way as today. Current fiscal subsidies for companies are so large that it is totally impossible to actually compete with these. Although, maybe it shouldn’t even be competing, because a lot of these companies are just cherry-picking anyway. Maybe it is a system that can exist side by side, not just as a ‘Plan B’. Maybe the following contradicts what I said about the connection to the crisis, but in times of crisis and severe need, the emergence of these institutions should be a wake-up call. Let there be room for collectivities, but try not to create a reason why. Give them a better reason than that.

---



**TINE DE MOOR**

is a Professor in “Institutions for Collective Action in Historical Perspective” at the department for social and economic history of Utrecht University.