CHAPTER 5

Conclusion: Reformatting the Commons

A key strand of the core argument put forward in this book is the significant lack of the political in the commons literature. The political is understood within the theoretical framework of Castoriadis's concept of the common as the self-instituting power of the people, promoting individual and collective autonomy. The political embraces direct democracy as the core moral value of society, advancing agonistic freedom, plurality and antagonism.

Whereas all approaches to the commons put forward the self-instituting power of the people as the quintessential concept of the common, they do not fully address the political in terms of radical democracy and power structures. Theorists often rest on a limited or ideological standpoint that runs counter to a holistic approach, which would translate into a set of concrete policies supportive of the commons' sustainability. For this reason, the political has been analysed here through the spectrum of a post-hegemonic perspective, aimed at rendering the commons the dominant socio-economic paradigm vis-à-vis capitalism and the state. Post-hegemony seeks to integrate the economic, technological, sociopolitical and environmental facets of the commons into a holistic, multidisciplinary account of the common.

5.1 Liberal, Reformist and Anti-capitalist Arguments

5.1.1 The Liberal Argument

Ostrom shifted the discourse on incentives from the methodological individualism of neoclassical economics to the institutional structure of collective agency. She reinvigorated the historical concept of the common as the self-instituting power of the people, highlighting the democratic elements of participation and inclusion in the collective management of common-pool resources. Her design principles for the commons – the demarcation of clear boundaries, the matching of rules with local needs and conditions, the modification of rules by

users themselves, the monitoring of resources and the imposition of sanctions on free-riders – have been broadly accepted and utilised in multiple settings on rural, urban and digital commons.

Yet the self-management of common-pool resources by local communities is overshadowed by the superpowers of states and corporations, thus limiting the self-instituting power of the people. Ostrom's non-mainstream use of institutional economics and game theory conceals the exploitation and power asymmetries inherent in capitalism and the state. She does not take into account the contradictory logics that bring the commons into conflict with the state and capitalist markets. Local commons are in tension with institutional macro-structures and open access commons such as public infrastructures and the digital commons. They are politically debilitating at higher levels. In short, Ostrom downplays the political as antagonism, struggle and power structures. Today, a number of efforts attempt to expand Ostrom's design principles to the digital commons and link the latter with rural and urban commons. Absent, however, is a holistic account that encompasses a multidisciplinary framework for the commons.

Lessig and Benkler expand the common as the self-instituting power of the people from local to digital commons. Contrary to local eco-commons, the digital commons are open, plural, voluntary and international. Modularity and granularity allow for mass participation, flexibility and distributed leadership. Hierarchies tend to be flat and reversible, with the type of affiliation that binds the commons being loose and fluid. The ground of the common is not any ethnic or local identity, but a shared sense of purpose and an ongoing interaction and collaboration along symmetrical rules and ethical lines.

Lessig and Benkler consider commons-based peer production as a third institutional model that offers substantial degrees of freedom and power in addition to state and market operation. It produces significant information and allocation gains compared to managerial hierarchies and markets by introducing a more refined, flexible and cost-efficient information processing, better attuned to the variability of human creativity than managerial hierarchies (firms, states) and markets. Its success, therefore, requires that we modify our conceptions about incentives, the role of property and contract in the domains of information-dependent production, and the theory of the firm and organisational management, including the state and adjoining institutions.

Whereas Lessig takes a liberal stance on the commons, Benkler oscillates between liberalism and anarchism. His ambivalence revolves around the scope and role of commons-based peer production in relation to state and market operation. Lessig and Benkler stress the current battle between corporations and the digital commons. To prevent the corporatisation of cyberspace, they propose the expansion of commons-supporting licences and copyrights enforced by adequate lobbying, litigation and legal reforms, embedded in the generalised production of open source knowledge and peer-to-peer networks. Rather than clashing head-on with capitalism, commons-based peer

production is anticipated to render predatory capitalism obsolete through superior working anti-models, running code and a healthy commons that will trump polemics.

Yet monetary motivations still prevail either by necessity or by choice. Commons-based peer production runs mostly on a voluntary and activist mode. It occupies a marginal space in the socio-economic landscape, unable to offer its members a living. Given its grave dependence on the state and capitalism, it cannot reproduce itself into a sustainable mode of production that can challenge neoliberalism. Neither local nor digital commons alone can provide a viable alternative. The digital commons are not yet replicable in other sectors of the economy. The current impotence of the commons vis-à-vis capital and the state resides in the absence of a link between local and global (digital) commons. This void is indicative of the broader lack of the political which accounts for the strategic non-choice of the liberal commons to band together dispersed initiatives into a coherent political strategy capable of opposing the neoliberal status quo. Dardot and Laval and Kioupkiolis correctly note that the liberal approach to the commons cannot address the repercussions of the contradictions of capitalism and the state.

5.1.2 The Reformist Argument

The reformist approach to the commons purports to advance the self-instituting power of the people from a third institutional axis of civil society into a counter-hegemonic power directed against neoliberalism. Bollier recalibrates the liberal state to support the commons rather than the capitalist market, introducing a green governance model with the aim of tackling climate change and protecting the natural commons. He documents a number of initiatives that attempt to bridge the gap between local and global commons and progress the commons into a counter-hegemonic project beyond capitalism and the state.

Rifkin advocates a social democratic commons-orientated transition, in which the developed nations in concert with the big corporations would be the leaders of the Third Industrial Revolution, intended to gradually coalesce around the collaborative commons and transform capitalism into post-capitalism. As with the liberal approach to the commons, Rifkin's wishful thinking bypasses the contradictions of capitalism and the state, thus reproducing the lack of the political. He has succeeded in linking local with global commons via the Internet of Things infrastructure, best served by self-management. Yet the transition to the commons is not merely a technical issue of algorithms programming win–win partnerships between the state, capitalism and the commons. It requires a shift to another model of society based on real democracy; hence, the need for the creation of a novel anthropological type anchored in the abolition of the division between directors and executants and the establishment of individual and collective autonomy.

Scholz adds a cooperative twist to the collaborative commons by juxtaposing platform cooperativism against platform capitalism (the so-called sharing and gig economy). Platform cooperativism consists of online business models based on democratic self-governance, platform co-ownership and equitable distribution of value. The idea is to use the algorithmic design of apps such as Uber in the service of a cooperative business model and bring together the roughly 170 years of the cooperative movement with commons-based peer production. But Scholz, too, oscillates between a moderate and a radical thesis. He contends that it is unrealistic to anticipate that platform co-ops will dominate capitalist markets. Rather, he envisions a more diversified economy. Therefore, there is a tension here between the alleged radicalism of platform cooperativism and his projecting a mixed economy.

A more radical line of argument holds that platform cooperativism would rather integrate into commons-based peer production. Bauwens and Kostakis attempt to bridge Ostrom's local commons with Benkler's digital commons by incorporating the ecological model Design Global–Manufacture Local (DG–ML) into the commons, supported by the Internet and free software/hardware. They give a challenging spin to platform cooperativism by introducing the model of open cooperativism between the commons and ethical market entities, operating in terms of open protocols, open supply chains, commons-based licensing and open book accounting. Open cooperativism aims at the creation of a commons-orientated economy based on shared resources from which actors can draw and to which they can contribute according to their needs and capacities. The commons are ideally backed by a partner state through taxation, funding, regulation, education and so forth.

Bauwens and Kostakis's core argument is that firms that cooperate with the digital commons, and therefore have access to a vast pool of knowledge, obtain a competitive advantage over proprietary firms that rely solely on their private R&D. The hybrid of post-capitalist commons can beat capitalism on its own ground: that is, competition. The cooperation of ethical market entities with *glocal* commons, supported by a partner state, can create an abundance of value that will force capitalism to adjust to the commons in the long run.

Bauwens and Kostakis's strategy comprises both state and market mechanisms along democratic, ethical and ecological lines. It aims to gradually transform capitalism and the state into the commons. Yet the commons cannot currently compete with the capitalist behemoths on various grounds: capital, know-how, skills, political power, etc. Bauwens and Kostakis's model requires a holistic political strategy to translate into centrally coordinated micro/macro-policies stretching across the entire body of the social. This could be achieved by a partner state applying the principles of the commons at a local, regional, national and international level.

Arvidsson and Peitersen follow in the footsteps of Bauwens and Kostakis, deviating only by tracing out a technologically 'updated' Habermasian transformation of the public sphere. Rather than attuning to a more radical approach to

the commons that would steer the self-instituting power of the people against neoliberalism, they conform to a mainstream approach. They envisage the romantic reconciliation of affect with the commitment of the Enlightenment to rationality and measurement through the financial monetisation of productive publics, supported by the Internet and open source software/hardware. But this vision bears little resemblance to the current status of the commons, which are largely co-opted by finance capitalism.

Arvidsson and Peitersen acknowledge that Internet neutrality is currently under threat from political and commercial forces, which are planning to impose biased standards favouring their own commercial interests. The last decades have already witnessed a state of 'information feudalism', where firms and corporations make billions out of monetising users' personal data and online activity. To reverse this, they go along with Lessig, Benkler and Bollier to advocate for traditional political lobbying and activism to safeguard network neutrality and regulate social media companies. The ultimate political goal would be a global New Deal around sustainability and social responsibility. But this is simply to ignore the contradictions of capitalism and the state, which undermine the concept of the common as the self-instituting power of the people. The common should not limit itself to a social democratic paradigm, but should aim at deepening democracy and empowering citizens themselves. Arvidsson and Peitersen do not fully address the political in terms of individual and collective autonomy.

Rushkoff's model of digital distributism is more in line with Bauwens and Kostakis's post-capitalist vision in that he envisions a hybrid economy that could force capitalism in the long run to adjust to the commons. However, the exclusion of the state from Rushkoff's account is significantly debilitating for a commons-orientated transition.

Wright provides probably the most holistic political alternative for the commons by integrating the self-instituting power of the people into a strategic pluralism opening up multiple pathways of social empowerment, embodied in a variety of structural transformations. As such, it can function as an institutional multi-format for the various approaches to the commons. Wright's seven pathways to socialism provide a rough map of the direction of social empowerment. It is, however, perhaps more efficient to fit Wright's pluralism into a more cohesive post-hegemonic strategy aimed at unifying the different commons under a common democracy.

5.1.3 The Anti-capitalist Argument

Kioupkiolis detects a tension between Laclau and Mouffe's verticalism and Hardt and Negri's horizontalism. Whereas Laclau and Mouffe consider top-down procedures to be a *sine qua non* for radical democratic politics, Hardt and Negri favour a bottom-up approach. Kioupkiolis attempts to reconcile Laclau and Mouffe's hegemonic politics with the non-hierarchical, open and

pluralistic logic of the commons. His post-hegemonic politics of agonistic free-
dom and radical democracy can, indeed, be instructive as to how to politicise
the common and connect local and global commons; how to unite and coor-
dinate dispersed, small-scale civic initiatives; and how to relate to established
social systems and power relations in the market and the state. In short, post-
hegemony could render the self-instituting power of the people the central axis
of the political in the commons.

Post-hegemony goes along with the work of Dardot and Laval to the degree
that they build upon the concept of the common as the self-instituting power
of the people introduced by Marx, Proudhon and Castoriadis. What is absent
in both Kioupkiolis's and Dardot and Laval's account is a more thorough elab-
oration of the technological and economic conditions of the commons. This
gap can be filled by a holistic, multidisciplinary account of the commons that
can bring together local and global commons under post-capitalism. For the
commons to evolve into a sustainable mode of production capable of chal-
lenging neoliberalism, they need to provide a steady income to their members
along with the political conditions for democracy and self-realisation. This task
points to the creation of a social economy built around the commons. Unlike
Castoriadis, this book makes the case that the role of the state and interna-
tional institutions is pivotal to introducing the policies necessary to this end.
The commons should not abstain from market and state operation, but rather
strive to gear both to the interests of commoners.

Dyer-Witheford and De Angelis were among the first to envisage a post-
capitalist transition by formalising the circulation of the common against
the circulation of capital. As with Bauwens and Kostakis, the abundance of the
commons necessarily transacts with the scarcity of market capitalism until
the latter is forced to adjust to the former. But they also lack a set of concrete
policies to activate this transition.

Caffentzis and Federici oppose both state and market operation. They
advocate, instead, the autonomous development of the commons against capi-
talism and the state. They do not, however, develop an account of how the com-
mons can survive and solve their own contradictions under conditions of grave
dependence on capitalism and the state.

Gibson and Graham offer a more concrete demonstration of a post-capitalist
community economy. But, as in the case of the autonomous Marxists, they
downplay the role that the state could assume in this project. The problem
with the communist approach of Žižek, Dean and Harvey, on the other hand,
is that they overemphasise the role of the state at the expense of the self-
instituting power of the people. Mason and Fuchs seek to strike the right
balance between the state and the commons by introducing a number of con-
crete policies, employing both commons and state mechanisms to promote and
safeguard the self-instituting power of the people.

5.1.4 Towards Post-hegemonic Holism

The final step here is to integrate all three approaches to the commons into a holistic, multidisciplinary account that encompasses finance, economics, technology, politics, education and law under commons governance. To this end, this chapter summarises key proposals from all three approaches to the commons, which are by no means exhaustive. These proposals could play out in multiple patterns of cross-fertilising strategies that could variously advance the self-instituting power of the people beyond capitalism and the state. Rather than approaching the commons in terms of scattered and often contrasting theories, it would be far more beneficial for both theory and praxis to consider them in tandem with a flexible, multi-format set of policies from which political agents can draw accordingly. This is not to resort to a politics *à la carte* nor to diminish conflict as the essential element of the political. On the contrary, post-hegemonic holism sets pluralism and antagonism as the main stage of progressive politics. Since there can be no single theory capable of carving out a unique pathway to a post-capitalist, commons-orientated transition, implications for policy depend on which set of proposals would be more relevant under the ever-changing global conditions of class struggle:

5.2 Liberal, Reformist and Radical Formats

The liberal format

1. The expansion of Ostrom's design principles – the demarcation of clear boundaries, the matching of rules with local needs and conditions, the modification of rules by users themselves, the monitoring of resources and the imposition of sanctions on free-riders – from local to digital commons (free software and Blockchain technologies). Ostrom's design principles could apply also on a reformist and radical format.
2. The design of patents and intellectual property to taper away quickly.
3. Municipal funding of neutral broadband networks, state funding of basic research, and possible strategic regulatory interventions to negate monopoly control over essential resources in the digital environment.
4. Commons-based licensing (GNU, Creative Commons, Copyfair).
5. A number of post-Keynesian policies have been introduced by several authors to address the shortcomings of neoliberalism: Mariana Mazzucato calls for the 'socialisation of investment' by an 'entrepreneurial state' investing in innovation to address major societal problems such as climate change and elderly healthcare (Jacobs and Mazzucato 2016, 14); Stiglitz (2016) suggests changes to executive compensation schemes,

macroeconomic policies to reduce unemployment, greater investment in education and infrastructure and the reform of capital taxation; Yanis Varoufakis (2011) advocates a Green New Deal funded by Eurobonds as a first step before reimagining the corporation. A further step would be to shift the terrain from post-Keynesianism to post-capitalism through the creation of commons-centric partner states willing to invest heavily in the commons. Rather than reimagining the corporation, post-Keynesianism should reimagine the commons by transforming the state accordingly.

6. Interestingly, DIEM25, the party founded by Yanis Varoufakis, included in its agenda (DIEM25 2019) a number of policies in favour of the commons that could push for a more radical transformative politics by:
   • enhancing regulations on data protection (GDPR) and e-privacy
   • strengthening anti-trust laws
   • enforcing cross-platform interoperability and e-portability of data
   • introducing the concept of data unions
   • decommodifying data through the establishment of a public data commons, thereby establishing a Digital Commonwealth
   • supporting alternative business models such as platform cooperatives
   • fighting tax evasion by platform companies and imposing a digital tax/dividend on the collecting/processing and sale of personal data
   • establishing a digital rights framework for e-citizens (the right to encryption, the right to computation, the right to an algorithmic opt-out and opt-in)
   • transforming intellectual property by limiting its scope and broadening the 'fair use' concept

The reformist format

1. The adoption of a different language of the commons that would reflect their multiple patterns.
2. The creation and use of distributed ledger platforms such as Blockchain and Holochain that can advance cooperation on digital networks and boost a parallel commons ecosystem running both online and offline.
3. The state could install open platforms inviting citizens to assist city councils in urban planning, government websites encouraging citizen feedback about public services, participatory budgeting programmes allowing citizens to co-determine spending decisions, government support for co-housing, volunteer networks for the elderly, and so on. Free and open source software could become the default infrastructure in public administration and education. Instead of schools turning into the quasi-captive extensions of large software corporations' marketing departments, they could educate students in the use of open source software, which would then have spin-off effects for higher education, municipal governments and the general public. State-endorsed open design protocols for information services, housing, ride-hailing services and energy

grids could foster open source innovation and benefit local communities, preventing proprietary lock-ins by larger companies.

4. Regulation of platform co-ops.

5. Open cooperativism between productive communities, ethical market entities and for-benefit associations. Open design, open protocols, open supply chains, open value accounting that promote abundance vs scarcity and collaboration by mutual coordination, which can in turn sustain a circular economy. Cosmolocalism could bring together digital, rural and urban commons, energy cooperatives, eco-villages, the degrowth movement and Transition Towns.

6. A commons-centric partner state that implements direct democratic procedures and introduces commons-friendly policies in taxation, law, education and research. The partner state could support new forms of common–public partnerships similar to the cases of Barcelona en Comú, Bologna, Naples and Ghent (Bauwens and Niaros 2017). A common–public partnership is a joint enterprise between a commons association, a state or local authority and a trade union or experts, which applies co-ownership and distributed democratic control of surplus value (Milburn and Russell 2019). The democratic structure and surplus distribution is contingent on the nature of the joint enterprise, be it the establishment of energy company infrastructure, the collective purchasing of a market building, initial subsidisation of a platform taxi cooperative, the purchasing of land for a community land trust, and so on. A common–public partnership constitutes a self-expanding circuit of radical democratic self-governance and centrifugal financialisation that could transfer wealth from one initiative to another, thus transforming surplus value into common use value. Centrifugal financialisation would allow a circulation of common use value against the centripetal circulation of capital.

7. A partner state could establish public forums of democratic participation such as a Commons CityLab, where an Assembly of the Commons (representing citizens) and a Chamber of the Commons (representing members of generative enterprises) could work in concert with government representatives and knowledge institutions to generate public–private–common partnerships on the model of Ostrom's polycentric governance. Additional measures would include the provision of adequate regulation, financing and legal support for commons initiatives (Bauwens and Niaros 2017, 62–79).

8. The DECODE project has built alternative digital platforms in Barcelona and Amsterdam to bring the data economy back under democratic control and give citizens control over their data. It documents a number of business and revenue models that could help secure the sustainability of the commons. By building a set of technical, economic, social and legal tools, they contribute to a multidisciplinary approach to the commons, further promoting commons-based peer production on the models of platform and open cooperativism.

9. The deepening of democracy in all three varieties of democratic govern-ance (direct democracy, representative and associational). Participatory forms of direct democracy could create countervailing power against the ordinarily powerful groups and elites influencing state governance. The design principles of this power are the following: bottom-up partici-pation, pragmatic orientation, deliberation, state-centred decentralisa-tion to local units of action such as neighbourhood councils, local school councils, workplace councils, and so on.

10. The commons-orientated structural adjustment of capitalism towards more sustainable and socially responsible business models such as open sharing and collaboration models, 'inclusive capitalism', the 'benefit corporation', 'flexible purpose corporation', 'low-profit limited liability company' and 'not-for-profit', which prioritise value creation and money circulation by distributing currency to more people and enterprises.

11. In addition to associations of workers or unions exerting power over cor-porations through the co-determination of funds, and bargaining over pay and working conditions, the union movement could create venture capital funds, controlled by labour (as in Canada), to provide equity to start-up firms that satisfy particular social criteria. Consumer-orientated pressure on corporations would be an additional form of civil society empowerment over economic power. Fair trade and equal exchange movements aiming to connect consumers and producers by building alternative global economic networks could also disrupt the economic power of multinational corporations.

12. The creation of a social economy: voluntary associations, NGOs, co-ops, community-based organisations, all subsidised through donations, char-ities, grants and taxes (for example, Wikipedia, the Quebec economy). Social economy could merge with platform and open co-ops on the prin-ciples of cosmolocalism and commons-based peer production.

13. Egalitarian public financing of politics, and randomly selected citizen assemblies. Political institutions could be designed in such a way as to enable secondary associations – labour unions, business associations, organisations or civic groups – to play a positive role in deepening democracy.

14. The creation of a National Investment Council (NIC) coupled with Federal Reserve reforms that would create a 'QE for the people' chan-nelled to commons initiatives; a Fed-administered digital dollar backed by Blockchain and accessed via smartphones would further guarantee greater financial inclusion.

15. The creation of a national investment bank linked to a set of non-profit, decentralised financial institutions such as credit unions, public banks, community banks and non-profit investment banks to provide credit for the commons.

16. The creation of a non-profit innovation stock market would further open up investment opportunities to the broad public and help the commons raise capital for expansion.
17. The creation of a commons-orientated Public Investment Platform joined by a Public Investment Account.
18. The creation of sovereign wealth funds and inclusive ownership funds.
19. An unconditional basic income could further enhance the social economy and the commons.

The radical format

1. The socialisation of the banking system to promote the democratic finance of the commons: social and ethical lending by credit unions and public banks, non-profit local and regional banks, crowdfunding (for example, Goteo), complementary currencies, time banks. This would include the restructuring of the finance system to reward techno-social innovation and discourage rent-seeking behaviour. It would, thus, advance commons-friendly finance structures based on bounded investing such as union pension funds, affordable housing investment funds, communities, interest groups and a mutually supportive range of businesses, where money ends up circulating rather than being sucked up by a company foreign to the ecosystem.
2. Post-hegemonic horizontalism against any residual verticality: 1) representation should emanate from the bottom through decentralised decision making based on openness, transparency and diversity; 2) accountability and revocability of representatives would secure democratic control by and for the commons; 3) regular rotation in roles and responsibilities should be exercised with the aim of empowering all the people with relevant skills and knowledge; 4) self-management would thereby instil an ethical self-transformation through a subjectivation that would induce both individual and collective autonomy.
3. Economic redistribution from high-profit corporations and the rich towards low-income classes by increasing taxation of capital and high incomes (for example, Tobin tax or high taxes on rent seeking).
4. The commonification of social media.
5. An alternative Internet would contribute to the commons transition through the peer production of open access projects, open content projects, free software, open source projects, alternative online news media, collective digital art projects, cyberprotest, public online media, public access projects, the struggle for net neutrality, the creation of free wireless networks, non-commercial and non-profit virtual communities, and so on.
6. The full cancellation of the debts of developing countries.
7. The introduction of rigidly regulated employment contracts.

8. The reduction of working hours without loss of income for employees.
9. The establishing of unions.
10. Provision of free universal basic services in health and education.
11. Universal availability of ICT infrastructure and network connectivity for free or at very low prices for all.
12. Support for digital literacy and digital involvement for all.
13. Large-scale implementation of open social software tools that support participatory democracy in education, the media and civil society.
14. The introduction of global privacy and data-protection laws.