

TEMA

COMMONS AND CULTURE

edited by GIOVANNI RUOCCO*, PIERLUIGI MONTALBANO** and PIETRO ANTONIO VALENTINO***

This issue of Economia della Cultura addresses from different perspectives the theme of common goods and their links with the world of culture. The essays analyze, first of all, the historical and political reasons of the renewed attention of the concept of common goods in the public debate and their rethinking from the theoretical point of view. The hypothesis highlighted in Ruocco's essay, is that this rethinking is due, on the one hand, to the crisis and erosion of Welfare State policies, which started from the Eighties of last century; on the other hand, to the dissatisfaction with the redistributive abilities of the market model, hegemonic after the epochal transition of 1989. In this respect, current debate on common goods is seen as the effect of a «State failure», other than a «market failure». These failures are interpreted as a general weakness of these institutions and of the current policies of social regulation to cope with the emerging social needs.

In a historical perspective, the recent attention to common goods could be seen as an expression of a new sensitivity and attitude towards the earth, its resources, goods and living creatures, but also as the development of a new spirit of sharing and collective participation. Some degree of approximation in the definition and use of the concept of commons can thus be accepted, because of his ability to move political passions and of its importance in the research of new political ways, in comparison to mainstream theories and reflections of the past thirty years.

This effort towards a radical political and economic rethinking concerns the conceptual tools as well as the foundations of western modernity.

Two main points help to understand the specificity and the novelty of the actual historical context:

i) the defense of open access to a specific set of goods (the community management opposed to traditional State mandate) as an alternative to the

*Dipartimento di Scienze Politiche – «La Sapienza» Università di Roma – Piazzale Aldo Moro 5, 00185 Roma, e-mail: giovanni.ruocco@uniroma1.it

** Professore associato di Politica economica internazionale – Dipartimento di Scienze Sociali ed Economiche – «La Sapienza» Università di Roma – Piazzale Aldo Moro 5, 00185 Roma, e-mail: pierluigi.montalbano@uniroma1.it

*** Direttore di Economia della Cultura, e-mail: pietro.valentino@uniroma1.it

increasing weakness of contemporaries States, less and less able to defend constitutional guarantees of the citizens from the current deep privatization processes; ii) the information revolution that puts at the heart of the political debate the creation of forms of social production (through the networking of «cooperative» action of a «multitude» of subjects at the global level) of goods, e.g. in the field of knowledge, not easily attributable to both private or public property.

The importance to agree on a shared definition of common goods has headed different roads, which have yet to meet. A strand of the literature has tried to find, as Mineo writes in this issue, simple and direct definitions: e.g., to look at «common good» or «common ownership» as simply the opposition to private ownership; but it is a simplification excluded by the most recent historiography on the forms of ownership, because with the construction of private ownership culture, the whole range of rights in rem is recoded; i.e. it's not possible to oppose the individual right of ownership to so-called «collective ownership», because they exist in a mutual relation: the category common goods is born in the period of transition in which the ways of precapitalistic production cohabit for a long time with the expansion of the markets and the paradigm of private ownership is still under definition.

In the historical perspective, common goods can have different origins because: a) partly, they are formed together with the markets even if driven by different rationalities; b) partly, they constitute a specification of private ownership and of the juridical system that is being created from the late Middle Ages; c) and, partly, they also represent the residue of a reaction to the violence of the dispossession produced by the advent of capitalism.

Currently, the term common does not seem to derive from an objective characteristic (historical or social) of the good rather from a political perspective, i.e., a sphere of voluntary collective actions.

This statement, that is confirmed by other essays in this issue, is in sharp contrast to the definition of commons provided by the welfare economics, which is derived from an intrinsic characteristic of the goods: their «non-excludability», i.e. free access. The latter would cause a «market failure» since makes it not possible to impose a price.

As highlighted by the Montalbano's essay, the theory of welfare does not exclude that voluntary collective actions could transform any kind of goods, even the market ones (i.e., excludable and rival), in common goods from the point of view of the property rights. However, this choice has relevant effects: first, it is always a reversible choice because it is not associated with an intrinsic characteristic of the goods; second, in absence of market failures, this choice would lead to inefficiencies, i.e. sub-optimal uses of the goods from an economic point of view.

The welfare economics overcomes the «tragedy of the commons» by a two-corner solution: i) privatizing the property rights among potential users; ii) or regulating the use of the common-pool resources through a common property systems, i.e. centralizing the management of the resources.

The latter option has been identified by Elinor Ostrom, under well-defined conditions and with heterogeneous results, to solve the «tragedy» as an alternative to both nationalization or privatization. The set of common-pool resources identified by Ostrom represent thus a subset of goods that are not excludable and rival. Subset that, as pointed out by Valentino, has not much in common with the common goods which are currently at the heart of the political debate. These latter do not correspond neither to the common goods identified by the welfare economics, and adopted by Ostrom, nor to an objective alternative classification because of the absence of shared selection criteria.

The inclusion of the commons among the fundamental rights – that characterizes much of the post-Ostrom definitions – seems rather to refer to theories or ideas of social justice like those of John Rawls, Amartya Sen and Martha Nussbaum. These theories – which are actually significantly different each other – overcome the atomism of the welfare theory and are based on an idea of coexistence (or sympathy according to the Sen's definition) established through a «social contract» or a «process of public reasoning». These theories and ideas involve a shift from the concept of welfare to that of well-being. This implies also a shift to a new semantics. However, this does not seem to be fully developed, both in terms of categories and consequences, by many of those who are heading towards this direction. Moreover, if we look at the commons from the point of view of the fundamental rights we should extend this sub-set of goods to immaterial things such as freedom, knowledge, etc., next to tangible assets (environmental and cultural heritage, landscape etc.).

The field of historical and artistic heritage and landscape, as well as that of cultural activities and institutions, is one of the key areas to look at how the different definitions of common goods have tried to realize.

First of all, there is a significant set of these goods (and resources) that have the «objective» feature of non-excludability. This first set of goods may be further discriminated to approach the characteristics of the Ostrom's Common Pool Resources: i.e., resources that can be efficiently managed through self-organized and self-governed structures. These common pool resources represent a heterogeneous set of goods both tangible and intangible.

Among the tangible assets (nature reserves, archaeological parks, museums, architectural or historical-artistic heritage), we include those that are managed, regardless of ownership of the property rights, by common-pool institutions, e.g. non-profit organizations and associations. These goods meet another relevant condition posed by Ostrom to select the common pool resources: i.e., the management can provide economic benefits to the community – even if indirectly and to an extent that is not always relevant. Benefits due, for example, to the ability to attract visitors and tourists supporting the overall offer of the territories. Note that in this case the property is generally not common but either public or private, and granted loan for use to voluntary associations.

In the area of intangible goods, the characteristic of non-excludability (but in many cases also that of non-rivalry) holds for some expressions of the material culture of the territories. It is sufficient to recall the feast days managed by local committees and funded by fundraising, i.e., «collection» of funds from

the citizens themselves. In this case, the common pool resources are managed by informal procedural guidelines that preserve the traditions. Also in this case, the community can get economic benefits, although temporarily.

On the basis of their «intrinsic» characteristics, these goods could often be considered as public goods (non-excludable and non-rivalrous). As pointed out in Valentino's essay, they become commons when are considered as an expression of identity of the community and the members of that community will take directly care of their management by contributing (partially or totally) with subsidies (financial or of other nature) to their preservation and enhancement.

In other words, an object (or an activity or an asset, tangible or intangible, artwork or artifact for everyday life) becomes a cultural good and then a common good to be preserved (also at the expense of local community) when it «symbolizes» some aspect of their common «identity». As a result, the relationship between a common cultural good and the community is, in the same time, «subjective» and «social».

The community «willingness to donate», to preserve these peculiar objects, appraises the «sense of belonging»; it measures the «non-market price» of this «identity value». The «market failure» is the first effect of this «social» appraisal since it does not measure individual preferences. The conversion of any object in a cultural and common good requires two main pre-conditions: a) the majority of a community considers an object an expression of local distinctiveness; b) a certain period of time is elapsed since its making because distinctiveness is socially «appreciated» only ex post (for example, an artwork or an artifact can be subject to historical-artistic protection and restrictions in Italy only after 50 years). It follows that the belonging of an object to the set of cultural common good it is not an «a priori» choice and any set of commons is not stable over time.

The identity value creates and gives substance to a very special kind of «social right» to constrain the use of cultural goods, independently from their actual ownership (private or public). As highlighted by Mabellini's essay, for some Italian scholars, this «social right» grounds on the Italian Constitution the inclusion of cultural goods eligible for preservation in the set of commons. For other scholars, this protection cannot be disconnected from the enhancement function. The latter justifies both public and private ownership of cultural goods and their transformation in commons as well.

Culture is also an identity driver. The free access to its contents increases social cohesion and inclusion and these functions transform a cultural good into a common property.

The free access to common cultural heritage gives substance to a specific set of citizen's rights that ask for policies pursued at local level. An example of this kind of policy – often cited and here again underlined in the Montalbano's essay – is that of Apulia Region which activated in recent decades an integrated strategy of preservation and enhancement which involved landscape, material culture, the natural and cultural heritage and cultural activities and institutions.

The Apulia policy implemented, on the one hand, the physical and cultural accessibility to the natural and cultural resources and, on the other hand, the enhancement of community participatory processes. What needs to be done is to carry out a set of active policies to overcome the standard tension between inclusion and social and economic efficiency.

Another intrinsic feature of cultural goods which led to consider institutions and cultural activities as a kind of commons – although very different from the non-excludability highlighted by welfare economics – derives from the nature of their production processes that are structurally affected by financial deficits for reasons already explored in the literature.

Many cultural goods and services are excluded from the market because of this peculiarity which is also the reason why the management of cultural institutions and activities is preserved to public sector. The «state failure» is leading to a deep reconsideration of the traditional management forms of cultural goods giving ground to self-organized management.

Self-management of cultural institutions by groups of artists or nonprofit associations or trusts is a well-known phenomenon (e.g., Teatro Valle in Rome, Italy; Kunsthalle o Kunsthau in Germany, etc.). It happens also in the cases in which property and funding are public. But self-government does not seem a sufficient condition to state that an activity or an institution should be included in the set of commons.

The changes in production processes, with the emergence and spread of cooperative networks of production processes, had a significant impact on the world of culture by creating new products in the field of art and knowledge. These products cannot be attributed to a single owner: they must be considered common property. The so-called free culture movement, that promotes the freedom to distribute and modify creative works in the form of open access to the Internet and to other forms of media, is an expression of the request of a common property in this field. It collides not only with powerful monopolies that control the accessibility of the information available via the Internet (for instance Google), but also with the request for protection of the copyrights by creative persons who use the Internet to distribute their inventions.

The open access to the Internet and its products is again a strong social and political request that clashes with the power of the new «enclosure» and makes highly relevant – although still difficult to define – to agree on a universal notion of «common goods».

To conclude, the following essays cannot surely provide all the answers required by a deep rethinking on the notion of common goods. However, they open new prospects not only for research but also for the political debate on these issues especially in the field of culture (arts, landscape and heritage). This field is, by definition, the common ground of social identities.