Commons
Network

DIGITAL COMMONS
Collective Ownership

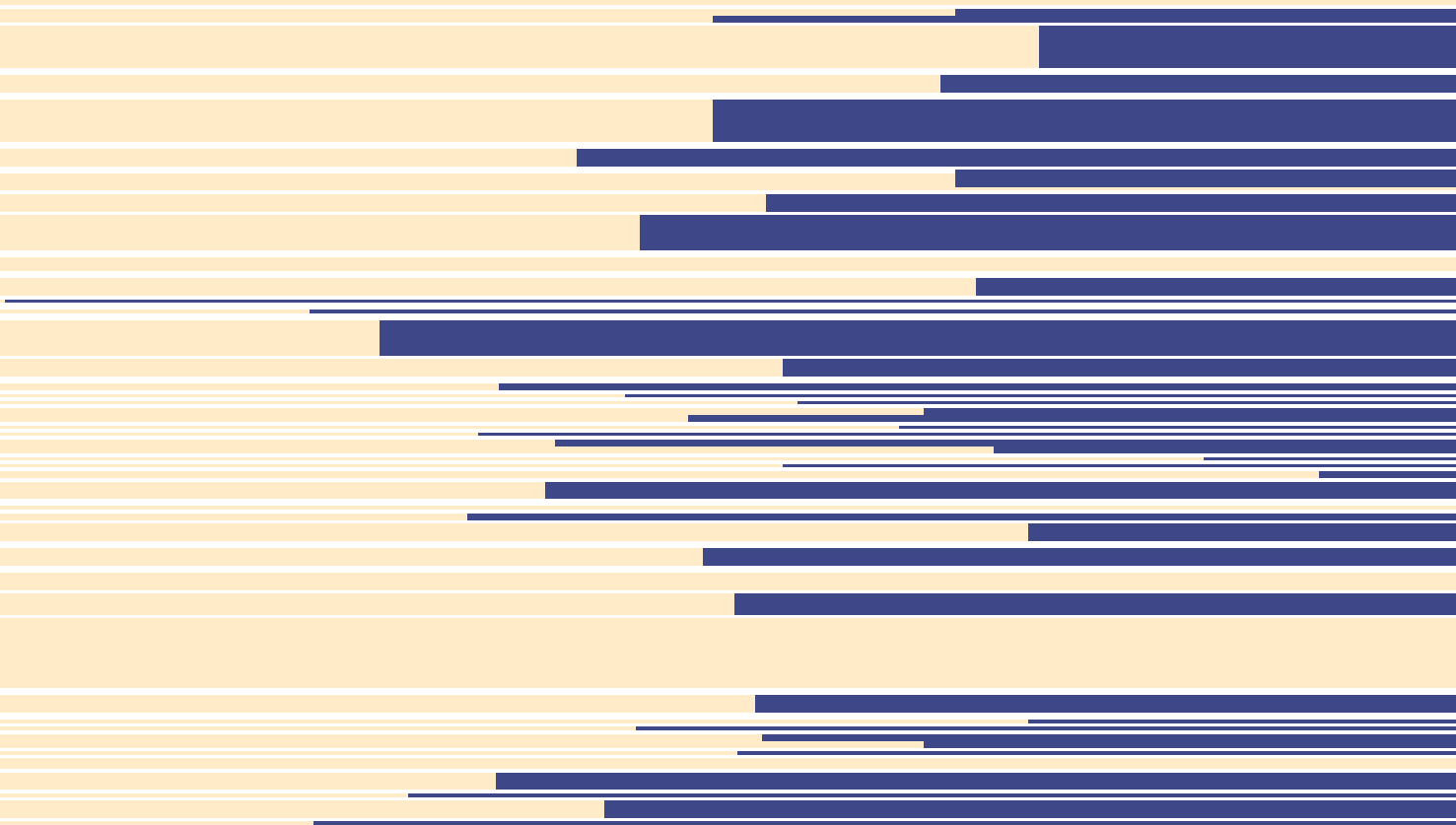**Commons Network**

Explainer #2

This document is the second one in a series of accessible Explainers about the Digital Commons. The Explainers series is part of our Digital Commons Transition Collaboratory, where we are building an active community of engaged experts, public officials and practitioners and explore a shared understanding of the Digital Commons and the role of government. Want to join the community? Sign up for the mailing list at digitalcommons@commonsnetwork.org and you will receive our monthly Digital Commons newsletter with updates about what happens in the Transition Collaboratory, events and announcements, and upcoming Explainers and other knowledge resources.

Collective Ownership

One of the key building blocks of Digital Commons is Collective Ownership. Collective Ownership is a direct counterpart to the Private Ownership that currently dominates the digital domain and an important addition to Public Ownership by governments.

Collective Ownership takes different forms. In some cases, there is a clear boundary to the collective of 'owners', as in the case of platform cooperatives. In other cases, that boundary is more diffuse, as in open source projects. In this sense, the concept of 'ownership' takes on a broader meaning than we are used to in today's economy. The line between those who own a certain technology legally (if any) and larger groups of involved developers, users or other stakeholders, blurs. It is one of the main reasons why, when talking about Digital Commons, the terms stewardship and steward are added to the vocabulary and used alongside the terms ownership and owner.

Digital resources and technologies have an important property that enables diffuse boundaries of 'the collective': they are infinitely copyable and reusable, at least in theory. A digital resource does not 'run out' and therefore user rights can be flexibly applied as more stewards and users enter collective circles. This is a crucial difference from physical resources such as water or energy.
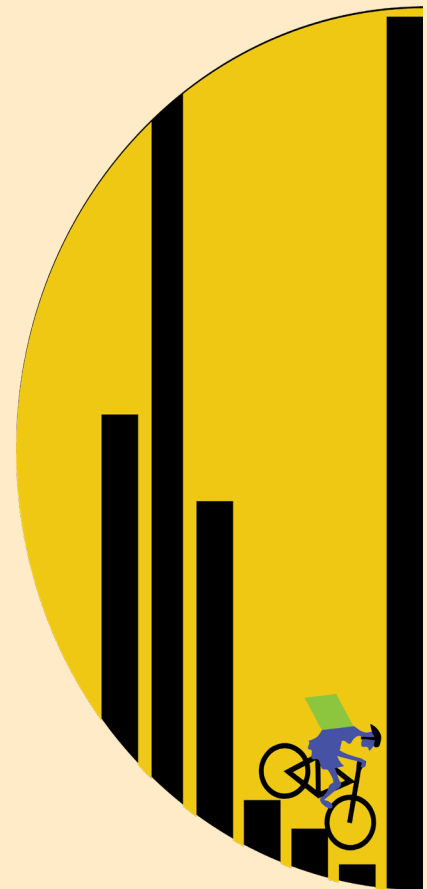
Example

Consul Democracy: Open source and open borders

Consul Democracy is a project developed by the Madrid municipality in 2015 and currently driven by the Consul Democracy Foundation. The project revolves around an open source software and platform that municipalities, national governments and other authorities can 'copy' and use for digital citizen participation. There are emphatically no legal owners of the software, individually or collectively. Instead, the international GNU Affero General Public License Version 3 stipulates that modifications of the Consul Democracy software must also be made publicly available and carry the same licence. This set-up has led to the software being copied and adapted more than 1100 times, sometimes with major modifications and also new steward and user communities. The successful Decidim is the best example of this.

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Collective vs. Public Stewardship

Collective Stewardship is different from Public Stewardship of digital resources. We define Collective Stewardship simply as stewardship by groups of citizens or organisations, while Public Stewardship refers mainly to government. Digital Commons often arise from society itself, from the 'bottom up'. This creates a distinction between their collective interests and the 'public interest', although in practice these can overlap. Digital Commons sometimes serve a local or specific collective interest, as in the case of a local drivers' cooperative or a data commons for a particular patient group, but they can also serve a broader public interest, as in the case of Wikipedia.

The concept of collective ownership or collective 'stewardship' raises the question: owner or steward of what exactly? Many ideas for Digital Commons focus on the application layer of the Internet 'stack'. Can we design social media networks that are more distributed? Can we develop transparent technologies that make digital life less dependent on the big platforms? Yet the focus can - and should - also been on the lower layers of the stack, on the data, identity and supporting software layers of the ecosystem.

> Read our work on this ecosystem in our work on Generative Interoperability

It is up to citizens and public organisations to decide which digital technologies are better suited to either Public or Collective forms of governance, or a mix of them. Nevertheless, it can generally be said that the 'the lower the layer of the stack', the more a role for government seems obvious. Consider, for instance, the development and management of technologies that can be widely deployed to facilitate various Digital Commons, such as payment systems, federated protocols or user authentication mechanisms. While, today, this kind of 'public digital infrastructure' is mostly privately owned, there are an increasing number of Digital Commons that are developing collectively stewarded alternatives, such as IRMA or Matrix.

Example

DigiD: Moving from Public Ownership to Collective Stewardship?

DigiD is the standard identification and authentication mechanism in data exchange with the government via the internet. DigiD allows Dutch citizens to log in to the websites of municipalities, the UWV, the Social Insurance Bank and the Tax and Customs Administration, among others. The public ict agency Logius, which is accountable to the Minister of the Interior, develops and manages the technology and its source code. DigiD was launched in 2003 and was fully publicly owned for 20 years. In January 2023, for the sake of government transparency, the source code of the DigiD software was made public, albeit as a 'read-only' file, not (yet) as a collaborative development project with Collective Stewardship. The licence used is the European EUPL licence that allows the use, reproduction, modification and distribution of the original source code.

Societal Potential

The dissemination and reuse of digital technologies and source codes, enabled by open user and stewardship models, have enormous societal and economic potential. Private Ownership models are often at odds wit these broader benefits. As long as the development of the vast majority of communication technologies is driven by private investment, the resulting services and solutions will always be optimised to generate a financial return for their funder-owners.

Legally, strict intellectual property, in the form of copyright licences, trademarks and patents, ensures that potential stakeholders and beneficiaries are excluded from use and co-stewardship.

A common argument in favour of the protection of intellectual property and Private Property is that people will not care to innovate if everyone can simply see and use a certain innovation. Digital Commons reverse that logic: innovation is only possible when knowledge and technologies are shared. The traditional logic, on closer examination, is not about innovation, but about the ability of a private party to generate a financial return from an innovation; the reversed commons perspective talks about innovation in a broad social and economic sense.

Collective ownership or stewardship, in its numerous forms, makes it possible to optimise digital technologies for purposes other than generating profit or increasing shareholder value, like inclusion, transparency and democratic control, but also economic justice and innovation.

Example

X: When shareholder value trumps societal value

Twitter's 'open API' was known as the one of the most valuable in the world, as it provided a backdoor into the privately owned platform that allowed for the use and archiving of twitter data for various economic and social purposes, albeit restricted by Twitter's terms of use. While far from being a Digital Commons, non-profits were using the API and 'open data' to automatically tweet about the likelihood of severe weather or climate disasters in their regions, businesses used the API to provided services that Twitter itself did not provide, such as mass deletion of tweets, and language and communication scientists studied the interactions and behaviour of Twitter users for their research. Not long after the acquisition by Elon Musk at the end of 2022, access to the API was "monetised" and the platform replaced free access for high-priced access (up to $42,000 for a year of enterprise-level access). As a result, many people and organizations had to cease their Twitter-related activities.

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https://www.commonsnetwork.org

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