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# A COMMON GOOD APPROACH TO DEVELOPMENT

Collective Dynamics of  
Development Processes



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# 6. Governance, Commoning and the Unequal Terms of Recognition

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'We define governance as the traditions and institutions by which authority in a country is exercised for the common good', wrote Daniel Kaufmann (2005, p. 82), then lead economist at the World Bank and one of the driving forces behind the World Bank's Worldwide Governance Indicators programme. Kaufmann's definition is focused entirely on governance by state authorities: how they function, how they manage the economy and how they are judged by their citizens. The governance indicators also draw on a particular understanding of what 'good' governance means—i.e., how these traditions and institutions need to function, to manage and to be perceived in order to realise the common good.

We do however not learn what 'common good' means. Kaufmann presumably thinks and writes within a liberal, if not utilitarian, tradition for whom 'the common good is simply a matter of satisfying consumer preferences' (Sandel 2020, p. 421). He also embraces, in a next step, what Amartya Sen (2009) would call transcendental institutionalism: equipped with a pre-established definition of the common good, Kaufmann allows himself to transcendently identify the ideal set of institutions and rules—independently from context or history—to

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realise the common good and, further down the line, to design the 'worldwide governance indicators' as a measure to estimate the distance still to cover between a country's actual situation and this ideal.

In this chapter, we first take issue with such a liberal conception of the common good. Still within the confines of the transcendental institutionalism breathed by economics textbooks, we rehearse the claim, already made by others (e.g., Hardin 1968), that this conception falls short in trying to seek ways to produce common pool goods (or to avoid common bads). While some authors have, in response, delineated a third mode of governance (besides 'state' and 'market') as 'community', pointing to the need for recurrent interactions and face-to-face societies, in the rest of the paper we explore solutions that go beyond a rational, choice-based, institutionalist theory (e.g., Ostrom 1990). We argue that Michael Sandel's 'civic approach' to the common good as essentially a product of public deliberation, reflection and negotiation, may be quite helpful on this point. The focus of governance shifts, here, from Kaufmann's public authority to *commoning* (Fournier 2013), to the discursive encounters where we define, contest, and redefine who we are in relation to others, and how we engage with them in common ventures.

We argue our case by taking a closer look at the experimental literature on social dilemmas, which demonstrates well to what extent individuals ostensibly deviate from their self-interest in an attempt to do what we interpret as seeking social recognition.

In a final step, we argue about the importance of recognising commoning as a new field of public action—in line with what Vijayendra Rao called the *reflective paradigm for policy-making*, a family of policies that focuses on the institutional processes at work, rather than on the realised outcomes, in improving the quality of life. The complication is that, in situations of unequal terms of recognition, public action may be experienced as *inaction* by marginalised groups, even if these actions ostensibly validate the common good.

## 1. Common Goods in Economics Textbooks

Economics textbooks generally start with the assumption that ‘in the beginning there were markets’.<sup>2</sup> In other words, they consider all goods *by default* as goods that lend themselves to buying and selling by self-interested individuals through market transactions; others types of goods are then distinguished as special cases compared to this default. This is so because it can be proven that under a number of (quite stringent) conditions, transacting goods through the market leads to the most efficient allocation of resources, in the sense that, after all transactions have taken place, no party would be able to improve herself without any cost to another party. Such an optimal allocation first of all depends however on the conditions under which a market functions, and it depends on some particular characteristics of the goods themselves: What makes goods particularly apt for being marketed is that there is rivalry in consumption (the shoes I wear cannot be worn by you) and that they are excludable (it is relatively easy to exclude people refusing to pay for them from using them). The criteria of rivalry and excludability then lead to the definition of three other types of goods, besides market goods:

Table 1. Types of goods.

		Excludability of non-payers?	
		Yes	No
Rivalry in consumption?	Yes	Private goods	Common (pool) goods
	No	Club or toll goods	Public goods

*Public goods*, which are non-excludable and non-rivalrous: a national defence system for instance is non-rivalrous because the fact that I am protected does not necessarily imply that my neighbours cannot be

<sup>2</sup> In actual fact, the expression was literally coined by Oliver Williamson (1975), who argued his theory of the firm in terms of a (new kind of) market failure. See also Gindis and Hodgson (2007, p. 378) for Williamson’s justification of this.

protected from the same army. It is also non-excludable as there is no automatic exclusion of my neighbour from protection if he does not want to pay and freeride. Given this non-excludability, private providers would be reluctant to produce the goods. Indeed, non-excludability doesn't go well with market transactions. We would need a state to constrain people to pay taxes, which can then be invested in public goods.

*Club goods or toll goods*, which are non-rivalrous, but excludable: private providers would be able to provide them, given their excludability. Sports clubs, highways or trains do fulfil these criteria. Though, in practice, states can also organise such goods.

*Common (pool) goods* are perhaps the most intriguing category, being rivalrous goods, which are non-excludable: a fish stock in international waters is clearly rivalrous (my consumption of the fish would prevent you from consuming it) but also non-excludable. Beyond the domain of states, who would exclude people not wanting to pay for it?

This leads us to point to what we would call a missing mode of governance in the textbook economists' view of the world: self-interest can drive the allocation of market goods, government-backed constraint should come in to govern public goods, and club or toll goods can best be governed by either markets or states, but how could we possibly prevent common bads like over-fishing? The textbook answer is: we can't. This is exactly what the *tragedy of the commons* is all about: 'Freedom in a commons brings ruin to all' (Hardin 1968, p. 1244). To an extent, it is possible to deal with common goods by finding a way to solve the problem of excludability, e.g., by organising fishing licenses, but such solutions are far from perfect. In one way or another, the category of common goods (or bads) pushes us out of a worldview that tries to represent the world as populated by self-interested individuals and governed by either markets or states. Where would the necessary *self-restraint* come from if it cannot be explained by self-interest, nor by the external constraint provided by an institute embodying the 'legitimate monopoly on the use of violence', Max Weber's classic definition of the state?

## 2. There Is Such a Thing as Society

Before continuing, note that we constructed ‘textbook economics’ as a strawman here. Textbooks, notwithstanding some widely recognised deficiencies, may still retain a pedagogical value and our strawman can still keep up appearances as a textbook, even in a world that is markedly different from the way in which it is represented in a course of economics. The problem starts however whenever someone confuses the world and its representation. When Margaret Thatcher stated that ‘there is no such thing as society’—in her eyes, there were just ‘market’ and ‘state’—we think she did exactly commit this error.

Yujiro Hayami and Yoshihisa Godo (2005) call the missing mode of governance ‘community’, which they describe as repeated interactions between people who can monitor each other’s actions. These are the conditions that (sometimes) can do the trick of aligning individual self-interest and collective interest through the enforcement of social norms: contrary to legal norms, social norms do not need to be backed up by professional norm-enforcers if all community members would be ready to punish free-riders. In these conditions, free-riding might be rewarding in the short run, though in the long run the prospect of being excluded from further transactions would tilt the balance towards the negative. Likewise, punishing free-riders may imply a short-term cost, but in light of the prospect of repeated interactions, such punishment may eventually become rewarding.

Hence, ‘community’ may in effect provide for a governance mechanism to solve a number of common (pool) goods problems, and it would do so without having to leave the textbook world of self-interested individuals. But we are far here from finding a solution to, for example, the problem of over-fishing in international waters: indeed, Hayami and Godo instead focus on collective action problems at the local level of say, a rural village, where both the conditions of repeated interactions and the ability to monitor each other are fulfilled. What about the more challenging common good problems that do not fall within the boundaries of local, face-to-face communities?<sup>3</sup>

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<sup>3</sup> Some have argued that ‘community’ has perhaps only reached macro-level proportions in Western Europe, due to a Christian heritage that promoted a generalised morality ‘in which abstract principles or rules of conduct are considered equally applicable to a vast range of social relations beyond the narrow circle of personal acquaintances’ (Platteau 1994, p. 770).

Well, empirically speaking, Hardin's prediction of a tragedy has in any case been refuted. In a review paper published twenty-two years after Hardin's publication, the authors conclude that 'a diversity of societies in the past and present have independently devised, maintained, or adapted communal arrangements to manage common-property resources. Their persistence is not an historical accident; these arrangements build on knowledge of the resource and cultural norms that have evolved and been tested over time' (Feeny et al. 1990, p. 13). In the same year, Elinor Ostrom publishes her 'governing the commons' book (Ostrom 1990), which tries to find some patterns in the multiplicity of working arrangements people have devised so as not to have to live the tragedy of the commons or worse, to depend on less efficient forms of governance such as the market or the state. As documented also in her later work, these arrangements can take different forms (varying from self-organised units, to government or private arrangements) and they can be situated at different levels and in different institutional ecologies (Ostrom 2007). What also transpires from this work is that '[e]vidence from field and experimental research thus challenges the basic underlying model of individual behavior used in neoclassical economics, public choice theory, and game theory. In some settings, individuals do contribute to public goods, do restrict their use of a resource, and do trust one another contrary to theoretical predictions' (2007, p. 255). It is not that this empirical work leads to an alternative theory, capable of predicting that common goods problems will invariably be solved, yet the evidence is sufficiently robust to reject the prediction of an invariable tragedy—also at levels and for cases very different from the local, face-to-face societies studied by Hayami and Godo.

### 3. Ultimatum Game Experiments

While Ostrom eloquently identifies this gap between empirically observed arrangements and the textbook assumption of individual self-interest, she also argues that the literature on game experiments may help us in exploring the unresolved puzzle of the micro foundations of common pool resources. Indeed, this literature allows us to build an argument that, at least on some occasions, at least some people's behaviour cannot fully be described by simply referring to self-interest



(Ostrom 2007, p. 255). In the Ultimatum Game, for example (Güth et al. 1982) one player (the Proposer, P) receives a fixed amount of money that s/he has to distribute between him- or herself and another player (the Respondent, R). R can accept or reject and when s/he rejects both players will not receive anything.

Experimental results, played among anonymous players, typically show that *average* offers are around 30–40% of the available amount and the *modal* offer by Ps is typically half of the available amount of money. At the same time, most offers of less than 20% are rejected by R (Camerer and Thaler 1995). These results are also valid when the amount of money to be distributed is increased, from \$10 to \$100 (Hoffman et al. 1996). Note that the Ps were able to *anticipate* the occurrence of punishment: perceiving that others would not hesitate to resort to ‘punishment’ (by refusing the offer), they already changed their behaviour before being punished. We can still understand Ps as rational actors, optimising their interests given what they believe, yet unlike in the world of textbook economics, they believe that many Rs will not behave rationally: they are ready to punish free-riders even at an individual cost to themselves.

But why wouldn’t Rs indeed opt to get at least something out of the experimental setting, instead of refusing the proposal because it would be too inequitable? The experiments have in any case been set up in such a way that they do not have any material interest in punishing inequitable proposals. And neither does anyone oblige them to do this. Yet they do. And while this experimental game setting looks quite extraordinary, think of some everyday examples where people spontaneously engage in enforcement of a social norm, even at a cost to themselves. Doing this, they attempt (or propose) to reproduce a particular social ordering, not just at the micro-level but at the macro-level as well: in democracies, for example, people exert the effort to vote, at a known cost but with an unknown (and often insecure) benefit (Etzioni 2015).

Further refinements allow us to gain a better understanding of the ‘inequity’ that moves Rs to refuse a proposal: it is not really the unequal outcome as such that moves Rs to reject P’s offer, since Rs do not systematically reject all unequal proposals. Indeed, Rs do readily accept highly unequal allocations when they know that P could not do otherwise (Falk et al. 2003) or when they play against a computer, for instance (Blount 1995). What seems to be at stake is something

deeper than the material cost: it is not the matter that matters, but recognition, one's social position or one's relationship vis-a-vis others.<sup>4</sup> We are apparently much less reluctant to be dominated by 'chance and circumstances' (as Karl Marx argued), than to be dominated by others. Likewise, 'the nature of things does not madden us, only ill will does', said Rousseau (quoted in Berlin, 1958). Applied to the setting of an Ultimatum Game, purely self-interested action by P would crucially carry the implication that P would not fulfil his or her *relational obligation* towards R. We borrow this concept from Waheed Hussain's (2018) definition of the common good as 'those facilities—whether material, cultural, or institutional—that the members of a community provide to all members in order to fulfil a relational obligation they all have, to care for certain interests that they have in common'.

We go along however with Fournier's (2016) argument that those material, cultural or institutional facilities are themselves already the outcome of '*commoning* as organizing in common' (2016, p. 438). Likewise, for Michael Sandel (2020, p. 421) the common good 'requires deliberating with our fellow citizens about how to bring about a just and good society, one that cultivates civic virtue and enables us to reason together about the purposes worthy of our political community'.<sup>5</sup> While Hussain's definition focuses on the facilities, Sandel's definition focuses on the process or the activity of commoning on which these facilities are based.

Commoning would crucially hinge both on how different parties understand their relational obligations towards each other, and on what Mario Luis Small called *cognitive empathy*, 'the ability to understand another person's predicament as they understand it' (cited in Vijayendra Rao 2019, p. 187). Ultimatum Game situations appear to exemplify what exactly is at stake here: P's behaviour is crucially determined by cognitive empathy in figuring out what they stand to do to respect their relational obligation towards Rs. Lacking this empathy, they would offer a very unequal deal, which would subsequently risk being rejected by R. It is empathy that allows P to take into account the impact of his/her actions on 'the relationality of individuals; the political, social and cultural contexts within which they operate; and

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4 For further discussion of this, see De Herdt and D'Exelle (2009).

5 See also Sen (2009) on rationality and public reasoning.

the impact of these processes on power differences, inequality and poverty' (Rao 2019, p. 186).

This mechanism apparently even works in a 'minimal institutional situation' (Ostrom 2007) where individuals don't know each other and where they can neither communicate with each other, nor influence each other in other ways.

To be sure, while empathy may make the difference in arriving at a settlement that can be agreed at by both players, and while this feature explains why *most* UG experiments do result in a cooperative outcome, the tragedy of the commons cannot always be ruled out. Contra Hardin, freedom in the commons doesn't bring ruin to all, but nor does it bring success to all. Perhaps the most important lesson to draw from these experiments is that what exactly a 'relational obligation' means in the (ultra-primitive) context of an Ultimatum Game is far from a universal given.

To begin with, Henrich et al. (2006) report on what they describe as cultural differences in playing UGs in different institutional contexts. In all 'cultures', one can observe the same dynamics, with proposers making a more equal proposal for distribution whenever responders have the possibility to reject, but at the same time, it can be observed that in some cultures, responders will be more lenient in tolerating inequality, or to the contrary adhere more strictly to the 50/50 distribution, and where proposers can follow suit in outguessing the reactions to their moves.

Even more intriguingly, small variations in Ultimatum Game experiments also show how easy it is to modify the experimental outcomes, just by changing the narrative introducing an experiment (Hoffman and Spitzer 1985, Larrick and Blount 1997). Even simply replacing the word 'opponent' with 'partner' in the experimental instructions can make a significant difference in increasing the cooperative outcome (Hoffman et al. 2000). Interestingly, in terms of the structure of incentives, the Ultimatum Game, with its focus on allocation between ego and alter, is also structurally equivalent to some versions of the 'social dilemma' experiments published in the field of social psychology. In the latter, the probability of an equal outcome is far higher as it focuses not on 'an amount of money' but on 'a common resource' or a 'joint product', the proceeds of which have to be distributed (Larrick and Blount 1997).

The high sensitivity of UG-outcomes to the precise way in which the game has been framed by a particular discourse informs us about 'how

the mind works in real players' (Hoffman et al. 2000, p. 6). Incentive structures do undoubtedly co-determine the final outcome, but they do so only partly: the other part of the explanation is provided by how players see themselves in relation to each other while defining their entitlements and moving into action. However poorly defined the institutional context of Ultimatum Game experiments, real players' behaviour takes place in a discursive context that drives the results as much as the material stakes.

Of course, the 'minimal institutional context' in which most Ultimatum Game experiments have been carried out is also quite unrepresentative of the socio-economic world in which we are operating most of the time, even if they are increasingly carried out not in a lab but in concrete field settings, e.g., with Colombian peasants (Cardenas and Carpenter 2008) or Nicaraguan women's groups (D'Exelle and Holvoet 2011). But in everyday socio-economic interactions, people can, and do, talk and reflect together. It is a world of cooperative conflicts.

#### 4. Entanglement in Cooperative Conflicts

Interestingly, the UG experiments show how difficult it is to 'extract' the role of self-interest as such as an explanation of human behaviour, independently from its discursive context, *and vice-versa*, even if the experimental variations of the UG succeed quite well in showing the role played by both. There is always such a thing as society, and in this sense, 'in the beginning was the market' is simply an economic chimera. But at the same time, there is also always such a thing as an individual, articulating her self-interest in a particular social context.

The UG is perhaps the most primitive version of such situations of what Amartya Sen called 'cooperative conflict' (Sen 1987), where parties have partly conflicting interests, but also common interests in the sense that they have much to gain from cooperation. In his analysis of gender inequality, Sen argued for analysing household dynamics not just (i) in function of the ability parties have to opt out or exit from a particular relationship (an ability that is also captured by the bargaining models of (household) decision-making), but also (ii) in function of the perceptions they have about the interest they have in cooperating, and (iii) of their perception of the contributions they make to cooperation.

Elements (ii) and (iii) are evidently highly influenced by cultural practices and discourses.

Sen himself did not extend this analysis beyond the institution of the household, though Drèze and Sen (1989, p. 48) argued that ‘There *are* many advantages to be gained by different people from cooperation and collaboration, and yet there are also elements of clash and divergence of interests. Such coexistence of cooperation and conflict is endemic in social relations’. Others, too, explored the pros and cons of such an extension more in detail (Gore 1993; Leach et al. 1999; Devereux 2001). Crucially, to the extent that people’s entitlements are entangled in cooperative conflicts with others, these entitlements become as much a *source* of people’s capabilities as a *function* of their doings and beings. What’s more, they also become as much a source of *other* people’s doings and beings, as other people’s doings and beings are a source of theirs. Taking this observation seriously would inevitably tilt entitlement analysis out of the ordinary textbook economics world where individuals are stand-alone bearers of state-backed rights and where individuals’ capabilities can be used as a basis to judge their quality of life, as if no such thing as society existed.

It is probably not a coincidence that Sen developed his ‘extended entitlement analysis’ at the level of the household only, it allowed him to keep on working with a methodological individualist framework right up to the doorstep of the household and to restrict the complexities of entangled entitlements at the household level. But if people’s involvement in the arrangements that allow them to access particular resources and services is usually a deeply *collective* endeavour, and if their entitlements most often have a social dimension—either because of joint involvement in a productive venture or because of collective access to a valued resource—people’s *individual* entitlements to the proceeds of such a productive venture or people’s *individual* access to a valued resource will depend on the way in which these ventures or resources are regulated, and in this, *others’* agency plays a role at least as important as one’s own. In this respect, it may be useful to compare Sen’s conception of (different kinds of individual) freedom with the way in which the German sociologist Georg Simmel conceived of freedom:

Freedom is not a solipsist being but a sociological doing, not a state in which an individual finds himself in but a relatedness, however freely

engaged in from the perspective of the individual [...] Within our relationships, freedom shows itself as a continuous process of liberation (Simmel 1908, p. 57).

Up to a point, the arguments of Sen and Simmel are not incompatible, in that the former focuses on the final result, whereas the latter concentrates on the process leading to this result. Even if, ultimately, it is individual freedom we care about, we need to trace this freedom back to the 'process of liberation' that produces it, since the interdependence intrinsic in this process also implies that much depends on how actors *perceive* themselves as entangled with others' predicaments.

## 5. A Discursive Layer of Inequality

One intriguing consequence of Drèze and Sen's view that cooperative conflicts are an endemic feature of social relations is that we need to evaluate relative or absolute advantage at two levels: one level is the 'deal one gets', the allocation of a resource or distributional outcome of a particular (partly joint) venture. The other level has to do with participation at the discursive level, with a more or less unequal 'ability to question, challenge, propose and ultimately usher in new ways of doing things' (Bebbington 1999, p. 2034).

Whereas there may be different arguments to justify unequal distribution in the first layer, one of the normative axes underlying the persistence of inequalities in commoning is a deficit concerning what Nancy Fraser calls 'the norm of parity of participation' (Fraser 2011, p. 50). Such an imbalance is inevitably accompanied by a lack of *intersubjective recognition of each person's particularity* (Honneth 2013, p. 31). When an *intersubjective obligation* (Honneth 2013, p. 85) is difficult to observe in the course of social interaction, consideration of the vulnerability of the other, of his or her existential difficulties and the public problems that result from them, is almost obliterated. We find ourselves here at the heart of social justice issues as formulated by Nancy Fraser.

But equality in participation at the discursive level is not only *intrinsically* important, it may also be *instrumentally* important to discuss and rethink arrangements that result in inequality in the first layer, the layer of resource distribution. The ability to use voice is of particular importance in ushering in a change in the way in which individuals

gain access to resources or in the rules or arrangements they make in dividing the surplus of a joint venture among themselves, especially in circumstances where the structure of incentives points in a different direction.

This being said, 'exerting voice' is evidently a characteristic of a relationship; it cannot be attributed to an individual, as it supposes an ability to be heard by someone else. Voice is to be understood here as a necessary complement to *exit* and *loyalty*, two other ways of characterising an interaction between different subjects, as developed by Hirschman (1976). In a symmetrical relationship, A as well as B are as free to conform to (loyalty) or contest (voice) the other's expectations. They can also withdraw from the relationship (exit). Conversely, people in marginalised positions may *lack* 'voice' to express their views and get results skewed to their own welfare in the political debates that surround wealth and welfare' (Appadurai 2004, p. 63). Appadurai suggests that, because poor people lack voice, the relations they entertain with others oscillate between loyalty and exit:

Poor people have a deeply ambivalent relationship to the dominant norms of the societies in which they live. Even when they are not obviously hostile to these norms, they often show forms of irony, distance and cynicism about these norms. This sense of irony, which allows the poor to maintain some dignity in the worst conditions of oppression and inequality, is one side of their involvement in the dominant cultural norms. The other side is compliance, not mere surface compliance but fairly deep moral attachment to norms and beliefs that directly support their own degradation. Thus, many untouchables in India comply with the degrading exclusionary rules and practices of caste because they subscribe in some way to the larger order of norms and metaphysical propositions which dictate their compliance: these include ideas about fate, rebirth, caste duty and sacred social hierarchies. (Appadurai 2004, p. 65).

The upshot is that these two layers of inequality do not necessarily converge. It may be materially rewarding for poor people to go along with a downgrading discourse of the rich, a tactic Geoff Wood (2003, p. 468) has dubbed a *Faustian bargain*. Appadurai points in the same way to strategies of poor people to 'optimize the terms of trade between recognition and redistribution in their immediate, local lives. Their ideas about such optimization may not be perfect, but do we have

better optima to offer to them?’ (2004, p. 65). Asking the question is responding to it.

## 6. Commoning, Recognition and Public (In)Action

Thus, textbook economics generally propose an ideal architecture of market and state governance that ultimately builds on the assumption of individual self-interest, but such a framework cannot account for solutions to common goods or common bads. However, in the beginning, there were not markets, but social bonds: people relating to each other in a multiplicity of cooperative conflicts. Our ability to reason and organise collectively considerably enriches the institutional landscape, way beyond the textbook economics dichotomy of markets based on voluntary exchange and states based, ultimately, on the monopoly of violence. The way in which people can engage in ‘commoning’, i.e., jointly reflect on and conceive situations of cooperative conflict, can make an important difference, not only because such parity in participation is intrinsically important, but it is also instrumental in attaining more cooperative outcomes, even in situations where individual interests remain important. If commoning is the name for this third mode of governance, commoning is exactly what we need to seek solutions to common goods and bads.

By way of conclusion, we would like to discuss two other policy implications of our argument.

First, Drèze and Sen rightly point out that ‘public action should not be confused with state action only. Various social and political organizations have typically played a part in actions that go beyond atomistic individual initiatives, and the domain of public action does include many non-state activities’ (1989, pp. 18–19). This broad organisational set-up, sometimes also referred to as a policy network (Diemel and Cuvelier 2015, McConnell and ‘t Hart 2019), is often justified in terms of more efficient delivery of goods and services, but it may also carry the risk of hollowing out the public ability to exert effective voice, as argued by Rhodes (2007) for the case of the UK. Mbembe (1999) likewise coins the concept of indirect private government to describe the privatisation of public policy, such as security and public administration. Indirect private government may not only highlight the capacity of



networks and lobbies to appropriate the state, it is also accompanied by a *gradual dismantling of public power* (Mbembe 1999, p. 103) and, by extension, of its capacity for social regulation. To the extent that a state does not necessarily guarantee parity in participation, however, this argument lacks a foundation. To be sure, however more efficient such arrangements might be for particular groups of citizens, this efficiency may also be partly paid by delimiting the space for commoning, the ability ‘to reason together about the purposes worthy of our political community’ (Sandel 2020, p. 428). Everything depends on who defines what ‘efficiency’ means in particular contexts.

Second, the governance of public action is confronted with a double problem when it does not get around the problem of unequal recognition and social justice. Indeed, in settings where people or groups of people face widely adverse terms of recognition, public action at the same time risks becoming a source of discriminatory public governance and public *inaction* with respect to the most disadvantaged. Since the latter are given little consideration in group interactions, a discrepancy is often observed between their lived experiences and the frameworks that sustain the definition of public problems and the organisation of public action (Lavigne Delville 2017, p. 51). This is all the more the case for common goods, whose successful provision hinges on the delineation of boundary rules ‘which determine who and what is in and out of a provision organization’ (Ostrom 2007, p. 248).

To illustrate (Samnick 2020), the Cameroonian police officer (or, for that matter, the American police officers targeted by the BLM movement) who captures an innocent street-child for a crime he or she did not commit, knows very well that such an arrest will be welcomed both by his or her hierarchy and by society, due to a judgment that is a priori in vogue, according to which most street-children are first and foremost criminals. The capture or imprisonment of such a child will be perceived by society as a repressive public action against crime, while the policeman will only know in his soul and conscience that the child is just a scapegoat that allows him to hide his public inaction in relation to real criminals. Even the street-child himself may go along with the police officer’s judgment in a Faustian bargain, hoping that, at a later point in time, and out of the public eye, they will eventually be able to negotiate a quicker way out. Public action is ostensibly complete, but

only at the price of public inaction from the perspective of those groups facing adverse terms of recognition.

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