

## Alain Lipietz's Wisdom

French political thinker offers deep insights into commons and politics, markets and history.

By [David Bollier](#)

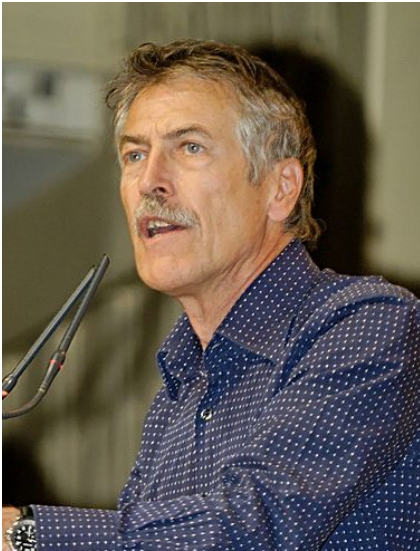


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I recently learned of a remarkable speech that [Alain Lipietz](#) — a French engineer, economist, politician, and a member of the French Green Party — gave at the World Social Forum in Belem, Brazil, on January 27, 2009.

Lipietz's speech was in French, but Jean-Pierre Laisne, a French free/libre/open source advocate and coordinator of [2020 FLOSS Roadmap](#), whom I recently met, graciously translated it into English. The effort, below, was well worthwhile. Lipietz offers some wonderfully insightful reflections on the nature of the commons.

I was especially excited by etymology of the word “commons.” Lipietz corrects the popular misunderstanding that the word “commons” is Anglo-Saxon in origin; he traces it to the Norman word *commun*, which itself has its roots in the Latin word *munus*, which artfully combines two meanings: “gift” and “duty.”

Lipietz's remarks were prompted in part by his reading of an anthology of essays about the commons (in Spanish), [Genos, bytes y emisiones: bienes comunes y ciudadanía](#), which was edited by my good friend Silke Helfrich and published by the Heinrich Böll Foundation in 2008. (For an English-language version of the essays, see [Who Owns the World?](#).)

Lipietz's remarks follow:

The book edited by Silke Helfrich is absolutely remarkable. Not only by the depth of theoretical syntheses, but also by the variety of examples, case studies of the commons: genetic, lakes, forests, electromagnetic spectrum, indigenous knowledge, atmosphere, computing technologies ... We clearly

see that this book is the result of the work of a network set up by Silke in her activity for the Heinrich Böll Foundation in Latin America. Although this network is not strictly speaking born in the Forum Social Mondial, it is a typical illustration and an example of what the FSM can achieve.

On my side, I organized a seminar in the European Parliament around the same subject, starting with the question: “Why are we fighting for free, non patent-ability of elements of algorithm in software, as we seek to defend the indigenous peoples against bio-piracy, pillage without compensation for their knowledge about biodiversity?” This book brilliantly illuminates this debate.

Let me start by saying all the good I think about it, then I will formulate few critics which I want to be constructive.

## **I. The commons, goods or social relationship.**

What lessons are to be learned from the many contributions to this book? Fundamentally, two lessons.

First, the commons are not things, but social relations. Or more accurately, the things to which the commons relate — whether material or immaterial, grazing areas or knowledge domains — are only very rarely *res nullius*, that is, goods that belong to nobody and therefore goods that are likely to be over-exploited and destroyed. Those commons that we know about, and which actually are not destroyed, have always been regulated — access and usage — by social relations: forms of property, forms of authority, customary rules. The article by the ecologist Garrett Hardin published in *Science* in 1968, which made the commons famous, “The Tragedy of the Commons,” is largely beside the point. What it describes — overgrazing of communal pastures — could happen, but certainly not because of a lack of usage rules. This does not preclude the possibility that some common resources could be exhausted because they are not regulated — like fisheries or the atmosphere’s ability to recycle greenhouse gas emissions. But in general, society’s awareness of this over-use bring about some form of regulation.

Second, these modes of regulation of commons are extremely diverse, primarily because they apply to very different resources (from most material goods to the most intangible) and because each resource can be managed in different ways. The commons are a realm of great diversity. Case studies and many chapters in “Genos, bytes y emisione” illustrate this diversity. Let us add that the authors, whose sympathy for the commons is obvious, do not hide that this mode of management of a resource is not under any circumstance, the best or most efficient, including compared to private property. Or at least they admit that commons-based regulation of a resource may require serious improvements.

## **II. The deeper etymology of “commons”**

But I am not here to advertise this book, though I consider him a real “textbook” for activists and students alike. I am here to make critical observations, i.e., to highlight weaknesses in order to move forward.

My first comment, my first annoyance, is the insistence, in most of the articles, that the commons is a word of English or Anglo-Saxon origins altogether! It is not English, but French — and more precisely, Norman. That is doubly important. When the Normans of William the Conqueror conquered England in 1066, they imposed an existing form of feudalism. They spoke in French of course, i.e. in a mixture of words of Latin origin and secondarily Germanic. In feudalism, the public goods or goods for public usage have two names, according to their owner: *commun*, which is the communal property of the peasants, and *banal*, which is the Lord’s property — mainly the mill, bread oven and forests. *Commun* is therefore a legal term of feudalism, and a term of Latin origin. [Editor’s note: All italicized words here are the original French.]

First, a word about its feudal character. If the peasants, whether serfs or free, own land in common —

besides the soil on which they are attached and the lord's land on which they must perform chores — such possession does not prevent them from having to share the fruit of their work with their lord, in the form of tax (the *taille*). The social relationship of *commun* is structured, determined and dominated by the feudal relationship. Feudalism, like capitalism, is a social organization, and as such, can never be reduced to one relationship. It is an articulation of many social relationships. Some of them may seem to us more “progressive” than others, yet they remain ancillary to a societal form of domination.

But the *commun* is certainly one of the most permanent, and potentially the most progressive, of all forms of social organization. Here we must invoke the Latin origin of the word. *Commun* comes from *munus*, which means both “gift” and “duty.” To receive a gift — a *munus* — is to be obliged to respond with a “counter-gift.” *Munus* is the nodal expression of what the great anthropologist [Karl Polanyi](#) called “reciprocity.”

According to Polanyi, there are three ways to socialize the work of human individuals: trade (I give to you for you to give to me); redistribution (the state collects from every one to give to everybody); and reciprocity: I give because I trust that when I need it, the society will give to me. From the word *munus* is evidently derived “*com mun*” ( “co” meaning “together”). This is the system of donations and duties that governs what the *com mun auté* (“com mun ity”) has in common. This community has usually a system of political leadership of its own: the *municipalit#8220municipality*). *Cipal* comes from the Latin word “caput,” meaning “chief” or “head.” This chief must act with “*\_mun\_ ificence*,” offering gifts for community assistance, festivals and monuments.

Karl Marx called *com mun* ism a mode of production, superior to socialism (“to each according to his work”), because it is governed by the rule “from each according to his ability, to each according to his needs.” From socialism to communism, we go essentially from redistribution to reciprocity. Marx was well aware that reciprocity was much older than the commercial exchange and the State (which indeed appear only after several millennium of the Neolithic revolution, in Sumer and on the Nile). He spoke about a primitive communism and dreamed of communism in abundance. We, we’re dealing with commons which as we have seen above, most often exist in a subordinated position and in articulation with political power e.g. feudal power, and with the market.

There was indeed a “tragedy of the commons,” but it was the opposite of Hardin’s story. Communal lands were extended by a clearing of European forests through the early fourteenth century. When the Black Plague occurred, Europe had no more reserve of land to exploit this way and latent famine was everywhere. The plague spread by feudal wars, destroying two-thirds of the European population. It took Europe two centuries to recover, and in this process, the forms of managing land changed. The agrarian revolution, the triennial rotation and fertilization of soils could not be satisfied with the customary rules of management that forbade de facto that a peasant may improve his field for future crops. It required very different management rules. In fact, it required property rights, or at least private ownership of lands. The richest farmers initiated the [Enclosure Movement](#) for their own benefit.

### **III. Political power and commons**

A second difficulty with this book is that it implicitly opposes or seeks to isolate the commons from the state and the market. That, unfortunately, is impossible in the complex whole that is any society. As we have just seen it, the common lands of the Middle Ages, managed as commons, were subordinated to an external political power, that of the lord. The same dynamic applies to a Saharan oasis managed as a commons; it, too, is embedded in the political power of a State, which itself may be dominated by a caste of warriors or merchant-caravans, etc.

More importantly, the regulation of a commons is often delegated to a “local state” such as a shaman, a cacique, a council of elders, a municipality, etc. The political powers governing the commons can be themselves extremely hierarchical. For example, the most basic and oldest community, the family, has

probably always been organized by patriarchal social relations: the *pater familias* holds power over women and children, the older women hold power over young stepdaughters, etc..

The inclusion of a commons in a larger society, under the authority of a political power of a larger scope, raises the obvious question, What belongs to the common good? In this book, the Amazon is implicitly considered a commons that belongs, in part, to indigenous peoples, who use its resources and biodiversity, and secondly, to all mankind, which uses the Amazon as a planetary commons that stabilizes the climate and provides a global pool of freshwater. And what of Brazil's claims to the Amazon?

When, on the eve of the "Earth Summit" in Rio (1992), I gave some lectures in Porto Alegre, I saw graffiti on the walls that read, "Amazona e nossa. Yankee for a !" ("The Amazon is ours, Yankee go home!"). The slogan was aimed at Hollywood stars who came to support indigenous peoples and saw the Amazon as a common good of humanity. I was indeed shocked that people of Rio Grande do Sul, mostly settled by Italian and German immigrants, claimed ownership over the Amazon, thousands of miles north! However, I do not agree with the settlers of the place called "Half Moon," in the Amazonian foothills of Bolivia, claim to own the rich hydrocarbon resources of the subsoil, and do not want to share revenues from it with the rest of Bolivia — even though these same settlers had exploited the ores of the Sierras — another common asset — only fifty years earlier.

At most one could say that the basement of the Half Moon belongs to the Guarani under Convention 169, but neither it, nor Articles 15 and 8-d of the Convention on Biodiversity, authorize exclusive access and use to them. The state is the gatekeeper and custodian, and is obliged to obtain the prior informed consent of the local community, if granted access, while sharing the profits with this community. Today this is called a "regime of ABS" (Access & Benefit Sharing). From the moment the state apparatus is created as a mechanism for redistribution, it is expected that revenues from the operation of a locally shared resource will be redistributed nationally. Similarly, moreover, it is normal that the state and the international community should take responsibility for part of the burden for maintaining a local commons of global interest.

#### **IV. Commons and market relations**

We have just seen that the rules of access, and the share of benefits and burdens that come with managing a common resource, may represent a "stack" of various community interests. The conflicts that may arise in allocating the respective benefits and burdens, will likely become more and more important in the 21st century. One way to describe this division of responsibilities is as revenue sharing, a way of articulating the management of the commons as a set of monetary relationships, and thus, implicitly, with trade relationships. But things are more complex.

First, monetary relationships are not necessarily the same as merchant exchange. A fine imposed for improper parking in a common urban space is not a business relationship! Nor is the "dot" on a son or daughter's forehead, as a matrimonial promise, a sale of a child or the buying of a husband or wife. (Yes, Jacob had to work a long time for Laban before he could marry his daughter Rachel, but this work reflects patriarchal relationships in that society, not merchant relationships.)

Reciprocity has a word for a monetary grant which rewards a duty ( *munus* ), which is expressed in the word re- *mun* -eration. Such payment is not a wage or a price, even if it looks like it.

Take, for example, the most directly political and bureaucratic management of the commons — the allocation of emissions quotas for greenhouse gas emissions, as part of our attempt to manage the atmosphere and its ability to recycle the greenhouse gases. In the EU, governments allocate these quotas to various industries. It can be done for free or quotas can be bought at auction, or at a flat rate that amounts to "eco-taxes." Then quotas can be traded, and those who made a particular effort to

reduce their pollution, may sell any excess emissions quotas to those who have not made that effort. Would we say that giving quotas based on actual, historic pollution levels — often known as the “grandfathering” of quotas — is more “community oriented” than the auctioning of quotas, which seems to commodify the atmosphere? On the contrary, the Green Members of the European Parliament consider the “grandfathering” of the pollution quotas as a true [enclosure of commons](#). They fight against the right-wing ideologues and production-obsessed governments for an increasing proportion of quotas to be auctioned. In this case, the purchase of quotas should be regarded as a fine for pollution, and the resale of quotas by those who have reduced their emissions, must be regarded as remuneration. [Editor’s note: This distinction, for example, has led Ecuador and Costa Rica to consider the carbon-absorbing functions of their forests as something deserving remuneration from western nations.]

## **Conclusion**

Those who love the commons and reciprocity rightly highlight the risks entailed by their necessary relationships with politics and the State, with money and the market. This caution should not lead them to isolate the commons from the rest of the world, however, or from the reign of the State and market. State and market are not cadavers which can be nailed into a coffin and thrown into the sea. For a very, very long time, they will continue to contaminate or threaten the reciprocal relationships that lie at the heart of the commons, with their cold logic. We can only try to reduce their importance. We must hope that reciprocal relationships will grow in importance with respect to relationships of exchange and of authority.

The Forum Social Mondial’s motto is “Another world is possible,” which is a phrase written by the French surrealist and communist poet [Paul Eluard](#). Do not forget the rest of the verse: “*Another world is possible / But it is within this one.*”

**Alain Lipietz, January 27, 2009.**

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