

WHEN COMMONS AND GLOBAL PUBLIC GOODS GO POLITICAL

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I. Introduction

Commons and global public goods have become central concepts in the contemporary debate about global governance. Originally, both concepts were mainly used by economists to denote goods prone to severe collective action problems. Whereas public goods would be generally underprovided, commons would be overexploited. More recently, various disciplines have begun integrating and adapting the concepts into their vocabulary. In addition, both concepts are now widely used in policy and political discourses on how to tackle global challenges. On the one hand, international institutions like the World Bank or the European Union have branded the provision of global public goods like climate change mitigation or the eradication of communicable diseases as new policy challenges which require more cooperation at the global level. The commons, on the other hand, has come to represent an alternative paradigm in academic writings and civil society to place communities at the centre of the governance of shared resources, beyond the market-state dichotomy. In other words, both notions have become firmly embedded in academic and policy/political discourses.

In this paper, we consider how these analytical tools have also been used as normative frameworks. In particular, we attempt to lay bare several elements of the models of governance propagated by the commons and global public goods discourses. While we believe that tackling this issue from these perspectives can give a unique insight into the subject matter, the elements we focus on must not be seen as an exhaustive list. First, we assess how the two concepts influence prescriptive governance models. We argue that as public goods generally imply underprovision, and commons overexploitation, this will inevitably reflect upon the inherent models of governance. Next, we compare the two discourses on the basis of four features of governance, namely: the role of the state, spatial scale, directionality, and power. By looking closely at these four elements, we show some of the normative implications of the commons and global public goods discourses for global governance.

II. Commons and global public goods as normative discourses

2.1. From Economic Theory...

The concepts of public goods and commons traditionally refer to economic theory. In his seminal article *The Pure Theory of Public Expenditure* (1954), Samuelson classified goods based on two, seemingly objective, characteristics: rivalry and excludability. A non-rivalrous and non-excludable good is characterized as a public good, while a rivalrous, non-excludable good is labelled a common-pool resource (CPR). The non-rivalrous property of a public good implies that no-one can practically be exempted from consuming it since the good does not diminish when consumed. The non-excludability makes it that no one can be excluded. The characteristics of a CPR, however, show that while it is hard to exclude actors from consuming the good, rules of access are necessary in order to preserve CPRs from depletion. Hardin's *Tragedy of the Commons* (1968) took that premise to sketch a bleak future of open access areas, which he referred to as commons.

This traditional way of using these concepts hints at an understanding of them which highlights a certain "objective" dimension to them. That is, public and common goods are such "objectively"; there is something in their nature which makes them either rivalrous or non-rivalrous, thus being useful as analytical tools meant to describe the physical reality of certain goods. Their use as analytical tools has served to lay bare and explain some of the problems which goods classified as 'common' or 'public' would likely suffer from.

At the core of this analytic distinction lies the question of how we perceive a shortage of resources, and how to deal with it. Commons are strongly associated with overexploitation, since the CPRs inside them are hard to protect due to their rivalrous and non-excludable nature. On the other side, underprovision is considered to be the main problem linked with global public goods. Since individuals cannot be denied access to these goods, global public goods provision is mainly seen as a task for these international organizations since they are the best candidates for coordinating provision and ensuring contribution by all.

Even though the result of overexploitation and underprovision are the same (leading to a lower than optimal presence of the good in question), the origin of the problem and possible solutions are radically different. The importance of how a good is perceived, and how collective action should function, has too often been overlooked. Whether a good is overexploited or underprovided is mainly a question of framing: does a food shortage in the global south exist because of a lack of international aid, or are the farmlands in the global south overused or

cultivated in the wrong way? Do we have outbreaks of contagious diseases because of overpopulation or because of poor housing conditions? Is the climate changing because forests are chopped down or because we produce too much CO²? Framing shapes the interpretations of issues and events (Matthes, 2012) and thus possible solutions for the conceived problems.

This framing (either as a commons or as a global public good) also reflects on the required governance regime. Commons would thus be in need of a different governance regime from global public goods. A successful commons is often defined as a resilient system or “*the capacity of a system to absorb disturbance and reorganize while undergoing change, so as to retain essentially the same function, structure, identity and feedbacks*” (Walker et al. 2004). Such a system must thus be flexible enough to change when circumstances alter. Elinor Ostrom devoted much of her research on finding the ‘recipe’ for a successful commons, culminating into design principles, whereby she focuses on clear group boundaries and rules and sanctions devised by and for members of that group (1990, 90). Commons literature is thus preoccupied with determining who should consume the existing goods and in what manner.

This is in stark contradiction with the basic logic of global public goods. These are namely characterised by free consumption. Successful public good provision is characterised by a correct estimation of the demand for that good and the following production of the goods. They thus focus on the production-side and see consumption as a given (Culp, 2016; Kaul et al., 2003). When a conceived problem is framed as lacking the production of global public goods, its proposed solution leads to states and international institutions working together in estimating the demand and determining a division of production, focusing on one specific good. Such a framing has happened in many instances, such as arms control, trade, banking, human rights and environmental protection (Bryner, 2015: 41). This leads to the sharing of power and competences with other states.

When an issue is framed as a problem of overexploitation, solving that problem becomes an issue of creating or strengthening a commons. A commons by definition focuses on many issues at once culminating in a holistic system that denounces and questions the capability of the state and the market to act as responsible caretakers.

2.2. ...To Normative Discourses

Both commons and global public goods have become central to (more or less) explicitly normative discourses, propagating distinct governance models. In policy-making circles as well

as in global social movements, they gradually came to be regarded and used as prescriptive concepts, going beyond the description of what *is* or *could be* to sketch what *ought to be* in the international arena. In academic circles, a more reflexive debate emerged about whether the concepts could be described as value-free and politically neutral (Coussy 2005; Carbone 2007). The commons have become a rallying call for a collection of social movements, arguing for increased self-governance and participation by citizens (or commoners as they are called in their lingo), and are presented as an alternative to the state and market solutions of the neoliberal paradigm. Meanwhile, the United Nations Industrial Development Organisation (UNIDO 2008), the Food and Agriculture Organisation (FAO 2002), the World Bank (WB 2000), the Organisation for Economic Co-ordination and Development (OECD 2004), the World Health Organisation (WHO 2016), and the European Union (EU 2002) have all branded the provision of global public goods as a new policy challenge.

In what follows, we confront both global public goods and commons as normative discourses. More specifically, our basic claim is that commons and global public goods theories are both worth investigating as ideal models of global governance. This viewpoint acknowledges that there is an abundant literature related either to global public goods or to commons (or to both in some instances) that has grown to encompass much more than a descriptive study of successful international cooperation through governance instruments. There is now more literature focusing on the normative dimensions of both discourses.

By qualifying commons and global public goods concepts as models of (global) governance, we intend to say that both represent ideal views of how certain (global) resources or issues should be governed. In other words, they provide guiding principles and standards for the governance of certain global issues and/or resources. At this point in our paper, a caveat is in order. We do not suggest that what we present here is a coherent theory defended by a single author or a certain school of scholarship. Rather, what we are describing here as ‘models of governance’, would best be seen as something akin to ‘ideal types’. By this, we mean that, although the discourses that stem from the use of the commons and global public goods concepts vary to a great degree in their prescriptive intentions, there is a certain pattern of characteristics that allows us to frame them as more-or-less cohesive models of governance.

Our intention is to present four distinguishing characteristics of current discourses on commons and global public goods:

- (i) both model ascribe a different role to the state;
- (ii) they hint at a different understanding of the appropriate level of governance, even for

- issues with a global scope (scale);
- (iii) The conceive the direction of authority and decision-making over their governance in an opposing manner.
 - (iv) they contain widely divergent understandings of the nature of power and authority.

We will elaborate how both models of governance have approached the above-mentioned issues through discourse analysis. Indeed, our sources in this paper are not the actual governance structures themselves which might or might not look like commons or global public goods, but rather proposed governance models. In other words, we focus on discourse *about* governance arrangements, rather than on actual governance arrangements. With discourse, we refer to the set of concepts and expressions a specific group of actors adopt to structure reality. These actors include both academics and advocates, as the line between both categories is generally difficult to draw in this field.

III. The Role of the State

To start with, from an institutional perspective, both global public goods and commons approaches reflect some frustration with the dominant Westphalian and state-centric system of governance. They do not call for a return to a hierarchical and centralised type of government retaining control over all kinds of policy-areas. Both global public goods and commons models recast the traditional idea of the state as a basic regulatory power and compulsory organisation within territorial boundaries (Weber 1978, 56), albeit in very different ways.

On the one hand, commons challenge the centrality of the state since they represent neither ‘all-public’, nor ‘all private’ institutions built up by communities themselves. Elinor Ostrom’s acceptance speech on the award of the Nobel Prize in Economic Science in 2009, entitled ‘*Beyond Markets and States: Polycentric Governance of Complex Economic Systems*’ (Ostrom 2009), neatly summarised her lifelong effort to unearth the regulating principles and the institutional architecture that accounted for the success of modes of decentralised and bottom-up governance, beyond the much-travelled paths of the exclusively public or exclusively private management solutions. Her research, which is based on extensive fieldwork and relies on three decades spent refining her ‘Institutional Analysis and Development’ (IAD) framework, looks into the previously underestimated achievements of regimes of self-organisation at all levels of governance (Dragos Aligica and Boettke 2009). Her central claim turned conventional wisdom

upside down: complex socio-ecological systems (in which goods are subtractable and beneficiaries are hard to exclude) can prove to be sustainable resource domains granted that its stakeholders adopt a polycentric and self-regulated mode of governance. Seen in this light, commons have been burdened by some authors with the responsibility of carving out an autonomous social space independent from both the atomism of capitalist markets and the hierarchical structure of the State (Bollier and Helfrich 2012). Commons represent in that sense a new ‘third way’ of self-organisation beyond the market and the State.

However, this is not to say that commons completely eschew the state or constitute a substitute for the state. While the debate about the role of the state in the governance of commons may reveal diverging ideas and political perspectives, there is a consensus to say that most commons will need to live side by side with states in order to survive. In her landmark book *Governing the Commons*, Ostrom puts forward as a seventh design principle that ‘[t]he rights of appropriators to devise their own institutions [should] not be challenged by external governmental authorities’ (Ostrom 1999, 101). Indeed, ‘if external governmental officials presume that only they have the authority to set the rules, then it will be very difficult for local appropriators to sustain a rule-governed CPR over the long run’ (Ostrom 1999). Commons activists today also recognise that the regulatory state continues to be ‘the dominant governance system’ (Bollier and Helfrich 2012, 101), but propose to go beyond it and build alternative bottom-up institutions. To sum up, commons remain constituted by the sharing practices of communities and operate with different logics than the public and private spheres. Very often, commons are even contested entities and sites of social struggle against the risks of bureaucratic centralisation and private enclosure. This is why the legal or formal recognition and protection by public authorities of the community’s autonomy to develop self-governing arrangements appears in many cases as a necessary condition for their sustainability.

On the other hand, the project defended by Inge Kaul and others argues that states alone are not sufficient anymore to deliver public goods that transcend national boundaries. Supranational and top-down mechanisms are necessary to coerce free-riding states into the provision of much needed global public goods. At the national level, state intervention is seen as indispensable in the financing and provision of public goods. In this respect, in one of his landmark articles, Paul Samuelson argues that, since the state is responsible for the welfare of its citizens, it must naturally also provide public goods (Samuelson 1954). It is therefore not surprising that, at the global level, Inge Kaul and her colleagues acknowledge that ‘[n]ation states form important core elements of the international community’ (Kaul 1999b, 15).

Yet, global public goods supporters point to the absence of a ‘global sovereign’ or a state-like entity capable of enforcing contribution of global public goods by all states. That is the crux of the matter. This is why they call for more international cooperation between states, for example through international organisations such as the UN. They also warn that the principles of state sovereignty and state consent represent an obstacle for the effective provision of global public goods – the ‘basic problem [that] underlies all others’ (International Task Force on Global Public Goods 2006). Much like the individuals in the prisoners’ dilemma, it is expected that sovereign states acting in total independence will defect from cooperation unless coercive mechanisms are introduced (Kaul 1999b, 8). What this analogy highlights is that, in order to coerce free-rider states, we need to transpose certain domestic strategies to the global level (Constantin 2002, 81). For some legal scholars, for example, it seems, the solution to this dilemma is to impose inter-state cooperation by ‘design[ing] punishments that are sufficient to induce compliance’ (Trachtman 161). What is striking in comparison to the bottom-up commons framework, is that global public goods call for closing the jurisdictional gap at the global level with more inter-state cooperation from the top and not necessarily from alternative institutional units.

IV. Spatial scale

In addition, although both models generally stress the waning importance of the state, they present different answers regarding the question of the appropriate scale for governance. Although “scale” is generally used in an analytical sense (Gibson, Ostrom, and Ahn 2000, 218)¹, we use the concept in a more normative sense here as referring to the question of which level or levels (or spatial construction more generally) are appropriate for the governance of certain goods or issues.² Moreover, we limit ourselves to the ideal spatial construction set out by these models, excluding a discussion of, for example, their conceptions with regard to the appropriate temporal scale.³

Both normative frameworks explicitly recognize the complexity of the (spatial) scale issue,

¹ These authors define “scale” as “[t]he spatial, temporal, quantitative, or analytical dimensions used to measure and study any phenomenon.”

² Gibson, Ostrom and Ahn define “levels” as “[t]he units of analysis that are located at the same position on a scale.” They add that “[m]any conceptual scales contain levels that are ordered hierarchically, but not all levels are linked to one another in a hierarchical system.(Gibson, Ostrom, and Ahn 2000, 218)”

³ Note, however, that Kaul et al. explicitly adopt a definition of “global” which includes a sociological and temporal dimension, in that the goods in question should benefit or affect actors across social strata and across generations (Kaul, Grunberg, and Stern 1999b).

stressing the need for multi-level and, to a certain extent, trans-scalar models of governance. In the seminal 1999 publication on global public goods, Kaul and her co-authors propose the development of a national-global policy loop which would strengthen the bonds and improve coordination between national and global policy-making (Kaul, Grunberg, and Stern 1999a). Commons theory has equally recognized the need for institutions at different levels and interlinkages between these institutions (see, for example, the 2007 special issue of the *International Journal of the Commons*: Berkes 2007), although this approach has generally been different and polycentric in nature (E. Ostrom 2012). In other words, both frameworks are essentially embedded in contemporary research literature which increasingly acknowledges that governance solutions must mirror the complexity and cross-scale interlinkages of the resource systems and activities they govern (Buizer, Arts, and Kok 2011). Despite this similarity, the concepts have markedly different approaches to spatial scale, in particular with regard to the relationship between governance and resources on the one hand, and the ideal size of groups.

Commons theory has its roots in the study of local communities collectively managing a common-pool resource, such as a pasture or an irrigation system. These roots have two important implications from the point of view of scale. Firstly, the theory has, from its origins, established a close link between the governance system and the resource system it is called to govern. Giordano aptly states that “[a]t its most fundamental level, the problem of the commons revolves around humans, their environment, and the spatial relations between the two” (Giordano 2003, 365). Therefore, as resources are more and more viewed as part of larger ecosystems, commons theory has increasingly reflected the need for multilayered, cross-scale governance systems. Secondly, commons theory has attached much importance to trust and reputation, as variables altering the traditional economic models which suggested cooperation between self-interested, rational individuals was impossible (E. Ostrom 1998). However, commons theory admits that trust and reputation largely depend on face-to-face communication (Dietz, Ostrom, and Stern 2003, 1908). This required face-to-face communication, in turn, relates closely to the need for a community to support the collective governance of certain resources, and the need for a practice of “commoning” to support such communities. The central role of these elements (trust, reputation, face-to-face communication and a practice of commoning) suggest that the spatial scale (or at least the group size) at which commons governance can be effective is small to moderate, as anonymity of the group members engenders the effective functioning of a commons.

Public goods theory, in contrast, has traditionally been focused on a higher spatial level,

namely the state level. This theory has been developed to determine which goods should be provided by a central authority, the state. In other words, public goods theory is much more amenable to larger groups, with higher degrees of anonymity, as it generally does not rely on face-to-face communication for its effectiveness. Indeed, it is generally accepted that small groups are able to relatively effectively provided collective goods for their group members without some central, state-like authority intervening (Olson 1977). Moreover, in contrast with commons theorists, public goods theory is less attached to resource(s) (systems). Whereas commons theories adopt an approach centered on nature (with the governance system following the resource system), global public goods tend to have a more traditional anthropocentric approach.

Despite their traditional application to the local or state level, proponents of both theories have argued that, in present times, many essential resources and issues are of a global nature and that governance models should be adapted accordingly (McGinnis and Ostrom 1996; Kaul, Grunberg, and Stern 1999c; E. Ostrom et al. 1999). However, both theories have struggled to scale-up their governance models to the global level (Kaul 2012; Cumbers 2015). Even David Harvey, who considers himself a proponent of commons-based governance, admits that commons theories suffer from “an analytically difficult “scale problem” [...] that needs (but does not receive) careful evaluation”, in particular because “[t]he only politically correct form of organization in many radical circles is non-state, non-hierarchical, and horizontal” (Harvey 2012, 69).

Although both theories are quite similar in this regard, they have adopted different strategies to overcome the challenges related to the global nature of the resource or activities to be governed, despite the fact that both consider subsidiarity an important ordering principle (Kaul, Grunberg, and Stern 1999a, 477; Fennell 2011, 20). Global public goods theory focuses mainly on the national and higher levels, by placing states and international institutions front and center. As Kaul and her co-authors argue: “If the problem is international in scope, decision making to address it will have to be done at that level” (Kaul, Grunberg, and Stern 1999a, 466). Moreover, despite the insistence on the importance of a policy loop between the national and the global level and the importance of subsidiarity, the approach is rather hierarchical in nature, which is especially evident in this theory’s questioning of the consensual nature of the Westphalian international system (Nordhaus 2005; Bodansky 2012). Commons theories, in contrast, will generally emphasize the potential contributions of lower levels and put forward non-hierarchical solutions. Ostrom, for example, has written that “relying entirely on international

efforts to solve global climate problems needs to be rethought” (E. Ostrom 2012, 356). Commons theorists will thus generally advocate a polycentric approach, whereby polycentricity refers to the fact there exist “many centers of decision-making which are formally independent of each other” (V. Ostrom, Tiebout, and Warren 1961, 831).

V. Directionality

A third distinguishing feature that we wish to highlight for our understanding of commons and global public goods as ‘models of governance’ is the *directionality* of governance implicit in each model, and the way it reflects the relation between the governance structure and the people living under it. By ‘directionality’ we mean the way that decision-making takes regarding provision, protection and promotion of commons and global public goods, and the source of authority for the governance of these models. Although, in practice, directionality takes many forms, we consider that the discourses of commons and global public goods as *ideal* governance models have structured themselves on an underlying opposition between a *top-down* and a *bottom-up* understanding of how goods ought to be produced, protected and promoted (Sabatier 1986). In short, while global public goods’ discourses tend to defend top-down governance by appealing to efficiency in its capacity to produce more beneficial outcomes and to deal with collective action problems, commons discourses incline more towards a bottom-up approach to decision-making, claiming for its capacity to ensure a more sustainable protection of global goods through the active engagement of local populations in its management.

This distinction can have important implications on the way we understand certain fundamental global issues. Forest governance, for example, is an interesting topic due to its relevance to both commons and global public goods discourses (Agrawal et al. 2008). From the global public goods angle, the protection of forests from land-grabbing and deforestation can be considered as a fundamental public good with global implications due to its environmental impact (Kaul et al. 1999b: 24-25). For commons discourses, protecting forests from their depletion and privatisation is structural for sustaining the peoples and social practices that ensure the sustainable development in forest regions and the ways of life that dwell within them (Ostrom 1994: 10-11). Despite that both discourses emphasise the need to protect forested regions from privatisation, deforestation, degradation and illegal logging, the directionality in decision-making over how this ought to be achieved differs greatly between global public goods and commons discourses.

Global public goods discourses are, for the most part, provision-oriented models of governance. That is, their final outcome objective is to ensure that a certain good or protection from a bad is provided to the global population (Kaul et al. 1999a: xxvi). In this sense, forests are taken as intermediate goods that enable the assurance of a certain final good such as environmental protection (Kaul et al. 1999b: 13). Forests are considered to be of global interest as long as they are structural to providing the pre-determined outcome which is environmental protection (Sandler 1997). Although, as an intermediate product, specific forests may be governed through different regimes depending on particular circumstances, the overall governance of ‘forests’ (in a global sense) and their protection from deforestation, should be, according to these discourses, a matter of authority of states and transnational institutions (Kaul 2013: 5). The communities who dwell in these regions, and the governance mechanisms that are exercised locally to protect their lands, are taken as intermediary agents whose authority and decision-making capacity over the spaces they live depends on the interests and outcome objectives that transnational entities consider as the appropriate global public good to be predetermined previously (Sand 2004). This top-down directionality inherent in global public goods’ governance models has been a source of concern due to that fact that its focus on provision can make it blind to issues of democratic legitimacy (Krisch 2014; Cogolati et al. 2016, esp. 19-21). Global public goods discourses have responded to these claims by appealing to the various levels and directions in which governance of global public goods ought to take place (think of the national-global policy loop mentioned before), and to the potential implementation of more democratic involvement in their governance (Kaul et al. 1999c: 478-485; Schaffer 2012; Kaul 2013: 3). We consider, however, that even if these discourses defend the need to expand the democratic inclusion in the governance of global public goods, the claim of their top-down directionality is sustained: defining what a global public good is, and how it should be governed in order to ensure effective provision, is determined by states and transnational authorities. It is a group of experts at the higher levels of governance to take the lead in defining the objectives and roads to achieve these, making local populations passive recipients of goods provided in a top-down fashion (Boonen and Brando 2016: 141-147).

Opposed to the global public goods approach to directionality of governance, commons discourses have tended to consider that local populations and their plural mechanisms for governing fundamental resources (such as forests) should take a relevant place as prime decision-making authorities (Ostrom et al. 1999: 281). That is, governance should take a bottom-up directionality. Global public goods discourses justify a top-down governance of

global goods due to an assumed selfishness and difficulty in achieving cooperative behaviour without strong and enforceable centralised governance mechanisms (Ostrom 1990: Ch. 1; Quilligan 2012). Commons discourses, through an assessment of existing self-organised, long-enduring governance practices at the local level, argue in favour of allowing local communities to take the lead in the protection and promotion of fundamental goods, as the most appropriate way of dealing with various global issues (Ostrom et al. 1999: 279; Ostrom 1990: Ch. 3). The case of forest governance offers here a very clear example of the opposing governance claims made by global public goods and commons discourses (Dupuits and Pflieger 2017). Following an understanding of forests as commons, it is the local organisation of communities who live and depend on forest regions who can work as the most effective and efficient authorities for ensuring the protection of these resources (Ostrom 1994: 20). Thus, governance of these resources should rely on a plural framework which entrusts primary control and decision-making authority to the communities who live and depend on them (Arnold 1998: Ch. 2). The local populations, in this case, are taken as active and direct participants in the protection and promotion of the goods in question as primary authority over their governance.

VI. Power

Last but not least, debates between proponents of global public goods or commons reveal different conceptions of power. The former think that the latter are insufficiently aware of the different forces that operate in the global sphere (Kaul 2016: 32n43). Consequently, questions of force, coercion and violence are swept under the carpet. Commoners often return the compliment: proposals for organizing the provision of global public goods rely on top-down enforcement as opposed to bottom-up cooperation and communication; promoters of global public goods mistakenly assume that a degree of force, coercion and manipulation are a necessity, while in fact people are perfectly capable of working together and so achieving better results that fit local circumstances (Ostrom 1992).

These stances neatly overlap with two influential positions on the nature of power in political theory: on the one hand, we have thinkers like Thomas Hobbes and Max Weber who conceive of power as *power-over*. In the words of the latter: power is “the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests” (Weber 1968: 53). Consequently, violence, coercion and manipulation are treated as modalities of political and social action.

Moreover, as states have a monopoly on violence and have most of the means to carry out their ‘will’, they can be seen as the embodiment of power.

On the other hand, we have a view, famously defended by Hannah Arendt, which involves an understanding of power as *power-with*. This form of power comes into being only when people act in concert and when they engage in unconstrained communication (Habermas 1977: 3). Here, power is not something that a certain actor ‘has’ and exercises over another, but exists ‘in between’ people – in other words, power is relational as opposed to unilateral (Penta 1996: 212). This entails that violence, coercion and manipulation appear as the opposite of power. As Arendt argues, “power cannot be stored up and kept in reserve for emergencies, like the instrument of violence, but exists only in actualization”, that is, “where word and deed have not parted company [...] where words are not used to violate and destroy but to establish relations” (Arendt 1970: 200). Political institutions are only powerful as long as they rest on egalitarian and open communication among people.

If we look at the writings of Elinor Ostrom, it quickly becomes apparent that she is partisan to the notion of ‘power-with’. Her research on common pool resources, she argues, challenges “the Hobbesian conclusion that the constitution of order is only possible by creating sovereigns who then must govern by being above subjects, monitoring them, and by imposing sanctions on all who would otherwise not comply” (Ostrom 1992: 414). In other words, people can cooperate and keep credible commitments without there being an external enforcer. However, there *are* some important conditions for a successful constitution of order: first, people have to be able to communicate and preferably do so regularly and face-to-face; second, people are able to freely choose an ‘internal sword’ – institutional stability thrives when participants are able to establish common norms and agree on sanctioning mechanisms in order to punish those diverging from these norms (414); and third, it is vital that “most of the individuals affected by a resource regime can participate in making and modifying rules” (Ostrom 2000: 150). To condense the argument: in these arrangements power does not rest in an external institution or a centralized authority with the ability to impose and enforce rules of action (also see: Ostrom 2012), but exists in between people in a horizontal contract they conclude among themselves and keep alive through communication and their shared action.

If we turn to Inge Kaul’s work on global public goods, we find a different conception of power. Similar to Ostrom, she acknowledges the important task that institutions perform in the creation of order. However, the institutions Kaul is thinking of look somewhat different. Institutions and regimes, she argues, can be considered as intermediate public goods as they

contribute towards the provision of final public goods (Kaul 1999: 13). One indispensable task that they perform is that of monitoring and surveillance since the main problem affecting the provision of public goods is that of free riding (6). This entails that in the absence of institutions directing or constraining these individuals (or, on the global level, states and corporate bodies), it is impossible to ensure cooperation. In short, it seems that the steering role of the state, its ability to discipline free riders either through norm setting or through the exercise of coercive power, is of essential importance to the provision of public goods (8).

However, on the global level state failure is a given “due to the absence of a global sovereign” (15). Therefore, the nature of power changes as well. As Kaul writes, “conventional hard power may have to be combined with soft power to yield a ‘smart power’ strategy that enables states to achieve a successful policy outcome” (Kaul 2016: 23). However, this does not necessarily mean that Kaul veers toward the Ostrom position. First, the exercise of political pressure and coercion by states still has an important place in her scheme for the production of global public goods (Kaul 2013: 11). Second, power that is exercised non-violently and non-coercively can still constitute a form of ‘power-over’. This happens when communication and participation are only admitted to the extent that they help actors achieve their goals. That is to say, it persists where communication is not valued in itself, but only as a means for attaining a specific objective (Habermas 1977: 4). This, we believe, is the case in global public goods discourse: communication and participation do play a role, to be sure, but only to the extent that they help in the attainment of a certain goal – namely, the provision of global public goods (Nordhaus 2005: 93). In this sense there is some truth to Joel Wainwright and Geoff Mann’s claim that global public goods discourse manifests a wish for a Climate Leviathan – “a regulatory authority armed with popular legitimacy, a panopticon-like capacity to monitor and discipline carbon production, consumption, and exchange, and binding technical authority on scientific issues” (Wainwright & Mann 2012: 6).

VII. Concluding remarks

In conclusion, our comparison of the global public goods and commons discourses has foregrounded differences rather than similarities. Both discourses seem to recognize similar challenges (e.g. a growing number of issues which are global in nature), but the solutions for these challenges are generally radically different. The global public goods discourse is concerned with effectively tackling issues of a global nature through more inter-state

cooperation and international institutions. Commons discourses, in contrast, reflect the ideal of self-governance of social movements and communities wary of market logic and state hierarchy. For the purpose of overview, we have summarized the main findings in **Table 1** below.

Table 1	Commons	Global public goods
Relationship with the state	- Emergence and governance of commons independent from the hierarchical structure of the state	- Provision through supranational and top-down mechanisms capable of coercing free-riding states
Spatial scale	- Polycentric relationship between levels of governance - Resource-driven - Small to moderate group size	- Hierarchical relationship between levels of governance - Important role for international/global level - Amenable to large groups
Directionality	- Bottom-up decision-making - Active engagement of local populations - Sustainability-oriented	- Top-down decision-making - Passiveness of local populations - Provision-oriented
Power	- Power-with - Power as cooperation No unilateral coercion, violence, or manipulation	- Power-over - Power as the ability to steer the conduct of others - Possibility of unilateral coercion, violence or manipulation

We believe that the contrast and comparison between both discourses allows us to more thoroughly reflect upon the merits of the governance models they present. Indeed, the

comparison has given us some insight into some strengths and weaknesses of both models. The global public goods discourse emphasises the economic goals of effectiveness and efficiency. Indeed, this discourse seems to be largely driven by technocratic expertise embedded in international institutions. Although democratic concerns have been voiced in debates on global public goods, these generally seem to come more as an afterthought, once it has already been decided which goods count as global public goods and who should provide them. These decisions are largely taken by a limited group of influential institutions, with participatory mechanisms providing social legitimacy. This democratic deficit becomes particularly apparent when compared to the active participation of communities in building up commons. This emphasis on self-governance is largely absent in the global public goods discourse.

At the same time, our comparison also highlighted a more optimistic conception of self-governance in commons discourses. As we have explained in section V, this discourse adopts a conception of power which can be described as *power-with*. It is believed that power originates from the autonomous cooperation within communities. This conception of power is also evident in the rejection of most forms of hierarchy. This belief, however, clashes with other existing forms of (coercive) power. Commons discourse is presented as an alternative to state authorities and market pressures, but it can be questioned whether it has the capacity (and strategy) to deal with the strong external power that can emerge from these entities. The global public goods discourse, on the other hand, still goes back to the state's monopoly on violence to strictly regulate and limit the use of coercive power. Moreover, the global public goods discourse's reliance on states and international institutions may give it more tools to deal with exercises of *power-over*, even if the discourse itself admits to outstanding problems in this regard.

VIII. References

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