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Vincent Ostrom’s Revolutionary Science of Association [post-print]

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Response to Reviewers: I have made all of the corrections noted in the reviewer’s letter and revised the manuscript exactly as he suggested.
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Vincent Ostrom’s revolutionary science of association

Abstract: Vincent Ostrom challenged epistemic choices at the foundation of modern political science and proposed an alternative conceptualization of democracy based on a theory of federalism he derived from The Federalist and Tocqueville’s Democracy in America. This essay examines Vincent Ostrom’s critique of contemporary mainstream political theorizing, relates his original theoretical work to the empirical research Elinor Ostrom, other colleagues, and he conducted, advised, or sponsored at The Workshop in Political Theory and Policy Analysis Indiana University, and concludes that “Ostrom’s democratic alternative” constitutes an alternative scientific paradigm as defined by Thomas Kuhn. The paper concludes with a comment on the continuing relevance of Ostrom’s critique in the post-9/11 era.

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1. Introduction

Tolerating great gaps between theory and practice implies that we have so
distanced ourselves from reality that we are no longer informed observers of
human society (V. Ostrom 2008b, p. 178).

Beginning at least as early as 1961 and repeatedly until the end of his career as a scholar,
Vincent Ostrom challenged what he called “the intellectual mainstream” in American public
[1994], 1997; V. Ostrom, Tiebout, and Warren 1961).² This essay evaluates the proposition that
Vincent Ostrom was more than an engaged critic, that his political theorizing and the research it
informs comprise a revolutionary alternative to the mainstream in political science and policy
analysis. I proceed by addressing two questions. What are the bases for differentiating Vincent
Ostrom’s theorizing and the research informed by his theorizing from the intellectual mainstream
of political and public administration theory? To what extent do these differences substantiate
Ostrom’s claim that the art and science of association he proposes constitutes a paradigm
challenge to the intellectual mainstream?

I address these questions in three parts. Section 2 describes Ostrom’s normative aim, the
logic behind his critique, and their influence on his writing. Section 3 evaluates the assertion that
the body of research associated with The Workshop in Political Theory and Policy Analysis
Indiana University³ (co-founded and led for many years by Vincent and Elinor Ostrom,

¹ He also found common cause with other critics of the mainstream. Vincent Ostrom was a founding delegate to the
April 1963 “no name” conference in Charlottesville and served as Society President (1967-69), a duty also fulfilled
by Elinor Ostrom (1982-84).
² To distinguish the authorship of Vincent or Elinor Ostrom, parenthetical citations include the first initial.
References in the text employ first and last names, except where the context clearly implies the author’s identity.
³ The Workshop was renamed The Vincent and Elinor Ostrom Workshop in Political Theory and Policy Analysis in
honor of its founding co-directors. The author holds a Ph.D. in political science from Indiana University and was a
hereinafter referred to as The Workshop) meets the definitional conditions of an alternative scientific paradigm. Section 4 further evaluates the central proposition by differentiating Ostrom’s epistemic and theoretical commitments from the intellectual mainstream. The essay concludes with a few comments on the continuing relevance of Ostrom’s critique to political theory and policy analysis in the post-9/11 era.

2. Vincent Ostrom as a political theorist and critic of the intellectual mainstream

Reflecting on the obvious shortcomings of urban, race relations, and environmental policy in 1971, Vincent Ostrom offered a suggestion. “Perhaps this is an occasion that we should entertain an outlandish hypothesis: that our teachings contain much bad medicine” (V. Ostrom 2008b, p. 4). He thereupon attributes the hypothesized “bad medicine” to a disciplinary mainstream then calling for evermore consolidation of public authority, rationally organized in systems of centralized bureaucratic administration (ibid.). Ostrom’s logic is elegant, parsimonious, and persuasive. Laws, policies, and public institutions are artifacts made by humans (V. Ostrom 1980). No artifact can violate the laws of nature and serve its intended purpose (ibid.). Political experiments that rely on unwarranted premises are likely to generate counter-intentional outcomes (V. Ostrom 1994, 2008b, 2012 [1993]). Highly centralized policy designs rely for effect on three impossible conditions—omnicompetent public officials, omniscient legislators, and the perfection of a uniform and universal system of laws (V. Ostrom 2008b, 1997, 2011 [1999, 1975], pp. 339f., 2012 [1991], p. 286, 2012 [1994], pp. 323f.).

The logical refutation of monocentric theories of public administration indicates the larger aim of Workshop scholarship organized around articulating and testing propositions related to polycentric theories of social order. Vincent Ostrom aspired to replace contemporary student of Elinor Ostrom’s from 1994 to 1996. The author was not a student of Vincent Ostrom’s but acquired further interest in his work consequent to teaching courses on American political institutions.
“bad medicine” with a science of public affairs that would work as its artisans intend (V. Ostrom 2008b). From the 1971 lectures that comprise the core of The Intellectual Crisis in American Public Administration until the end of his career, Ostrom systematically criticized and urged reform of the first principles of mainstream American political science and public administration theory.  

He described the intellectual mainstream as a paradigm challenge “of Copernican proportions” to the premises of democratic self-government as the Framers understood it and as generations of Americans had practiced it; and he offered his own paradigmatic response modeled on Thomas Kuhn’s template for scientific change (V. Ostrom 1977, p. 1509, 2008b).

The critique is sweeping. In published and (previously) unpublished work spanning five decades, Ostrom (1994, pp. 211f.) details normative, metaphysical, ontological, epistemological, theoretical, and empirical problems with mainstream claims to knowledge of “the art and science of association.” He links some problems in the intellectual mainstream to difficulties of language and methodological limitations (V. Ostrom 1977, p. 1510, 1980); however, problems of language and methods are secondary to and in many ways explained by problematic epistemic choices made by mainstream analysts of politics, government, and administration (V. Ostrom 2008b). He further notes that such epistemic errors are discoverable (and presumably remediable) if scholars maintain the habit of thinking critically about the way they think about social reality (V. Ostrom 2012 [1991], 2012 [1993], 2008b).

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4 Barbara Allen’s commentary and a selection of essays and correspondence relating to Ostrom’s work with the Alaska statehood constitutional convention in Volume 1 of The Quest to Understand Human Affairs: Natural Resources Policy and Essays on Community and Collective Choice (2011) describe how he came to realize the continuing relevance of constitutional choice to contemporary problems in policy analysis. The essays in Volume 2 of The Quest to Understand Human Affairs: Essays on Collective, Constitutional and Epistemic Choice (2012) provide examples of the global reach of his efforts to understand the terms and conditions of political experiments wherever communities of people attempt to govern themselves.  

5 Ostrom uses the term “art and science of association” with direct acknowledgment of Tocqueville’s extended examination of what citizens in a self-governing society would have to know in order to constitute a self-governing society (1994, pp. 211f.). Ostrom (2008b, pp. 65f.) refers to “democratic administration” as the “rejected alternative” of mainstream scholarship that favors bureaucratic administration. I use “Ostrom’s democratic alternative” in Table 1 below to refer to the whole of his theory of democratic self-government in a limited constitutional republic. McGinnis (2011) delivers a succinct and well-organized summary of Workshop language.
3. **Thomas Kuhn and scientific paradigms**

Thomas Kuhn used the term “scientific paradigm” in three ways that apply to the evaluation of Vincent Ostrom’s critique and paradigm challenge. A scientific paradigm can refer to “a way of doing science” (Godfrey-Smith 2006, p. 77). It can refer to a successful experiment that is uniquely influential, an “exemplar” that solves an important puzzle or resolves a troubling anomaly (ibid.). Or, a scientific paradigm can refer to a shared network of commitments and implicit knowledge that define a community of scientists (Kuhn 1996, pp. 40-2). By all three definitions, Workshop scholars and investigators in their orbit work in an alternative to the mainstream paradigm of American political science.

3.1. **Different ways of doing social science**

Scientists engaged in different “ways of doing science” ask different questions and find the normative purposes of their work in different lines of inquiry (Kuhn 1996; Godfrey-Smith 2006; Luker 2008). Workshop scholars, informed by the presumption that social order is polycentric, envision communities of people associating with each other and with other communities of people, their affairs governed by long-lasting, rule-ordered arrangements called institutions (E. Ostrom 1990, 2005, 2009, 2010). “Different arrangements will lead to different results or consequences” summarizes the theoretical commitment to understanding the causes and effects of institutional diversity (V. Ostrom 2011 [1971], p. 180). Different lines of empirical investigation logically follow different theoretical commitments, thereby revealing the normative commitments of the investigators. Workshop scholars count trees, fish, water pumps, even lobsters to assess the performance of institutions.6

6 For examples, see Acheson (2003), Blomquist (1992), Gibson (1999), Gibson, McKean, and E. Ostrom (2000), and E. Ostrom (1990).
The mainstream of political science, informed by the presumption that beneficial social orders are monocentric, is fundamentally concerned with discovering and legitimizing the putatively beneficent and singular power residing in the people. The central question, posed by Robert Dahl, is “who governs?” According to Jeffrey Isaac (2014), Dahl defined the mainstream of American political science in the latter decades of the 20th century. As reported by Douglas Martin of The New York Times, James Fishkin assessed Dahl’s contributions to political science saying, “[Dahl] brought everybody back to the big picture, the big questions… What is the form of democracy that will live up to democratic aspirations?” The mainstream answer, so obvious as to seem self-evidently true, is that democratic legitimacy requires universal participation among broadly equal citizens in the central democratic act of voting for the primary officers of government (Dahl 2002). Robust, electorally based representative institutions form the core of contemporary democracies (Dahl 2002; Shapiro 2011). The normative commitment to counting voters (but not trees and lobsters) follows logically.

3.2. Scientific paradigms as uniquely successful experiments

The many honors and awards bestowed on Vincent and Elinor Ostrom recognize their roles in resolving several significant unsolved puzzles (anomalies) of interest to contemporary social scientists and their contributions to developing frameworks and theories that either did solve or promise to solve additional puzzles. As Elinor herself noted, the success of these investigations owed much to Vincent Ostrom’s theorizing and in turn contributed to the further

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7 The question appears in the title of Robert Dahl’s seminal study of city government (Dahl 1961).
8 Isaac is a former Dahl student and serves (2009 to present (2015)) as the Editor In Chief of Perspectives on Politics, a publication of the American Political Association.
10 For examples, see Campbell, Converse, Miller, and Stokes (1980), Green and Gerber (2004), and Nie, Verba, and Petrocik (1976).
development of theory of which he was also a contributor (E. Ostrom 2010). One set of notably successful Workshop-sponsored “experiments” illuminate the point.

In 1961, Vincent Ostrom and co-authors Charles Tiebout and Robert Warren proposed a theory of polycentric institutions for the organization of municipal services, thereby raising a rival to then-prevailing mainstream views favoring consolidated metropolitan government and setting the stage for empirical tests of monocentric versus polycentric systems. Soon enough, Elinor Ostrom and others undertook studies of metropolitan police departments and other urban service organizations, testing claims made in the 1961 article. These studies, informally known as “the police studies,” largely validated the feasibility of polycentric public service provision and delivery systems (McGinnis and E. Ostrom 2011). They also engendered methodological advances, as Workshop investigators developed techniques for measuring municipal services, evaluating their cost and quality, and assessing the factors that influence municipal outputs (E. Ostrom 1971; E. Ostrom and Parks 1973; E. Ostrom, Parks, and Whitaker 1974). Moreover, the police studies contributed to the development of the concepts “public service industry” and “public economy” leading to further theoretical advances.

In a co-authored essay first published in 1977, Vincent and Elinor Ostrom explain the relationship between the production and consumption attributes of certain goods and the organizational arrangements for providing and producing those goods.\(^{11}\) Jointly produced, jointly used, public goods had been described previously.\(^{12}\) The Ostroms (1994 [1977]) extended the application of the concept to the analysis of public service industries by locating “pure” public goods in a typology of goods organized according to production and use attributes.

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\(^{11}\) The essay was originally published in Savas (1977) and subsequently reprinted in Ostrom (1994).

\(^{12}\) The Ostroms acknowledge Aristotle for an early description of the problems of common use and Samuelson (1954), Buchanan (1970), and Olson (1965, 1969) for later contributions to describing public goods.
The Ostrom typology and the evidence supporting it resolved an anomaly of public administration theory by explaining what mainstream scholars could not. Mainstream theorists presumed that the consolidation of municipal governments would improve the efficiency of public service provision and production and yet, the most centralized city administrations provided the worst services, whereas fragmented, overlapping, and small jurisdictions offered better services at lower cost (V. Ostrom 2008b). Categorizing economic goods according to production and use attributes enables the analyst to conceptualize a polycentric public service economy capable of providing and producing complex packages of public, private, mixed, and co-produced public goods and services, a capability not theoretically possible according to conventional institutional approaches\(^{13}\) (V. Ostrom and E. Ostrom 1994 [1977]). By linking public economy and polycentric governance, the Ostroms constructed an empirically testable, deductive framework for matching the scale and scope of public goods and their effects to preferred organizational arrangements for service provision and production (V. Ostrom, Tiebout, and Warren 1961; McGinnis and E. Ostrom 2011). In short, by the mid-1970’s, Workshop scholars had produced warrantable explanations of organizational pathologies associated with the consolidation efforts of 20\(^{th}\) century urban reformers, a central element of the critique embedded in Vincent Ostrom’s “bad medicine” hypothesis. Moreover, the concept of the public economy represents a signal contribution to public choice theory. Workshop scholars documented the existence, feasibility, and potential for superior performance of public service industries that are neither entirely state-run nor market-driven thereby exposing the harmful dichotomy of markets-versus-states that [mis]informs much contemporary policy analysis (E. Ostrom 2010; Aligica and Boettke 2011).

\(^{13}\) Coase (1960, 1974) made a similar point about the state of the discipline in economics when he wrote of institutional arrangements for providing and producing public goods and “bads” (i.e., social costs).
4. The shared network of commitments and implicit knowledge

Kuhn also defines a scientific paradigm as a shared network (or constellation) of “conceptual, theoretical, instrumental, and methodological” commitments and implicit knowledge (Kuhn 1996, pp. 40-42, 181-186, quoted text from p. 42). He further defines implicit knowledge by offering examples, such as the shared understanding among scientists of what constitutes acceptable predictive accuracy (ibid. 185). Ostrom (2008b, 2012 [1991], pp. 253f.) follows Kuhn, characterizing theoretical commitments by the shared ontological and epistemic choices of scientists. Ostrom proceeds by the method of textual exegesis to establish a mainstream constellation of commitments and a further contrasting set of alternative commitments. Table 1 compares the differentiated networks of commitments that comprise the operational definitions of each “paradigm.”

Insert Table 1 about here...

4.1. (Quasi) metaphysical commitments: different realities, different politics

The claim of ultimate political reality is a matter of central importance to the study of politics for the obvious reason that politics is entirely socially constructed. Politics is what we make of it. If “[t]he history of all hitherto existing society is the history of class struggles” (Marx and Engels 1848) and if politics is “who gets what, when, and how” (Lasswell 1958) then we have expressed a commitment to one form of ultimate political reality. If scholars and practitioners construct politics as an exercise in power, conflict, strategy, manipulation, and the pursuit of basic (self) interests, they will succeed in that construction (Lasswell and Kaplan 1950; Schattschneider 1960; Riker 1986; Shapiro 2011). Alternatively, if scholars and practitioners embrace a covenantal social reality based on reciprocity, mutuality, and deliberation in a spirit of curious enquiry (Allen 2005), then the possibility of cooperation for mutual benefit
arises and it becomes feasible to construct politics as a collective effort to stabilize expectations concerning joint and non-joint strategies (E. Ostrom 1990, 2005; Aligica and Boettke 2009, 2011). The reader may presume that the latter option is hopelessly naïve. Possibly so as Vincent Ostrom (1980) concedes, but the point, taken from Hobbes, is that values are inescapable components of all political theorizing. We cannot answer the question of what politics is without also answering the question of what it is for.

4.2. The ontology of Hobbes: sovereignty and the unity of the commonwealth

Vincent Ostrom’s commentary on Hobbes’s theory of sovereignty and the unity of the commonwealth marks several points of departure from the mainstream. Ostrom (1980) concurs with Hobbes’s description of the commonwealth as a human artifact that contains its human “artificers” and with Hobbes’s formulation of the asymmetric power dynamic in the “rule, ruler, ruled” relationship necessary for a rule-ordered society. Ostrom (1980, 1994) begins the critique of Hobbesian analytics by noting the contradiction between a constitutionally limited government, which presumes that constitutions can bind the governors, and Hobbes’s conceptualization of the sovereign who is above the laws of the commonwealth by virtue of his monopoly over authority relationships and the instruments of force (the “sword”). Ostrom (1994, pp. 34-35) further notes that Hobbes’s state of nature does not account for the human capacity for language and learning used to develop a community of understanding that would oblige members of the community to abide by mutually agreed upon restraints. In short, covenantal reasoning enables communities of persons to construct a sovereign who is bound by human (not divine) law and so the capacity for self-governance is within the reach of human

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14 Buchanan (1975) explores the conceptual basis for politics arising from contractarian (i.e., economically rational) reasoning, showing that multiple pathways to cooperative social orders are conceptually feasible.

Scholars who dismiss federal structures as “paper pictures” and “exalt the representative body… to a position of absolute supremacy” (Wilson 1956, p. 203) construct the sovereign as a unitary power and so they construct “the internal structure of a commonwealth” along the same logical lines. According to Hobbes (whose formulation Wilson adopted), the unity of the commonwealth proceeds from the unity of power in the organization of its government (V. Ostrom 1994, p. 38). Ostrom (ibid.) continues, “Whenever we define a state as a monopoly of the legitimate exercise of force in a society, Hobbes’s attributes of sovereign authority necessarily apply as a manifestation of monopoly. Unity of power implies a monopoly of authority relationships in a society.”

If “the unity of power and of law are necessary to the peace and concord of commonwealths” (V. Ostrom 1994, p. 38) then, Wilson, Bagehot, and many others who follow their line of reasoning essentially accept Hobbes’s theory of sovereignty and presume that the unity of a commonwealth derives from a unitary organization of governmental authority rather than from the unity of the people being represented by a government. Political responsibility can be attained in their formulation only by having a single clearly visible authority who can be held accountable for political leadership. Diverse, overlapping political communities, they would argue, cannot hold a multitude of officials accountable. It is this conception that has led a major

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15 Concerning the importance of values and beliefs to effective constitutional limits on the power of governments, Ostrom and Buchanan appear in complete agreement. According to Buchanan (1975, p. 51), “Whether it is possible to constrain the powers of government… can never be proven empirically. It is at this point, however, that individuals’ attitudes toward reality seem more important than reality itself.”

16 The passage quoted is reproduced in V. Ostrom (2011 [1991], p. 280).
component of the American intellectual community in this century to rely upon

models of parliamentary government and bureaucratic administration as providing

the normative standards for reforming and restructuring government in the

American political system (V. Ostrom 2011 [1978], p. 280).

4.3. Ostrom’s epistemological critique: collective intentionality and

constitutional order

Vincent Ostrom’s (2008b) criticism of the command (attributed to Walter Bagehot and

Woodrow Wilson) to penetrate the “façade” of politics and by doing so to observe society
directly as a “living reality” is as trenchant as it is central to understanding his critique of the

intellectual mainstream (Aligica and Boettke 2011). In the first instance, human reality is

“plagued by counterintentional and counterintuitive relationships” (V. Ostrom 1994, p. 68), so

every collection of social facts requires interpretation, i.e., the informed application of the

observer’s skill and values (V. Ostrom 1980, 2012 [1991]). Direct, value-free observation of

society is impossible. All human artifacts, including governments, “require knowledgeable

experimenters who know what they are doing” and for the observer to understand the

experiment, he or she must have access to knowledge of the design principles employed by the

artisan (V. Ostrom 2012 [1991], p. 265). Using an electric generating station as his example,

Ostrom explains,

An observer taking Wilson’s advice and looking at the living reality of a power

plant generating electricity would not be likely to survive if he escaped from

theory and attached himself to facts… The operation of an electric utility always

occurs subject to the intelligent discharge of human artisanship… Such a utility

may, in turn, be linked to water systems, or other systems of relationships,
capable of generating and using electricity… Human societies, thus, are constituted by the simultaneous operation of diverse experiments variously linked to one another (2012 [1991], p. 265).

To evaluate the artisanship employed to construct “variously linked” governance institutions, one must acknowledge the intentions of the artisans and the terms and conditions of the political experiments undertaken to construct those institutions (V. Ostrom 1980; c.f., von Mises 2011 [1940]). Institutions are describable by the rule-ordered relationships they embody. Rules take form as sentences that achieve meaning in a commonly understood language.

Understanding the artisanship of institutional design requires resort to a philosophy of language which Ostrom finds in an essay by John Searle (1969).

Searle (1969, 1998) employs the term collective intentionality to explain the formation and evolution of language rules. Collective intentionality is the common knowledge that allows the speaker and listener to understand each other (ibid.). The progression of understanding eventuates in shared language rules that form the basis for the rule-ordered relationships we call institutions (V. Ostrom 1980, 2012 [1991]). The twinned presumptions that collective intentionality exists and that informed observers can describe the collective intentionality of a community of people by reference to the written and unwritten rules applicable to a specified social setting enable one to ascertain “institutional facts [that] can only be explained in terms of the constitutive rules which underlie them” (Searle 1969, p. 52). “[N]o institution can be fully understood without taking into account the ways in which the participants conceptualize the nature of their interaction” (McGinnis and E. Ostrom 2011, p. 20).

The requirement of first understanding constitutive rules to explain institutional facts reveals more fully the implications of Ostrom’s epistemological critique of the mainstream in
political science. We cannot observe the living reality of human society intelligibly without reference to the constitutive rules of the society we seek to observe. The commitment to explanation “in terms of the constitutive rules” differentiates The Workshop’s epistemic commitments from the mainstream. “[I]n order to have rule by assemblies, it is logically necessary to have a shared community of understanding and agreement about the rules for assembly and what it means to govern by assembly” (V. Ostrom 1994, p. 41, emphasis in the original).

4.4. The theoretical commitment: the open public realm, federalism, fallible citizen/artisans, and democratic maladies

Vincent Ostrom links democratic self-government to a theory of polycentric social order that presumes general conditions of constitutional liberty, i.e., the liberty of free people to form organizations to achieve collective aims in an open public realm. The open public realm is a three-part enterprise, comprised of voting, federalism, and citizen-artisans skilled in the art and science of association. Democracy conceptualized as an open public realm demands more of theory and of its citizens than the mainstream conceptualization of democracy as essentially electoral, a realm wherein ‘nearly universal suffrage and competitive and fair elections for most of the primary offices of government’ are sufficient for maintaining a self-governing polity (Huntington 1991-92; Dahl 2002; Shapiro 2011; Schumpeter 1942). Contested elections for most important public offices, or “dependence on the people… [as] the primary control on the government” is “no doubt” a requirement of democracy (The Federalist 51). Nonetheless, Ostrom rejects the notion of equating the practice of democracy to voting for elected representatives and/or ballot referendums.
To assert that the voice of the people is the voice of God is absurd. To assert that
democracy is majority rule is equally absurd (Ostrom 1994, p. 56).

Simple systems of majority rule run the risk that “the citizens of such a republic [will] relinquish
the means of governing themselves collectively to rulers who prostrate themselves before the
majority” (Allen 2005, p. 185) and “that the activities of government officials become reduced to
the provision of special privilege to narrow groups” (McGinnis and V. Ostrom 2012 [1999], p.
512).

The “neatly sequential process of representative democracy in which citizens express
their policy preferences by electing representatives who then write complex laws that have to be
interpreted by administrative agencies in the form of detailed regulations” inexorably erodes the
repositories of reciprocity, trust, and mutuality between citizens and public authorities and
among associations of citizens acting on their own initiatives that sustain self-governing societies
(V. Ostrom 1994, 2008a, 2008b, 2011 [1999], 2012 [1999], pp. 399-400; quoted passage from
McGinnis and E. Ostrom 2011, p. 21). When parliaments and bureaucracies or presidents acting
as unitary commanders-in-chief fail to deliver desired results, mainstream theorists presume that
someone or something has interfered with the perfect working of representative government.\textsuperscript{17}
Vincent Ostrom does not deny the implications for politics and policy of legacy institutions, bad
people, bad objects, and rhetorical manipulation, but he directs primary analytic attention to the
associational understandings of the people, policymakers, and the scholars who study them.

Ostrom (1994, 2008a) reminds readers that the logic of constitutional choice presented in The
Federalist demonstrates that inherited law, virtue and vice, named objects, and undesirable
properties of the human condition are things that a warrantable theory of self-government

\textsuperscript{17} Hacker and Pierson (2010) provide an engaging example of this mode of argument. Constitutional arrangements
subject to criticism include the Electoral College, Senate apportionment, and gerrymandering by state legislatures
(Dahl 2002). The body of related commentary is extensive.
accounts for. If we presume that such a theory is possible, the following statements must be true. If they are not true, then the possibility of democratic self-government is called into doubt. (1) Communities of people can select their constitutions by reflection and choice and are not always dependent on accident and force (The Federalist 1; V. Ostrom 2008a, p. 27). (2) If people were angels, no government would be necessary, but since they are not, governments are necessary (The Federalist 51; V. Ostrom 2008a, p. 65). (3) Properly specified federal arrangements create the potential for a government strong enough to serve the public’s purposes, yet also flexible enough to provide and produce complex packages of public goods and services (The Federalist 23; V. Ostrom 1994, 2008a, p. 67). (4) Constitutions are laws made by the people establishing the terms and conditions that bind the government (The Federalist 15, 41, 51; V. Ostrom 2008a, pp. 41f., 68). The theory of federalism, properly understood, accounts for the absence of virtue among office holders, has no inherent limit on its capacity to govern objects or reform present law, and relies for effect not on great abstractions but rather upon communities of people with the skills and the collective intentionality to establish and ordain just laws that achieve their intended aims (V. Ostrom 1994, 2008a).

Federal and polycentric institutional arrangements therefore comprise the necessary second component (after voting) of Ostrom’s open public realm, i.e., the self-governing polity, although not solely by the conventionally noted division of enumerated powers among branches of the national government and not with the additional formulation of the compound republic, understood as the divided or dual delegation of governing authority to the states and the national government (V. Ostrom 2008a). Divided and enumerated powers in a compound republic are necessary but not sufficient institutional arrangements (to sustain the open public realm). Federal and polycentric institutions must be constituted as “more than the instrumentalities of
government, narrowly construed” and moreover, “[t]his policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public” (emphasis added) (V. Ostrom 1994, pp. 208, 224; *The Federalist 51*).

Federal polycentric social orders do not emerge spontaneously. Their constitution requires citizens who engage in the conscious and conscientious practice of organizational artisanship (V. Ostrom 1980). For democratic self-governance to endure, citizens must be responsible governors of themselves who “take account of the interests of others” and they must have the “habits of heart and mind” (along with the knowledge and authority) to conduct their affairs in multi-organizational settings characterized by a culture of deliberation conducted in a spirit of curious enquiry and self-interest “properly understood” (V. Ostrom 1994, pp. 199-221; Allen 2005; McGinnis and V. Ostrom 2012 [1999], p. 515).

Vincent Ostrom’s diagnosis of the two great maladies that afflict democratic societies, tyranny of the majority and democratic despotism, reflects a synthesis of Madison’s ideas about federal theory and Tocqueville’s reflections on the influence of democratic ideas on the habits of heart and mind of citizens in a democracy. Tyranny of the majority implies a problem of constitutional design, a failure to achieve “a judicious modification and mixture of the FEDERAL PRINCIPLE” (quote from *The Federalist 51* emphasis in the original; V. Ostrom and Allen 2012 [1994], p. 491, McGinnis and V. Ostrom 2012 [1999]). Democratic despotism implies “a crisis of knowledge, skill, and moral responsibility” precipitated by “the failure of citizens to maintain the habits of heart and mind” that sustain the open public realm (McGinnis and V. Ostrom 2012 [1999], pp. 528, 516).
Vincent Ostrom’s (1980, 2012 [1991]) theoretical commitment rests ultimately on a model of humans as boundedly rational, fallible learners. The capacity for language enables humans to record and pass on what they learn from their mistakes (V. Ostrom 1997). Language may also be used to conceal mistakes or to deceive others about the nature of lessons learned (ibid.). The human capacity for error extends to committing fundamental epistemic errors, including three in particular that endanger American democracy: the fantasy of public servants as omniscient problem solvers, the delusion of omniscience in rulemaking, and the illusion of infinite wealth (V. Ostrom 1980, 1994, 1997, 2008b, 2012 [1991]).

Citizens present the fantasy of omnicompetence when they project upon a public official or government agency the superhuman capacity to solve all problems and so petition said agency or official “to be the sole agent and the only arbiter of [their] happiness; [that] provides for their security, foresees and supplies their necessities, facilitates their pleasures, manages their principal concerns, directs their industry, regulates the descent of property, and subdivides their inheritances: [all this]… to spare them all the care of thinking and all the trouble of living” (Tocqueville 1899 [1835, 1840]: Vol. 2, Part 4, Chap. 6). Delusional intimations of omniscience present themselves in the congressional practice of writing complex bills, measured in the hundreds or thousands of pages of original text to be implemented through thousands of additional pages of federal regulations, all presuming to achieve grand, morally unassailable outcomes by minutely accounting for countless contingencies predicted to occur across time and among immensely varied ecological, social, and cultural contexts (V. Ostrom 2012 [1999], p. 400).

The illusion of infinite wealth presents itself in the selection of statutory objectives, public obligations, and policy designs that ignore the condition of scarcity. When people pretend
that scarcity does not constrain their potential actions, they deny themselves objective means for
evaluating the terms and conditions of their political experiments (V. Ostrom 1997, pp. 79-80).

Zero tolerance, no child left behind, zero discharge, total information awareness, and other
absolute goals imply that any citizen who raises a question about the costs incurred in dollars,
wasted time, liberties lost, or incidental injustices imposed on innocent bystanders from
measures taken in support of some unassailable public purpose therefore supports morally odious
conduct such as bullying or drug abuse, substandard schools for disadvantaged children, water
pollution, terrorism, and a host of other social ailments. The presumption that some entity called
“the government” has unlimited resources for enforcing rules, for behavioral counseling, for
tutoring and remedial reading, for installing pollution control devices, and for myriad other
services is a manifestation of the illusion of infinite wealth which liberates voters and
policymakers from the obligation to consider tradeoffs among lesser evils or greater goods (V.
Ostrom 1994).

4.5. **Ostrom’s empirical critique: explaining (or not) counter-intentional outcomes**

Vincent Ostrom evaluates the empirical performance of political theory by relating policy
occupies the place that paradigm-indicated expectations do in normal scientific inquiry (von
Mises 2011 [1940]). Counter-intentional policy outcomes are equivalent to experimental
anomalies in the natural sciences. Political experiments that generate anomalous outcomes
signal the need for “critical reflection” on the “knowledgeable conduct” of the people conducting
the experiment (V. Ostrom 2012 [1993], p. 305).
Ostrom (2008b, pp. 54-5, 2012 [1994], p. 334) describes three types of counter-intentional outcomes, ambiguous (or no) effect at high cost, monopolization of public goods leading to the erosion of their value, and unequivocally counter-intentional results. Of the three, only the third, when the outcome is the reverse of what the experimenters intend at the time of the experiment, presents an unambiguous paradigm challenge. The first two outcome types provide opportunities to test alternate theories or to demonstrate more powerful explanations of social and political behavior. But they do not plainly and unequivocally contradict the premises of mainstream political theory and policy analysis. For example, Workshop studies of urban services provide warrantable explanations of why certain organizational arrangements deliver better or less expensive public services than others, but demonstrating that the configuration of metropolitan government matters does not unequivocally rule out “quality of central management” as an explanatory factor in the performance of urban service organizations.

The second type of counter-intentional outcome occurs when the value of public goods is eroded because organizational arrangements fail to manage incompatible uses or create opportunities for a single-user or a single class of users to dominate consumption of the good. Workshop and mainstream analytics offer competing explanations of use dominance of public goods. The typology of goods and the multi-organizational public service economy offer one set of premises for explaining use dominance (V. Ostrom and E. Ostrom (1994 [1977])); so too, do theories of economic regulation (Stigler 1971), cartels, i.e., “privileged groups” (Olson 1965), or the politics of organized interests (Salisbury 1992; Walker 1991). The over-determination of facts by theory means that this type of counter-intentional outcome cannot resolve a paradigm challenge because as Kuhn (1996, p. 199) notes,
Debates over theory-choice cannot be cast in a form that fully resembles logical or mathematical proof... That debate is about premises, and its recourse is to persuasion as a prelude to the possibility of proof.

The third type, unequivocally counter-intentional outcomes, unambiguously undermines prevailing political theory just as a well-designed, successful experiment falsifies the null hypothesis. The outcomes are plainly incompatible with prior beliefs. Vincent Ostrom (2012 [1986]) defines the type by recounting the political and economic consequences of the Bolshevik Revolution and the subsequent installation of Soviet-style governments throughout Eastern Europe. He quotes Milovan Djilas’s account,

Everything happened differently in the U.S.S.R. and other Communist countries from what the leaders—even such prominent ones as Lenin, Stalin, Trotsky, and Bukharin—anticipated. They expected the state would rapidly wither away, that democracy would be strengthened. *The reverse happened* (ibid. 227, emphasis added by Ostrom).

5. Conclusion: the continuing relevance of Vincent Ostrom’s critique

In the years after the terrorist attacks of September 11, 2001, presidents and congressional majorities of both parties acted as if “suddenly aware that ‘everything’ is connected, [and so] highly centralized responses to myriad problems seemed efficient, effective—and absolutely right” (B. Allen in the foreword to V. Ostrom 2008b, p. xii). Post 9/11, official Washington embraced a “new” policy style that looks very similar to the “old” policy style that prompted Vincent Ostrom’s original 1971 warning of bad medicine in the mainstream of public administration theory. Legislation aimed at a morally unassailable

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18 The quoted passage by Barbara Allen refers to policymakers in the middle decades of the 20th century who were motivated to consolidate municipal governments by a newfound awareness of the interconnections among environmental, education, and law enforcement problems.
purpose, measured in the hundreds or thousands of pages of original text, assigned to a single “accountable” authority, and implemented through thousands of additional pages of federal regulations presumes impossibilities of the human condition and ignores the counterintuitive properties of human affairs thus creating commensurate potentials for the realization of counter-intentional outcomes (V. Ostrom 2012 [1994], pp. 323f.). The USA Patriot Act, No Child Left Behind, Sarbanes-Oxley, the Homeland Security Act, the Intelligence Reform and Terrorism Prevention Act of 2004, the Patient Protection and Affordable Care Act, and the Dodd–Frank Wall Street Reform and Consumer Protection Act are familiar titles (Wikipedia.org 2013). The analyst who examines the contents and implementation scenarios of these laws might conclude that Ostrom’s warning of bad medicine remains relevant, even prescient, albeit unheeded. Presumptions of omnicompetence, omniscience, infinite wealth, and a perfectly realized, universal system of laws do not comprise a warrantable theory of politics and policy design (V. Ostrom 1994, 1997, 2008b). Proceeding as if they do almost certainly assures that great political experiments will generate great disappointments.

Vincent Ostrom and scholars in the intellectual mainstream converge obviously in their shared preference for limited constitutional government organized on democratic principles. They also share a value commitment to a society characterized by high levels of liberty and justice. Adherents of mainstream political theory believe the best way to achieve such a society is by establishing the governing arrangement commonly called a social welfare state, conceptualized as a neat process of representation and detailed rulemaking by professional administrators (V. Ostrom 2008b, 1994, 1997). Ostrom’s (2012 [1994]) critique offers reasons to suspect that the outcome of such an arrangement may be unequivocally counter-intentional to the hopes of its proponents. The reverse may happen!
Ian Shapiro (2011) describes a puzzling reversal of expectations with a query about why after decades of expanding voter participation among lower income voters, the United States pursues policies that promote regressive income redistribution. This author notes the concurrent nationalization and centralization of policymaking and the further fact, reported on April 1, 2014, by Tom Van Riper of Forbes, that six of the ten richest counties in America are now located in the Washington DC metropolitan region. In an article first posted on September 19, 2012, Washington Post reporters Carol Morello and Ted Mellnick quote William Frey, a demographer with the Brookings Institution. “When people make the argument that $250,000 is middle income, that’s way higher than most of the country regards as middle income. But here in Washington, your next-door neighbor has that kind of income.”

People in a federal republic are as vulnerable as Hobbes’s sovereign to human fallibility and to the natural punishments that follow erroneous judgments. So long as they are willing to struggle with one another, not to gain dominance and subdue others by force, but to increase understanding of what it means to live a life of covenantal relationships, they have the basis for the design and conduct of great social experiments. Those experiments, however, will certainly fail whenever people think of themselves as omniscient observers capable of functioning as omnicompetent overseers who know what represents the greatest good for the greatest number. This, human beings cannot know in a world plagued by counterintentional and counterintuitive relationships (V. Ostrom 1994, p. 68).

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Table 1: Differentiating the network of commitments

<table>
<thead>
<tr>
<th>Commitment</th>
<th>Intellectual mainstream</th>
<th>Ostrom’s democratic alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Quasi) Metaphysical</td>
<td>Politics is fundamentally about power. Interests motivate human social interactions.¹</td>
<td>Politics is about stabilizing shared expectations concerning joint and non-joint strategies.²</td>
</tr>
<tr>
<td>Ontological</td>
<td>Politics is comprised of strategies of dominance and manipulation to advance basic (self) interests.³</td>
<td>Politics includes the potential for strategies of cooperation to advance shared goals (i.e., public goods).⁴</td>
</tr>
<tr>
<td>Epistemological</td>
<td>Value-free observers can observe society directly as a &quot;living reality.&quot;⁵</td>
<td>Intelligible observation of society requires understanding the collective intentionality of the people or community being observed.⁶</td>
</tr>
<tr>
<td>Theoretical</td>
<td>Monocentric and hierarchical organization has beneficent effects on social order. Democracy obtains by holding those in power electorally accountable.⁷</td>
<td>Conditions of liberty and justice are achievable in an open public realm sustained by citizens who are conscientious and skillful artisans in the science of association.⁸</td>
</tr>
<tr>
<td>Empirical</td>
<td>Anomalous results demonstrate the need for stronger instruments of social control. Organizational advantage derives from more perfectly realized administrative measures.¹⁹</td>
<td>Anomalous results create opportunities for learning and the demand for new rules to stabilize expectations. Compliance is contingent. Organizational advantage derives from matching the scale and scope of public services to their public effects.¹⁰</td>
</tr>
</tbody>
</table>

¹ Shapiro (1996, p. 50), Lasswell and Kaplan (1950), Lasswell (1958)
⁴ V. Ostrom (1980, 1994)
⁵ Wilson (1956)
⁷ Wilson (1887), Schumpeter (1942), Dahl (2002), Shapiro (2011)
Author’s comments on the submission process

To the copy editor:

The online author information would allow me to enter only one institution name. I hold appointments at two institutions and would like to recognize both in my author information. For the record, they are Yale University and Trinity College. The title page submitted below provides further detail.

When I tried to adjust the footnotes (numbered in the text and lettered in the table) for the table, Word wanted to separate the Table title and column headings from the rest of the table. There is only one table. I hope this is a normal formatting issue that your editors will take care of. It is a Word table as requested in the submission guidelines. Other than that, I have no special requests.

The "attach files" feature required me to include an "attachment to manuscript" but offered no instructions indicating what content to include in the attachment. I will attach a copy of these comments to alert you to my uncertainty.

Best,

Mike