



From the struggles for land to the struggles for territory : steps toward a grammar of ecological conflicts

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From the Struggles for Land to the Struggles for Territory: *Steps Toward a Grammar of Ecological Conflicts*

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From the Struggles for Land to the Struggles for Territory:

Steps Toward a Grammar of Ecological Conflicts

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by

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**Des luttes pour la terre aux luttes
pour le territoire :**

**vers une grammaire des conflits
écologiques**

I dedicate this PhD thesis to Verenice Benítez

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General Introduction

This thesis begins with an “actual ecological fact”: the degradation of the material world that defines the current ecological crisis goes hand in hand with the proliferation of ecological conflicts. The degradation of the milieu we inhabit increases as more wealth is produced; the conflicts caused by this destruction multiply the more capitalism extends its power over the world. To paraphrase Marx's *Economic and Philosophic Manuscripts of 1844*, the conflicts which stem from the *devaluation* of the world are in direct proportion to the increasing value of the world of things¹.

1) Relocalising the Anthropocene

In recent times, this ecological crisis has taken the name of the “Anthropocene”. This term, proposed by Paul Crutzen in 2000, designates the entry in a new geological epoch. We have left the Holocene, the relatively warm period of the past 12 Millenia that followed the last period of glaciation (*i.e.*, the Pleistocene), and we have entered into a new geological epoch in which Mankind had become a new telluric force capable of profoundly disrupting the great equilibria of the Earth system². The air trapped in the polar ice shows unprecedented concentrations of CO₂ and CH₄ in the atmosphere, an unusual concentration caused by human activities and which, as most are aware, is responsible for the global warming. Humanity has not only provoked climate changes, but it has also contributed to the biodiversity loss. The extension of land surfaces that are exploited by humans to produce food, fuel and fibre, the clearing of tropical rainforests, overhunting and overfishing, the introduction of non-native species and the changing global climate warming itself, have all considerably contributed to the increase extinction of species to the point that some biologists speak about the start of a sixth mass extinction event for life on Earth³. Biogeochemical cycles (such as water, nitrogen phosphate, carbon cycles) have also been altered. For instance, through processes such as the Haber-Bosch process, the conversion of atmospheric nitrogen into

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- 1 MARX Karl, *Economic and Philosophic Manuscripts of 1844*, in ENGEL Friedrich, and MARX Karl, *Collected works: 1843-1844*, Translation Clemens Dutt, New York, International Publishers, 1975 [1844], p. 272
 - 2 CRUTZEN Paul J., and STOERMER, Eugene F., “The “Anthropocene” ”, IGBP, Global Change News Letter, n° 41, 2000, pp. 17-18; CRUTZEN Paul J., “Geology of mankind: the Anthropocene”, *Nature*, vol. 415, 3 january 2002, p. 23.
 - 3 BARNOSKY Anthony D., *et al.*, “Has the Earth’s sixth mass extinction already arrived?”, *Nature*, Vol. 471, 2011, pp. 51–57.

reactive nitrogen – ammonia (NH₃), Nitrous oxide (N₂O), oxides of nitrogen (NO_x)⁴ – used as fertilisers have caused a distortion of the nitrogen cycle. Released into the environment, these reactive forms of nitrogen pollute streams, rivers phreatic tables and coastal zones⁵.

It has been argued that the narrative of our infinite power over the earth (which is also our powerlessness⁶) is based on a problematic concept of humanity. Indeed, as the formulations used above suggest (humanity, man, mankind), most of the advocates of the Anthropocene qua concept attribute climate change (and other effects of the aforementioned demiurgic power) to the entire human species, *i.e.*, to a unified and homogeneous being which, having stood on its feet, mastered fire and steam, and embrace another abstract totality, the whole nature. This *anthropos* is obviously an abstraction whose unity has been so often called into question by human sciences, from Marxist concept of class struggles, Lévi-straussian anthropology, to feminism and Post-colonial studies⁷. In his aforementioned articles, Crutzen suggests that the Anthropocene is dated to the James Watt's refinement of the steam-engine, which liberated solar energy stocked in fossil fuels, releasing a colossal amount of carbon dioxide into the atmosphere that catapulted humanity into this new era. Yet, as noted by Andreas Malm and Alf Hornborg, the steam-engine was not adopted by all representatives of the whole of the human-species gathered into a world assembly, instead it was adopted and utilised by a small minority of people in the early 19th century, especially in Great Britain: the class of owners of the means of production. In other words, “Capitalists in a small corner of the Western world invested in steam, laying the foundation stone for the fossil economy: at no moment did the species vote for it either with feet or ballots, or march in mechanical unison, or exercise any sort of shared authority over its own destiny and that of the Earth System”⁸.

Moreover, it should be emphasised that the Anthropocene does not affect humanity as a whole. In other words, the consequences of the environmental crisis are not the same for everyone, with some people being more vulnerable to it than others. Among the numerous examples of the inequalities that different people face because of environmental warming, is the problem of the rising sea levels, which affect the coastal and deltaic regions, in particular the deltas of Ganges, of the Mekong and of the Nile more than others⁹. In the Nile Delta, a paradigmatic case, because sea

4 PINDER Robert W., DAVIDSON Eric A., GOODALE Christine L., GREAVES Tara L., HERRICK Jeffrey D., and LIUD Lingli, “Climate change impacts of US reactive nitrogen”, *PNAS*, vol. 109, n° 20, pp. 7671-7675.

5 ROCKSTRÖM Johan, *et al.*, “A safe operating space for humanity”, *Nature*, Vol.461, 2009, p. 474 ; LEWIS Simon L., and MASLIN Mark A., “Defining the Anthropocene”, *Nature*, Vol. 519, p. 172 ; BONNEUIL Christophe and FRESSOZ Jean Baptiste, *L'Événement Anthropocène. La Terre, l'Histoire et Nous*, Paris, Le Seuil, 2013., p. 22-23.

6 BONNEUIL Christophe and FRESSOZ Jean Baptiste, *L'Événement Anthropocène, op. cit.*, p. 11.

7 *Ibid.*, p. 82; see also TSING Anna Lowenhaupt, *The Mushroom at the End of the World. On the Possibility of Life in capitalist ruins*, Princeton and Oxford, Princeton University Press, 2015, p. 19.

8 MALM Andreas and HORNBORG Alf, “The geology of mankind? A critique of the Anthropocene narrative”, in *The Anthropocene Review*, Vol. 1 (1), 2014, p. 64. See also Viñuales Jorge E., “Law and the Anthropocene”, C-EENRG Working Papers, 2016-5, p. 31-36.

9 GEMENNE, François, *Géopolitique du climat. Négociations, stratégies, impacts*, Paris, Armand Collin, Perspectives

levels continue to rise, the hydraulic pressure of the Mediterranean is considerably increasing, the means that saltwater seeps into the ground (reaching around ten kilometres inland) with salt rising to the surface. This provokes an abnormal salinisation of the soil, making land become uncultivable¹⁰. In the 1990s, because of the land policies implemented by the neoliberal Mubarak regime, farmer tenants were evicted from their land on a mass scale and pushed to those areas most affected by salinisation. In addition, the only solution possible for those lands affected by salinisation so that they may once again be cultivated is to elevate the land above the rising saltwater table using sand and only a few can afford to buy the sand needed, the poorest farmers are thus becoming more and more proletarianised. In short, vulnerability to climatic change is unequally distributed. For that reason, some scholarship argues that the over simplistic global, uniform, and unified image of the Anthropocene has to be broken down and should be replaced by more localised notion that takes into consideration different social contexts¹¹. A cross-scaled approach like this needs to be privileged, one which takes in account the local, regional and global aspects of the Anthropocene and the interconnections between these different levels. For instance, the disruption of the nitrogen cycles causes pollution and eutrophication,¹² and it has an impact on food security; likewise, the acidification of oceans which results from carbon dioxide emissions have local effects, especially on local communities of southern countries that depend on fishing. Wildfires provide another example of the multi-scale aspects of the Anthropocene. Wildfires are “localised” but have both local and global impacts since they cause damage to biodiversity as well as human communities but they also release a great amount of greenhouses gas. It is this approach of “down-scaling the Anthropocene” which reveals conflicts such as these and how they result from anthropogenic agency (*l’agir anthropocénique*), *i.e.*, the decisions and actions which catapulted the Earth into the Anthropocene¹³.

From this point of view, fossil fuels occupy a central place since they are at the centre of all the processes we have briefly outlined. Indeed, oil and coal have not only been one of the most powerful agents of climate change but their extraction has also caused “local” ecological catastrophes, which has led to extreme social tensions. In other words, fossil fuels are at the centre of both global and local disasters, with social conflicts appearing at the local level.

Géopolitiques, 2015, p. 45.

10 MALM Andreas, and ESMAILIAN Shora, “Ways In and Out of Vulnerability to Climate Change: Abandoning the Mubarak Project in the Northern Nile Delta, Egypt”, *Antipode*, Vol. 45 No. 2, 2013, pp. 474–492

11 BIERMANN Frank, *et al.*, “Down to Earth: Contextualizing the Anthropocene”, *Global Environmental Change*, Vol. 39, July 2016, pp. 341–350.

12 Eutrophication is a process by which the nutrient enrichment (phosphorus and nitrogen) of a water body increases the production of organic matter causing the degradation of the ecosystem. CALLICOT Baird J., and FRODEMAN Robert (eds.), *Encyclopaedia of Environmental Ethics and Philosophy*, Farmington Hills, Macmillan Reference USA, Vol. I, 2009, p. 424.

13 BONNEUIL Christophe and FRESSOZ Jean Baptiste, *L’Évènement Anthropocène*, *op. cit.*, p. 224.

Regarding the global aspect, history of energy shows how fossil energies were central to the path which led us to the Anthropocene. Indeed, this history is in part one of the liberation of the carbon which had been stored in the ground for millions of years of years.

At the risk of oversimplification, this history begins with coal. Historians agree that the extraction of coal is one of the fundamental factors which enabled the economic take-off of European countries in the first half of the 19th century. The use of coal for steam engines allowed Western countries to “emancipate” themselves from the physical constraints imposed by organic economies, *i.e.*, economies in which raw materials and energy were drawn almost exclusively from the organic world (vegetable and animal products, human and animal muscles, wood fuel, etc.) all of which depended on a scarce resource, the fixed supply of land¹⁴. Whereas, in an organic economy, economic growth was handicapped by the limited amount of land surface, coal abolished these spatial limits, catapulting Great Britain to an economy of abundance. Indeed, the switch to coal “confers the further advantage that the rising input of raw materials into the production process, which in an organic economy always creates competition for the use of land, can be achieved from the mouth of a mine rather than from a cultivated field”¹⁵. For instance, the energy (the heat) produced by the coal extracted from the subsoil around 1820 was equivalent to the energy that would have been produced by 15,000,000 acres of woodland¹⁶. Therefore, it is as if coal, a source of energy which takes up little space due to the fact that it is located under the surface of the

14 “(...) such an economy was necessarily severely inhibited by its energy budget. Just as raw materials were almost all organic, both heat and mechanical energy were obtained from organic sources, the heat energy from burning wood (or its derivative charcoal); the mechanical energy from human or animal muscle. The latter in particular was a major influence limiting productivity, since many forms of production require mechanical energy on a large scale to perform the sequence of operations involved. The cultivation of the land or the working of metals are prime examples of this point. Productivity is necessarily low if human muscle alone is deployed to lift the spade or raise the hammer. Animal muscle may serve to raise productivity horizons where the horse or ox can be harnessed to the task, but the benefit, though substantial, is limited. Moreover, since animals need the same “fuel” as men they compete with men for the same scarce resource, fertile land. When, therefore, a mineral source, coal, began to supply more and more of the heat energy needed by industry, and later, following the development of an effective device of turning heat into mechanical energy in the form of the steam engine, also provided a solution to the problem of securing a virtually unlimited supply of such power, the prospects for growth both in aggregate output and in output per head were entirely transformed from those which had always previously obtained”. WRIGLEY Edward A., *Continuity, Chance and Change: The Character of the Industrial Revolution in England*, Cambridge, Cambridge University Press, 1990 [1988], pp. 5-6. See also *Ibid.*, pp. 17-33.

15 WRIGLEY Edward A., *Poverty, Progress, and Population*, Cambridge University Press, 2004, p. 65.

16 “Every ton of coal burned makes available about twice as much heat as the same weight of dry wood, and since an acre of woodland probably did not yield more than about 2 tons of dry wood a year on a sustained basis at the most, it follows that an annual production of say 1 million tons of coal provided as much heat as could have been obtained from 1 million acres of forested land. One way of picturing the effect of the beginnings of a capitalist element in the energy economy, therefore, is to imagine the cultivable area of the kingdom being increased by 15 million acres towards the end of George III's reign, compared with its area when Elizabeth ascended the throne”. WRIGLEY Edward A., *Continuity, Chance and Change: The Character of the Industrial Revolution in England*, *op. cit.*, pp. 54-55. See also POMERANZ Kenneth, *The Great Divergence. China, Europe, and the Making of the Modern World Economy*, Princeton and Oxford, Princeton University Press, The Princeton Economic History of the Western World, 2000, p. 59 and 276. POMERANZ Kenneth, “Political Economy and Ecology on the Eve of Industrialization: Europe, China, and the Global Conjuncture”, *The American Historical Review*, Vol. 107, n° 2, April 2002, p. 437.

soil added a great surface of virtual lands to the 17,000,000 acres of arable land¹⁷ that Great Britain had at its disposal. Therefore, “harnessing the stored energy of innumerable past millennia of insolation in the form of coal (...) places at the disposal of mankind vastly greater quantities of energy than can be secured when the annual quantum of energy is limited by the process of photosynthesis” and the land surface¹⁸. With coal, European economies switched from an organic economy to a “fossil economy”¹⁹. It should be noted that Pomeranz adds a second factor which enabled such an economic take-off, the colonial plantations of America which provided a vast surface of “ghost acres”²⁰. Thereby, Pomeranz recalls that the economic rise of Great Britain relied upon coercion, violence and imperialism²¹.

In brief, it can be said that the history of energy shows that the transition from an organic economy to an economy reliant on coal was followed by the transition to oil. While the modern petroleum industry began in 1860, from this date to 2010, half of the oil was consumed after 1980²². It was therefore only after World War II that the European energy system that was based on coal converted to oil²³. This transition was the result of particular political decisions. As demonstrated by Timothy Mitchell, this energetic choice was deliberately made by the United States after the Second World War in order to weaken the labour movement. From 1880 to the interwar decades, the coal miners of North America and Europe took advantage of the fact that these socio-technical worlds were built on coal. They used the energetic reliance on coal and labour’s role in its extraction as bargaining power in order to extend their rights, to obtain the fulfilment of their demands and to create political organisations and labour unions²⁴. Indeed, as we shall see, the “dendritic networks” of coal (“with branches at each end but a single main channel”) offered the possibility to the worker

17 POMERANZ Kenneth, *The Great Divergence*, op. cit., p. 275.

18 Wrigley, E., A., *Poverty, Progress, and Population*, Cambridge University Press, 2004, p. 65.

19 MALM Andreas, “The Origins of Fossil Capital : From Water to Steam in the British Cotton Industry”, *Historical Materialism*, 21, 1, 2013, pp. 15-68.

20 POMERANZ Kenneth, *The Great Divergence*, op. cit., p. 275. In his book, Kenneth Pomeranz borrows the expression “ghost acres” from Georg Borgstrom (*The Hungry Planet*) and Eric Jones (*The European Miracle. Environments, Economies, and Geopolitics in the Histories of Europe and Asia*) to designate the quantity of land that would have been needed to produce the equivalent of what have been obtained with the coal and the importation from the american colonies. See the footnote 26 written by the editors of the collection of Pomeranz' articles translated in French: MINARD, Philippe, “Du charbon et des plantations”, in POMERANZ Kenneth, *La Force de l'Empire. Révolution Industrielle et Ecologie, ou Pourquoi l'Angleterre a Fait Mieux que la Chine*, introduction by Philippe Minard, trans. Vincent Bourdeau, François Jarrige and Julien Vincent, Alfortville, Ed. Ere, coll. “Chercheurs d'ère”, 2009, p. 71, footnote 26. See also the Philippe Minard's postface to the translation in French of *The Great Divergence*: MINARD, Philippe, “Les hectares fantômes ou les vertus de l'histoire globale”, in POMERANZ Kenneth, *Une Grande Divergence. La Chine, l'Europe et la Construction de l'Economie Mondiale*, Trans. Nora Wang and Mathieu Arnoux, Postface by Philippe Minard, Paris, Albin Michel, Ed. Mais des Sciences de l'Homme, 2010, p. 498. See also POMERANZ Kenneth, “Beyond the East-West Binary: Resituating Development Paths in the Eighteenth Century World”, *The Journal of Asian Studies*, Vol. 61, No. 2, May, 2002, p. 579.

21 POMERANZ Kenneth, *The Great Divergence*, op. cit., pp. 284-285.

22 MITCHELL Timothy, *Carbon Democracy. Political Power in the Age of Oil*, London and New York, Verso, 2011, p. 6.

23 *Ibid.*, p. 29.

24 *Ibid.*, p. 26.

to cut off the flows of energy extracted from mines, giving them formidable political power²⁵. By contrast, oil travels along channels which follow a similar form to an electricity network, *i.e.*, networks “where there is more than one possible path and the flow of energy can switch to avoid blockages or overcome breakdowns”²⁶. Consequently, oil networks are less vulnerable to sabotages and strikes and workers have less control over them. Indeed, it was precisely those network properties of the socio-technical world of oil which led the architects of the European Recovery Program (the Marshall Plan) to encouraged Europe to follow the path of United States and to adopt an energy system increasingly dependent on oil. This history therefore consisted in what can be called the “petrolisation” of America and Europe, to use Christophe Bonneuil and Jean-Baptiste Fressoz term²⁷.

However, it must be said that while the petroleum economy did replace the coal economy to a certain extent, and the use of coal did decrease in relation to petroleum, in absolute terms, its consumption did continue to grow continually all along the 20th century; and so much coal was never burnt before today²⁸. In a word, the history of energy is not a history of transitions but a history of additions, of continuing to add on different energy sources to ones already in place (coal, oil, nuclear, etc.)²⁹. And, in many ways, it is these energetic choices, which placed coal and oil at the centre of our energetic system, that led us to ecological disaster. As Mitchell writes, we have unearthed immense “stores of buried solar energy”, “deposits of carbon laid down 150 to 350 million years ago, when peat bog forests and marine organisms decayed in a watery, oxygen-deficient environment that interrupted the normal process for returning carbon to the atmosphere as carbon dioxide”³⁰. Doing so, we liberated the energy of the sun which was buried on the ground with it a tremendous amounts of carbon dioxide.

Although the liberation of carbon dioxide into the atmosphere is a fundamental aspect of fossil fuel use, it is not the only aspect that causes ecological disaster. Their extraction also causes environmental disasters which can hardly be qualified as “local” given the extent of the damage generated by this activity. To put things bluntly, places of extraction are the local reflection of the aforementioned global destruction. In the places ravaged by global capitalism, human misery and environmental disasters are entangled. It is there that we find what Anna Tsing calls the “ruins of capitalism”, those blasted landscapes that are exclusively dedicated to asset production, where capitalism removes people from their “life world” and treats them as “mobile assets”, *i.e.*, resources

25 *Ibid.*, p. 38.

26 *Ibid.*, p. 38.

27 BONNEUIL Christophe and FRESSOZ Jean Baptiste, *L'Évènement Anthropocène*, *op. cit.*, p. 138.

28 *Ibid.*, p. 118.

29 *Ibid.*, p. 116, *sqq.*

30 MITCHELL Timothy, *Carbon Democracy*, *op. cit.*, p. 12.

that are extractible from their worlds and lives (or any form of attachment to other beings). That is, they are treated as if they were exchangeable with other assets located in distant places³¹. And yet, it is also at this “local” level that the myriad of ecological conflicts breaks out. Here, we argue that the global perspective on Anthropocene should be articulated with the problem of the continual expansion of extractive industries³².

2) A Myriad of Ecological Struggles

Struggles against extractive industries in Latin America illustrate the extent of the question. The very famous and paradigmatic case of Texaco is worth mentioning. Between 1967 and 1990, this North American company discharged around 16.8 million gallons of oil into the north Ecuadorian Amazon rainforest³³. Since 1989, the Trans-Ecuadorian Pipelines (SOTE) built in 1972 – through which oil flows from Nueva Loja (Lago Agrio) to Esmeraldas (pacific coast) crossing the Andes³⁴ – ruptured around thirty times, spilling gallons of oil and destroying plants and animal life for hundreds of miles³⁵. It is hard to qualify these spills as simple “accidents” given their number and their regularity. Moreover, this environmental disaster was not only due to a series of unintentional “repeated accidents” since, in order to reduce costs, the company deliberately discharged 19 billion gallons of “produced water” (also known as “oil field brine”) into open waste ponds instead of reinjecting the toxic wastewater into the ground at the subterranean level from which it was extracted, as protocols normally require³⁶. Indeed, crude oil comes out from the ground mixed with gas and these formations of water, which are very toxic and hot. Streams which receive discharges of produced water now support no aquatic life³⁷. Consequently, the crude oil has to be separated from the toxic brine, which contains hydrocarbon and heavy metals; and for that reason, should not be released into ponds, swamps or rivers, as Texaco did³⁸. Texaco is also responsible for the intense deforestation of the rainforest. It has been estimated that by 1989, 500 km of roads have

31 TSING Anna Lowenhaupt, *The Mushroom at the End of the World*, op. cit., p. 5-6.

32 For similar attempts to interpret the anthropocene from the perspective of extraction, see ULLOA Astrid, “Dinámicas ambientales y extractivas en el siglo XXI: ¿es la época del Antropoceno o del Capitaloceno en Latinoamérica?”, *Desacatos. Revista de Ciencias Sociales*, n° 54, 2017, pp. 58-73; SVAMPA Maristella, “El Antropoceno como diagnóstico y paradigma. Lecturas globales desde el Sur”, *Utopía y Praxis Latinoamericana*, vol. 24, núm. 84, 2019 (January-March), pp. 33-53.

33 KIMMERLING Judith, *Amazon Crude*, New York, Natural Resources Defense Council, 1991, p. 31

34 *Ibid.*, p. 43.

35 *Ibid.*, pp. 69-71.

36 *Ibid.*, p. 65; DAVIDOV Veronica, “Aguinda v. Texaco Inc.: Expanding Indigenous “Expertise” Beyond Ecoprimitivism”, *Journal of Legal Anthropology*, Vol. 1, n° 2, 2010, p. 121.

37 KIMMERLING Judith, *Amazon Crude*, op. cit., p. 67.

38 KIMMERLING Judith, “Indigenous peoples and the oil frontier in Amazonia: the case of Ecuador Chevron Texaco, and Aguinda V. Texaco”, New York University, *Journal of International Law and Politics*, Vol. 38, 2006, p. 450-452.

been built, most of them by Texaco, the colonisation all along these communication channels (which correspond to one million hectares colonised) entail the intense clearing of the rainforest³⁹. Apart from the dramatic impact on the health of the local population and on the natural resources which provided sustainable sources of food for them, violent encounters between company workers and indigenous people have resulted in several dead on both sides. These few examples show how vast the extent of the destruction is and thus gives an idea of how a “local” activity such as oil extraction can participate in the global crisis we use to call now the Anthropocene, especially from the point of view of biodiversity loss and deforestation.

As is often the case, local populations do not remain passive in the face of ecological devastation. On the 3rd of November 1993, indigenous (Kichwa and Secoya) and colonist settlers of the Napo and Sucumbios provinces filed a class-action lawsuit against Texaco (Aguinda v. Texaco) in the New York Federal Court for having been physically harmed by the pollution from the company's operation⁴⁰. The complaint named 74 plaintiffs but in fact it was estimated that the putative class (the group represented by the plaintiffs and which suffered from the harm done) consisted of 30, 000 people⁴¹. The class action followed on from intense activist campaigns and actions led in the late 1980s by colonists and indigenous who documented and publicised Texaco's wrongdoing in the Ecuadorian lowlands⁴². In 1989, with several indigenous organisations such as CONAIE (*Confederación de Nacionalidades Indígenas del Ecuador*) and CONFENIAE (*Confederación de Nacionalidades Indígenas de la Amazonía Ecuatoriana*), Acción Ecológica, one of the most important ecologist NGOs in Ecuador, launched the Amazonia for Life Campaign (*Campaña Amazonia por la Vida*) against oil extraction in Amazonia⁴³. From 1989 to 1993, various protests were organised, such as the occupation of the Plaza de la Independencia in the Historical Centre of Quito the 28 April of 1990 or the “funeral march”, which departed from the Parque del Arbolito and arrived at the Petroecuador offices (the former Ecuadorian State Petroleum Corporation that had formed a consortium with Texaco)⁴⁴, as well as the march of November 1992

39 KIMMERLING Judith, “Indigenous peoples and the oil frontier in Amazonia”, p. 460; KIMMERLING Judith, *Amazon Crude*, op. cit., p.75.

40 KIMMERLING Judith, “Indigenous peoples and the oil frontier in Amazonia”, p. 416; SAWYER Suzana, *Crude Chronicles. Indigenous Politics, Multinational Oil, and Neoliberalism in Ecuador*, Durham and London, Duke University Press, 2004, p. 84.

41 KIMMERLING Judith, “Indigenous peoples and the oil frontier in Amazonia”, p. 476.

42 SAWYER Suzana, “Fictions of Sovereignty: Of Prosthetic Petro-Capitalism, Neoliberal States, and Phantom-Like Citizens in Ecuador”, *Journal of Latin American Anthropology*, Vol. 6, n° 1, 2001, p. 166.

43 VAREA Anamaria, et al., *Ecologismo Ecuatorial. Conflictos socioambientales y movimiento ecologista en el Ecuador*, Quito, Abya-Yala, 1997, p. 157; SAWYER Suzana, “Fictions of Sovereignty”, p. 166; FONTAINE Guillaume and NÁRVAEZ Iván (eds.), *Yasuní en el siglo XXI: El Estado ecuatoriano y la conservación de la Amazonía*, Quito, Institut Français d'Etudes Andines, FIACSO Ecuador, Petrobras Ecuador, Wildlife Conservation Society, Centro Ecuatoriano de Derocho Ambiental, 2007, p. 61.

44 VAREA Anamaria, et al., *Ecologismo Ecuatorial*, op. cit., p. 158.

in Lago Agrio (Sucumbios)⁴⁵ and the occupation of Petroecuador's well by Cofan in Cuyabeno in November 1993⁴⁶. These actions were often repressed by the Ecuadorian State (who, according to the constitution owns the subsoil), as for instance in February 1993, when the army opened fire on hundreds of indigenous and colonists who protested in the street of Coca (Orellana province, North Ecuador), killing one of them⁴⁷. Therefore, the class-action of 1993 can be interpreted as the result of previous popular struggle led by an alliance between peoples immediately affected by the company's operations, indigenous organisations and environmentalist NGOs. In response to the class-action lawsuit, Texaco argued that the operations in the oilfield had not been carried out by the parent company but by Texaco Petroleum Company, a fourth-tier subsidiary legally based in Ecuador⁴⁸. In other words, the strategy employed by the parent company (Texaco) was to distance itself from the activities of this “subsidiary-of-a-subsidiary-of-a-subsidiary-of-a-subsidiary” (to use Sawyer's expression⁴⁹) in the lowlands of Ecuador. The case was dismissed for a first time in November 1996 by the judge Rakoff on the grounds of “*forum non conveniens*”, a legal doctrine which allows a court to dismiss an action which is not appropriate to the present forum (the court) and should be heard in a more appropriate one⁵⁰. In concrete terms, the judge argued that the case did not belong in a United States' court room but should be heard in an Ecuadorian court. In 2001, the case of Aguinda was dismissed a second time by the same judge with the same argument⁵¹. After this failure, the plaintiffs filed a new lawsuit, this time in Lago Agrio (2003). They finally obtained a victory in 2011, when the Ecuadorian Court condemned Chevron (which had bought Texaco in 1991) to pay 19 billion dollars for the damages caused by its operations in the Ecuadorian Amazonia, a judgement which is still contested by the company⁵².

The case of Texaco is emblematic both of the extent to which environmental disasters have affected peoples of the North Ecuadorian Amazon and of the historical “victory” of 2011. Nevertheless, it is not an isolated case and since the end of the 1980s the extractive frontier continues to extend into Ecuador and the friction with local populations has become ever more explosive. To give an idea of this expansion, in 2008, the Ecuadorian government zoned two third of the Amazonian territory for oil activities. The same could be said for the neighbouring country, since during the same period 72% of the Peruvian amazon was covered by 64 hydrocarbon blocks

45 SAWYER Suzana, “Fictions of Sovereignty”, p. 169.

46 SAWYER Suzana, *Crude Chronicles*, *op. cit.*, p. 84.

47 SAWYER Suzana, “Fictions of Sovereignty”, p. 169.

48 KIMMERLING Judith, “Indigenous peoples and the oil frontier in Amazonia”, p. 485.

49 SAWYER Suzana, “Fictions of Sovereignty”, p. 171.

50 KIMMERLING Judith, “Indigenous peoples and the oil frontier in Amazonia”, pp. 514-515.

51 *Ibid.*, p. 527.

52 KIMMERLING Judith, “Lessons from the Chevron Ecuador Litigation: The Proposed Intervenors' Perspective”, *Stanford Journal of Complex Litigation*, vol. 1, n° 2, 2013, p. 245 and p. 272.

(i.e., zones in which companies acquire rights to explore and then to exploit oil)⁵³. One year later, in 2009, an oil extraction triggered a violent environmental conflict in the town of Bagua, in the North of Peru. On the 5th of June of that year, indigenous (Awajun and Wampis) and *mestizo* townspeople blocked a section of the highway in Fernando Belaúnde Terry known as the *Curva del Diablo* to protest against a series of decrees which facilitated capital investments in oil and mineral extraction projects⁵⁴. The same day, the indigenous took and occupied the pumping station n°6 of Petroperu, which is part of the North Peruvian oil pipeline⁵⁵. This conflict ended up in bloodshed: the confrontation between protesters and police caused thirty deaths with around one hundred injured on both sides⁵⁶.

Similar situations are experienced by populations that are affected by coal extraction today. The Cerrejón coal mine in the South of the peninsula of Guajira (Colombia) is a “textbook” example (if we may use that word to refer to such a tragic case). Since the operation started in 1983⁵⁷, the open pit mine (the largest in Latin America and the 10th biggest in the world⁵⁸) has considerably reduced the access to water in this semi desertic region inhabited by the Wayúu, the largest indigenous group in Colombia. The mine has especially contaminated the Rancheria River (the most important source of water in the area) in which high levels of cadmium and other heavy metals have been found⁵⁹. Moreover, extracting and washing the coal requires an astronomic amount of water. El Cerrejón uses 17 million litres of water per day whereas inhabitants of the area have access to less than a litre⁶⁰. Climate change also plays an important role in Guajira. Indeed, between 2012 and 2018, inhabitants of the area have faced very destructive droughts⁶¹. To complete

53 FINER Matt, JENKINS Clinton N., PIMM Stuart L., KEANE Brian, ROSS Carl, “Oil and Gas Projects in the Western Amazon: Threats to Wilderness, Biodiversity, and Indigenous Peoples”, PLoS ONE 3, n° 8, 2008, pp. 1-9.; BEBBINGTON Anthony, “The New Extraction: Rewriting the Political Ecology of the Andes?” NACLA Report on the Americas, Vol. 42, n° 5, 2009, pp. 12-20.

54 SURRALLÉS Alexandre, “Antropología después de Bagua. Movimiento indígena, políticas públicas y conocimiento antropológico.” in CHAUMEIL Jean-Pierre, ESPINOSA DE RIVERO Óscar and CORNEJO CHAPARRO Manuel (eds.), in *Por donde hay soplo. Antropología Amazónica en los Países Andinos*, Lima, IFEA, PUCP, CAAAP, 2011, pp. 122-156 ; SURRALLÉS Alexandre, “Territorio, conflictos, derechos y mapas. El movimiento indígena amazónico en el Perú después de Bagua”, in SALAMANCA Carlos and ESPINA Rosario (eds.), in *Mapas y derechos, experiencias y aprendizajes en América Latina*, Rosario, UNR, 2012, pp. 95-113.

55 MANACÉS VALVERDE Jesús, and GÓMEZ CALLEJA Carmen, “Informe en Minoría de la comisión especial para investigar y analizar los sucesos de Bagua”, <https://amazonwatch.org/documents/bagua-minority-report.pdf> , p. 91 *sqq.*

56 BEBBINGTON Anthony, *Social Conflict, Economic Development and Extractive Industry. Evidence from South America*, London and New York, 2012, p. 5.

57 ULLOA Astrid, QUIROGA Catalina and GAITÁN Liza, *Territorios Sin Agua en el Sur de La Guajira: Abordajes Conceptuales y Metodológicos Colaborativos*, Bogotá, GRADE-UNAL, 2020, p. 11.

58 ULLOA Astrid,, “The rights of the Wayúu people and water in the context of mining in La Guajira, Colombia: demands of relational water justice”, *Human Geography*, Vol. 13, n° 1, 2020, p. 6.

59 AVILÉS William, “The Wayúu tragedy: death, water and the imperatives of global capitalism”, *Third World Quarterly*, Vol. 40, n° 9, 2019, p. 1757.

60 *Ibid.*, p. 1757.

61 *Ibid.*, p. 1758; ULLOA Astrid, QUIROGA Catalina and GAITÁN Liza, *Territorios Sin Agua en el Sur de La Guajira*, *op. cit.*, p. 12.

the picture, it should be added that mining extraction in the Guajira would not have been possible without the use of violence by the Colombian State and the extreme right-wing paramilitary groups which have displaced populations and perpetrated several massacres⁶². As a result of this multifactorial situation, around 5000 children have died between 2007 and 2017 because of the lack of access to safe water and malnutrition (unofficial sources even speak of 14,000 deaths)⁶³. Despite the constant threats and violences that they have suffered, the Wayúu have resisted the mining exploitation since 1983. Among the acts of resistance there has been the creation of the *Fuerza de Mujeres Wayúu* in 2006⁶⁴, a grass-root organisation which emphasises the specific vulnerability that women face in relation to mining industry. In August 2012, along with other local organisations, the FMW called for a regional mobilisation against the expansion project of the Cerrejón mine “P-500 *liwo’uyaa*”. Finally, the company abandoned the project, putting forward economic reasons as the cause. However, it is highly probable that the project was stopped due to popular pressure⁶⁵. In any case, Cerrejón illustrates perfectly the intertwinement of the relevancy of a multi-scale approach to the Anthropocene. Indeed, the hypothesis could be made that Guajira is at the centre of the complex processes of multi-scale destructions, both global and local, whose different levels interact together: 1° the open-pit extraction of coal devastates the surrounding environment 2° it also liberates (although indirectly) the carbon dioxide which was stored in the ground for millions of years and contributes then to climate change 3° in return, global warming has adverse local effects and contributes to the droughts in the same area. At the centre of this multi-causal chain, there are local populations who suffer both from the dramatic consequences of coal extraction and state and para-state violence that make this highly polluting activity possible.

The cases of coal and oil extraction presented above are paradigmatic because they are at the crossroads of several dynamics which contribute to the Anthropocene, and they bring out conspicuously the aforementioned “actual ecological fact”, *i.e.*, the correlation between the environmental crisis and the constant proliferation of environmental conflicts. Nevertheless, fossil fuel extractions are far from being the unique source of ecological conflict.

Firstly, because it is a highly polluting industry, mineral extraction *in general* is quasi systematically a source of conflict. Once again, Latin America provides so many examples of these environmental conflicts between transnational and national mining companies and local populations

62 AVILÉS William, “The Wayúu tragedy”, p. 1755; ULLOA Astrid, QUIROGA Catalina and GAITÁN Liza, *Territorios sin agua en el sur de La Guajira*, *op. cit.*, p. 83.

63 VIDAL PARRA, Sergio, “The Water Rights-Based Legal Mobilization of the Wayúu against the Cercado Dam: An Effective Avenue for Court-Centered Lawfare from Below?”, *Antípoda Revista de Antropología y Arqueología*, n° 34, 2019, pp. 45-68; AVILÉS William, “The Wayúu tragedy”, p. 1750.

64 ULLOA Astrid, QUIROGA Catalina and GAITÁN Liza, *Territorios Sin Agua en el Sur de La Guajira*, *op. cit.*, p. 84.

65 *Ibid.*, p. 86 ; ULLOA Astrid, “The rights of the Wayúu people and water in the context of mining in La Guajira”, p. 12

which adamant in defending their territory against destruction. In the 1990s Latin America knew a true “mining boom” due to the combination of the metal price increase and the implementation of neoliberal institutional reforms⁶⁶. Between 1990 and 1997 investments in mining exploration increased about 90% at the global level and about 400% in Latin America⁶⁷. From this period onwards, several countries of Latin America (such as Chile, Peru, Argentina and also Ecuador and Bolivia) saw a multiplication of mining projects. The specificity of this new wave of mining projects lies in the technique used to extract the minerals (gold, copper, etc.): open-pit mining, a surface mining technique. Instead of tunnelling into the earth (as in the case of underground mining), this technique of extraction consists in excavating the surface (between 0 and 400 meters of depth). These mines, which are dug into benches (which look like the nine concentric circles of Dante's hell), are known for being much more polluting than the underground mines⁶⁸. Indeed, the process of extraction consists in excavating the soil with explosives⁶⁹, grinding the rock and using a great quantity of water and toxic substances (such as sodium cyanide, mercury and sulphuric acid) to separate the metal from the rock (a process called leaching)⁷⁰, these substances are very often scattered in the environment⁷¹. As might be expected, this expansion of the extractive frontier encounters opposition. Several examples of opposition include: the struggle of the peasants of the valley of Intag (Cotacachi, North Ecuador) who have resisted against the copper mining project in the community of Junín since 1997, setting fire several times to the mining camp of the companies⁷²; the struggle of the peasants of Tambogrande (Piura, North Peru), who voted 94 per

66 ORIHUELA José Carlos and THORP Rosemary, “The political economy of managing extractives in Bolivia, Ecuador and Peru”, in BEBBINGTON Anthony, *Social Conflict, Economic Development and Extractive Industry*, op. cit., p. 27; PINTO Vladimir, “Reestructuración neoliberal del Estado Peruano, industrias extractivas y derechos sobre el territorio”, in DE ECHAVE CÁCERES José, HOETMER Raphael and PALACIOS PANÉZ Mario (eds.), *Minería y territorio en el Perú. Conflictos, resistencias y propuestas en tiempos de globalización*, Lima, Programa Democracia y Transformación Global, 2009, p. 85.

67 BEBBINGTON Anthony, “Elementos para una ecología política de los movimientos sociales y el desarrollo territorial en zonas mineras”, in BEBBINGTON Anthony, *Minería, movimientos sociales y respuestas campesinas : una ecología política de transformaciones territoriales*, Instituto de Estudios Peruanos, Centre Peruano de Estudios Sociales, Minería y Sociedad 2, 2007, p. 23.

68 MATHEUS Philippe, “Les techniques et conditions d’exploitation des mines aurifères”, in *Annales des Mines - Réalités industrielles*, 2018/4, November 2018, pp.10-19.

69 POULARD Frédéric, DAUPLEY Xavier, DIDIER Christophe, POKRYSKA Zbigniew, D’HUGUES Patrick, CHARLES Nicolas, DUPUY Jean-Claude, SAVE Maurice, *Exploitation minière et traitement des minerais*, Coll. “La mine en France” T. 6, 77, 2017, pp. 11-12.

70 *Ibid.*, p. 32.

71 SVAMPA Maristella, BOTTARO Lorena and SOLA ÁLVAREZ Marian, “La problemática de la minería metalífera a cielo abierto: modelo de desarrollo, territorio y discursos dominantes”, in SVAMPA Maristella and ANTONELLI Mirta, (eds.), *Minería transnacional, narrativas de desarrollo, y resistencias sociales*, Buenos Aires, Biblos, 2009, p. 30. More generally, see also the publications on the website of SysExt a French association of engineers who, for many years, undertook information campaigns on environmental and human impacts of open-pit mining: <https://www.systext.org/publications>. See especially their report on the use of cyanide in auriferous industry: SystExt, *Cyanuration dans l’industrie aurifère Enjeux techniques et principaux risques*, April 2021, https://www.systext.org/sites/default/files/SystExt_Note-Synthese-Cyanuration_Avril2021.pdf

72 BEDNIK Anna, “Lorsque “résister” devient “créer” : l’expérience d’un mouvement socio-environnemental équatorien”, *Résistances*, Revue Pandora, n°8, Paris VIII, 2008.

cent against mining activity in a local referendum in 2002 and forced the company to withdraw in 2003⁷³; the struggle of the *rondas campesinas* of Ayabaca (Piura, North Peru), a well-structured peasant organisation who closely keep watch over their territory against invasions of mining companies⁷⁴; or even the fight of the *vecinos auto-convocados* of Esquel (Chubut, South Argentina), a group of Argentinian citizens who, inspired by the victory in Tambogrande, organised a popular vote in 2003 and said “no a la mina” (no to the mine)⁷⁵. These are just *some* of the *numerous* cases of opposition to mining industries in Latin America, which are famous for their victorious outcomes.

Secondly, extraction is not the only cause of conflict related to the environment. In fact, one could be tempted to contend that each time the capitalist world and the State extend their frontiers, this expansion spills over into the living spaces of groups and threatens to destroy them, instigating frictions and conflicts. Or at least, it should be admitted that each time such a collision happens, it is a source of social tension. Once again, the list of these collisions is endless. The gigantic dams on the Xingú river (Brazil), which threaten to inundate the Kayapó's territory⁷⁶; the deforestation of the mangrove of Muisne (Esmeralda, Ecuadorian coast) by industrial shrimp farms that deprive afro-communities from an important source of subsistence⁷⁷; the road project in Cochabamba-Trinidad, which rips open the TIPNIS (Indigenous Territory and National Parc Isiboro Sécure), a national park inhabited by three indigenous groups (Yuracarés, Moxeños-Trinitarios and T'simanes) and which is located between Cordillera Moosetenes and the plains of Moxos in Bolivia⁷⁸; palm oil plantations in South Kalimantan (Borneo)⁷⁹; the expansion of the genetically modified soybean frontier in Argentina, Paraguay and Brazil; the construction of an airport in Narita (Japan) or in the

73 BEBBINGTON Anthony, “Social conflict and emergent institutions. Hypothesis from Piura, Peru”, in BEBBINGTON Anthony, *Social Conflict, Economic Development and Extractive Industry*, *op. cit.*, p. 73.

74 *Ibid.*, pp. 73-80.

75 SVAMPA Maristella, “Los movimientos contra la minería metalífera a cielo abierto: escenarios y conflictos. Entre el “efecto Esquel” y el “efecto La Alumbra”, in SVAMPA Maristella and ANTONELLI Mirta, (eds.), *Minería transnacional, narrativas de desarrollo, y resistencias sociales*, *op. cit.*, p. 127.

76 TURNER Terrence, “La lutte pour les ressources de la forêt en Amazonie: le cas des indiens Kayapó du Brésil”, in “Nature sauvage, nature sauvée? Ecologie et peuples autochtones”, *Ethnies*, Vol. 13, Special Issue n° 24-25, 1999, pp. 115-148; ALBERT Bruce, “Territorialidad, etnopolítica y desarrollo : a propósito del movimiento indígena en la Amazonía Brasileña”, SURRELLS Alexandre and GARCIA HIERRO Pedro (eds.), *Tierra Adentro: Territorio Indígena y Percepción del Entorno*, Copenhagen, IWGIA, Doc. 39, 2004., pp. 238-245.

77 VAREA Anamaría, *et al.*, *Ecologismo Ecuatorial*, *op. cit.*, p. 56 *sqq.*

78 PERRIER-BRUSLÉ Laetitia, “Le conflit du Tipnis et la Bolivie d’Evo Morales face à ses contradictions : analyse d’un conflit socio-environnemental”, *EchoGéo* [Online], Sur le Vif, January 2012, <http://journals.openedition.org/echogeo/1297>.

79 TSING Lowenhaupt Anna, *Friction. An Ethnography of Global Connection*, Princeton and Oxford, Princeton University Press, 2005, p. 41.

West of France⁸⁰; and the nuclear power plants⁸¹ in the France are just a few examples of the numerous battlefields in which communities resist the destruction of their environment. Once again, these specific forms of struggle are not just isolated cases. Witness the fact that in some countries, most of the social conflicts are ecological such as is the case in Peru. Indeed, in January 2016, the report of the Peruvian Ombudsman's office stated that 69,7% of the social conflicts were socio-environmental conflicts⁸². Here, we mainly mention ecological conflicts situated in Latin America because the scientific literature on that part of the world is abundant and because, for reasons that will be explained further, we are more familiar with this geographical area; but needless to say, that all around the world these struggles are multiplying.

The few cases presented above are sufficient to confirm the existence of the “actual ecological fact” mentioned above: the fact that ecological conflicts increase as the environmental crisis deepens. Now, by contrast with Marx, we do not pretend to go into the depths of alienation to explain this fact. In other words, in this thesis we do not pretend to give a full explanation of the economic and political infrastructures that produce this fact. In a word, our first concern is not the agents and structures which are responsible for the environmental crisis (capitalism, states, colonisation, etc.) and who are thus likewise responsible for the ecological conflicts. Our objective is more modest: we are interested in these conflicts as they are in themselves and their specificities. We are interested by their internal dynamics, and we would thus like to contribute to an elucidation concerning their centres of gravity. We would therefore like to better understand what really constitutes the core of this specific form of conflictuality.

3) Thesis Concerning an Environmentalism of the Poor

Of course, we are not the first who have undertaken such a task. Among those who have contributed to “revealing” the existence of these specific forms of conflict and have paved the way for a better understanding of their signification and their dynamic, Joan Martínez-Alier and Ramachandra Guha are major references. In the 1990s, they draw attention to the aforesaid conflicts, arguing that the actors involved into these social struggles were the bearer of a specific form of ecology that they called “environmentalism of the poor”⁸³. This strong thesis challenges the

80 PRUVOST Geneviève, “Critique en acte de la vie quotidienne à la ZAD de Notre-Dame-des-Landes (2013-2014)” in *Politix*, 2017/1, n° 117, pp. 35-62; VERDIER Margot, *La perspective de l'autonomie. La critique radicale de la représentation et la formation du commun dans l'expérience de l'occupation de la ZAD de Notre-Dame-des-Landes*, PhD Thesis, Paris Nanterre University, 2018.

81 TOPÇU Sezin, *La France Nucléaire. L'Art de Gouverner une Technologie Contestée*, Paris, Seuil, 2013.

82 Defensoria del Pueblo, Reporte de conflictos sociales, Lima, n° 143, January 2016.

83 GUHA Ramachandra and MARTÍNEZ-ALIER Joan, *Varieties of Environmentalism : Essays North and South*, London

received idea of a structural opposition between poverty and environmentalism. Indeed, it has been argued that the poor are incapable of being concerned by the environment because they are too absorbed by the necessity of satisfying their material needs⁸⁴. This common belief, shared by journalists as well as academic scholars, is based on the premise that it is only once the sphere of material needs has been transcended that a concern for nature is possible. In other words, ecology is the ultimate luxury of the rich and the middle class living in the North and developed countries. Paradoxically, this belief entails that the detachment from nature is the condition of possibility of a real appreciation of nature. In fact, this common opinion not only sustains the idea that poor people have a lack of interest in environmental issues, but also that they are a calamity for their environments. The famous Brundtland Report written in 1987 claims that poverty is the first cause of ecological degradation and that “sustainable development” (which is not so different from economic growth) is the remedy for both issues⁸⁵. Against this “conventional wisdom”, Guha and Martínez-Alier claim that the poor struggle against the destruction of their environment and defend a specific form of environmentalism.

The specificity of their environmentalism appears when compared to what Martínez-Alier identifies as the two main currents of environmentalism: the “cult of wilderness” and “the gospel of eco-efficiency”⁸⁶. This opposition follows the classical schism between *preservation* and *conservation* which split in two parts the American environmental movement of the end of the 19th century⁸⁷. This division took its roots in the quarrel which opposed John Muir, the creator of the Sierra Club, and his former friend, Gifford Pinchot, a forester trained in Europe in forest management. Roughly speaking, the former, inspired by the transcendentalism of Emerson, argued for the intrinsic value of the wilderness⁸⁸, this pristine nature which must remain unaltered by the hands of men. By contrast, Pinchot was for a “wise use” of nature that he opposed to the bad use of the American pioneers who exhausted the resources of the country because they preferred to follow their individual interest rather than the interest of the nation. Especially informed by scientific knowledge, he recommended the rational management of national forests so as to provide a continuous supply of timber for the nation⁸⁹. This vision, which has been in part embodied by the

and New York, Earthscan, 1997.

84 *Ibid.*, p. xiv; MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor: a Study of Ecological Conflicts and Valuation*, Cheltenham and Northampton, Edward Elgar, 2002. , pp. 4-5.

85 GUHA Ramachandra, and MARTÍNEZ-ALIER Joan, *Varieties of Environmentalism*, *op. cit.*, p. 46.

86 MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, p. 1.

87 On this classical opposition see for example LARRÈRE Catherine, “Deux philosophies de la protection de la nature”, in *L'Archicube, L'Homme, la nature, le risque*, n° 4, June, 2008, p. 11-17.

88 For a history of the idea of wilderness and its importance in american culture, see the classical work of NASH Roderick Frazier, *Wilderness and the American Mind*, New Haven and London, Yale University Press, Fifth edition, 2014 [1967].

89 For a very interesting interpretation of conservationism, see chapter five “A Conservationist Empire” of PURDY Jedediah, *After Nature. A Politics for the Anthropocene*, Cambridge, Massachusetts, London, Harvard University

Roosevelt administration, was denounced by Muir as utilitarian because for Pinchot, nature was valued only to the extent that it served the interests of the nation, that is, human interest. Instead, Muir considered that the value of nature was independent from its relationship with human needs. It should be noted that the reference to this debate has the merit of avoiding the binary opposition between mainstream environmentalism and the environmentalism of the south, acknowledging the diversity of the American environmental movements⁹⁰. That said, the objective is to emphasise the specificity of this environmentalism that Guha and Martínez-Alier call “environmentalism of the poor” or “popular ecology”.

By seeking in the aforementioned ecological struggles for a third form of environmentalism, they break with the form of *irenicism* that underlay a great part of the environmental thought. As hinted above, the official narrative of the Anthropocene gives a good example of how there is a trend which tries to deconflictualise the environmental question. In short, the implicit (and sometimes explicit) thesis of these narratives is the following: because the human species has become a geological force able to profoundly modify the earth system and to disrupt its own conditions of reproduction, men should overcome their division and gather to face the coming catastrophe in peace⁹¹. In short, beyond class and national divisions, the time has come for union. Consequently, to draw attention to the aforementioned “ecological fact” (the existence of ecological conflicts), amounts to take the opposite view of this trend which is so usually a part of environmental movements. Indeed, in this way, the ecological question is transformed into a battlefield wherein “ecosystem people” and “omnivore groups” enter into conflict with each other.

Press, 2015.

90 This was perhaps one of the pitfall of Guha and Martínez-Alier's *Varieties of Environmentalism*. See in particular the section entitled “two kinds of environmentalism”. GUHA Ramachandra, and MARTÍNEZ-ALIER Joan, *Varieties of Environmentalism*, *op. cit.*, pp. 16-21.

91 Some ambiguous formulations of Beck's famous *Risk society* may be interpreted as a refined version of this popular belief. In this important book he wrote the following lines: “To the extent to which modernisation hazards generalise and thus abolish the remaining zones of non-involvement, the risk society (in contrast to class society) develops a tendency to unify the victims in global risk positions. In the limiting case, the, friend and foe, east and west, above and below, city and country, south and north are all exposed to the levelling pressure of the exponentially increasing risks of civilisation. Risk societies are not class societies – that is not saying enough. They contain within themselves a grass-roots *developmental dynamics that destroys boundaries*, through which the people are forced together in the uniform position of civilisation's self-endangering”. BECK Ulrich, *Risk Society. Toward a New Modernity*, trans. Mark Ritter, London, Newbury Park New Delhi, SAGE Publications, Theory, Culture & Society Series, 1992 [1986], p. 47. Some pages before he also wrote that “the class-specific barriers fall before the air we all breathe (...) Reduced to a formula: *poverty is hierarchic, smog is democratic*. With the expansion of modernisation risks – with the endangering of nature, health, nutrition, and so on – the social differences and limits are relativised”. *Ibid.*, p. 36. Finally, it is worth to mention the following excerpt: “under the roof of modernisation risk, *perpetrator and victim* sooner or later become *identical*. In the worst, unthinkable case, a nuclear world war, this is evident; it also destroys the aggressor. Here it becomes clear that the Earth has become an ejector seat that no longer recognises any distinctions between rich and poor, black and white, north and south or east and west. But the effect only exists when it occurs, and when it occurs, it is no longer exists, because nothing exists anymore. This apocalyptic threat therefore leaves behind no tangibles traces *in the now* of its threat”. *Ibid.*, p. 38. On the ambiguities which characterise those statement of the Risk Society, see BONNEUIL Christophe, “Savoirs et démocratie dans la société du risque”, *Mouvements*, n°21-22, 2002/3, pp. 172-174.

The former, explain Guha and Martínez-Alier, are “those communities which depend very heavily on the natural resources of their own locality”; the others are those groups of industrialists, politicians, government officials, etc., who have “the social power to *capture*, transform and use natural resources from a much wider catchment area; sometimes, indeed, the whole world”, and in this sense, do not depend on those resources to survive⁹². In the subsequent lines (which recalls the beginning of the *Communist Manifesto*), they write that “the history of development in independent India can thus be interpreted as being, in essence, a process of resource capture by the omnivores at the expense of ecosystem people”⁹³. One may deem this opposition somewhat a caricature, but, as in the *Manifesto*, this oversimplification is probably strategic. *Varieties of Environmentalism* has been written in a historical context in which, ecology was, in the eyes of some environmentalists, a hopeful endeavour that could overcome class conflict and the great polarities that structure the world. The risk of this ingenuous dream based in irenicism is always the negation of the real conflicts which underlie our societies (a negation which is always beneficial to the powerful). It is therefore necessary to show that, much like the social question of the 19th century, the ecological question does not escape this rule and that it is the place of an irreconcilable antagonism. For our part, it should be admitted that most ecological conflicts cannot be reduced to a sharp opposition between “good and weak environmentalists attached to their milieu” and “bad and powerful predators who destroy the environment”. However, and despite the necessity of qualifying the ethnographic depiction of these complex conflicts, we are convinced that strong polarities structure the social field regarding the environmental question and that these polarities imply axiological oppositions.

As hinted above, Guha and Martínez-Alier believe that popular struggles are driven by a specific form of environmentalism. In fact, their thesis is more subtle than it appears at first glance since they admit that the actors involved in these collective actions do not always recognise themselves as ecologists⁹⁴. Indeed, one could object to their hypothesis that these actors do not very often use an environmental idiom or are even unaware of what ecology is from a Western perspective. Guha and Martínez-Alier answer this objection by arguing that this is precisely the reason why this third current of environmentalism had not been identified before. In fact, they argue that most of the time this third type of environmentalism remains implicit and manifests itself through the actions of the actors⁹⁵. This hypothesis relies on the sociological postulate that the

92 GUHA Ramachandra, and MARTÍNEZ-ALIER Joan, *Varieties of Environmentalism*, *op. cit.*, p. 12.

93 *Ibid.*, p. 12.

94 MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, p. 14.

95 “*Muchos movimientos sociales surgen de la luchas de los pobres por la supervivencia, tanto en la historia como actualmente. Son por tanto movimientos ecologistas (cualquiera que sea el idioma en el que se expresen) en cuanto sus objetivos consisten en obtener las necesidades ecológicas para la vida: energía (incluyendo las calorías de la*

actors involved in collective actions qua social protestors do not only seek to satisfy their interest, but they also have moral notions of the good and the bad, and that they pass judgement on the social arrangement in which they are inserted, a judgement which is not always articulated and formulated explicitly but is manifested through their acts⁹⁶. In other words, these judgements are not always expressed in manifesto form, so the social science researcher has to infer them from the direct actions undertaken by the protestors he observes during his fieldwork. In the case of ecological struggles, the set of direct actions (shut-down strikes, sit-down strikes, hunger strikes, etc.⁹⁷) manifest an implicit environmentalism, which is not formally articulated by the actors.

Maybe more problematic is the content that Guha and Martínez-Alier give to this third form of environmentalism which is meant to go beyond the gospel of efficiency and the cult of wilderness. Since this environmentalism of the poor emanates from the aforementioned ecological conflict, its content can be clarified only by an analysis of the motivations which drive these social struggles. In short, what are these struggles about? It can be said that, according to Guha and Martínez-Alier, ecological struggles are “ecological distribution conflicts”, *i.e.*, conflicts “on environmental entitlements, on the loss of access to natural resources and environmental services, on the burdens of pollution and on the sharing of uncertain environmental hazards”⁹⁸. For instance, it is in terms of natural resource distribution that the already mentioned conflict in the costal mangroves of the world must be interpreted. These conflicts mostly affect the coastal areas of the tropical world (Ecuador, Colombia, Honduras, India, Bangladesh, Malaysia, Tanzania, Kenia, etc.). They generally pit the local population which uses the natural resources of the mangrove for their livelihood against the shrimp industry growers whose products are destined for exportation (and who were financed by the World Bank until mid-1990⁹⁹). As shown above, this industry caused

comida), agua, espacio para albergarse”. MARTÍNEZ-ALIER Joan, *De la Economía Ecológica al Ecologismo popular*, Barcelona, Icaria, Antrazyt, 1992 [1994], p. 239. See also MARTÍNEZ-ALIER Joan, “La interpretación ecologista de la historia socio económica: algunos ejemplos andinos”, *Historia Social*, n° 7, Spring-Summer, 1990, p. 138-139. See also the following excerpt: “*los movimientos sociales de los pobres a menudo tienen un contenido ecológico (quizás sólo implícito), al intentar resguardar los recursos naturales fuera de la economía crematística, mercantil, bajo control comunitario.*”. MARTÍNEZ-ALIER Joan, “El ecologismo de los pobres, veinte años después: India, México y Perú”, 2009, https://www.ecoportal.net/temas/especiales/economia/el_ecologismo_de_los_pobres_veinte_anos_despues_india_mexico_y_peru/

[especiales/economia/el_ecologismo_de_los_pobres_veinte_anos_despues_india_mexico_y_peru/](https://www.ecoportal.net/temas/especiales/economia/el_ecologismo_de_los_pobres_veinte_anos_despues_india_mexico_y_peru/)

96 GUHA Ramachandra, and MARTÍNEZ-ALIER Joan, *Varieties of Environmentalism*, *op. cit.*, p. 13 ; MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, pp. 256-257.

97 GUHA Ramachandra, and MARTÍNEZ-ALIER Joan, *Varieties of Environmentalism*, *op. cit.*, p. 14.

98 MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, pp. 96-97. See also *Ibid.*, p. vii, pp. 168-169, p. 265.; GUHA Ramachandra, and MARTÍNEZ-ALIER Joan, *Varieties of Environmentalism*, *op. cit.*, p. 23; MARTÍNEZ-ALIER Joan and WALTER Mariana, “Social Metabolism and Conflicts over Extractivism”, in DE CASTRO Fábio, HOGENBOOM Barbara, BAUD Michiel (eds.), *Environmental Governance in Latin America*, London, Palgrave Macmillan UK, 2016, p. 60; MARTÍNEZ-ALIER Joan, “Conflictos de distribución ecológica”, *Revista Andina*, n° 29, (Año 15, n°1), 1997, p. 44; MARTÍNEZ-ALIER Joan, “Distributional Issues in Ecological Economics”, *Review of Social Economy*, Vol. 53, n° 4, Winter 1995, p. 511.

99 MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, p. 80.

intense deforestation since shrimps are grown in huge ponds which require the clearing of the mangroves of coastal areas. To give just an example, 338,000 hectares of mangrove forest has been cleared in the Philippines for aquaculture activities since 1968¹⁰⁰. These rich ecosystems are essential sources of livelihood for communities in these areas. Indeed, in the mangroves, they collect shellfish, crabs, fish and make use of wood for charcoal and building materials¹⁰¹. For that reason, communities have sometimes been led to take direct action against the shrimp growers, as in 1998 around 300 people destroyed a pond made for shrimp farming in Muisne (the Ecuadorian coast)¹⁰². Here, Martínez-Alier interprets the conflict in distributive terms. Schematically, it could be said that from one side, there are the capitalists and the industrialists who enclose the public land of the coast (granted by the governments as private property), capture the natural resources, transforming them into commodities for the international market; on the other side, there are the local people who are deprived from their means of subsistence and fight to get access to the products of the mangroves. This conflict can be summarised by the question “who has title to the mangroves, who wins and who loses in this tragedy of enclosures”¹⁰³? In other words, the struggle for the mangrove is a struggle for the distribution of land and natural resources, which provide the livelihood for local communities. *In fine*, this is what the environmentalism of the poor consists of: their livelihood. Martínez-Alier writes that “the main thrust of this third current is not a sacred reverence for Nature but a material interest in the environment as a source and a requirement for livelihood; not so much a concern with the rights of other species and of future generations of humans as a concern for today's poor humans”¹⁰⁴. Consequently, it seems that ecological struggles are conflicts for the distribution of the natural resources that provide the livelihood of communities.

Admittedly, Martínez-Alier pays attention to the plurality of the languages which are adopted by the actors of these struggles. To defend themselves against the mining industry, he argues, a group can use a variety of idioms such those of territorial rights, environmental racism, cultural identity, monetary compensation, national independence, sacredness, etc¹⁰⁵. He notes, for example, that the U'wa (also known as the Tunebo in anthropological literature), an indigenous group living in the Sierra Nevada de Cocuy (Eastern Andean Cordillera of Colombia), have claimed that their land and the subsoil are sacred so as to defend themselves against an oil company which threatened their territory¹⁰⁶. Here, we may put to one side the very interesting question of the

100*Ibid.*, p. 86.

101*Ibid.*, p. 80; VAREA Anamaria, *et al.*, *Ecologismo Ecuatorial*, *op. cit.*, p. 56.

102MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, p. 82.

103*Ibid.*, p. 79.

104*Ibid.*, p. 11.

105*Ibid.*, p. viii, p. 64, p. 66, p. 81, p. 84, p. 103, p. 112, p. 119, p. 140, 150, p. 169, p. 172, p. 203, p. 207, p. 213, p. 266, p. 267.

106*Ibid.*, p. 253 *sqq.*

discursive strategies employed by indigenous who, in political conflictual contexts, use idioms which are quite remote from their own specific cosmologies¹⁰⁷. Our point is that this example shows that Martínez-Alier acknowledges the breadth of the languages used by actors in ecological distribution conflicts. However, it has to be admitted that the author of *The Environmentalism of the Poor* remains somewhat ambiguous on this point. Indeed, it sometimes appears to be the case that he conceives these diverse languages used in ecological struggles as a multiplicity of cultural expressions all of which express the same and unique concern: the fight for the just distribution of natural resources and environmental burdens¹⁰⁸. It is as if, under the diversity of cultural expression, there was a same and unique reality that these languages denote: the same material subsistence. *In fine*, these languages are just expressions or “ways of speaking”. Regarding the conflicts in the Ecuadorian coast, Martínez-Alier writes that “the shrimp versus mangroves conflict adopts slightly different aspects in different places in the world according to cultural differences, but it has common structural roots. It is an ecological distribution conflict”¹⁰⁹.

This ultimate declaration raises at least two problems, which will be at the centre of this thesis. First, the question of the grammars of conflict which correspond to the ecological struggles already mentioned: is distribution the unique grammar that is adequate to account and describe these conflicts? As hinted above, actors involved in ecological struggles resort to a plurality of languages of protest. Should we not consider those languages as proper grammars of conflict, as we do with distribution? Second, the question remains if these grammars are really ecological. Is distribution a grammar of ecological conflict? Or, to put it in another way, is distribution just a concept imported from the philosophical tradition and then applied to environmental struggles? And finally, if distribution is not relevant to think about those specific conflicts, under which conditions is it possible to elaborate an appropriate grammar of ecological struggle?

4) The Notion of Grammar of Conflict

First of all, we shall give some terminological precisions. Here, we borrow the notion of a

107According to Eduardo Viveiros de Castro, the U'wa cosmology is close to what he calls perspectivism. VIVEIROS DE CASTRO Eduardo, “Cosmological perspectivism in Amazonia and elsewhere. Four lectures given in the Department of Social Anthropology. Cambridge University, February–March 1998”, HAU Masterclass Series 1, Manchester, HAU Network of Ethnographic Theory, 2012, p. 53. On this particular cosmology see OSBORN Ann, “Eat and be eaten: animals in U'wa (Tunebo) oral tradition”, in WILLIS Roy (ed.), *Signifying Animals. Human Meaning in the Natural World*, London, Routledge, One World Archeology, 2005, [1990], pp. 134-150.

108This problem has already be raised in CENTEMERI Laura and RENOU Gildas, “Jusqu'ou l'économie écologique pense-t-elle l'inégalité environnementale? Autour de l'oeuvre de Joan Martínez-Alier”, in LARRÈRE Catherine (ed.) *Les inégalités environnementales*, Paris, PUF, laviedesidéés.fr, 2017, p. 68.

109MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, p. 96.

“grammar of social conflict” from Axel Honneth who, in the *The Struggle for Recognition*, proposes to reveal the normative contents of social struggles¹¹⁰. As Emmanuel Renault writes, Honneth's concept of a grammar of social conflict has to be understood in a *descriptive* and *normative* sense¹¹¹. First, a grammar describes the moral motivations of actors who are involved in those collective actions we call “social movements”. This presupposes that those collective mobilisations are not only caused by mechanical stimuli (such as hunger) and that actors also act according to normative motivation, that is, a motivation which is referred to as a “should-be” (*devoir-être*)¹¹². Second, it is demonstrated that these motivations are “moral”, *i.e.*, they are not only utilitarian but are also rooted in normative expectations which have a high degree of legitimacy. For our part, even though we agree with Honneth that motivations which drive social conflicts are more often moral, we consider that it is not always the case, as we will see further. Consequently, we consider that a grammar of conflict concerns first of all the *motivations* of social struggles.

Regarding the expression “grammar”, it is rarely commented on by Honneth but a reference to pragmatic sociology may be useful to clarify the meaning of this term. This school of sociology, represented in France by Luc Boltanski and Laurent Thévenot, borrowed the notion from Noam Chomsky but made a free and metaphorical use of it¹¹³. We are not the place to give a detailed account of pragmatic sociology, but let us just recall that one of its principles is the that actors are endowed with a “capacity” (*capacité*) which cannot be known if they are not exerted in a specific situation¹¹⁴. In short, actors are not conceived as passive and inert agents which bow down under the weight of structures or execute mechanical actions that are programmed and interiorised by them; they have a certain capacity to explore and act on their environment, to evaluate reflexively their actions and to justify them. In a word, the actors have an agency, a term which however does not mean an unconditional freedom or capacity of detachment from the social world and its relations of dependency, but a capacity for acting in the social relationship themselves. In this context, a grammar is defined as the set of rules that actors respect in their practice so that their actions appear correct in the eyes of their partners of action¹¹⁵. We see the parallel with language since a grammar is usually defined as a set of principles and rules which determine the (correct) use of a language in the everyday life, rules which are known by the users (at least tacitly). Here, the sociologist is as a

110HONNETH Axel, *The Struggle for Recognition. The Moral Grammar of Social Conflicts*, trans. Joel Anderson, Cambridge, Massachusetts, The MIT Press, 1995 [1992].

111RENAULT Emmanuel, *L'Expérience de l'Injustice. Reconnaissance et Clinique de l'Injustice*, Paris, La Découverte, Armillaire, 2004, p. 96.

112See also THOMPSON Edward P., “The Moral Economy of the English Crowd in the Eighteenth Century”, in THOMPSON Edward P., *Customs in Common*, London, Penguin Books, 1993 [1991], pp. 185-258.

113BOLTANSKI Luc, “Préface”, in NACHI Mohammed, *Introduction à la sociologie pragmatique*, Paris, Armand Colin, Cursus, 2009 [2006].

114LEMIEUX Cyril, *La sociologie pragmatique*, Paris, La Découverte, Repères, 2018, pp.16-18.

115*Ibid.*, p. 46; *Ibid.*, p. 58.

grammarian, who formalises and systematises those rules of the language used in the daily life; he models the rules of quotidian practice.

Here, we make free use of this definition to clarify Honneth's notion of grammar and also to specify our own definition of the term. According to us, a grammar of conflict is a set of principles and rules which govern and determine the practices and the languages of the actors involved in collective actions we call conflicts. We insist on there being a distinction between principles and rules. The principles are the motivations which lead agents to act. As we shall see, each grammar corresponds to a dominant principle which “gets the upper hand” on the other motivations. In other words, for each grammar there is always a motivation which is more central than the others. The rules organise the distribution of the principles within the grammar, their hierarchic relations. As we will see, they also govern the dynamic and the development of the conflict. Another precision should be given about this definition: we specify that the rules govern not only the action but also the language used by the protesters. The principles and rules which determine the actions in the social protests are often implicit, but they are also often articulated and formalised by the actors themselves in a language of protest. Therefore, the term *grammar* is not just a metaphor, since the motivations which determine the agents to act also inform the language they use. Of course, this does not mean that the grammar of action automatically manifests itself in the language of protest. As Martínez-Alier argues, it so happens that the reason why actors act is not necessarily formalised into a language but may remain implicit. Hence, sometimes, the necessity to infer the grammar from their acts rather than their words. In any case, this raises the question of the relation between the levels of action and language. Finally, an ultimate reason which justifies the parallel with language, is the fact that there is a plurality of grammars of social conflict. Just as there is a plurality of languages all over the world which have all their own grammar, there is a plurality of grammars of social conflict.

5) Which Grammar for Ecological Struggles?

Here, we return to the first question asked above: is distribution the sole grammar suitable for the description of ecological conflict? Are all conflicts reducible to a question of natural resource redistribution? As a matter of fact, ethnographical reports tend to prove that distribution is not the only matter of concern for the community which struggles for their environment. The case of oil exploitation in the North of Ecuador already analysed in the beginning of this introduction gives some precisions on this point. A remark by a victim of Texaco reported by the anthropologist

Suzana Sawyer reveals some aspects of the conflict that the grammar of distribution does not take into account: “*somos fantasmas*” (we are ghosts) complains Doña Luz, a woman living in the community of San Carlos (canton Joya de los Sachas, province of Napo)¹¹⁶ who was affected by oil spills and whose hand had been burnt by chemicals when she tried to rescue her chickens fallen into one of the toxic waste pit¹¹⁷. A similar vocabulary is used by the inhabitants of the same area who feel they have been “ignored”, “unrecognized”, “silenced” and that “nobody sees them”. The lexical field, here, is that of the *invisibility*.

This term deserves some comment. As Honneth writes, commenting on the beginning of Ralph Ellison's *The Invisible Man*, the term invisibility has two meanings¹¹⁸. Firstly, the term designates a cognitive fact: it is a “physical non-presence”, the simple fact that an object is not present in my perceptual field. For instance, when the moon covers the Sun's disk (solar eclipse), the sun becomes invisible because it goes out of my field of vision. Conversely, physical visibility consists in an “elementary individual identification” of an object: it supposes that we cognise the thing “within a spatio-temporal framework as an object with situationally relevant properties”¹¹⁹. The second meaning of the term “invisibility” designates a “non-existence in the social sense” and, once again, it is defined in contrast to its opposite, social visibility. A person is visible in a social sense when their partners of social interaction publicly accord them social validity through *public expressions* such as gestures of facial expressions. For instance, when a person enters into a room and is greeted by the members of a group, those gestures are the expressions of the fact that this person is full member of the group and that their social validity is recognised. Here, visibility is a synonym of what Honneth calls “recognition”, *i.e.*, the confirmation by which the members of the social interaction concede to another subject the “*worth* due to an *intelligible* person”¹²⁰. On the contrary, the social form of invisibility is the absence of those gesture through which the member of a group confirms to a person their social validity. In other words, the absence is supposed to demonstrate to this person that the others refuse to accord them a worth and to confirm the positive relation that they have with themselves. When the members of a group do not greet a person who is entering into a room and look away, they clearly refuse to recognise that this person has their own worth. In other words, invisibility is the affect that is felt by those who suffer from disrespect. It is the effect of what Honneth calls “misrecognition”, the denial of an individual's demand for

116GARZÓN Paulina, “Impacto socioambiental de la actividad petrolera: estudio de caso de las comunidades San Carlos y la Primavera”, in VAREA Anamaria (ed.), *Marea Negra en la Amazonía. Conflictos socioambientales vinculados a la actividad petrolera en el Ecuador*, Quito, Abya-Yala, ILDIS, FTTP, UICN, 1995, pp. 265-294.

117SAWYER Suzana, “Fictions of Sovereignty”, p. 167.

118HONNETH Axel, “I—Axel Honneth: Invisibility: On the Epistemology of ‘Recognition’”, in *Aristotelian Society Supplementary*, Vol. 75, n° 1, 1 July 2001, p. 11.

119*Ibid.*, p. 113.

120*Ibid.*, p. 123.

recognition. This is precisely what the protagonist of *The Invisible Man* experiences, a black man who feels himself invisible in the eyes of society. This novel is, therefore, the story of a man who feels that, even if he is a “real flesh and blood man” (and thus is visible in the visual sense of the term), the others look straight through him¹²¹.

This is exactly the same feeling that appears in the complaints of the victim of oil exploitation in Ecuador. They are ghosts because they are invisible to the eye of the company and the government which ignored them. They were ignored to the point that for twenty years, millions of gallons of oil have been spilled in their territory. It is as if the government had refused the existence of these people living in the Amazonian territory. Indigenous leaders claim it explicitly: Texaco, and the government, which allowed it to operate with impunity, violated their “dignity as humans” and their humanity has been erased¹²². It is precisely this invisibility that the victims of oil extraction contested when they filed the class action in the New York Federal Court. By inserting themselves into the American legal system, they disrupted the normal functioning of social interaction from which they were excluded and refused to be treated as though they carried no weight¹²³. This refusal to be treated as phantoms (invisible men and women) was nothing less than a struggle for recognition. Here, the contrast between the demand for recognition and the brutal reality of the material disaster should be noted. As hinted above, the ethnographic descriptions given by Sawyer insist on the cold materiality of the disaster: the burnt skin of this woman who tried to save her fowl, the disfiguring skin disease contracted by her son, the animals which died one by one. Here, the question of being recognised or not by the government or other institutions seems to count very little compared to the urgency of the material disaster. And yet, it is as if, in the midst of this devastated world, something counted more than (or at least as much as) the question of livelihood, the fact that their honour had been tarnished. It is as if the prejudice caused to the victim went beyond health problem, as if victims were concerned by their *dignity* as much as the degradation of their body.

6) Toward a Pluralist Grammar of conflict: Distribution, Recognition, Participation

The analysis of this case proves that the grammar of distribution does not exhaust the totality of the aspects of the conflictual situations exposed above. That is why, the pluralisation of the grammars of conflict seems to be the first requisite for a more accurate description of the specific

¹²¹*Ibid.*, p. 111.

¹²²SAWYER Suzana, “Fictions of Sovereignty”, p. 159.

¹²³*Ibid.*, p. 174.

conflicts that are the matter of our concern. Some attempts at pluralisation have been proposed by scholars in the framework of discussions on environmental justice. Environmental justice is a field of study which emerged in the 1980s with the social movements of the Afro-american people, who struggled against the pollution of their habitat and suffered from this “environmental burden”, that they denounced as unequally distributed¹²⁴. Roughly speaking, these movements are very similar to those already evoked above¹²⁵ and for our present purpose there is no need to dwell on this episode of American history which is all in all well-known within environmental studies. Our point here is that “environmental justice scholars” proposed a series of grammars of conflict in order to clarify the demands and the claims coming from these social movements. Their strategy consisted in reviewing the pre-existing categories elaborated by social sciences and philosophy in order to *apply* them to ecological conflicts. The two first parts of David Schlosberg's book entitled *Defining Environmental Justice* are representative of this approach¹²⁶. Schlosberg, a professor in political sciences at the University of Sidney, starts with the observation that the Rawlsian framework of theories of justice based on the concept of distribution is too narrow and that a true understanding of environmental justice movements requires the enlargement of the scope of the notion of justice. This led Schlosberg to outline the contemporary discussions on the theories of justice. Indeed, in order to understand what environmental justice is, it is also necessary to ask how we define justice *per se*¹²⁷. The general trend of theories of justice since Rawls has been the restriction of the meaning of the justice to a distribution of benefits and burdens among society's members¹²⁸. In the 1990s this “distributive paradigm” was questioned by philosophers and political theorists, who considered this meaning of justice as being too restrictive and too reductionist. For instance, in *Justice and the Politics of Difference*, Iris Marion Young noted that many claims about injustice were not concerned with the distribution of incomes but had to do with oppressive “cultural representations”, the division of labour, the right to a meaningful job, the right to have a say in decision-making, etc. For instance, the denunciation of the prejudicial cultural representations of black people in TV or the complaints against what Graeber calls “bullshit jobs”¹²⁹, are hardly interpretable in terms of the distribution of goods¹³⁰.

124FIGUEROA Robert and MILLS Claudia, “Environmental Justice”, in JAMIESON Dale (ed), *A Companion to Environmental Philosophy*, Oxford and Malden, Blackwell Publishers, 2001, pp. 426-438.

125MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, p. 13.

126Schlosberg uses the term “application” several times to refer to the transfer of the categories of social justice to the domain of environmental justice. For that reason, we insist on this terminology which, as will be shown further into the thesis, sometimes gives the idea of a mechanical application of concepts to a new (or at least a previously unseen) reality. SCHLOSBERG David, *Defining Environmental Justice. Theories, Movements and Nature*, Oxford, Oxford University Press, 2007, pp. 3-4.

127*Ibid.*, p. vii.

128*Ibid.*, p. 12. On that point see also RENAULT Emmanuel, *L'Expérience de l'Injustice*, *op. cit.*, p. 135 *sqq.*

129GRAEBER David, *Bullshit Jobs: A Theory*, London, Penguin Books, 2019.

130YOUNG Iris Marion, *Justice and the Politics of Difference*, Princeton and New Jersey, Princeton University Press,

In the second part of this thesis, we will see that the conflict related to the emergence of the social question between the end of the 18th and the beginning of the 19th century could not be reduced to the problem of the distribution of incomes and has to do with the degradation of human life caused by the burgeoning capitalism¹³¹. One of the aspects of this degradation is precisely the loss of social status and recognition. Schlosberg insists on the fact that recognition has been one of the “paradigms” by which theories of justice have been enriched. Given the fact that the question of distribution should not be dismissed for recognition, the question of their articulation therefore remains¹³². In this respect, Schlosberg mentions the famous “distribution or recognition” debate between Honneth and Nancy Fraser¹³³. As noted by many commentators, the “or” does not mean an alternative, since both authors propose an articulation between the two concepts¹³⁴.

Fraser perfectly exposes the problem raised by this articulation. She begins with the observation that in the late 20th century the “struggle for recognition” became the paradigmatic form of social conflict and that this new model tended to displace and marginalise the so-called “distributive paradigm”¹³⁵ at the level of social movements *but also* at the level of normative philosophy¹³⁶. Either that or misrecognition and the cultural depreciation of identities became hypostasised and abstracted from their entwinement with distributive inequalities (which, as a result, have been simply ignored); or the link between the two notions has been misunderstood, with unjust distribution being thought has a mere secondary effect of misrecognition. In all cases, “cultural proponents” have reduced maldistribution to recognition and doing so, they reversed a claim of vulgar Marxist economism, which ignored the claim for recognition or reduced them to the claim for economic redistribution¹³⁷. Against this trend, Fraser contends that recognition and distribution are both irreducible notions and which, yet must be articulated properly.

Several typical cases prove that reductionism is not appropriate: the African-american banker, for example, who cannot get a taxi to pick him up because of racist prejudices is a perfect example of misrecognition without maldistribution; whereas the white male worker who becomes

1990, pp. 19-20.

131 On the (at least partial) inadequacy of the distributive paradigm to the social question, see also RENAULT Emmanuel, *L'Expérience de l'Injustice*, op. cit., pp. 130-147.

132 SCHLOSBERG David, *Defining Environmental Justice*, op. cit., p. 12.

133 For a very complete and detailed study of this debate, see LAZZERI Christian, “Reconnaissance et redistribution. Repenser le modèle dualiste de Nancy Fraser”, in CAILLÉ Alain and LAZZERI Christian (eds), *La reconnaissance aujourd'hui*, Paris, CNRS, 2008, pp. 171-225.

134 DERANTY Jean-Philippe, “Conceptualising Social Inequality: Redistribution or Recognition?”, *Social Inequality Today*, Macquarie University, 12 November 2003, p. 6.

135 FRASER Nancy, “Rethinking recognition : overcoming displacement and reification in cultural politics”, in HOBSON, Barbara, *Recognition, Struggles and Social Movements. Contested Identities, Agency and Power*, Cambridge, Cambridge University Press, 2003, p. 22.

136 FRASER Nancy and HONNETH Axel, *Redistribution or Recognition? A Political-Philosophical Exchange*, trans. Joel Golb, James Ingram and Christiane Wilke, London and New York, Verso, p. 9.

137 FRASER Nancy, “Rethinking recognition : overcoming displacement and reification in cultural politics”, pp. 24-25.

unemployed because of the offshoring of his factory illustrates how material inequalities are produced by a neutral and cold economic order based on accumulation and whose mechanisms are not determined by cultural patterns and identity depreciations¹³⁸. This *distinction* between two forms of justice corresponds to two analytically distinct aspects of society: the status order of society, and its economic structure. The economic structure is made of property regimes and labour markets which produce classes: those groups of actors are defined by their differential endowment of resources¹³⁹. At the “level” of the status order of society, there are a set of institutional patterns of cultural and symbolic values which generate status groups, analytic categories that Fraser borrows from Weber and which, according to her, designate groups of actors which are defined by the *relative* prestige, the honours, the esteem and the respect they enjoy vis-à-vis others – low-status ethnic groups, racialized groups, groups of people whose sexuality is interpreted as deviant are some of those groups¹⁴⁰. According to this social theory, distributive inequalities are a result of the “economic class subordination” which structures the economic order, while misrecognition is a result of status subordination which structures the status order of society. In contrast with “non-capitalist societies”, in which social relationships are regulated by institutionalised patterns of cultural value (kinship, religion, law, etc) and in contrast with the ideal of a “fully marketised society” in which all interactions are determined by the economic structure, our contemporary societies are a mix of both models. Indeed, marketised arenas and cultural orders both coexist in our societies, even if these two aspects are never confused. This explains the coexistence but also the partial uncoupling of the economic logic of class and the cultural logic of status, and thus of maldistribution and misrecognition. However, *distinction* does not mean *opposition*, hence the need for a proper articulation of both models. A solution to the problem of the articulation could be by means of those that Fraser calls the “poststructuralists”, those who propose a form of monism according to which status and class, claims for recognition and claims for distribution are so deeply intertwined that it would be meaningless to distinguish them. But as Fraser argues, this would amount to “painting a night in which all cows are grey”, in other words, this would lead us to theoretical confusion¹⁴¹. Hence the necessity of articulating recognition with distribution but also of

138FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, pp. 34-35.

139*Ibid.*, p. 50.

140*Ibid.*, pp. 50-51.

141*Ibid.*, p. 60 ; FRASER Nancy, “Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation”, *The Tanner Lectures on Human Values*, Delivered at Stanford University April 30-May 2, 1996, https://tannerlectures.utah.edu/_resources/documents/a-to-z/f/Fraser98.pdf , pp. 8-9. Here, we recall that, according to Weber, the “Status” (*ständische Lage*) means “a claim to positive or negative privilege in social estimation, based on (...) the manner in which life is conducted (...) a formal mode of cultivation (...) prestige of birth or of occupation”. WEBER Max, *Economy and Society*, trans. Keith Tribe, Cambridge, Massachusetts, London, England, Harvard University Press, 2019 [1921], p. 455; WEBER Max, *Economy and Society. An Outline of Interpretive Sociology*, trans. Ephraim Fischhoff and al., Berkeley, Los Angeles, London, University of California Press, 1978 [1921], p. 305 He also defines a “status group” (*Stand*) “as many persons who within an organisation attract a

maintaining their distinction. Without the distinction of recognition and distribution, it would be impossible to reveal the specificity of both concepts, and one could even ask why two words are used for the same thing¹⁴². In order to articulate the two notions while maintaining the distinction, Fraser proposes a “perspectivist dualism” that she opposes to a “substantialist dualism”. Whereas the latter considers that culture and economy are two separate and impermeable spheres (something that prevents any form of articulation)¹⁴³, the former contends that distribution and recognition are not substantially different domains of the social world but two distinct analytical perspectives that can be adopted by any domain¹⁴⁴. In other words, distribution and recognition are conceptually distinct but the same practice, the same portion of the social world, can be analysed by both of these perspectives. For instance, income-support programs belong to the economic domain of distribution, but if one were to take the perspective of recognition and focus on the production of norms that result from welfare programs, the effects of them on the social status of single mothers, immigrants, etc., can be seen to be detrimental¹⁴⁵. Reversely, the disrespect that homosexuals suffer from belongs to the cultural domain of recognition of identities and status, but, if one were to adopt the distributive perspective, it is possible to reveal the consequence of this social stigmatisation on their employment and income. Thereby, distributive injustice and misrecognition can be described as two extremities of a general spectrum of social injustices whose central parts are made of a mix of both paradigms¹⁴⁶. At one end of the spectrum there is the pure and non-mixed ideal-type of unjust distribution (economic exploitation) where any form of “cultural” injustice derives from this economic injustice and is reduced to it; and at the other extremity, there is the core of any injustice related to misrecognition where any form of economic injustice is a mere manifestation of one’s

special estimation due to their social rank and, possibly also b) are able to lay claim to particular monopolies by virtue of their social rank”. WEBER Max, *Economy and Society*, trans. Keith Tribe, *op. cit.*, p. 456; WEBER Max, *Economy and Society. An Outline of Interpretive Sociology*, trans. Ephraim Fischoff and al., *op. cit.*, p. 306. Here, in order to simplify our exposition of the recognition-distribution debate, we forget about the possible discrepancy between Fraser and Weber's interpretation of the couple class-status. For further explanation of Weber's conception of social stratification, see MERLE Pierre, “En haut, en bas. Les stratifications sociales selon Weber”, *La Vie des Idées*, November 2016, <https://laviedesidees.fr/En-haut-en-bas.html>.

142FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, p. 213.

143Ibid., pp. 61-62.

144Ibid., pp. 63-64. Fraser provides a very clear summary of her dualism in the following passage of *Redistribution or recognition?*: “By calling it *perspectival dualism*, I have signalled a special, counterintuitive way of understanding distribution and recognition. In lieu of spatial and substantial interpretations, which equate those categories with societal domains, I construe them perspectivally, as analytically distinct ordering dimensions which cut across institutional divisions. For me, accordingly, distribution and recognition do not occupy separate spheres. Rather, they interpenetrate, to produce complex patterns of subordination. Thus, institutionalized value patterns continue to permeate marketized interactions, even though they do not directly govern the latter; and instrumental considerations continue to suffuse value-regulated arenas, even though they do not enjoy a free hand. It follows that distribution and recognition can never be fully disentangled. All interactions partake simultaneously of both dimensions, albeit in different proportions”. *Ibid.*, p. 217.

145FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, p. 63 ; FRASER Nancy, “Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation”, *op. cit.*, p. 42.

146FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, pp. 16-22 ; FRASER Nancy, “Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation”, *op. cit.*, pp. 10-18

status in society. Between these two abstract poles, a myriad of hybrid cases which fit into both paradigms simultaneously and thus combine economic exploitation and oppression related to identity and status. The articulation of distribution with recognition proposed by Fraser could be summarised as follows: neither *reductionism*, nor *opposition* between the two paradigms but conceptual and analytical *distinction*, and *combination*.

It is not possible to give a full account of Honneth's ideas, but schematically a part of the discussion focuses on the problem of the alternative between monism and dualism. Honneth first argues that the socio-historical diagnosis which claims that contemporary social movements moved from legal equality and material redistribution¹⁴⁷ to recognition does not fit with the history of struggle since its inception in the 19th century until the contemporary epoch¹⁴⁸. Basing his argument on the historiography of social movements of the 19th century (especially on the already quoted work of E. P. Thompson), he claims quite rightly that the working class struggles of the 19th century, generally conceived as "redistributive conflicts", were not motivated solely by material and economic interests but also by honour and dignity¹⁴⁹. In that, the social protests of the lower classes in emerging capitalism are not so different from the resistance of colonised groups, the women's movement, struggles against slavery, etc., but also contemporaneous "politics of identity"¹⁵⁰. Therefore, by contrast with the historical thesis of rupture, there is a continuity between working class struggles of the 19th century and contemporary social movements. This historical observation leads Honneth to defend a "moral-theoretical monism"¹⁵¹: bourgeois-capitalist society is "an institutionalised recognition order"¹⁵² and, under such a system, distributive conflicts "typically take the form of social groups, in response to the experience of disrespect for their actual achievements, attempting to throw the established evaluative models into question by fighting for greater esteem of the social contribution, and thereby for economic redistribution"¹⁵³. In other words, recognition is

147According to Honneth, it is Charles Taylor who, in famous essay *Politics of recognition*, proposed such historical thesis. FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, pp. 122-123 and 135. See also HONNETH, Axel, "Reconnaissance et reproduction sociale", trans. Michelle Lapierre et Emmanuel Renault, in PAYET Jean-Paul and BATTEGAY Alain, (eds.), *La reconnaissance à l'Epreuve. Explorations Socio-anthropologiques*, Villeneuve d'Ascq, Presses universitaires du Septentrion, Le regard sociologique, 2008, pp. 45-58. Honneth also claims that the initial diagnosis pictured by Fraser is strongly influenced by such a periodisation, which in a certain way leads her, according to Honneth, to the false premise that identity politics and the struggle for redistribution are historically opposed. See for example, the beginning of FRASER Nancy, "Rethinking recognition : overcoming displacement and reification in cultural politics"; see also, FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, pp. 7-8.

148FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, pp. 122-124.

149FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, p. 131; HONNETH Axel, *The Struggle for Recognition*, *op. cit.*, pp. 166-167.

150FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, p. 123 and 132.

151*Ibid.*, p. 157.

152*Ibid.*, p. 137.

153*Ibid.*, p. 154.

the fundamental moral category and distribution is treated as derivative¹⁵⁴. This is what leads Fraser to accuse Honneth of having traded “a truncated economism for a truncated culturalism”¹⁵⁵.

Here, it is not possible to mention all the aspects of the recognition-distribution debate (for instance, critiques that Fraser addresses to Honneth regarding the fact that he reduces recognition to psychology¹⁵⁶ or even the “distributive critiques of recognition”¹⁵⁷). In fact, despite their disagreements, both Fraser and Honneth claim for a pluralist concept of justice which includes both distribution and recognition, even if they do not articulate those categories in the same way¹⁵⁸. This is precisely the point which holds the interest of Schlosberg and environmental justice theorists who claim for the need of a pluralist approach to environmental struggles. There is a need, therefore, for a bivalent integrative concept of justice that may be “applied” to the empirical reality of social movements. An analysis of the claims of the people affected by Texaco’s operations in the North of Ecuador gives an idea of how the application of such a bivalent approach to “environmental justice movements” is important.

In fact, is worth pointing out that a pluralism of grammars of justice even goes beyond the binary schema set out above. Indeed, as Schlosberg argues, “issues of justice are not just bivalent, but trivalent”¹⁵⁹. Participation is the third term of this pluralist approach to justice. It can be defined with Iris Marion Young as the opportunity for persons *to take part* in and to have a voice “in the deliberation and decision making of the institutions to which their actions contribute or, which directly affect their actions”¹⁶⁰. As hinted above, her starting point is a critique of the notion of distribution. The main critique that Young addresses to the distributive paradigm is that it obscures the institutional context in which distribution takes place¹⁶¹. In that, her critique is very close to Marxism which states that “justice refers only to the superstructural juridical relations of distribution, which are constrained by the underlying mode of production”¹⁶². In a word, any pattern of distribution is to be related to the material infrastructure (social relations of production and class relations) which determines it. Nevertheless, the conceptual framework provided by Marxism is too narrow, claims Young. Indeed, what she calls the “institutional context” of distribution must be understood in a broader sense than the economic infrastructure of the society since “it includes any structures or practices, the rules and norms that guide them, and the language and symbols that

154*Ibid.*, p. 3.

155*Ibid.*, p. 216. For her criticisms of Honneth’s “culturalism”, see *Ibid.*, p. 211-222.

156*Ibid.*, p. 201 *sqq.*

157SCHLOSBERG David, *Defining Environmental Justice*, *op. cit.*, pp. 20-23.

158*Ibid.*, pp. 24-25.

159*Ibid.*, p. 28.

160YOUNG Iris Marion, *Justice and the Politics of Difference*, *op. cit.*, p. 91.

161*Ibid.*, p. 21.

162*Ibid.*, p. 20.

mediate social interactions within them, in institutions of state, family, and civil society, as well as the workplace”¹⁶³. One aspect of these “institutional background conditions” which directly affect distribution are the decisionmaking structures, *i.e.*, 1° the structures of power and authority which generate political decisions that determine the collective future of individuals (“Decisionmaking issues include (...) questions of who by virtue of their positions have the effective freedom or authority to make what sorts of decisions”¹⁶⁴) 2° “the rules and procedure according to which decisions are made”¹⁶⁵. Young’s thesis is that the economy is not an autoregulated sphere but depends in great part on this political structure. Especially, the distribution of wealth, incomes and positions derive in part from political decisions (about investments, production, wage, employment, etc.). For that reason, participation in deliberation and decision making which produce the repartition of goods within the social field is a fundamental aspect of justice, in the same way that distribution and recognition are¹⁶⁶. And it is one of the significant demands within contemporary social protests. Young quotes the work of Ohio City who refuse any discussion about monetary compensation after the major employer of the city closed down its plant which provided jobs for half of the population and without any consultation. The problem is not only that people lose their jobs and thus lack money, but that “no private party should have the right to decide to decimate the local economy”¹⁶⁷. Having a voice in any political decision which could affect the collective future of communities is also a major claim of the ecological struggle. Witness the already mentioned popular consultations organised by local populations affected by mining industries. From the famous popular consultation of Tambogrande (Peru) in June 2002 to that of Mataquescuintla (Guatemala) in November 2012, 68 consultations have been held in several countries over Latin America (Peru, Argentina, Guatemala, Colombia, etc.)¹⁶⁸. These consultations can be defined as processes of direct vote in which the inhabitants of a local community are asked to choose between either “YES” or “NO” to an industrial activity (mining or oil extraction, nuclear plant, etc.), in general those which risk to durably affect its environment¹⁶⁹. The specificity of these consultations is that they are organised by the local population itself, not by national governments which usually, instead of validating the vote, do everything to de-legitimate it. These “participative processes” are non-binding in the sense that they do have not legal validity and do not automatically entail the

163 *Ibid.*, p. 22.

164 *Ibid.*, p. 22.

165 *Ibid.*, pp. 22-23.

166 “The idea of justice here shifts from a focus on distributive patterns to procedural issues of participation in deliberation and decision making”. *Ibid.*, p. 34.

167 *Ibid.*, p. 19.

168 WALTER Mariana and URKIDI Leire, “Consultas comunitarias y vecinales contra la minería metalífera en América Latina (2002-2012)”, trans. Verónica Núñez Reyes, *Ecología Política*, n° 48, December 2014, pp. 48-53.

169 WAGNER Lucrecia Soledad, “Consultas comunitarias en Argentina: respuestas participativas frente a mega-proyectos”, *Revista Tempo e Argumento*, Florianópolis, Vol. 11, n° 28, 2019, p. 183.

prohibition or the validation of the project. However, these grass-roots collective actions can be interpreted as a claim of local population to the right to participate in the decisions which will affect their environment and their way of life¹⁷⁰.

7) The Problem of Appropriateness

In the previous section, we presented an initial typology of ecological conflicts whose three main types were distribution, recognition and participation. This trivalent typology derives from Schlosberg's work but a similar "classification" could be found in other writings dedicated to environmental conflicts¹⁷¹. As mentioned above, this typology is more or less elaborated within the traditional categories discussed in the philosophical literature on the moral grammars of social struggles. In other words, scholars have revisited the categories discussed by Honneth, Fraser and Young and *applied* them to the specific case of environmental justice.

The pluralism of the grammars of conflict allows us to answer the first problem that raised in an earlier section: are ecological conflicts reducible to the simple question of distribution? This question was in fact almost rhetorical and the previous discussions on the theories of justice and their application to environmental justice prove that distributive justice does not exhaust the content of ecological conflicts. Even if this problem has been *partially* solved, this thesis will, nonetheless, dedicate a part of it to the problem of the reduction of grammars of conflict to distribution.

Now, the aforementioned typology raises another problem. This typology has been built by applying the traditional grammars of social conflicts to the specific case of ecological struggles. The question of its application raises the following problem: is it possible to transfer the traditional categories of conflict and apply them without alteration to the ecological fact, *i.e.*, the existence of ecological struggles, without missing the specificity of these conflicts which are not new, but were theorised and thematised by social sciences only at the end of the second half of the 20th century (here, we are especially thinking about Guha and Martínez-Alier)? If we follow the previous analysis, it seems that the traditional grammars of conflict have been elaborated (or at least reactivated) in the specific historico-social context of certain social struggles. Is it possible to extract categories of conflict from their original context and to transpose them onto ecological conflicts? To a certain extent and at first sight, it would seem correct to say that distribution,

¹⁷⁰*Ibid.*, p. 185.

¹⁷¹See for instance LARRÈRE Catherine and LARRÈRE Raphael, *Penser et Agir avec la Nature. Une Enquête Philosophique*, Paris, La Découverte, Sciences humaines, 2015, pp. 279-322 ; LARRÈRE Catherine, "Quelle égalité pour l'écologie politique?", in LARRÈRE Catherine (ed.) *Les inégalités environnementales*, Paris, PUF, laviendesidées.fr, 2017, pp. 5-28.

recognition and political participation were at the centre of (or at least occupied a significant place in) the social struggles that emerged with the social question and the birth of market societies between the end of the 18th and the beginning of the 19th centuries. It goes without saying, however, that these categories pre-existed this historical period. For instance, the concept of distribution was already existent in Greek thought, for instance, the discussions that Aristotle dedicated to distributive justice in *Ethica Nicomachea*¹⁷². However, as noted by Emmanuel Renault, Aristotle's notion of distributive justice and social justice as it was understood at the beginning of the 19th century have quite different significations: for Aristotle, distributive justice refers to the *distribution* of goods which are possessed in common (as for example the land of a new colony); with the advent of capitalism, social justice (in its distributive meaning) is the *redistribution* of incomes, which were previously distributed by the market and market exchange, a configuration of social life which raises specific issues (as, for example, the conflict between the right that the rich have on the wealth they legally appropriated and the right that the less fortunate may claim concerning the redistribution of the same wealth)¹⁷³. And it would seem that the same analysis could be made regarding recognition and participation. Obviously, this does not mean that categories cannot be transposed from a specific context to another, or from a specific period to another. It just means that one should beware of any mechanical application of those categories which have been forged in a specific context to a social reality which is *a priori* heterogeneous, *i.e.*, the massive degradation of the environment by certain societies and the conflict resulting from these destructions.

A priori, the aforementioned grammars of conflict (distribution, recognition, participation) were not formulated to conceptualise environmental conflicts; they appeared in the specific context of the social movements derived from the French Revolution and the labour movement. Consequently, it is legitimate to ask if these categories fit the ecological situation, we described in beginning of the introduction. This question is therefore related to the appropriateness of the grammar of social struggles to ecological conflicts. This problem is double: 1° are those grammars relevant to deal with the aforementioned actual ecological fact (ecological conflicts)? 2° if this is the case, then do they cover all the aspect of that fact? While the answer to the first question is somewhat obvious (those grammars are, to a certain extent, relevant), the answer to the second question is less obvious. We saw that, *to a certain extent*, distribution, recognition, and participation are motivational components of ecological struggles; however, do those grammars exhaust the totality of the motivational basis of these conflicts? More specifically, are those grammars appropriate to the fundamental aspect of these struggles, that is, the fact that they are *ecological*

172ARISTOTLE, *Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D. Collins, Chicago and London, The University of Chicago Press, 2011.

173RENAULT Emmanuel, *L'Expérience de l'Injustice*, *op. cit.*, pp. 137-138.

struggles? Here, the second problem already mentioned in a previous section returns: are distribution, recognition and participation grammars that are capable of accounting for the hypothesis put forward above: that ecological struggles are not only struggles about environment but also struggles motivated by a certain form of environmentalism? Or are those categories simply transpositions from traditional social protests and applied mechanically to ecological struggles, in which case, they would not be fully appropriate to those specific form of conflicts? The question of “appropriateness” is the central question of this thesis.

8) The Choice of “History of Philosophy”: Philosophy and the Social Sciences

To solve this problem, we believe that it is, firstly necessary to revisit the traditional grammars of conflict that are more commonly used to think about social conflicts, and which are today applied by scholars (principally environmental justice scholars) to ecological conflicts. Several reasons justify this first step. First, as we are going to see, we contend that the grammars already mentioned are still too narrow in scope and can, therefore, be extended and enriched. In other words, the pluralism of these categories can be expanded. Now, the historical enquiry into the grammars of conflict precisely allows us to find other grammars and thus to intensify the aforementioned pluralisation. Second, a careful enquiry into these grammars of conflict will reveal their internal structure and logic, facilitating the evaluation of the relevancy of their application to ecological struggles. For these reasons, the three first parts of that thesis will be dedicated to a critical review of the traditional grammars of conflict.

We have chosen to focus on certain texts of classical philosophy, those of which are dedicated to the problem of social conflicts and the thesis is, in great part, (that is, *not entirely* and *not exclusively*) a thesis in the history of philosophy (although, as we will see, this discipline has been used in a very specific way). This choice is by no means self-evident and requires some justification: 1° to explain why it is not self-evident and 2° to provide some clarification for the reasons which led the thesis down the path of the history of philosophy. Thus, it is also necessary to clarify the perspective and the methodology that we have been chosen to treat the question of ecological conflicts. More specifically, it is necessary to clarify the approach of this thesis and the question concerning the relation between philosophy and social science.

The background ideas of this thesis started in 2008 when researching certain ecological struggle. In particular, I undertook a series of activist inquiries into socio-environmental struggles against mining industries in Latin America (but also in France). In 2010, I travelled to North

Argentina (Jujuy, Catamarca, Tucumán, principally) with Anna Bednik (an independent researcher who wrote a book on extractivism already quoted¹⁷⁴) as well as Jeremy Dotti, another fellow traveller, in order to investigate the movements of the *vecinos-autoconvocados* (self-convoked neighbours) and the *Unión de Asembleas Cuidadanas* (Union of Citizen Assembly) which protest in all the country against open-pit mining¹⁷⁵. The following year I undertook an enquiry into very similar conflicts in the North of Peru. As specified at the end of this thesis, from 2012 until today, I have participated in a project that promotes indigenous cinema called Etsa-Nantu/Cámara-Shuar, which has the specific goal of informing people about how the Shuar people are opposing the mining companies in the Morona Santiago province (Ecuador, Amazonia). Since 2013, I have also taken a great interest in several movements which are against the resurgence of mining extraction in France, and I have had the occasion to visit several areas of conflict (Sarthe, Creuse, Bretagne, etc.). Since 2008, I was therefore convinced that these social movements were the proof that ecology is a *social question* and that, consequently, I was necessary to write a PhD thesis on this specific topic. While it is neither the place, nor my objective to recount the “personal” motivations which led me to undertake such a work. Nonetheless, I would like to highlight the fact that, at the beginning, what I had in mind was to use these empirical enquiries to develop a philosophical reflection on ecological conflictuality and, more broadly, to develop a political philosophy of ecology. The point is that what was initially planned for thesis was to articulate philosophical reflection and ethnographic enquiry rather than just choosing the often arid and abstract path of the history of philosophy.

Nevertheless, such an enterprise encountered several epistemological obstacles which are worth mentioning. As will be mentioned at the end of the thesis, I had the chance to meet several anthropologists during my visits to the lowlands of Ecuador. The long discussions I had with them as well as the confrontation I had with the extremely multifaceted reality of fieldwork made come to realise something which is most probably self-evident to anyone who has ever opened a monograph in anthropology, but which should also be experimented once to be fully and concretely understood: the fact that to glean something from fieldwork and, more generally, something of the social world, requires *time* and a strong training in methodology of social sciences. For my part, I had undertaken a master formation in social sciences at the EHESS in 2012-2013, under the supervision of

174BEDNIK Anna, *Extractivisme. Exploitation industrielle de la nature: logiques, conséquences, résistances*, Neuvy-en-Champagne, Le Passager clandestin, 2016.

175This enquiry gave rise to several publications in the militant press. See for example : ANTONELLI Mirta, “Se rencontrer, apprendre, construire et résister : expériences des assemblées socio-environnementales en Argentine. Entretien avec Mirta Antonelli (Córdoba, Août 2010)”, interviewed by BEDNIK Anna, COSTA Donatien, DOTTI Jérémy, in *Falmag*, n°104, 1st Semester, 2011, pp. 17-19; ZIBECHI Raul, “Quatre tensions à affronter pour combattre l’extractivisme”, transcription and translation by COSTA Donatien, *Falmag*, n°104, 1st Semester, 2011, p. 22-23.

Alexandre Surrallés, and I continue to regular contact with ethnologists and other investigators in the social sciences. Moreover, despite the “short period” I spent in the lowlands of Ecuador (around four and a half months in total), and despite the fact that my principal goal consisted in making videos that were concerned with the ecological struggle against mining and colonisation, I had the opportunity to collect a significant amount of data on these conflicts and, thanks to the vast literature dedicated to the region and the help of ethnologists working in this field, I managed to grasp something of the local situation. Indeed, while making these videos substantial investigation was undertaken and more than 500 hours of “rushes” were taken (which comprises a large number of interviews). Moreover, it should be added that during my stay in Morona Santiago, I spent a large amount of time with people, and over the years since we have weaved durable links that remain today.

Nevertheless, to truly understand the situation in Morona Santiago and the struggle against the mines there requires several prerequisites: 1° to spend a long and *uninterrupted* period in the field 2° to understand the indigenous local language which is an important part of the social interaction of this region that is predominantly inhabited by the Shuar 3° a solid knowledge of the kinship relationships which determine the socio-political relations between Shuar “communities” (especially, the incessant conflicts between factions) 4° to collect a significant amount of data on the current state of the Shuar’s socio-ecological systems (especially on their gardens, how they cultivate and hunt different species, and their interactions with “recently” introduced animals such as cows, etc.), that is, in order to compare them with the data recollected by anthropologists before colonisation 5° to have a good knowledge of the vast anthropological literature dedicated to the Shuar societies and the local history of Morona Santiago 6° to make a systematic analysis of the data. These are just some of the few prerequisites needed for a full understanding of the conflicts which have raged for several years in this specific part of the lowlands of Ecuador.

I hope to not lose sight of these requirements and to build further research in future. However, given the *relatively* “restricted” time allotted for a PhD, I preferred to postpone this project, which would have presented an articulation of philosophical work with ethnological fieldwork¹⁷⁶. Indeed, while five years was sufficient to accomplish a rigorous work of philosophical commentary; rigorous fieldwork would have likely required some years more. It is for these reasons which led me to focus on a more “classical” piece of philosophical work. Having said this, the end of the thesis is still nonetheless dedicated to the struggles against extraction in the lowlands of Ecuador. This was chosen to finish the thesis in order to exemplify and support the central

¹⁷⁶For a good warning on the risks of a “fieldwork philosophy”, see PALTRINIERI Luca, “Critique de la philosophie de terrain : plaidoyer pour l’enquête philosophique. Lecture du livre de Christiane Vollaire, *Pour une philosophie de terrain*”, in *Rue Descartes*, n° 97, 2020/1, pp. 174-178.

hypothesis of this thesis, namely, that ecological struggles is for territorial attachments.

Indeed, another option would have been to spend less time on philosophical commentary and to have dedicated a more substantial part of the thesis to the social science studies concerned with ecological conflicts. We could have dedicated an entire part of our thesis to a systematic study of the social science works on that topic. Nonetheless, this option was seen to be problematic for at least three reasons.

Firstly, this solution recalls what Lévi-Strauss designates as “anthropology” in comparison to “ethnography” and “ethnology” taken from a famous text that he dedicates to methodology. As above, in this text, Lévi-Strauss distinguishes between three levels of anthropological study: 1° ethnography: the observation and the description of a specific group in a fieldwork (spatially and temporally restricted), and the writing of a monograph 2° ethnology: the first synthesis which consists in the first generalisation that can be simultaneously geographical (the comparative study of several groups of a specific area), historical (the study of the past and the present of one or several groups) and thematic (the systematic study of the technique/technology, a custom or an institution in an extended area) 3° anthropology: the final synthesis, which based on the two first steps and that aims at global knowledge of man through a comparative perspective¹⁷⁷. The systematisation of studies on environmental conflicts seems to be somewhat similar to this final step of anthropological work.

Now, why should one opt for such an option, knowing that anthropologists are usually more equipped to undertake this synthesis? Moreover, Lévi-Strauss specifies that anthropology, as ethnology and ethnography are not different disciplines but different stages of the same study. Consequently, there is no anthropology without ethnology, and above all, without ethnography, the first step being based on fieldwork. Consequently, if one were to opt for the systematisation of empirical studies, one may run the risk of doing an anthropology that is cut off from the ethnographical fieldwork that is necessary for it. Something which, *in fine*, would amount to adopting the perspective of a so-called “armchair anthropologist”.

The second difficulty that such an approach raises concerns the current state of the studies on environmental conflicts, especially in anthropology. Here, we take the case of anthropology because we strongly believe that the methods used by anthropologists (especially participant observation methods and long periods of fieldwork) are the most apt to reveal the deeper motivations of the actors involved in ecological struggles. Here, several problems need to be mentioned. First, the relative scarcity of *systematic* monographs on this specific subject. Having said that, of those that do exist some names stand out, for example, Bruce Albert who wrote, with

177LÉVI-STRAUSS Claude, *Anthropologie Structurale*, Paris, Pocket, Agora, 2003 [1958], pp. 411-413.

Davi Kopenawa, *La Chute du Ciel*, a book which denounced the devastating effect that Western industry has had on the Amazonian rainforest and the consequence of the extraction of gold on the Yanomami¹⁷⁸. However, it has to be admitted that the work of Bruce Albert is one of the few to focus specifically on this point. Indeed, at the risk of presenting a caricature of anthropological work, most anthropologists produce monographs on a group and publish articles in anthropological reviews or in reviews of NGOs and other organisations concerned with human rights (as for example the reviews of Survival International or IWGIA). The result of this predominant way of proceeding is that, despite the proliferation of works on ecological conflict, there is a trend to the relative fragmentation of the studies on environmental conflicts. Consequently, it is maybe still too early to undertake a strong anthropological synthesis in the Lévi-Straussian sense, and if such a synthesis was presently possible, it would be hard to understand why a philosopher would be more qualified for this task than an anthropologist, a sociologist or even a geographer.

Finally, plenty of information on the socio-environmental impact of the expansion of the capitalist frontier can be found in the anthropological literature dedicated to the disruption and the “transformation of non-capitalist societies’ by the modern world. However, it seems to us that the methodology used, and the perspectives adopted by researchers in these studies remain quite classical in the sense that they are affected by the classical divides which have structured the social sciences since their inception. We specifically refer to the epistemological divide between nature and culture which structured anthropology since the 19th century: a divide between physical anthropology which underscored the physical unity of mankind and social and cultural anthropology which focused on cultural diversity; a divide within cultural anthropology itself between sociobiology (which considers cultural variations as an adaptive response to the constraints of the environment) and structural anthropology (which focus on the selection of natural elements of the landscape and their transformation into symbolic systems)¹⁷⁹. We believe that one way or another, that studies on environmental conflict bear the mark of those divides. Indeed, rare are the monographs which really manage to provide a systematic and detailed study of the ecological and territorial devastation produced by capitalism *and* the multiple effects of these destructive forces on the whole social structure, that is, without separating both sides of the study. This is one of the shortcomings of the works quoted at the beginning of this introduction. Anthropologists and other social science scholars may find these remarks offensive coming from a philosopher who is comfortably ensconced in the chair of Parisian (or Milanese) university library

178ALBERT Bruce and KOPENAWA Davi, *La Chute du Ciel. Paroles d'un Chaman Yanomami*, Paris, Plon, Terre Humaine, 2010.

179DESCOLA Philippe, *L'écologie des autres. L'anthropologie et la question de la nature*, Versailles, Quae, Sciences en questions, 2011.

and who has never really experienced the baptism of fire that many undergo then conducting fieldwork in conflict areas such as the Guajira, where paramilitaries operate; and they may well be right. Indeed, the task is challenging, and probably, in some cases, impossible. In a sense, it requires two sorts of “photographs”: 1° a photograph of the collective relationship to nature *before* the devastation 2° and a photograph of the same relation after. We will see that such studies are possible, but they are quite rare because they require a set of conditions which are not always possible to gather.

All of the above reasons led the thesis away from adopting research conducted at the “anthropological level”. Another option could consist in taking for granted the division of labour within academics and the division between disciplines, and, on this base, articulating philosophy with other social sciences. In other words, this approach consists in assuming that we cannot be both a philosopher and an anthropologist and that we have to accept one of the two positions (in our case, that of the philosopher). Once the position as a philosopher is assumed, it then becomes possible to articulate philosophical work with other social sciences. It is *in part* that was choice was made for this thesis.

However, this articulation may take several forms all of which have been for the most part discussed by several generations of the Frankfurt school of Critical Theory. For instance, three possibilities can be drawn from the intellectual trajectory of Habermas¹⁸⁰: 1° the foundation (philosophy evaluates the legitimacy and the limits of sociology, specifies its meaning, issues and methodology)¹⁸¹ 2° the equalitarian cooperation between sociology and philosophy (especially, through the appropriation of the classics of sociology as Weber)¹⁸² 3° The subordination and the integration of sociology into a practical philosophy (which entails, nevertheless, that the elaboration of ideal norms remain under the control of the discourse of the social sciences)¹⁸³. A fourth option, the *interdependency* between philosophy and sociology (a position which is close to the model of integration) is proposed by Honneth¹⁸⁴. Honneth deplores the fact that contemporary the social sciences have a tendency to abandon all normative perspectives, one of the reasons why he undertakes the elaboration of normative criteria (found in the moral idea of recognition) by which

180Here, we follow the Stéphane Haber's reconstruction of Habermas' intellectual trajectory in his book HABER Stéphane, *Habermas et la sociologie*, Paris, Puf, 1998.

181HABER Stéphane, *Habermas et la sociologie*, *op. cit.*, p. 34.

182*Ibid.*, p. 63.

183*Ibid.*, p. 97.

184For an essay of explanation of the complex relationships between sociology and philosophy in the work of Axel Honneth, see VOIROL Olivier, “Axel Honneth et la sociologie. Reconnaissance et théorie critique à l'épreuve de la recherche sociale” in CAILLÉ Alain (ed.), *La quête de reconnaissance. Nouveau phénomène social total*, La Découverte, “TAP / Bibliothèque du MAUSS”, 2007, pp. 243-268. In the following lines, we follow Voirol's analysis.

pathological evolutions of society can be revealed¹⁸⁵. The sociological approach has then to follow on from the so-called normative perspective which the philosophy of the social proposes. It is within these normative criteria that sociology is able to describe and examine the social pathology of any society. In turn, sociology continues to produce knowledge about social reality with its own modalities of enquiry and its own methodological constraints. In addition, sociology questions and tests the normative framework that is proposed by philosophy (norms are then placed under the control of empirical data¹⁸⁶).

This thesis is influenced and believes in the interdependency between philosophy and the social sciences and is sympathetic to at least two principles related to this approach: 1° the equal treatment of philosophy and social sciences (none of the disciplines should be in an ancillary relation with the other) 2° the feedback between both sides. In a sense, the structure of this thesis embodies this dialogue and the constant back and forth between philosophy and empirical studies. Social sciences appear at least three times in this thesis: at the beginning, in the centre and at the end. We began this thesis with an actual ecological fact (the proliferation of ecological conflicts), a fact which has been documented by empirical studies in anthropology, sociology and geography. This empirical fact leads to the examination of a corpus of philosophical texts dedicated to conflicts, texts which will be explored in the three first parts of this thesis. To establish the insufficiency of the grammars of conflict elaborated in the three first parts, we will resort once again to the social sciences. In the fourth part, we will return to the history of philosophy in order to look for a more satisfying model that may aid in the study of environmental conflicts. At the end of our thesis, this model will be put to test in relation to empirical data. In fact, this articulation of philosophy and social science, which is based on their distribution in distinct moments, is only schematic and is not fully representative of the way thesis proceeds. Indeed, the social sciences, in particular environmental history (but also anthropology), are present throughout the developments dedicated to the history of philosophy. Indeed, as will be demonstrated, environmental history has at least two functions for the thesis: 1° to provide a new insight on the classical philosophical corpus which is often taken to be purely abstract 2° to reveal some blind spots in these classical texts.

To be clear, a preponderant place has been granted to the history of philosophy in this thesis, and for several reasons.

First, long before the emergence of social sciences, philosophy was probably one of the first discipline to have clearly and systematically formulated the grammars of conflict which underlie the social struggles of their times. Earlier, it was said that the sociologist is similar to the grammarian

185HONNETH Axel, "Pathologies of the social: The past and present of social philosophy", in HONNETH Axel, *Disrespect. The Normative Foundations of Critical Theory*, Cambridge, Polity Press, 2007, pp. 3-49.

186HONNETH Axel, *The Struggle for Recognition*, *op. cit.*, p. 69.

who formalises the language that people use in their daily life. Before the inception of sociology, philosophical discourse held the privileged place and conducted the conceptual systematisation of the language which is at the basis of empirical social conflicts. As we will see, most of the time, the philosophical discourse on conflict was elaborated in relation to the historical reality of social struggles. And these grammars, which have been elaborated by the philosophical discourse in connection to social reality have been next revisited by social sciences. In part, categories as distribution and recognition, which are used today by social sciences, have *in part* been inherited from philosophy. This does not mean that the social sciences discourse on environmental conflicts is a simple reproduction of the philosophical discourse; quite the contrary, anthropology, history and sociology have the power to revisit, to displace, to correct and to transform the grammars that stem from the philosophical tradition. Moreover, we do not believe that the circulation of concepts between the social sciences and philosophy are one sided. Witness the multiple reinterpretations and uses of the struggle for recognition in the 1930s, a concept which circulated between Marcel Mauss' anthropology of the potlatch, the philosophy of Alexandre Kojève but also the work of Georges Bataille¹⁸⁷. Nonetheless, we still believe that, before sociological inquiry and anthropological fieldwork, philosophers were the first to capture *some aspects* of the conflicts that structure the social world (even if sometimes in an unsatisfying way); and the grammars of conflict they forged are today used in the framework of the studies on environmental conflicts. These philosophers therefore constitute some of the first "grammar-makers"¹⁸⁸.

The second reason which has led us to focus on the history of philosophy is philosophy's tremendous power in relation to the clarification of the categories. We believe that one of the specificities of philosophy is that it has a certain relation of distance with social reality. It is not that philosophy has no relation at all with the social world but that, by contrast with sociology or anthropology, this discipline does not use the empirical inquiry to approach society, hence a certain distance with its object. Here, we do not mean that social sciences are stuck in the empirical world and therefore are in no way conceptual (it suffices to open a book by Bourdieu to be convinced of the contrary); rather we believe that philosophy and social sciences have two different relations with the empirical world and that what characterises the first is a distant relation with the social. For that reason, philosophy focuses more on conceptual formulations than on the problem raised by the empirical world itself (we specifically think about the discussion regarding data and its analysis, which is typical of the social sciences). The effect of this emphasis on the concept is the

187KARSENTI Bruno, *L'homme Total. Sociologie, Anthropologie et Philosophie chez Marcel Mauss*, Paris, Puf, Quadrige, 2011, pp. 367-378.

188In that we agree with Irène Pereira who writes that "*les philosophes sont les grammairiens de la vie quotidienne*". PEREIRA Irène, *Les grammaires de la contestation Un guide de la gauche radicale*, Paris, La Découverte, Les Empêcheurs de penser en rond Éditeur, 2010, p. 9.

aforementioned power of clarification in relation to categories and, and more specifically the grammars of conflict and their structures which we wish to clarify in this thesis.

Finally, *the third reason* we have chosen to focus predominantly on the philosophical corpus is that the grammars of conflict elaborated by philosophers from the 17th to the 19th were permeated by the question of the collective relationship with the earth. Indeed, in this period, a great portion of the texts on conflict took the conflict for land as their object of enquiry. We even might be tempted to say that since the 17th century the struggle for land has very often been the paradigm of all social conflicts. The consequence of this omnipresence of the question of land in philosophical texts dedicated to conflicts is that the conflictual dynamic does not only consists in an interaction between humans, but it is opened to another form of interaction, the interaction with the land. This means that the sphere of the social, within which conflictual interactions are deployed, opens itself to a relation with nature. Or to put it another way, conflictual interactions between humans are mediated by a relation to nature. Thus, conflicts are not only an interaction between two human poles or terms, but includes a third term, land. Consequently, the interest in reading such texts so as to elaborate a grammar of ecological conflict becomes evident. Indeed, it would be very tempting to transpose the grammar of struggle for land onto the field of study related to ecological struggles. However, the question remains whether this transposition allows for a total understanding of ecological conflictuality.

9) A Typology Concerning the Grammars of Social Struggles For Land

In the previous section, we justified the fact that this thesis will principally focus on a certain form of history of philosophy. As mentioned above, the first three parts of this thesis will undertake a critical review of the main grammars of conflict elaborated by political modernity. Consequently, these parts should be understood as an essay concerning the typology of these grammars. Evidently this typology was not developed *ex nihilo*. As already said, a first draft of this typology can be found in the aforementioned discussions about social justice.

Moreover, similar essays concerning typology have been recently published. For instance Robert Damien and Christian Lazzeri propose a typology of conflicts based on three pure and abstract models: 1° conflicts based on *scarcity*: conflicts that are related to the privative appropriation of scarce resources (territories, food, money, etc.) 2° conflicts for *recognition*: those caused by forms of disrespect which hurt, offend and finally degrade the subjects, leading them to fight in order to be recognised by their peers. 3° conflicts of *domination*: these are characterised by

the search for supremacy and the will to dominate others in order to exert a supreme and undivided power¹⁸⁹.

When comparing this typology (scarcity-recognition-domination) with the aforementioned triad of distribution-recognition-participation, what is immediately obvious is both the similarity of the categories but also their differences. Let us briefly compare the category of scarcity with the grammar of distributive justice: on one hand, the scarcity of vital resources causes violent wars for the appropriation of what is indispensable for survival; on the other hand, individuals and groups fight for an ideal of distributive justice. In both cases the centre of gravity of the conflict is the appropriation of scarce resources. Nonetheless, as we will see, the notion of scarcity is not always one and the same: while it is moderate scarcity which raises distributive justice issues, wars that related to appropriation break out when the scarcity of resources becomes extreme. Moreover, there is an obvious opposition between the violence of conflicts related to extreme scarcity and the struggle for an ideal of justice. As we are going to see, it would seem that this tension between similitude and difference can be solved by gathering these two grammars into a larger category. In this way, their similitude is confirmed while their difference preserved. The same could be said with the grammars of domination and participation. In a case, the elite strive to capture power and maintain their monopoly on it (take, for example Machiavelli's *Prince*); however, alternatively, it can also be said that a group of subalterns struggle in order to participate politically and to exercise power. Concerning recognition, both typologies admit the existence of this sole category. Nevertheless, we contend that, much like for the other divisions of the typology, other notions are both similar and different from the grammar of recognition, a fact which compels us to put them in a larger category. Before we elaborate further this last point, let us just say that the two first cases (the conflict for the distribution of scarce resources and the conflict for domination-participation) prove the necessity of enlarging the categories of social conflict.

This is the conclusion that was drawn in the preparatory work carried out before the writing of this thesis. Indeed, with the aforementioned typologies in mind, the philosophical literature on struggles for land, and more generally on conflictuality, was explored. After this preliminary work, it appeared that these divisions were both justified but also too narrow. For that reason, we have been drawn to enlarge these categories and to forge more general grammars of conflict. Indeed, we

189DAMIEN Robert and LAZZERI Christian, (eds.), *Conflit, confiance*, Besançon, Presses universitaires de Franche-comté, 2006, p. 11-13. A similar typology has been proposed by Alessandro Pizzorno in an article entitled "Come pensare il conflitto". In this article he identifies three components (*componenti*) of the notion of conflict: 1° the conflicts of recognition (*conflitti di riconoscimento*) 2° the conflicts of interest (*conflitti d'interesse*) which include distributive conflicts (*conflitti distributivi*) 3° the ideological conflicts. PIZZORNO Alessandro, "Come pensare il conflitto", in PIZZORNO Alessandro, *Le radici della politica assoluta: e altri saggi*, Milano, Feltrinelli, 1993, pp. 187-203.

identified three general grammars: the grammar of having, the grammar of being and the grammar of action. One could offer the reproach that these grammars are too abstract, however, this thesis maintains the claim that this enlargement is justified. It is justified by the fact that a multiplicity of sub-grammars, which differ regarding certain points but present similitudes regarding others, should fall under more general categories. Moreover, it may be admitted that the grammars of conflict presented in this thesis are limited and that other categories could be added. Consequently, the provision of rather abstract but large grammars allows one to not close the investigation and to open to future inquiries regarding the categories of conflict. Now, within the general grammars of having, being and action, we chose to dedicate developments to the most representative sub-grammars which have been elaborated in relation to the question of land. In this sense, the “classification” also follows the thread of the question of land.

As hinted at above, the first grammar of conflict is based on the general notion of *appropriation*. For that reason, we call it the *general grammar of Having*. In other words, all the sub-grammars of conflict which fall under this general grammar are grammars which place appropriation at the centre of the conflictual dynamic. In theory, the content of this appropriation is not determined. In fact, in a significant part of the political thought stemming from the political modernity, conflicts for appropriation are conflicts the appropriation of land. The grammar which arose from the Hobbesian tradition is probably that which comes to mind first. From Hobbes to the Malthusian anthropology of the beginning of the 20th century, conflict has been thought about as a war for the appropriation of land in a limited world marked by scarcity. Here, the scarcity of land plays a fundamental role in the conflictual dynamic. Indeed, human passions which are traditionally considered as the cause of war would, alone, be unable to trigger conflict without this specific configuration of the earth: that is, the finitude of the territories in which populations live. In other words, conflict is not only made of human components, but it necessarily includes non-human elements in its dynamic. Now, the grammar related to land appropriation and the wars it provokes has been challenged by other grammars which also belong to the general grammar of Having. By contrast with the category of appropriative wars, these grammars are normative in the sense that conflicts are not only the result of a pure and violent drive but are motivated by an ideal of justice which is morally justified. This difference, between non-moral and moral grammars, will be fully explained and justified in the first part of the thesis. For the moment, it suffices to say that at least two normative grammars can be identified within the general grammar of Having. The first of them places the distribution of land at the centre of conflictuality. Since the French Revolution and all throughout the 19th century, land redistribution became one of the major demands of numerous social movements, especially peasants' movements. These demands were appropriated,

reformulated and systematised into the utopian program of land redistribution. Here, we are especially referring to François-Noël Babeuf's political writings in which the agrarian question occupies a significant place. Deeply bound up with his revolutionary praxis, his political thought is of a great interest for our concerns since it is concerned with the constant tension between an ideal of land redistribution and the communist project of the community of goods. This tension runs through his writings from the pre-Revolutionary period to the publication of the *Manifeste des Plébéiens* and reveals the existence of second moral grammar of conflict that challenged the categorical claim for land redistribution: the grammar of the collective appropriation of land. To summarise, the general grammar of Having regroups at least three grammars of conflict: the grammar of war for land appropriation, the grammar of land redistribution and the grammar of collective appropriation.

The claims for redistribution or collective appropriation have been at the centre of struggles related to the “social question”. On first analysis, the social question could be defined as the problems faced by modern societies with the apparition of mass poverty caused by the emergence of industrial capitalism which threw a great number of individuals into destitution¹⁹⁰. However, since the beginning of the 19th century up to the present day, the philosophical tradition has criticised the approach of this social phenomena in terms of distribution. From the young Marx to Polanyi, it has been argued that the social question should not be reduced to the repartition and the appropriation of the product that results from the process of production; working conditions, excessive working time, housing insalubrity, etc., also caused a dehumanisation of the European population which was affected by the industrialisation at the beginning of the 19th century. The worker who cannot come to realise himself fully at work due to the fact that his activity is highly repetitive and that has no free time to cultivate his physical and mental faculties experiences a degradation of his own being. Those who live such situations experience what we could call an ontological diminishing, *i.e.* a deterioration of their physical and mental being. The social question is, therefore, not only a question of having but also a question of being. Subsequently, we call the grammar of being this grammar which corresponds to the social struggles that emerged against this situation of dehumanisation and degradation. As for the grammar of having, the grammar of being contains a great diversity of sub-grammars. The struggle for free time and struggles against alienation provide some relevant illustrations of these sub-grammars. For instance, as thematised by Marx in chapter X of book I of *Capital*, the workers who fight for the reduction of the working day

¹⁹⁰BOURDIN, Jean-Claude, “Hegel et la “question sociale”: société civile, vie et détresse”, in *Hegel: Droit, Histoire, Société*, Paris, Puf, Special issue of *Revue germanique internationale*, n° 15, 2001, p. 150. On the social question, it is worth mentioning the classical works of Robert Castel and Jacques Donzelot. See CASTEL Robert, *Les Métamorphoses de la Question Sociale: une Chronique du Salarial*, Paris, Fayart, L'espace du politique, 1995; DONZELOT Jacques, *L'Invention du Social. Essai sur le Décès des Passions Politiques*, Paris, Seuil, 1994 [1984].

aim to increase that of their free time and hence the possibility of enriching the sphere of their activities, the possibility of deploying all the potentialities contained in their being and, *in fine*, the possibility of developing their own being.

Another grammar which falls under the general grammar of being is that of recognition. As will be explained at the beginning of the second part of this thesis, the deplorable living conditions, the repetitive labour in manufactory, the disappearance of crafts, etc., means for the labourer a loss of prestige he once enjoyed formerly in his community. This absence of recognition leads to the degradation of the positive relation he had with himself. Indeed, insofar as recognition is the condition of possibility of the good relation I have with myself, a lack of social esteem causes a degradation of this relation with myself and thus a deterioration of my subjectivity. This is one of the lessons which can be drawn from Honneth's *The Struggle for Recognition*: the formation of the subject depends on the interaction of recognition with others and any absence of esteem prevents the normal development of the self and cause its degradation. Recognition therefore belongs to the grammars of being because what is at stake is the constitution of the subject and the deterioration of its being. Because of its importance in the discussion on social conflicts, the second part of this thesis will be devoted exclusively to this sub-grammar. Another reason for this choice is that, in the seminal texts in which the grammar of recognition has been originally developed, conflictual interaction is closely intertwined with collective relationships to land. Indeed, in Hegel's *Jena Writings*, the antagonistic interaction between consciousnesses is necessarily mediated by a third term, *i.e.*, land (or, more precisely, the *possession* of land). Conflict for recognition does not start because of a word, an insult; but consciousnesses enter into conflict with each other because one of them has been dispossessed of their land. However, this expropriation is less the deprivation of the individual's means of subsistence than a form of disrespect which does injury to the positive relation that consciousness has with itself.

Finally, beyond Being and Having, a third general grammar of conflict must be distinguished: the grammar of Action. Indeed, as already hinted, recognition has not been the only way of challenging the paradigm of distribution. In particular, Iris Marion Young has shown that social protestors sometimes formulate claims about things that cannot be the object of a redistribution because they are not material goods. Indeed, powers, rights and opportunities are not substantial things which could be redistributed in the social body as wealth and incomes; they must be defined in terms of relation and action¹⁹¹. In particular, power can be defined as a relation through which an agent communicates his will to another by the mediation of a command and intends to make the other do something according to this same will. Based on this definition,

191 YOUNG Iris Marion, *Justice and the Politics of Difference*, *op. cit.*, p. 25.

struggles centred on the question of power consist in the collision between different wills or different actions. For instance, in struggles against domination, agents fight to emancipate themselves from relations of power, which prevent them from determining their own actions. Take for example, relations of personal dependency under the Ancien Régime. Likewise, struggles for political participation can also be considered as being part of the general grammar of action. As previously explained, these struggles demand the right to participate in deliberations and decisions about public matters that concern the collective future of the member of a society. Demands for universal suffrage during the French Revolution (and thus for participation in the political will) provides an historical example of the grammar of participation.

Now, as the other general grammars, the grammar of action has been pervaded by the question of land, especially by the use of land. Witness the intense peasant revolts, which emerged in reaction against the grasp of the State over communitarian solidarities in France between the 16th and the 19th centuries. Indeed, the defence of right of use threatened by seigniors and landowners was one of the major reasons for these uprisings¹⁹². These conflicts appeared in the philosophical discourse of the time, which, according to our hypothesis, is not impermeable to the empirical reality of social struggles. This is especially true regarding the philosophical work of Fichte, who argues that the seat of conflict is not the appropriation of the land but its use. In his writings on right, he develops a concept of land property, which is no longer defined as a right to possess things but as a right to actions, and more especially a right to land use. As will be demonstrated, this redefinition of the right of property leads him to redefine conflicts in terms of action. Conflict is defined as a collision between men's activities or, more concretely, between their different uses of land.

10) Some Methodological Comments

Having, Being and Action are the main grammars of conflict, which have been elaborated by modern political philosophy. These grammars are of course abstractions since, as we shall see, Having, Being and Action are very often intertwined in the social world. However, we are compelled to admit that a distinction has to be made between these three grammars, even if this distinction is analytical. Indeed, the social world always appears to the analyst as a chaos in which “everything is in connection with everything”, *i.e.*, in which everything is confused. This applies especially to the motivations of social struggles, which are very often mixed, to the extent that these

¹⁹²BERCÉ Yves-Marie, *Croquants et nu-pieds. Les soulèvements paysans en France du XVI^e au XIX^e siècle*, Gallimard, Folio histoire, 1991 [1974], pp. 114-118.

collective actions become hardly intelligible. Subsequently, a typology is useful to clarify the distinct motives of the agents which are involved in social struggles. Hence, the necessity to distinguish Having from Being, Being from Action, etc. Moreover, we shall see that it is the pre-eminence of one of those motivations, which defines a grammar of conflict rather than the one and single motive. In the corpus of texts, we chose to analyse, it appears evident that, even if a multiplicity of motivations is at the root of the conflict, even if they are all intertwined, there is always one of them which occupies the centre of gravity of the dynamic. It is this pre-eminence of one of the motivations which defines a grammar. For instance, when appropriation is the principal motivation of the conflict, it can be said that we are dealing with a grammar of having. When recognition and distribution are intertwined, the grammar is a grammar of recognition if this same motivation prevails over distribution (and so on).

As suggested at above, another methodological choice made was to take the question of land as a guiding principle of our analysis regarding the grammars of conflict. In that, we followed the method recently proposed by Pierre Charbonnier under the name of “Environmental history of ideas”. In a recent book entitled *Abondance et Liberté*, he argues that the constitution of modern societies and the emergence of the social question at the beginning of the 19th century were intrinsically connected with the collective relations with nature¹⁹³. To give just one example, the emergence of political republicanism is not only an inheritance of the ideals of liberty and equality; it is also based on the promise of the end of poverty, *i.e.*, the eradication of dearth and the quest of food and energetic autonomy¹⁹⁴. This analysis led him to a methodological question regarding the ways of writing the history of political and social thought: the question of collective relationships with nature has been an integral part of the genesis of the problems and concepts developed by modern political philosophy, especially those which regard the social question and the coexistence of men within what we call a society. In particular, controversies about the industrial revolution divided the thinkers who considered, without a doubt, that the project of the emancipation of society from the sphere of nature and its external constraints is the only satisfying way of addressing the issue of the collective relationships with the environment, and those who, such as the socialists, left the issue opened¹⁹⁵. Thereby, Charbonnier contends that “*l’histoire environnementale des idées*

193CHARBONNIER Pierre, *Abondance et liberté. Une histoire environnementale des idées politiques*, Paris, La Découverte, 2020. This book is the publication of the dossier he submitted in order to obtain his *Habilitation à Diriger des Recherches* (which, in the french academy, allows to become PhD supervisor). In this thesis, we will principally quote the manuscript of this HDR: CHARBONNIER Pierre, *Abondance et liberté. De la révolution industrielle au changement climatique*, Habilitation à Diriger Des Recherches, Dossier submitted under the supervision of Bruno Karsenti, Paris, EHESS, 2019. It will be abbreviated as such : CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*

194CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, pp. 25-26.

195“Tous ces éléments soulèvent une question de méthode, une question relative à notre façon d’écrire l’histoire de la pensée sociale et politique. En effet, si la question des rapports à la nature fait partie intégrante de la réflexivité

*affirme que toute proposition conceptuelle, surtout si elle est de nature sociale et politique, peut être analysée en fonction du mode de relation au monde qu'elle encapsule. Dans ces conditions, l'environnement est moins un objet qu'un point de vue*¹⁹⁶. To put it another way, the environmental history of ideas “*cherche à comprendre comment la pensée moderne a incorporé les rapports collectifs au monde matériel dans ses problématiques*”¹⁹⁷. This method, which roughly speaking consists in reading the traditional corpus of political philosophy through the prism of the collective relationships with nature, leads him to the general thesis that political modernity deployed itself in the framework of the complex polarity of Abundance and Liberty, *i.e.*, the acquisition of the material resources necessary to emancipate ourselves from the constant pressure of needs¹⁹⁸ and the possibility for the social body of giving to itself its own law¹⁹⁹: “*Abondance et autonomie définissent ensemble la polarité à l'intérieur de laquelle la modernité politique s'est déployée*”²⁰⁰. To be exact, this thesis does not amount to saying that political autonomy has been a simple derivative or a by-product of material abundance (a mechanical relation between these terms²⁰¹). Rather, Charbonnier insists on the complexity of the relation between those terms. At first, abundance supported the project of autonomy and made it desirable. It is especially the promises of a future affluence and the suppression of dearth, which explains the massive support for the project of modernisation²⁰². However, infinite growth has also been criticised from the point of view of the autonomy principle itself. Indeed, economic abundance also meant the domination of economy over

*moderne telle qu'elle s'est exprimée notamment en philosophie, cela signifie avant tout que l'on peut identifier différentes positions à ce sujet : le travail, la propriété, la production, la territorialité, entre autres choses, ont été au coeur de controverses théoriques qui ont animé la longue phase historique allant de la révolution industrielle au changement climatique. Plus précisément, il faudrait dire que ces controverses séparent un certain nombre de penseurs pour lesquels les rapports collectifs à la nature sont correctement pris en charge dans le double projet d'autonomisation du collectif et d'élimination tendancielle des contraintes externes, et d'autres qui y voient une question à ouvrir, ou à laisser ouverte, étant donné que les transformations techno-scientifiques du 19e affectent en profondeur la façon dont les sociétés accèdent au monde physique et vivant. Disons d'ailleurs immédiatement que les seconds appartiennent en général à la tradition socialiste, pour des raisons que l'on expliquera. Quoi qu'il en soit, la problématisation des questions sociales admet comme l'une de ses dimensions constitutives les rapports à la nature : s'il s'agit bien là d'un objet (parmi d'autres, certes) pour la pensée, ce qui ne fera sans doute pas débat, il s'agit aussi et de façon plus radicale d'une condition générale d'élaboration des problèmes. Si l'on prend au sérieux cette idée, il faut alors admettre que le statut même des concepts politiques et sociaux est en question, et pas seulement le contenu dogmatique de telle ou telle doctrine. En effet, il faut assumer et développer l'implication méthodologique contenue dans cette suggestion: la genèse des concepts philosophiques, en particulier lorsqu'ils ont trait à la coexistence sociale, a quelque chose à voir avec la façon dont, en un moment et en un lieu donnés, sont organisés les rapports à la nature”. CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, p. 27.*

196CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, p. 30. Some lines before, he writes that environmental history considers that “*la centralité des relations entre nature et société fonctionne comme un analyseur pour (potentiellement) l'ensemble des idées, des controverses théoriques, et de leur histoire*”. CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, p. 29.

197CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, p. 31.

198*Ibid.*, p. 45.

199*Ibid.*, p. 49.

200*Ibid.*, p. 58. See also p. 54.

201*Ibid.*, p. 56.

202*Ibid.*, p. 55.

all spheres of our existence and the exploitation of the worker. It is precisely the socialist tradition which alerted the risk of the disembeddedness of the market for the society²⁰³. Today, with the ecological crisis underway, this polarity between Abundance and Liberty tends to be dissolved, a dissolution which opens to new political perspectives²⁰⁴.

It turns out that the hypothesis of an integration of the collective relationships to the world within philosophical reflection (which implies, from a methodological point of view, that philosophical texts should be read in the light of their socio-environmental context) is confirmed by the aforementioned *corpus* of texts dedicated to the grammars of conflict. Indeed, the reading of the texts that political philosophy dedicated to social conflicts since the 17th (and especially during the transition period between the 18th and the 19th centuries) led us to the conclusion that, even in the very abstract spheres of philosophical thought, conflictual interactions are not separated from the question of the collective relationship with nature. As previously seen in the typology of the traditional grammars of conflicts we have just outlined, the collective relation to nature appeared under the form of the question of land: struggles for the private or the collective appropriation of land, struggles for the *possession* of land, and struggles for the use of land are some examples of this omnipresence of the relationship to the earth in the grammar of conflicts. Here, this omnipresence of the relationship with nature in the corpus dedicated to social conflicts does not amount to a simple contingent and accidental reference to the question of land. In other words, these texts do not only mention land as one of the possible objects of conflicts since the struggle for land is generally the paradigm of conflictuality. Moreover, and above all, our “grammarians” are dedicated to a specific philosophical reflection on the nature of the interactions with lands which underlie the conflict. Even in the most abstract text of Hegel on the struggle for recognition, we find very long theoretical considerations regarding the form of working the land (especially, on horticulture and the question of soil) and also on the relation with animals (especially on the problem of domestication). Likewise, the passages that Fichte dedicated to land use conflicts are full of references to peasant practices, to agriculture and hunting and even to mineral extraction. In other words, these texts dedicated to struggles for land give rise to true theories on the nature of the collective relationship to the world.

For that reason, this was not content with just a reconstruction of the grammars of conflict developed by philosophical thought between the 18th and the 19th centuries, we also reconstituted the way philosophers theorised the relations to the earth which underlie the conflictual interactions. Sometimes, this led us to adopt a systematic point of view on the authors. This traditional method,

203 *Ibid.*, p. 46.

204 *Ibid.*, p. 58-59.

which is generally called “internalist” in France, or “intrinsic” (and which consists in reading an author so as to reveal the endogenous logic of his work²⁰⁵) was suggested by the nature of the texts we commented on, especially Hegel and Fichte which are systematic authors. Nevertheless, the structure of the text was not the only reason which led us to use such a methodology: indeed, the reconstruction of the articulation between the conflictual interaction and the collective relationship to the earth in the philosophical texts dedicated to the grammar of conflict was a task which necessitated taking into account a great number of texts and thus to adopt a systematic approach.

Furthermore, the method of the environmental history of ideas compels us to articulate this internalism with an “externalist” or an extrinsic approach regarding the texts. Indeed, a full explanation of the texts dedicated to land conflicts required the restitution of their socio-ecological context. Indeed, our grammarians have been more permeable to the historical struggles for lands than we could imagine at first glance. Fichte gives a perfect illustration of this point since the peasant conflicts in his native Saxony have an immediate influence on his writings on land use conflicts. Moreover, these concrete struggles for the right to a portion of the world gave rise to intense and concrete debates on the correct way of organising agriculture and other material practices such as hunting, fishing, mining, etc., namely on the question of the correct use of the earth. It is this context which was essential in understanding texts whose abstractions sometimes make us forget that they refer to very concrete aspects of the real world.

11) Beyond the Classical Grammars of Conflict

This environmental history of the classical grammars of conflict is the essential first step of our reflection. Due to this review of the different ways conflicts has been conceptualised in connection with the problem of the land, we will be able to evaluate the claim that these grammars could be applied to the aforementioned actual ecological fact. Indeed, the main problem that this thesis must answer is that of the appropriateness of these grammars to ecological conflicts. More precisely, if we assume that these struggles are ecological, namely, that they are the bearer of an implicit form of environmentalism, are the classical grammars appropriate to this specific form of conflictuality? In other terms, is it possible to build a true grammar of ecological conflicts with the classical grammars of conflicts? In this sense, the preliminary analysis of the classical categories of conflict is indispensable since it allows us to clarify their internal structures. In particular, it allows us to understand 1° the nature of the conflictual interactions and above all, what Fichte calls “the

²⁰⁵DOSSE François, “De l’histoire des idées à l’histoire intellectuelle”, in LEYMARIE Michel, SIRINELLI Jean-François (eds.), *L'Histoire des Intellectuels Aujourd'hui*, Paris, Puf, Hors collection, 2003, p. 172.

seat of the conflict” 2° the nature of the collective relationships which underlie the conflictual interactions. Such a preliminary work on the classical grammars of conflict leads us to the conclusion that they are inappropriate (or at least, not totally appropriate) to these specific conflicts we called ecological. Or to be more specific, these grammars enlighten some aspects of ecological conflicts, but they fail to account for what is supposed to be at the centre of their conflictual dynamic: the implicit environmentalism, which is at the root of the struggles.

In the conclusion which closes the three first parts, we give a full justification of this criticism. In part, we contend that classical grammars of conflict did not manage to put at the centre of conflictuality what is at the core of the ecological question: the material degradation of the Earth. In other words, these grammars have never considered social struggles for land as struggles against the destruction of the land. Or, to put it another way, Having, Being, and Action did not put at the centre of the conflictuality the question which any form of environmentalism must pose: the deterioration of the earth.

In fact, this statement must be specified. What is at the basis of this struggle against destruction that classical grammars have failed to identify? Which sort of environmentalism justifies this opposition to destruction? Is this environmentalism based on the protection of a pristine nature? In other words, are classical categories of conflict inappropriate to ecological conflicts because they missed an environmentalism based on the idea of the protection of nature? To this question, we respond negatively. We argue that, if ecological struggles are really based on an implicit environmentalism, this environmentalism cannot consist in the defence of an untouched nature, neither in the rational management of resources. This leads us to conclude that if environmentalism is neither the cult of wilderness, nor the gospel of eco-efficiency, the only solution which remains is that it is based on an *ecology of attachments*. Consequently, our argument is not that classical grammars are not grammars of ecological conflicts because they do not put the defence of an untouched nature at the centre of the conflictual dynamic. These grammars missed the implicit environmentalism of ecological struggles because they failed to show that the seat of the conflict is the multiple attachments by which individual and collectives are connected to the earth. More precisely, they did not manage to show that the struggle against the *destruction* of *attachments* is what really animates ecological conflicts. We will show that current studies tend to support this hypothesis that ecological conflicts are related to the deterioration of forms of attachments to the world.

We also intend to propose some explanation for such a failure. In particular, we interrogate the historical framework in which these grammars appeared. In short, the question is: was the material deterioration of the earth a historical framework for their development? It turns out that the

period of 1786-1806 saw an intense moment of production of grammars of conflict. In this sense, it seems that grammars of conflict were elaborated in a period which is anterior to the Anthropocene and the emergence of the first ecological struggles. However, this historical problem is not so simple since some authors date the Anthropocene to before the end of the 18th century. Consequently, the problem of the historical framework of the classical grammars of conflict remains, and we will intend to give some responses to that question. Given that this is not thesis in history, this question will remain open. In fact, our true argument will be conceptual. We will give three reasons that may explain the absence of the question of attachment within the philosophical discourse on social conflicts. The first reasons have to do with the relationship to the earth which underlie the conflictual interaction. We contend that, in the framework of a general philosophical reflection on conflicts for land, these relations with the earth have been conceived according to two general models: 1° the appropriation of nature 2° the detachment (*arrachement*) from nature. We will explain why these models block any possibility for conceptualising the struggles for attachment. Finally, we will explain that the internal structure of the grammars (especially the structure of the interactions between humans and non-humans) is the third conceptual barrier which prevents any integration of what we consider to be the centre of ecological conflicts, namely the struggle against the deterioration of our attachment to the world.

Does this failure of the classical grammars of conflict mean that we have to abandon the philosophical discourse? Does it mean that philosophy never formalised a grammar of conflict which could resemble struggles for attachment? We do not think so. In fact, we believe that the complex dialogue of philosophy with social sciences has led philosophy to revise its categories and its problems and opened the possibility for a philosophical elaboration of a grammar of ecological conflict, that is a grammar of attachments. In particular, we believe that the discussion about the concept of territory – a notion which was developed at the crossroads of several disciplines in social sciences such as anthropology and geography but also in sciences such as ethology – opened philosophy to such a grammar. It is notably Deleuze and Guattari who put the notion of territory at the centre of a philosophical reflection, which articulates a theory of attachment between human and non-humans (the theory of assemblages) and a theory of the conflictual relation between social formations. Part four of this thesis is dedicated to the philosophical elaboration of the concept of territory in *Mille Plateaux*. We notably demonstrate that this notion is a true war machine against the conceptual barriers which prevent the elaboration of a true grammar of attachment. Indeed, this territoriality is defined in *Mille Plateaux* as an act of production of expressive matters through which an individual or a group (human or not) creates an abode. However, the creation of an abode has nothing to do with the production of a human realm detached from the natural milieu. On the

contrary, the creation of a territory consists in the immanent actualisation of potentialities of the environment. Nevertheless, we contend that the disconnection of the notion of territoriality from any philosophy of detachment does not lead Deleuze and Guattari to fall into the opposite extreme: rootedness (*l'enracinement*) that chains individuals to the soil. Indeed, territoriality escapes the triple chains of rootedness: fixity, authority and nostalgia. In fact, it can be said that, for Deleuze and Guattari, territoriality is the realm of freedom, a term which does not designate a power of transcending natural determinations, but which refers to a power of immanent variation and a capacity to neutralise the forms of domination, which emerge in the social field. Finally, territorialisation is not defined by Deleuze and Guattari as a process of the appropriation of nature. First, the notion of the appropriation of nature cannot be universalised to all form of territories. For instance, nomadic territoriality cannot be understood through this notion. Indeed, nomads do not appropriate the land, they distribute themselves in a smooth space. This specific ethnographical case proves that universalising the concept of appropriation is not possible, and that territoriality cannot be exclusively defined as the process by which a group takes possession of a portion of the natural world. In other terms, appropriation does not exhaust all the aspects of the collective interactions with land. In fact, it is possible to argue that, in *Mille Plateaux*, territorialisation refers to an interaction with land which is more profound and primordial than the relation of appropriation. This non-appropriative interaction with the world is common to all societies, and it is only in some specific social formations (such as state formations and sedentary societies, etc.) that a relation of appropriation is added to this more profound relation with the earth. In *Mille Plateaux*, this “more profound” relation with the earth consists in the concretion of human and non-human multiplicities into a collective assemblage. Our hypothesis is that this process of territorialisation described by Deleuze and Guattari can be designated by the term of attachment, which we borrow from Latour and Descola. In fact, we believe that Latour and Descola's anthropology of attachment inherits much from Deleuze's concept of territory.

Now, the hypothesis is that, in *Mille Plateaux*, this general theory of territoriality has consequences on the way territorial conflicts between social formations are conceptualised. From the moment territoriality is no longer defined in terms of appropriation but in terms of attachment, territorial conflicts between social assemblages become conflicts for attachment. More specifically, we argue that conflicts which oppose state formation to “pre-capitalist” societies in *Mille Plateaux* cannot be reduced to a question of land dispossession: they are centred on the destruction of the “primitive” territorialities. In other terms, *Mille Plateaux* lays the foundation for a grammar of attachment. Our thesis is that it is a grammar such as this which is truly adequate to account for ecological conflicts.

This thesis is divided in four parts. The three first parts constitute a first one block. Indeed, in these parts we produce critical review of the three general grammars of conflict, which were elaborated by modern political philosophy.

In the first part, we present the grammar of Having. In the first chapter of this part, we develop the sub-grammar of land war appropriation. Then, in the second chapter of this part we show that moral grammars of conflicts based on land redistribution and the collective appropriation of land have been elaborated as alternatives to this first non-moral sub-grammar.

In the second part, we focus on the grammar of Being. In the first chapter, we explain what this grammar is, and we introduce one of the sub-grammars which falls into this general grammar of being: the grammar of recognition. We show that this grammar developed by Hegel in the *Jena Writings* involves a specific place in the question of land. Indeed, the conflict between consciousnesses starts with the dispossession of land, a dispossession that is considered as an insult. In chapter II, we especially analyse the role that land has in the conflictual dynamic. In the *Jena Writings*, this relation to the land which underlies the conflict is defined in terms of possession, a notion which needs some clarification. That is why, in chapter III we intend to define Hegel's concept of possession. In chapter IV, we show that this relation to possession must be understood as a relation of detachment (*arrachement*).

In the part III, we present the grammar of Action. More particularly, we focus on the sub-grammar of use in Fichte's writings on right. In the first chapter, we show that Fichte, since his early writings, elaborates an autonomous grammar of action and that this grammar will take the form of a grammar of use in the *Foundations of Natural Right*. In the second chapter, we show that this grammar of use is based on a very original concept of property, which is defined as "a right to *acts*, not to *things*". Chapter III shows that this theory of property led Fichte to redefine conflicts for land as conflicts for the use of land. Finally, in chapter IV, we show how Marx revisited this grammar of use.

The general conclusion of Part I-III is very long, but it is deemed a necessary passage. In fact, this provisory conclusion concentrates one of the principal aspects of the intention of this dissertation. We especially show that the classical grammars presented in the three first parts of this thesis are partially inappropriate to ecological conflicts. Hence the necessity of looking for another grammar of conflict which is more adequate.

This grammar is presented in the last part of the thesis which is dedicated to the concept of territory in Deleuze and Guattari's philosophy and the implications that such a theory has on their theory of territorial conflicts. The two first chapters (I and II) are a preliminary work which is

indispensable in understanding their theory of territory. Indeed, in these chapter, we explain the difference which is made in *Mille Plateaux* between the concept of milieu and the concept of territory. Such a distinction is indispensable to understanding what a territory is. Chapter I is dedicated to the concept of milieu, the second to the concept of territory. In the next chapters we show that Deleuze and Guattari's concept of territory allows to remove the conceptual barriers which prevented the elaboration of a grammar of attachment. Chapter III show that territory cannot go beyond detachment and rootedness. Chapter IV show that territorialisation cannot be reduced to a process of the appropriation of nature. Finally, chapter V demonstrates how their theory of territorial attachments applies to territorial conflicts between social formations. We end this chapter with an ethnographic case. which illustrates this grammar of attachment.

Part I. The Grammar of Having: Land and Appropriation

Introduction to Part I

In this first part, we present the general grammar of having. As explained in the introduction, this grammar places the question of the appropriation of land at the centre of the dynamic of conflict. In other words, individuals and groups fight to appropriate a piece of land. However, the apparent homogeneity of the notion of appropriation conceals the diversity of the grammars of conflict which fall under this general grammar. Indeed, appropriation has several meanings.

Two individuals may fight each other due to the fact that there is only one piece of land which may sustain only one of them. In this case, the scarcity of land led them into conflict in order to appropriate of their means of survival. Since the conflict is related to their means of survival (land), in other words, their life, the conflict will without doubt include violence. Here, appropriation is the private and violent appropriation of land. Scarcity is one of the fundamental conditions of this conflict since, if land were plentiful (the hypothesis of abundance), both parties could appropriate as much as they needed, and no dispute would arise. However, scarcity likewise consists of several meanings. It can be absolute: the land is not sufficient to feed both of the actors, and thus, only one of them should be excluded from the appropriation, something which will surely lead one of them to starve to death. That is to say, the consequence of this conflict is a fight to death.

Scarcity could also be moderate: for example, there is no abundance, in the sense given above, but the land is sufficient enough to nourish everyone if it is intelligently distributed. In this case, there are two possibilities. A group may choose to monopolise the totality (or to take the lion's share) of the land and let the others starve. Now, another group may also choose the option to fight the first in order to redistribute the land, so that everyone has what is necessary to live. Here, there is a great difference between the violent fight for the private and egoist appropriation of the land and the struggle of those who want to share the land according to a certain ideal of justice. Appropriation may also have a third meaning: against the idea of private appropriation, individuals may decide to share the land, a common land one which may be worked by all in common. In this case, the appropriation is not private, nor is it the result of a fair distribution, but it constitutes

collective appropriation.

As mentioned in the general introduction, these three possibilities have given rise to the elaboration of the three sub-grammars of conflict: the grammar of war for appropriation, the grammar of redistribution, and the grammar of collective appropriation.

In the first chapter of part I, we shall present the first of these grammars based on the idea of a war for appropriation in a context of scarcity. It is not an undue generalisation to contend that it is this grammar, whose first representative is probably Hobbes, which opened modern political philosophy. At the beginning of *The Struggle for Recognition*, Honneth claims that modern social philosophy entered into the history of thought when philosophers began to understand social life as a conflictual interaction based on the struggle for self-preservation²⁰⁶. In that, they broke with Aristotelianism which, during Antiquity and until the end of Middle Age, considered man as a *zoon politikon*, who realised his nature in the ethical community of the *polis*. Hobbes is one of the main figures of this anti-Aristotelianism, which considers society as a battlefield in which individuals struggle for their life. The state of nature is supposed to present picture of what society would like if the State was hypothetically removed. Therefore, it is a discourse on human nature not the depiction of the “social point of departure for human socialization in methodological abstraction from all history”²⁰⁷. The central place that this grammar occupies within the history of philosophy renders it indispensable. Indeed, it is against this model that the others grammar (especially recognition) will be elaborated. However, Honneth dedicates only a few pages to this grammar of social conflict which, in the beginning of his book, is cast as the negative image of the model he wants to promote, the moral grammar of the struggle for recognition.

An in-depth analysis of this grammar reveals that a significant tradition of thinkers followed the path drawn by Hobbes, and they accentuated some of the characteristic traits of the model he developed in the *Leviathan*. One of the significant characteristics of this model is that the impassioned complex that is responsible for the universal war of all against all is based on the fundamental desire of appropriation. The second fundamental aspect of this grammar is that, although the conflictual dynamic is made of human passions, a conflict cannot be triggered if a factor external to this impassioned sphere is not involved: the scarcity of land. In other words, the bellicose passions enumerated by Hobbes in the *Leviathan* are insufficient to cause the war of all against all if this non-human component of the world is not presupposed. The articulation of these two aspects leads to a grammar of conflict centred on the appropriation of land in a context of scarcity. As we will see, Malthus at the end of the 18th century and Malthusian anthropologists at

206HONNETH Axel, *The Struggle for Recognition*, op. cit., p. 7.

207Ibid., p. 9.

the end of the 19th century will revisit this grammar and bring out these two fundamental components, components which were only sketched or suggested by Hobbes in the *Leviathan*.

The opposition between the war for appropriation and that of the recognition is correct but should be refined. We cannot confine ourselves to the simple opposition of war of scarcity and the struggle for recognition because, between those two poles, other categories should be taken in consideration. This is the case for the grammar of distribution, which are both closed to and opposed to the violent conflict for the appropriation of land. First, the Malthusian model and the grammar of distributive justice have a common denominator. Both are based on the conceptual couple appropriation-scarcity. As war wages in a context of land scarcity, the *raison d'être* of distributive justice is that the members of a collectivity cannot appropriate all the space they want due to the fact that the territory in which they live is limited. This coexistence in a finite portion of the world raises the question of its distribution to the individuals which inhabit it. In other words, issues of justice cannot be detached from a certain state of the material world or at least from the collective relationship with the earth. It is this specific state of the world that Rawls, after Hume, calls the objective circumstance of justice. Nevertheless, the question of distribution does not arise without a conflict for the appropriation of this limited portion of nature. This conflict of interest that Rawls calls the subjective circumstance of justice, is the centre of gravity of the struggles for distribution. In other words, the central motivation of such struggles is the appropriation of land. Accordingly, this common ground that relates to discourses on appropriative wars and distributive justice justifies placing both of these sub-grammars of conflict under the general grammar of having. Nevertheless, a fundamental distinction between distribution and violent appropriation prevents us from conflating these two grammars: struggles for distributive justice have a normative content. Indeed, by contrast with wars for appropriation, they are not motivated by the excessive desire of having more land (*pleonexia*); the groups which struggle for a better distribution of wealth are not factions which seek to defend their interests but subaltern groups demanding a redistribution that will satisfy the interests of everyone. In a word, these conflicts are not motivated by the impulsion of self-conservation but by an ideal of justice, *i.e.*, a form of “ought” (*devoir-être*).

Distributive justice is thus a distinct grammar of conflict that should be treated apart from the Malthusian model. As for each of the categories reviewed in the three first part of this thesis, this grammar has been strongly connected with the question of land. When it is question of distributive conflict, it is almost always the question of income redistribution which first comes to mind, but it seems that the struggle for distribution has often been a struggle for land redistribution as well. Witness the myriad of projects of land redistribution since the French Revolution and all along the 19th century. The spectre of the agrarian law during the French Revolution, Babeuf's

perpetual cadaster, Jefferson's grids, which covered the Wild West of North America, Kriege's program of land redistribution or even Paine's agrarian justice are just few examples which prove how the question of distribution was bound up with the agrarian question and thus with the question of land.

Now, a careful analysis of these discussions also reveals that the pre-eminence of the grammar of distribution should be relativised. We saw in the general introduction of this thesis that redistribution was at the centre of the theories of justice to the point that this hegemonic category monopolised the field of discussion on social justice. It is even sometimes argued that the social struggles which emerged with the birth of market societies at the beginning of the 19th century were primarily struggles for redistribution. However, debates on the agrarian law during the French Revolution show that land distribution was challenged by another grammar centred on the collective appropriation of land. From Babeuf and Marx to Lenin, equalitarian land redistribution has often been considered as a petty-bourgeois ideology and a stumbling block to the socialist project of the abolition of property and the collectivisation of land. Babeuf's intellectual and political trajectory is quite representative of this debate since he oscillated between a project of redistribution of land and a project of collectivisation centred on the collective work of the land. The second chapter of this first part will be dedicated to this tension between redistribution and collective appropriation.

This first part thus presents the three grammars of conflict we have just mentioned (the war for land appropriation, land redistribution and the collective appropriation of land), these are all grammars which are all based on the general notion of appropriation. One of our objectives is to show that the general grammar of having is not homogeneous but contains a multiplicity of grammars which share some conceptual presuppositions but also differ in nature. In other words, the grammar of having contains three sub-grammars (war of land appropriation, distribution, and collective appropriation) all of which have in common the fact that they put land appropriation at the core of the conflictual dynamic. In addition, we will show that each of these grammars are themselves *composite* in the sense that the motivational basis of the conflict interlaces several components: glory, diffidence, love, fear, hunger, vanity, etc. This does not invalidate our thesis that these grammars of conflict are based on having. Indeed, we consider that, although a grammar is never homogeneous and involves several motivational components, there is always one component which prevails over the others. And, we show that in the case of the aforementioned grammars, having is always the central piece of these conflictual dynamics. In that, we hope to contribute to the study of the grammars of social conflicts.

Now, this classical reflection on the theories of conflict is only one part of the problem. We

recall that the general problem of this thesis is focused on the possibility of finding a grammar of ecological struggles. In order to do so, we shall review the classical grammars of struggle and evaluate their claims so as to constitute this grammar of social protests which has strong environmentalist content. This evaluation is possible only if we reveal the conceptual structure of these grammars and especially the relationships with the earth which underlie the conflictual interaction between the agents involved in the conflictual dynamic. As mentioned, the question of land, and thus the issue of the collective relationship to the earth, play a significant role within those classical grammars of conflict. Our objective is thus to determinate the nature of the relations with land that constitute the infrastructure of the human sphere of conflict. In other words, we wish to evaluate the place that land has within these grammars in order to determinate if they constitute a real grammar of ecological conflicts. This infrastructure of the conflictual dynamic (the collective relationships with land) will lead us to some conclusions regarding the general structure of this grammar and once again, will allow us to evaluate their ability (or not) to form a true grammar of ecological struggles.

Therefore, two general problems will be treated in this part: 1° the problem of the plurality of the grammars of conflict regarding land 2° the problem of the conceptual infrastructure and the structure of those grammars.

I) Wars of Land Appropriation in a Finite World Marked by Scarcity²⁰⁸

I.1) Introduction

This first chapter is dedicated to the question of wars of land appropriation in modern political thought, a sub-grammar which falls under the general grammar of having. Here, there is threefold objective: 1° first, we demonstrate that appropriation is the principal motive of these violent conflicts. Indeed, despite the multiplicity of motives which are at stake in war, the corpus of texts we have selected place the motive of appropriation at the centre of the conflictual dynamic 2° we show that, besides the subjective motivation which leads agents into conflict with each other, the object which is appropriated is an essential component of the conflict 3° given that the conflictual interaction between humans involves an interaction with the natural world (the land) in its dynamic, we need to determine the nature of this relation with the material exteriority.

These problems all appear in Hobbes' famous texts on the state of nature, even if they appear in draft form. The grammar of conflict he elaborates is complex, in the sense that it intertwines several motivations: competition, diffidence and glory. However, although the motivational basis of war is composite, the desire for land appropriation remains the cornerstone of this impassioned complex, the other motivations being forms of catalysts for the warlike dynamic. Now, as mentioned above, these affective motivations cannot set the bellicose dynamic in motion if an element external to the impassioned sphere is not present *i.e.*, the finitude of the earth. Indeed, most of the commentators on Hobbes have highlighted that the deduction of the state of perpetual

²⁰⁸In this section we will use the following edition of the *Leviathan*, indicating the corresponding part, chapter and lastly paragraph: HOBBS Thomas, *Leviathan*, Edited by J. C. A. Gaskin, Oxford, Oxford University Press, Oxford World's Classics, 1998 [1651]. For the *De Cive* we use the following edition and we quote the corresponding section, the chapter and paragraph: HOBBS Thomas, *On the Citizen*, edited and translated by Richard Tuck and Michael Silverthorne, Cambridge, Cambridge University Press, 2003 [1642]. For *The Elements of Law* we will use the following edition indicating the corresponding chapter, then, paragraph: HOBBS Thomas, *The Elements of Law. Natural and Politic*, Edited with a preface and critical notes by Ferdinand Tönnies, London, Simpkin, Marshall, and Co, 1889 [1640]. For the *De Homine*, we use the following edition : HOBBS Thomas, *Man and Citizen*, Thomas Hobbes's *De Homine*, translated by Charles T. Wood, T.S.K. Scott-Craig, and Bernard Gert, and *De Cive*, translated by Thomas Hobbes, also known as *Philosophical Rudiments Concerning Government and Society*, edited with and Introduction by Bernard Gert., Cloucester, Mass, Peter Smith, 1978.

war remains incomplete if land scarcity is not presupposed. In this chapter, we will examine the place of the question of land in Hobbes' depiction of the state of nature.

Nonetheless, it must be acknowledged that scarcity of lands remains an implicit condition of the conflict in the author of the *Leviathan*. For an explicit reflection on the role played by land scarcity in war, it is necessary to turn to a corpus of texts devoted to "primitive war", *i.e.*, war among societies designated as "primitive" by out-dated anthropology. Malthus' *Essay on the Principle of Population* is very representative of this evolutionist corpus. We argue that Malthus revisits the model proposed by Hobbes and accentuates certain of its aspects, especially the role played by land scarcity, a thematic which becomes explicit and acquires a "scientific" foundation with the formulation of the law of population. While this statement seems to be self-evident, it, in fact, raises a problem of interpretation. Indeed, in the *Essay*, the status of war is problematic. At first sight, war is more a check to the principle of population than an effect of land scarcity. However, we argue in the second moment of this first chapter that Malthus elaborates an explanation of warfare which puts scarcity at the centre. Finally, we will focus on William Graham Sumner and Maurice Davie, two followers of Malthus in anthropology. This will be the occasion to treat the aforementioned problem of the collective relationship with nature that underlies the dynamic of wars related to land appropriation.

1.2) Conflicts and Scarcity in Hobbes

As Polanyi writes, it is perhaps in Hobbes' texts that the deep link between scarcity and conflicts was expressed for the first time:

"The current compound concept of economics, in fusing the satisfaction of material wants with scarcity, postulates no less than the insufficiency of all things material. The first pronouncement was that of Hobbes in the *Leviathan*. He deduced the need for absolute power in the state in order to prevent humans from tearing one another to pieces like a pack of famished wolves. Actually, his aim was to prevent religious wars through the strong arm of a secular government. Yet that metaphor may have reflected a world in which the medieval commonwealth was giving way to the forces released by the Commercial Revolution and predatory competition among the engrossing wealthy was devouring chunks of the communal village lands. A century later the market began to organize the economy in a framework that actually operated through scarcity situations, and Hume echoed the Hobbesian adage. An omnipresent necessity of choice arose from the insufficiency of the means universally employed – money"²⁰⁹.

When he wrote these lines, Polanyi was looking more for a precursor of formal economy than he was commenting on Hobbes in detail. While Polanyi does not provide a full commentary on Hobbes, his intuition seems to be verified by a careful reading of the texts. In this section dedicated

²⁰⁹POLANYI Karl, *The Livelihood of Man*, Edited by Harry W. Pearson, New-York, San Francisco-and London, Academic Press, 1977, p. 28.

to Hobbes, we will explore this hypothesis from a textual point of view. Indeed, we will read Hobbes' texts on war to show that the appropriation of land in a context of scarcity is a central element of the dynamic of conflict he constructs. Our hypothesis is that the impassioned complex (competition, diffidence and glory) is not sufficient to explain war and that a reference to the material exteriority, namely the earth, is needed. In other words, the conflictual dynamic is not the sole result of human interaction but also involves the interaction with land, which here takes the form of scarcity.

Our second objective in this section is to show that, in his texts dedicated to war, Hobbes develops a complex grammar of conflict. First, what this means is that he identifies causes of conflict (competition, diffidence and glory) and endeavours to think about their articulation. It also implies the determination of their specific role within the conflictual dynamic as well as most likely their hierarchisation too. More specifically the elaboration of a grammar of conflict implies the identification of the cause, which is the most fundamental to the whole impassioned edifice. Accordingly, although Hobbes invokes three causes of war (competition, diffidence and glory), it appears that the competition for the appropriation of a good is the fundamental basis of this impassioned complex, whereas the other passions functions as catalysts by which the dynamic of conflict is amplified.

In our opinion, these two hypotheses (the importance of scarcity in explaining war and the centrality of appropriation) are deeply intertwined. In this section we contend that the appropriation of land, in a context of scarcity, is the centre of gravity of the dynamic of war. We will start by examining the second hypothesis, showing that the desire of appropriation is the basis of the impassioned complex which causes war. Then we will show that the scarcity of land is an implicit postulate of Hobbes' inference.

I.2.1) The Three Causes of War

In this section, we will examine the passions involved in the conflictual dynamic. In order to do so, we focus on Hobbes' texts dedicated to the causes of war. As it is well known, Hobbes explains war by the articulation of two factors, men's natural equality and their willingness to hurt each other both of which arise from the passions²¹⁰. This articulation appears in this very famous

²¹⁰HOBBS Thomas, *On the Citizen*, I, 1, 3: "The cause of men's fear of each other lies partly in their natural equality, partly in their willingness to hurt each other". This articulation of the these two factors also appears in the beginning of the chapter XIV of the *Element of laws* when the state of nature is exposed for the first time: he begins to give a demonstration of equality: "And first, if we consider how little odds there is of strength or knowledge between men of mature age, and with how great facility he that is the weaker in strength or in wit, or in both, may utterly destroy

passage from the *Leviathan*:

“From this equality of ability, ariseth equality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end, (which is principally their own conservation, and sometimes their delectation only,) endeavour to destroy, or subdue one another. And from hence it comes to pass, that where an invader hath no more to fear, than another man's single power; if one plant, sow, build, or possess a convenient seat, others may probably be expected to come prepared with forces united, to dispossess, and deprive him, not only of the fruit of his labour, but also of his life, or liberty. And the invader again is in the like danger of another”²¹¹.

Let us start with the first factor mentioned in the beginning of this text. Equality has to be understood in term of power: “For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger with himself. And as to the faculties of the mind, (...) I find yet a greater equality amongst men, than that of strength”²¹². This equality is necessarily a condition of war since, if we are equal in terms of strength, I can hope to beat the other and obtain the same thing we both desire. Indeed, the outcome of the conflict is uncertain, and, feeling that I have the possibility of winning, I dare to engage in combat (on the contrary, if the other was superior in strength, I would not dare to engage in combat since my defeat would be known in advance). Consequently, equality in strength and intelligence is the first factor which leads men to fight. However, this condition is necessary but not sufficient: if I had no willingness to hurt the other, I could easily be content with equality²¹³. In other words, the simple fact that I am able to vanquish the other does not lead me to fight him. This willingness arises from three passions²¹⁴: competition, diffidence and glory.

On first glance, this statement sounds quite strange regarding the first cause of war since, apparently, *competition* is not a passion. Indeed, it does not appear in Hobbes' “Treatise of passion” (namely, chapter VI of the *Leviathan*), nor is it present in chapters VII, VIII and IX of the *Elements of Law*, which are also dedicated to this topic. Nevertheless, the quotation above indicates that competition involve a common “desire of the same thing”. Given that the *Elements of Law* uses the

the power of the stronger, since there needeth but little force to the taking away of a man's life; we may conclude that men considered in mere nature, ought to admit amongst themselves equality (...)”. HOBBS Thomas, *The Elements of Law*, I, 14, 2. He then mentions the role of passions in the dynamic of conflict: “On the other side, considering the great difference there is in men, from the diversity of their passions, how some are vainly glorious, and hope for precedency and superiority above their fellows, not only when they are equal in power, but also when they are inferior; we must needs acknowledge that it must necessarily follow, that those men who are moderate, and look for no more but equality of nature, shall be obnoxious to the force of others, that will attempt to subdue them.” HOBBS Thomas, *The Elements of Law* I, 14, 3.

211 HOBBS Thomas, *Leviathan*, I, 13, 3.

212 *Ibid.*, I, 13, 1.

213 HOBBS Thomas, *The Elements of Law*, I, 14, 5: “And thus the greatest part of men, upon no assurance of odds, do nevertheless, through vanity, or comparison, or appetite, provoke the rest, that otherwise would be contented with equality.”

214 HOBBS Thomas, *On the Citizen*, I, 1, 4: “In his case, the will to do harm derives from vainglory [*inanis gloria*] and over-valuation of his own strenght”. HOBBS Thomas, *On the Citizen*, I, , 1, 6: “But the most frequent cause why men want to hurt each other arises when many want the same thing at the same time, without being able to enjoy it in common or to divide it”.

word “appetite”, we are inclined to think that Hobbes refers to the first simple passions, that is “desire or appetite”, which is defined as an endeavour directed “toward something which causes it”²¹⁵ – in other words, an object. More specific than desire, “appetite” corresponds to a “Desire of Food, namely Hunger and Thirst”²¹⁶. The lexical field of Hobbes’s texts indicates that appetite is a *movement of appropriation* (at least in texts dealing with the first cause of war). For instance, the text quoted above mentions a situation of land dispossession: a man who has found a land (“a convenient Seat”) to settle is dispossessed by another who desires to appropriate the same plot²¹⁷. Further, Hobbes also mentions men who use violence “to make themselves Masters of other men, persons, wives, children, and cattle”²¹⁸. Furthermore, the appropriative dimension of appetite seems to be confirmed by the objects which are appropriable: fire, water, a “*place to live in*”, etc. and to “all things necessary for life”²¹⁹. In this enumeration mentioned in *The Elements of Law*, Hobbes refers implicitly to land, one of “the two breasts of our common Mother” which provides the matter necessary to fulfil human's basic needs (the second breast being the sea): “Matter of this Nutriment, consisting in Animals, Vegetals, and Minerals, God hath freely layd them before us, in or neer to the face of the Earth; so as there needeth no more but the labour, and industry of receiving them”²²⁰. In short, the objects of desire are those which are necessary for the conservation of life. This means that the first cause of conflict is, for Hobbes, at least, economic.

The second passion responsible of war is less problematic: *diffidence* which signifies a certain degree of despair, that is, an “absolute privation of hope”²²¹. More precisely, it is an absence of hope directed toward someone, in other words, a distrust: if we consider that trust is a “passion proceeding from belief of him from whom we expect or hope for good”, diffidence should be a doubt about someone from whom we do not expect anything, which implies that we will provide for ourselves by other means²²². Nevertheless, this does lead to a state of conflict since I can distrust someone without having the intention to attack him. For instance, the doubt I have regarding the fact that one is going to satisfy my needs does not necessarily imply a quarrel. It just means that I am not going to rely on him to obtain the object of my desire, and that I will get what I need on my own. It should be argued that diffidence does not only mean an absence of hope regarding the good that someone could do to me, but it is also a despair concerning the fact that he will not harm me. When someone says that he does not hope anything good from another, it may implicitly mean that

215HOBBS Thomas, *Leviathan*, I, 1, 6.

216*Ibid.*, I, 1, 6.

217*Ibid.*, I, 13, 3.

218*Ibid.*, I, 13, 7 (we highlight).

219HOBBS Thomas, *The Elements of Law*, I, 17, 2.

220HOBBS Thomas, *Leviathan*, II, 24, 2.

221HOBBS Thomas, *The Elements of Law*, I, 9, 8.

222*Ibid.*, I, 9, 9.

the other may wish him harm. The negation of benevolence (which is “the desire of good to another”²²³) can be indifference and also malevolence. When I distrust someone, it is not only that I do not hope anything from him, but also that I suspect that he would be to do me harm. The arms that I bring with me when I take a journey, the door I take care to lock when I go to sleep, the chest I padlock when I leave my house to my servants²²⁴, all these behaviours manifest diffidence regarding the other and prove that I am afraid of the harm he could do to me. In this sense, diffidence is similar to the passion of fear (which is “an expectation of evil”), and it also could be defined as a fear directed against someone – indeed, both notions are often associated²²⁵. This expectation about the other's aggressive behaviour leads me to organise a response that will counter his act before it happens. And the only way to block his action is to destroy, or at least to neutralise the author of these actions, which means attacking him. As the proverb states, attack is the best form of defence.

The third of the three bellicose passions remains to be clarified: glory. Glory is the joy “arising from the imagination of a man's own power and ability”²²⁶, the power of a man being “his present means, to obtain some future apparent good”²²⁷. Defined in this way, it is hard to understand why such self-related passion should lead to conflict with another. Indeed, glory appears here as a relation that one has with himself: it consists in the mental pleasure (joy²²⁸) I have when contemplating my own power. More precisely, it is a relation to myself by the mediation of signs. I know this power through the action which proceeds from the same. If I admire myself in front of the mirror and the other is not implied in this cognitive process, why should it become a subject to quarrel over? The only possible solution is that glory is a relational passion that involves the other who must confirm the idea I have of myself.

This relational dimension appears in the rest of the text quoted above, although it takes on a negative nuance in this context: when glory is “grounded upon the experience of” my “own former

223HOBBS Thomas, *Leviathan*, I, 6, 37.

224 “In my view, not only flight, but also distrust, suspicion, precaution and provision against fear are all characteristic of men who are afraid. On going to bed, men lock their doors; when going on a journey, they arm themselves because they are afraid of robbers. Countries guard their frontiers with fortresses, their cities with walls, through fear of neighbouring countries. Even the strongest armies, fully already for battle, open negotiations from time to time about peace, because they fear each other's forces and the risk of being beaten. Men take precautions because they are afraid – by running away and hiding if they seen no alternative but most often by using arms and instruments of defence; the result is that when they do risk and advance, each tries to probe the other's mind.” HOBBS Thomas, *On the Citizen*, I, 1, 2 (this passage is highlighted in the translation). See also HOBBS Thomas, *Leviathan*, I, 13, 10.

225That is the case in the chapter IX, § 9 of *The elements of law* where fear, despair and diffidence are both opposed to hope. It is also the case in the chapter XIV, § 3 of *The Elements of Law*: “And from hence shall proceed a general diffidence in mankind, and mutual fear one of another”. HOBBS Thomas, *The Elements of Law*, I, 14, 3.

226HOBBS Thomas, *Leviathan*, I, 6, 39.

227*Ibid.*, I, 10, 1.

228*Ibid.*, I, 6, 12.

actions”, it is called confidence; when it is “grounded on the flattery of others; or only supposed” by myself, “for delight in the consequences of it”, it is called vain-glory²²⁹.

The relational dimension of glory also appears (and above all) when it is defined in relation to honour²³⁰:

“Sometimes the animal spirits are in concert transported by a certain joy that ariseth from their thinking themselves to be honoured (εὐδοκιμεῖν); this elation of the mind is called glory, and hath this as its cause, that the spirits, because they feel that the things they say and do are approved, rise from the heart to the face as a witness of the good opinion conceived of themselves”.²³¹

Glory is, therefore, the pleasure of both imagining my own power and thinking myself to be honoured, honour is hence the acknowledgment of the same power by another:

“(…) the acknowledgment of power is called HONOUR; and to honour a man (inwardly in the mind) is to conceive or acknowledge, that that man hath the odds or excess of power above him that contendeth or compareth himself.”²³²

Therefore, honour is an attestation by the other of the opinion that I have of myself. It consists in the fact that I believe the other to confirm the perception that I have of my own power, that is, an attestation of my glory. Thus, the relation to myself depends on the relation with the other. In other words, glory and honour are complementary passions that form a complex we could call “recognition”²³³.

At the same time, this does not solve the problem: we could easily imagine that the confirmation of the other's power goes hand in hand with the confirmation of mine and this mutual recognition would lead to peace more than war. Consequently an additional element is needed. This element can be found in the fact that glory always relies on a comparison. Indeed, the acknowledgment of my power is also the acknowledgment of its superiority in comparison to another. To admit my ability is at the same time to admit its superiority: “to honour a man (inwardly in the mind) is to conceive or acknowledge, that man hath the odds or excess of power above him that contendeth or compareth himself”²³⁴. Thus, my power is always granted to the detriment of another, which implies an impossibility of mutual recognition (since the powers of two individuals in conflict cannot be recognized at the same time). That is why, glory is an unsharable wealth: “no large or lasting society can be based upon the passion for glory. The reason is that

229HOBBS Thomas, *Leviathan*, I, 6, 39.

230On the link between glory and honour, see SLOMP Gabriella, *Thomas Hobbes and the Political Philosophy of Glory*, Basingstoke, Palgrave macmillan, 2000, pp. 38-40.

231HOBBS Thomas, *Man and Citizen*, 12, 6.

232HOBBS Thomas, *The Elements of Law*, I, 8, 5.

233On recognition in Hobbes, see CARNEVALI Barbara, “Glory”. La lutte pour la réputation dans le modèle hobbesien”, in *Communications*, Année 2013, n° 93 pp. 49-67. See also MARCUCCI Nicola, “Le pouvoir de reconnaître. Anthropologie et représentation dans le Léviathan de Thomas Hobbes”, in TOTO Francesco, DE MOURGUES Pénigaud and RENAULT Emmanuel, (eds.) *La reconnaissance avant la reconnaissance. Archéologie d'une problématique moderne*, pp. 91-108. See RICŒUR Paul, *Parcours de la reconnaissance. Trois études*, Paris, Stock, Les essais, 2004, pp. 239-251.

234HOBBS Thomas, *The Elements of Law*, I, 8, 5.

glorying, like honour, is nothing if everybody has it, since it consists in comparison and eminence”²³⁵. Because this symbolic good cannot be shared, it can be obtained only by competition: the man who wants to prove his superiority against the other cannot recognise his value as being equal, and vice versa. Moreover, imposing his superiority against the one he contends with, this same man necessarily considers the other's value as inferior and then undervalues him. In other words, this situation triggers a dynamic of disrespect: “since all the heart's joy and pleasure lies in being able to compare oneself favourably with others and form high opinion of oneself, men cannot avoid sometimes showing hatred and *contempt* for each other, by laughter or words or a gesture or other sign”²³⁶. Even if Hobbes does not define what Honneth will name “disrespect”, such a form of non-recognition appears clearly in the text, especially when he deals with laughter:

“*Sudden glory*, is the passion which maketh those *grimaces* called LAUGHTER; and is caused either by some sudden act of their own, that pleaseth them; or by the apprehension of some deformed thing in another, by comparison whereof they suddenly applaud themselves. And it is incident most to them, that are conscious of the fewest abilities in themselves; who are forced to keep themselves in their own favour, by observing the imperfections of other men. And therefore much laughter at the defects of others, is a sign of pusillanimity. For of great minds, one of the proper works is to help and free others from scorn; and compare themselves only with the most able.”²³⁷

Laughing about someone consists in belittling them in order to glorify oneself. From this particular case, it is possible to generalise and conceptualise the notion of disrespect which can be defined by contrasting it with honour, that is, as a misrecognition of the other's power. Competition for glory and disrespect inexorably leads to what we could call with Honneth, a struggle for recognition:

“For every man looketh that his companion should value him, at the same rate he sets upon himself: and upon all signs of contempt, or undervaluing, naturally endeavours, as far as he dares (which amongst them that have no common power to keep them in quiet, is far enough to make them destroy each other,) to extort a greater value from his contemnners by damage; and from others, by the example.”²³⁸

1.2.2) The Impassioned Complex: The Articulation of the Three Causes of War

Now we have briefly detailed the internal logics of each bellicose passion, the question of their articulation is to be tackled. How are these motivations interrelated? Do they form a systematic whole or do they constitute an irreducible multiplicity? Does Hobbes insist on a plurality of the grammars of conflict as well as the diversity of human action or on its unity?

Here, it could be tempting to articulate the three causes according to a reductionist model:

235HOBBS Thomas, *On the Citizen*, I, 1, 2.

236*Ibid.*, I, 1, 5.

237HOBBS Thomas, *Leviathan*, I, 6, 42.

238*Ibid.*, I, 13, 5.

all causes are reduced to a more fundamental passion. Here, we consider three possibilities: 1° the reduction of diffidence and appetite to glory 2° the reduction of diffidence and glory to appetite.

Commentators who opt for the first form of reductionism base their argument on the fact that in the *Elements of law*, glory is the primary passion on which the others are composed (magnanimity, pusillanimity, covetous, etc.)²³⁹. Therefore, it could be concluded that bellicose motivations are derived from the desire to be honoured. The former would correspond to a proximate cause of war and the latter to an ultimate cause. However, the proponents of this explanation confess that such a hierarchisation of the three causes of war is more speculative than really textually testified. Furthermore, although *De Cive* still emphasises on glory as a fundamental passion, this notion declines in importance in the *Leviathan* in which appetite become the first of the three causes of war. Even in *De Cive*, it was the most recurrent cause of conflicts: “but the most frequent cause why men want to hurt each other arises when many want the same thing at the same time, without being able to enjoy it in common or to divide it”²⁴⁰.

By contrast, one could argue that the other passions (glory and diffidence) are to be reduced to the desire of appropriation. For instance, in the *Leviathan*, diffidence is not a fear about an undetermined evil but about expropriation, that is, the concrete result of the appetite for appropriation. Competition “maketh men invade for gain” and use violence to appropriate the other's land, wives, children and cattle, and diffidence leads to bloody fights “to defend them”²⁴¹. Here, the appetite of possession leads to a fear of losing the same possession we desire. Thus, in both cases, appropriation is the centre of the conflict. Nonetheless, this reduction once again does not really work since glory seems to be irreducible to the appropriative logic. From a speculative point of view, it could be argued that glory plays a role in the securing of material wealth and thus is sought for that reason. The one whose capacity is recognised and who displays signs of its power is feared and respected: no one would dare to dispossess him from his land or to steal his cattle. In this case, glory would be subordinated to the desire of appropriation. Unfortunately, there are no texts to support such a hypothesis.

Furthermore, at a conceptual level, some texts reveal a tension (which does not necessarily mean an opposition) between the logic of appropriation and the one of recognition. While it is not absurd to consider that recognition is a sort of wealth, it seems impossible to identify the process of glorifying with a taking possession of a material object such as land. Recognition is indeed made of at least four elements: on one hand, 1° the imagination or conception of my own power and 2° the

239SLOMP Gabriella, “From genus to species: the unravelling of hobbesian glory”, in *History of Political Thought* Vol. 19, n° 4, Winter 1998, pp. 552-569.

240HOBBS Thomas, *On the Citizen*, I, 1, 6.

241HOBBS Thomas, *Leviathan*, I, 13, 7.

external signs of it (glory) 3° the other's external approval or acknowledgment of this conception and 4° the signs of it (honour).

Let us first focus on glory, which is defined as an imagination of my power. Imagination and conception consist in the imagery and the “representations of the qualities of things without us”,²⁴² and they correspond to a spiritual faculty that Hobbes calls the conceptive or imaginative power. Thus, glory is not a material relation with an object that could be appropriated (as is the case with nutrition, and other faculties of the body), but a spiritual relation to oneself. This self-relation manifests itself to me through signs (especially my own actions) and the other individuals know it by other signs such as actions, gesture, and speech²⁴³. Therefore, none of these signs can be appropriated and consumed.

As glorifying, to honour someone is also a cognitive act: “to honour a man (inwardly in the mind) is to conceive or acknowledge, that that man hath the odds or excess of power above him that contendeth or compareth himself”²⁴⁴. In this process, what I obtain from the other, is not an object but an internal judgment regarding my value. Therefore, what is sought in honour is not a material object but a symbolic object. Now, the attestation of my value is made public and external by some signs that Hobbes calls “*signs of honor*”. These signs are the material expression of one’s judgment regarding my value. It is through these signs that the other acknowledges of my power:

“The signs of honour are those by which we perceive that one man acknowledgeth the power and worth of another. Such as these: — To praise; to magnify; to bless, or call happy; to pray or supplicate to; to thank; to offer unto or present; to obey; to hearken to with attention; to speak to with consideration; to approach unto in decent manner, to keep distance from; to give the way to, and the like; which are the honour the inferior giveth to the superior.”²⁴⁵

Here, even if some of them are material, their acquisition cannot be a subject of conflict. Indeed, if I struggle and fight to appropriate a gift by which someone testified to me his respect, it is no longer a gift, and the object can no longer fulfil its role as a vector of recognition. A present may be given to me, by accident, at the end of the conflict, as a sign of the acknowledgment of my superiority, but it cannot be the object of the conflict, which remains totally symbolic.

“*Honourable signs*” have to be distinguished from signs of honour. They are those “for which one man acknowledgeth power or excess above his concurrent in another”²⁴⁶. These signs are not produced by the one who recognises the other, but by the one who is recognized. By contrast with the signs of honour, honourable signs are not the external means by which the other signals to me that he recognises my power; they are the signs by which the other takes cognisance of my

242HOBBS Thomas, *The Elements of Law*, I, 1, 8.

243*Ibid.*, I, 8, 5.

244*Ibid.*, I, 8, 5.

245*Ibid.*, I, 8, 6.

246*Ibid.*, I, 8, 5.

power and is driven to recognise me. These signs are not produced by the one who recognises the other but by the one who is recognised. For example, through actions proceeding from strength of body, I manifest to the other my own power. The person who wins a duel is respected and honoured by the others.

Now, some of these signs are are strongly material: “And riches are honourable; as signs of the power that acquired them. — And gifts, costs, and magnificence of houses, apparel, and the like, are honourable, as signs of riches. —”²⁴⁷. Riches and sumptuous houses differ from gestures and acts of violence since they are material objects and for that reason can be appropriated. In this sense, it certainly would not be false to say that men desire to appropriate these objects for their symbolic value. Men wage war for prestigious goods in order to demonstrate to the other the magnificence of their power. This would mean that there is no opposition between the struggle for appropriation and the struggle for recognition. A passage of Hobbes' translation of Thucydides' *The Peloponnesian War* might corroborate this idea:

“For the Grecians in old time, and such barbarians as in the continent lived near unto the sea or else inhabited the islands after once they began to cross over one to another in ships, became thieves and went abroad under the conduct of their most puissant men, both to enrich themselves and to fetch in maintenance for the weak, and falling upon towns unfortified and scatteringly inhabited, rifled them and made this the best means of their living, being a matter at that time nowhere in disgrace but rather carrying with it something of glory. This manifest by some that dwell on the continent, amongst whom, so it be performed nobly, it is still esteemed as an ornament. The same also is proved by some of the ancient poets, who introduce men questioning of such as sail by, on all coasts alike, whether they be thieves or not, as a thing neither scorned by such as were asked nor upbraided by those that were desirous to know. They also robbed one another within the mainland. And much of Greece useth that old custom, as the Locrians called *Ozolae*, the Acarnanians, and those of the continent in that quarter, unto this day. Moreover, the fashion of wearing iron remaineth yet with the people of that continent from their old trade of thieving.”²⁴⁸

Here, the first motivation of piracy is admittedly the appropriation of goods: pirates invade lands and plunder them in order to ensure their livelihood and especially the weakest of the group. But that is not all, since the text suggests that the acquisition goes beyond the simple need to get the “best means of their living” and becomes a question of prestige. Acquisition is then at the service of recognition. Pillaging consists in acquiring goods which are more than the simple means of subsistence to the extent that they reflect the greatness of my power. Unfortunately, the text is written by Thucydides and not by Hobbes, who confined himself to translate it. Hobbes does evoke this text in the *Leviathan* but his intention is not to articulate the grabbing of land with recognition; rather his aim is to demonstrate that honour has nothing to do with justice, taking the case of piracy as an activity which was honoured by the Ancient Greece whereas it was unjust²⁴⁹. Moreover, the

247HOBBS Thomas, *The Elements of Law*, I, 8, 5.

248THUCYDIDES, *The Peloponnesian War*, the Thomas Hobbes Translation, Edited by David Grene, with an Introduction by Bertrand de Jouvenel, Vol. I, Ann Arbor – The University of Michigan Press, 1959, I, 5, pp. 3-4.

249“Also amongst men, till there were constituted great commonwealth, it was thought no dishonour to be a pirate, or a

passage on the honourable signs quoted above is very elliptic and insists more on the immaterial aspect of these signs than on their materiality and thus their character of appropriability. Furthermore, we found no text of Hobbes in which the struggle for the appropriation of goods is thought of as a struggle for glory and honour. It seems then that a certain tension remains between glory and appropriation. At least, it would seem impossible to totally reduce glory to the desire of appropriation.

One could argue that this gap between passionate glory and the desire of appropriation could be bridged by a reference to the desire of preservation²⁵⁰. This solution consists in reducing all passions to self-conservation. And it is most likely the form of reductionism the most relevant to our investigation. It has often been noted that self-preservation is the root of all passions. The dynamic of passion lies on the articulation of two sorts of motion, the vital motion and the animal motion²⁵¹. The first one, which is purely physiological, aims for the reproduction of the animal life – the course of the blood is here the paradigm of this motion. In other words, this motion is a motion of self-preservation. By contrast with the vital motion which is circular, the animal motion is directed outward – Hobbes gives the example of walking. However, this exteriorised force seeks to appropriate the object that reproduces the circular motion and rejects the objects that hinder its reproduction (I walk to seek food or to avoid danger). Consequently, the animal motion is at the service of the perpetual reproduction of the vital motion. *Conatus* is the Latin name Hobbes gives to the small beginnings of the animal motion and desire – or appetite, the name of this endeavour when it is oriented toward an object which causes it. As it is nothing more than the animal motion tending toward an object, desire follows this movement of perpetual reproduction: “the object of man's desire, is not to enjoy once only, and for one instant of time; but to assure for ever, the way his future desire”²⁵². Desire is desire of the reproduction of desire, it is a desire of desire. As many commentators have noted, the striving to persevere in its being (*in suo esse perseverare conatur*) is not Spinoza's *essentia actualis*²⁵³ which affirms itself in its own effects but the simple perpetuation *ad infinitum* of the motion, a perpetuation which is conceived on the model of the principle of inertia²⁵⁴. Therefore, the entire human existence is oriented toward the reproduction of the

highway thief; but rather a lawful trad, not only amongst Greeks, but also amongst all other nations; as it manifest by the histories of ancient time.” HOBBS Thomas, *Leviathan*, I, 10, 49.

250 On the importance of self-preservation for Hobbes, see POLIN Raymond, *Hobbes, Dieu et les hommes*, Paris, Puf, Philosophie d'aujourd'hui, 1981, pp. 28-39. An excellent summary on this point is also given in Lazzeri's article on the question of relativism in Hobbes: LAZZERI Christian, “Hobbes et la question du relativisme”, *Dix-septième siècle*, n° 226, 2005/1, p. 58 *et sq.*

251 HOBBS Thomas, *Leviathan*, I, 6, 1.

252 *Ibid.*, I, 11, 1.

253 On the *essentia actualis*, cf MACHEREY Pierre, *Introduction à l'Éthique de Spinoza. La troisième partie. La vie affective*, Paris, Puf, 1998 [1995], p. 85, *sq.*

254 MATHERON Alexandre, *Individu et Communauté chez Spinoza*, Paris, Éditions de Minuit, Le sens commun, 1988 [1969], pp. 86-90; LAZZERI Christian, *Droit, Pouvoir et Liberté. Spinoza critique de Hobbes*, Paris, Puf, 1998, pp.

biological machine and the greatest good is the preservation of life:

“Moreover, the greatest of goods for each is his own preservation. For nature is so arranged that all desire good for themselves. Insofar as it is within their capacities, it is necessary to desire life, health, and further, insofar as it can be done, security of future time. On the other hand, though death is the greatest of all evils (especially when accompanied by torture), the pains of life can be so great that, unless their quick end is foreseen, they may lead men to number death among the good.

Power, if it be extraordinary, is good, because it is useful for protection; and protection provides security. If it be not extraordinary, it is useless; for what all have equally is nothing.

Friendships are good, certainly useful. For friendships, among many other things confer protection.

Therefore enemies are evil, as they bring dangers and remove security,”²⁵⁵

Now, according to the treatise on the passions we find in chapter six of the *Leviathan*, all passions are modifications of this primary endeavour in function of the different orientations it takes. For instance, pleasure (or delight) is nothing more than the sensation that the vital motion has when powered by the encounter of the object; it is the apparition of the corroboration of the vital motion. The same works with the other “simple passions” – appetite, desire, love, aversion, hate, joy and grief – and all the rests of passions which are complex modifications of these fundamental elements of the impassioned life. For this reason, Matheron argues that the totality of human behaviour is derived from this instinct of conservation, even the feeling of honour²⁵⁶.

Therefore, as the root of all passions, the principle of preservation could be considered as the key to the articulation between the desire of appropriation, diffidence, and glory. Concerning the two first passions, appetite and diffidence, Hobbes is quite explicit since in each of the paragraphs of chapter 13 of the *Leviathan* dedicated to them, self-conservation is mentioned²⁵⁷. The acquisition of land is obviously for the purpose of self-conservation, since one lives from the products of the earth. It should be noted, however, that, sometimes, as a consequence of the appetite, appropriation provides pleasure that has nothing to do with survival, which means that the initial passion is not totally reducible to the desire to survive. Hobbes even argues that sometimes men compete for delectation only. Nevertheless, it seems that most of time, this motivation falls under the desire for preserving life. Concerning diffidence, when Hobbes writes about the distrust regarding the potential chicken thieves and in relation to the land grabbers he speaks not only of the fear of losing

23-26.

²⁵⁵HOBBS Thomas, *Man and Citizen*, 11, 6, p. 48-49.

²⁵⁶“Notre tendance à persévérer dans l'être, en effet, ne s'identifie pas à l'être dans lequel nous tendons à persévérer ; elle n'est que moyen à son service, mouvement destiné à sauvegarder un autre mouvement. Et cet être à sauvegarder, c'est tout simplement l'existence biologique brute, sans autre spécification. Tout comportement humain, dès lors, quelle que soit la complexité des médiations qu'il fait intervenir, se ramène en définitive, à une simple dérivation de l'instinct de conservation; jusque dans les nuances les plus subtiles du sentiment de l'honneur, jusque dans les aspects les plus abstraits de la spéculation intellectuelle, l'homme ne cherche jamais qu'une chose : vivre le plus longtemps possible. Et la crainte de la mort violente, grâce à laquelle nous nous constituons en société civile n'est, au fond que la prise de conscience de ce projet fondamental. Aussi l'existence politique dans un Etat absolutiste, qui seule peut satisfaire cet immense besoin de sécurité, constitue-t-elle l'ultime salut.” MATHERON Alexandre, *Individu et Communauté chez Spinoza*, op. cit., p. 88.

²⁵⁷HOBBS Thomas, *Leviathan*, I, 13, 3 and 4.

the subsistence that was previously acquired with the aim of preserving life but also the fear of dying during the raid waged by the plunderers. Here we see how the desire of appropriation and diffidence are connected: the struggle for life leads me to compete for unsharable land; and this war for land makes me distrust the other that may potentially steal my plot (then deprive me of my means of subsistence) as well as kill me during the raid.

Regarding the passion of glory and honour (“passions of recognition”), commentators' positions are divided. Some of them argue that self-preservation is a more fundamental motivation since to be alive is a pre-condition of glory²⁵⁸. Nevertheless, and besides the fact that the connection between the two notions is not really explicit in the quoted texts, they never really prove that the struggle for glory and honour is *motivated* by conservation. Indeed, to say that conservation is the precondition of glory does not mean that it is the ultimate cause of this passion. To prove that passions of glory and honour are reducible to the desire of self-conservation, it must be established that men desire to be recognised because this recognition ensures them security. Passages of chapter X of the *Leviathan* dedicated to reputation give some support to this hypothesis. Reputation is one of the “instrumental powers” that ensures the perpetuation of the vital motion²⁵⁹. Indeed, “reputation of power, is power; because it draweth with it the adherence of those that need protection”²⁶⁰. Those who imagine that I have power (“*reputation of power*”) will ask for my protection. The fact that I offer them my protection gives me in return a power over them. Indeed, in exchange of my protection, the other gives me their assistance and their service²⁶¹ and even obeys me²⁶². In other words, reputation provides me with friends and servants, which are nothing less than “strengths united”²⁶³ (“reputation of power, is power”) and thus allies in the struggle for conservation. According to this interpretation, when men enter into war for reputation²⁶⁴, their first motivation is nothing more than self-conservation.

By contrast, other scholars state that this “struggle for recognition” goes beyond life and the principle of self-conservation²⁶⁵ and claim that there is a duality between glory and the desire of

258SLOMP, G., *Thomas Hobbes and the Political Philosophy of Glory*, op. cit., pp. 40-43.

259LAZZERI Christian, *Droit, Pouvoir et Liberté*, op. cit., pp. 61-62 and pp. 65-66.

260HOBBS Thomas, *Leviathan*, I, 10, 5.

261Hobbes writes that reputation is “a means to have the assistance, and service of many”. HOBBS Thomas, *Leviathan*, I, 10, 5.

262HOBBS Thomas, *Leviathan*, II, 31, 13.

263*Ibid.*, I, 10, 3.

264*Ibid.*, I, 13, 7.

265This is Delphine Thivet's thesis: “*De fait, loin d'être mené pour des motifs de subsistance ou de nécessité comme le premier et le deuxième types de guerre examinés, le troisième survient dans un contexte économique favorable et pour des fins allant au-delà de la simple conservation de soi per se*”. THIVET Delphine, *Une pensée hétérodoxe de la guerre. De Hobbes à Clausewitz*, Paris, Puf, Fondements de la politique, 2010, pp. 130-131. Further, she concludes: “*Hobbes établit une distinction implicite entre les motifs de guerre rationnels, c'est-à-dire conformes au principe de préservation de soi, et les motifs de guerre non rationnels*”. THIVET Delphine, *Une pensée hétérodoxe de la guerre*, op. cit., p. 134.

appropriation (which depends on the desire to survive). Their assumption leans on the numerous texts in which Hobbes mentions the paradoxical behaviour that consists in choosing death rather than life²⁶⁶. This happens when someone prefers to risk his life through a combat to the death in order to get revenge. That is, rather than losing his honour after having been victim of some form of disrespect or contempt²⁶⁷. The following text is paradigmatic:

“Any sign of hatred and contempt is more provocative of quarrels and fighting than anything else, so that most men prefer to lose their peace and even their lives rather than suffer insult. Hence follows the seventh precept of *natural law*: *no one should show hatred or contempt of another by deeds, words, facial expression or laughter*. Violation of this law is called INSULT. Nothing is commoner than taunting and offensive remarks by the powerful against the less powerful and especially by judges against defendants, which have nothing to do with the charge and are not part of the judge's duty; such men are acting against the *natural law* and should be considered *insolent*.”²⁶⁸

It seems that it is not casual if, unlike in the passage dedicated to competition and diffidence, self-conservation never appears in any paragraphs of chapter XIII, which is dedicated to the bellicose passion of glory.

To summarise what was previously said, there is a conflict between two interpretations regarding the articulation of the passions: the reductionists hypothesis argues that the three passions

266HOBBS Thomas, *On the Citizen*, II, 6, 13.

267 “And because all signs of hatred, or contempt, provoke to fight; isomuch as most men choose rather to hazard their life, than not to be revenged; we may in the eighth place, for a law of nature, set down this precept, *that no man by deed, word, countenance, or gesture, declare hatred, or contempt of another*. The breach of which law, is commonly called contumely”. HOBBS Thomas, *Leviathan*, I, 15, 20. “REVENGEFULNESS is that passion which ariseth from an expectation or imagination of making him that hath hurt us, to find his own action hurtful to himself, and to acknowledge the same; and this is the height of revenge. For though it be not hard, by returning evil for evil, to make one's adversary displeased with his own fact; yet to make him acknowledge the same, is so difficult, that many a man had rather die than do it. Revenge aimeth not at the death, but at the captivity and subjection of an enemy; which was well expressed in the exclamation of Tiberius Caesar, concerning one, that, to frustrate his revenge, had killed himself in prison: Hath he escaped me? To kill is the aim of them that hate, to rid themselves of fear; revenge aimeth at triumph, which over the dead is not”. HOBBS Thomas, *The Elements of Law*, I, 9, 6. “And because all signs which we shew to one another of hatred and contempt, provoke in the highest degree to quarrel and battle (inasmuch as life itself, with the condition of enduring scorn, is not esteemed worth the enjoying, much less peace); it must necessarily be implied as a law of nature, That no man reproach, revile, deride, or any otherwise declare his hatred, contempt, or disesteem of any other. But this law is very little practised. For what is more ordinary than reproaches of those that are rich, towards them that are not? or of those that sit in place of judicature, towards those that are accused at the bar? although to grieve them in that manner, be no part of the punishment for their crime, nor contained in their office; but use hath prevailed, that what was lawful in the lord towards the servant whom he maintaineth, is also practised as lawful in the more mighty towards the less; though they contribute nothing towards their maintenance”. HOBBS Thomas, *The Elements of Law*, I 14, 11. This text is particularly interesting since it thematizes the question of disrespect. The text on the desire of fame after death could also be quoted: “Desire of praise, disposeth to laudable actions, such as please them whose judgment they value; for of those men whom we condemn, we condemn also the praises. Desire of fame after death does the same. And though after death, there be no sense of the praise given us on earth, as being joys, that are either swallowed up in the unspeakable joys of Heaven, or extinguished in the extreme torments of hell: ye is not such fame vain; because men have a present delight therein, from the foresight of it, and of the benefit that may redound thereby to their posterity: which though they now see not, yet they imagine; and any thing that is pleasure to the sense, the same also is pleasure in the imagination.” HOBBS Thomas, *Leviathan*, I, 9, 6. The pleasure of posterity is certainly due to the fact that I am able to imagine what would it like to be praised after my death; nevertheless, one cannot see what is the benefice in term of preservation. Therefore, the one who is works all his life for the fame after death should be motivated by something other than the simple desire of conservation.

268HOBBS Thomas, *On the Citizen*, I, 3, 12.

are reduced to the principle of self-conservation whereas the thesis of duality contends that there is a fundamental gap between passions depending on self-conservation (the desire of appropriation, fear, etc.) and those which have nothing to do with the preservation of life (glory, reputation, honour, etc.). In both cases, the problem of the articulation between the cause of war amounts to the problem of the nature of the passions that cause the conflict: are those passions identical (because reducible to the principle of conservation) or fundamentally different (glory cannot be reduced to the desire of survival)? Here, we do not claim to stake our position, that is, to choose between the reductionist hypothesis or the thesis of duality.

In fact, whatever the solution given to the problem of the nature of these passions, commentators agree that the three causes of war are articulated into a complex. It is often noted that competition is not sufficient to universalise the conflict, and that it remains a localised rivalry²⁶⁹. If we only consider the first step of the conflictual dynamic, competition, then there is a certain division to be made between the radical and the moderate: the second ones, who are “glad to be at ease within modest bounds”²⁷⁰ do not initially desire to appropriate more than what is necessary. As such, the conflict is not considered total since it is avoided by a part of the population who just seek to defend what they have. The problem is that radicals take pleasure when contemplating their own power and conquest more than their need to survive. This unlimited desire of appropriation instils *fear* in the moderates who, in return, cannot confine themselves to the simple defence and bit strongly as the radicals. Therefore, war is extended from the radical to moderate, and *diffidence* is the vector of this universalisation. Here, diffidence is both a consequence of the desire of appropriation and the catalyst of the conflict. Finally, a tipping point is reached with the passion of glory since it is as if conflict had no real object anymore, as if it were quasi-free. Indeed, people struggle “for trifles, as word, a smile, a different opinion, and any other sign of undervalue”²⁷¹, in short, for nothing.

Therefore, the three causes of war are not dispersed elements but constitute a complex system in which all passions depend on each other. This does not mean that the connection between each passion is horizontal since there is a clear hierarchy between them. Indeed, with all the precaution required, it could be asserted that the desire of appropriation is the fundamental cause of war. Indeed, even if competition remains a local rivalry, it remains the first cause of war (the triggering factor of the conflict), and the other motivations are additional causes that intensify this fundamental dispute for appropriation. This is especially clear concerning diffidence: the fear which

269ZARKA Yves Charles, *Hobbes et la pensée politique moderne*, Paris, Puf, Hors collection, 2012, p. 139 ; LAZZERI Christian, *Droit, Pouvoir et Liberté*, op. cit., pp. 89-90.

270HOBBS Thomas, *Leviathan*, I, 13, 4.

271Ibid., I, 13, 7.

leads men to preventive war is a fear of being dispossessed. Consequently, diffidence intensifies the fundamental conflict for the appropriation of resources²⁷². In other words, competition is the basis of the impassioned complex and the other passions are “*catalysts*” that accelerate, precipitate and universalise the conflictual dynamic. This hypothesis seems to be corroborated by the evolution of Hobbes on this point. As previously said, from the *Elements of Law* to the *Leviathan*, glory loses its pre-eminence and the desire of appropriation is pushed to the forefront of the conflictual dynamic. Consequently, regardless of the problem regarding the choice between dualism and reductionism, it seems reasonable to contend that the desire of appropriation is the centre of gravity of the conflictuality, the other passions being operators of acceleration of the conflictual dynamic. Nevertheless, even if we admit that competition is at the basis of the impassioned complex, that which leads men to kill each other, it remains the case that the conflict would never have been triggered without an additional condition that is exterior to human passions. This essential condition is the scarcity of resources and more precisely the scarcity of land.

I.2.3) Beyond the Impassioned Complex: The Scarcity of Land

So far we have seen how bellicose passions are articulated in an impassioned complex whose basis is the desire of appropriation. Now, it remains that the impassioned mechanism alone is not sufficient to trigger the conflictual dynamic and that an element external to the sphere of affects has to be added. The rift of the impassioned edifice is found at the level of the first cause of war: competition. Indeed, competition cannot be understood if only one passion involved in the conflict (appetite) is considered. In this case, the specific nature of the object of the passion plays an essential role in the dynamic of conflict. Without this specific configuration of the object, there would never be any form of conflict.

Indeed, the fact that two individuals desire the same object does not necessary lead them to kill each other. On the contrary, the desire for a same object should rather be an occasion to share it and to feel joy in this common appetite. As Spinoza writes, “insofar as each loves the same thing, each one's love is thereby encouraged. That is, each one's joy is thereby encouraged”²⁷³. For instance, Peter and Paul could have the same desire for philosophy or knowledge, they could share it together and then enjoy this common desire. In this case, Peter's desire for philosophy would nourish Paul's (and *vice versa*) and they would enjoy such common interest.

Therefore, the object of appropriation must be something which cannot be shared and that

²⁷²*Ibid.*, I, 13, 3-4.

²⁷³SPINOZA Benedict de, *Ethics*, trans. Edwin Curley, London, Penguin Books, 1996 [1677], IV, 34, p. 131.

the two individuals in conflict cannot both enjoy at the same time. The question is: why can certain objects not be shared? The *De Cive* and the *Elements of law* argue that such an object cannot be divided: “Moreover, considering that many men's appetites carry them to one and the same end; which end sometimes can neither be enjoyed in common, nor divided, it followeth that the stronger must enjoy it alone, and that it be decided by battle who is the stronger”²⁷⁴. A land which provides the strict *minimum* for the conservation of life cannot be divided and shared with another person. Likewise, the cow that provides milk for a family cannot be divided to fulfil the need of another. Thus, the indivisibility of these goods, which are essential for life, renders their common appropriation impossible. In other words, the appropriation becomes exclusive because the object cannot be divided.

One solution to this might be to look elsewhere for an unoccupied land and take possession of it, unless, of course, there is no piece of land to possess because the quantity of space available is not sufficient for the totality of humanity. This impossibility of finding a land elsewhere leads back to the individual object and triggers a conflict of appropriation. Thus, it seems that competition is inevitably due to a situation where the scarcity of land prevails. As Jean Terrel suggests²⁷⁵, this war for the appropriation of land in a finite world marked by the seal of scarcity is reminiscent of the beginning of the *History of the Peloponnesian War* already mentioned.

“For it is evident that that which now is called Hellas was not of old constantly inhabited; but that at first there were often removals, everyone easily leaving the place of his abode to the violence always of some greater number. For whilst traffic was not, nor mutual intercourse, but with fear, neither by sea or land, and every man so husbanded the ground as but barely to live upon it without any stock of riches and planted nothing (because it was uncertain when another should invade them and carry all away, especially not having the defence of walls) (...)”²⁷⁶.

Nonetheless, on reading the rest of the text, this opinion should be moderated since Thucydides explains that, in the case of attack, the first inhabitants of primitive Greece could have easily migrated since they could go elsewhere to find their food, which suggests that there was plenty of land²⁷⁷.

Be that as it may, the fact that Hobbes's concept of conflict is grounded on form of scarcity inherent to the world has been highlighted by his detractors. For instance, in his *Observations Concerning the Originall of Government*, Robert Filmer criticises Hobbes' description of the state

274HOBBS Thomas, *The Elements of Law*, I, I, 5.

275TERREL Jean, *Thomas Hobbes : philosophe par temps de crises*, Paris, Puf, CNED, 2012, p. 79.

276THUCYDIDES, *The Peloponnesian War*, I, 2, p. 2.

277“(...) but made account to be masters, in any place of such necessary sustenance as might serve them from day to day, they made little difficulty to change their habitations. And for this cause they were of no ability at all, either for greatness of cities or other provision. But the fattest soils were always the most subject to these changes of inhabitants, as that which is now called Thessalia and Boeotia, and the greatest part of Peloponnesus, except Arcadia, and of the rest of Greece, whatsoever was most fertile. For the goodness of the land increasing the power of some particular men both caused seditions, whereby they were ruined at home, and withal made them more obnoxious to the insidiation of strangers.” THUCYDIDES, *The Peloponnesian War*, I, 2, p. 2.

of nature in term of war, arguing that it relies on a presupposition of the lack of resources and space, which means that, creating the world, God would not have been generous:

“But if it be allowed (which is yet most false) that a company of men were at first without a common power to keep them in awe; I do not see why such a condition must be called a state of war of all men against all men: indeed if such a multitude of men should be created as the earth could not well nourish, there might be cause for men to destroy one another rather than perish for want of food; but God was no such niggard in the Creation, and there being plenty of sustenance and room for all men, there is no cause or use of war till men be hindered in the preservation of life, so that there is no absolute necessity of war in the state of pure nature, it is the right of nature for every man to live in peace, that so he may tend the preservation of his life, which whilst he is in actual war he cannot do.”²⁷⁸

Moreover, theological arguments in favour of natural scarcity are not totally absent from the Age of Reason: in 1616, Godfrey Goodman, the later bishop of Gloucester, forecast the coming exhaustion of wood in England²⁷⁹. This statement has to be understood in a context of apocalyptic prophecies regarding Judgment Day that flourished in 17th century Europe: exhaustion of resources is a sign of the coming end of the world which has to be announced with fear. If the theological dimension of the argument does not necessarily fit with Hobbes’ philosophy, then it is not impossible that Hobbes had in mind the possibility of resource exhaustion.

Some of Hobbes' texts seems to allude explicitly to this state of scarcity. In the chapter of the *Leviathan* dedicated to the office of the sovereign, he proposes remedies against idleness: in the case where there was too much poverty, it should be advisable to send them “into Countries not sufficiently inhabited”²⁸⁰. Nevertheless, it seems that this policy of peopling the earth could lead to a situation in which all the world would be overcharged by inhabitants: “And when all the world is overcharged with inhabitants, then the last remedy of all is war; which provideth for every man, by victory, or death”²⁸¹. The Latin edition does even mentions a situation in which the earth (*terra*) would no longer be able to ensure the human race’s subsistence, but it is clear that the overextension of humanity is the cause of a lack of resources²⁸². It seems that Hobbes does then acknowledge the finiteness of the world. In a such situation of scarcity, Hobbes declares that war would be the last remedy. This situation arises clearly in the civil state but it seems possible to understand it as a case of what Foucault called “the resurgence of the war of all against all”²⁸³

278FILMER Robert, *Observations Concerning The Originall of Government* in FILMER Robert, *Patriarcha*, Edited by Peter Laslett, Oxford, Basil Blackwell, Blackwell's Political Texts, 1949, p. 242. Quoted by FOISNEAU Luc, *Hobbes et la Toute-puissance de Dieu*, Paris, PUF, Fondements de la politique, 2000, p. 245.

279SIEFERLE Rolf Peter, *The subterranean Forest: Energy Systems and the Industrial Revolution*, Cambridge, The White Horse Press, 2001, p. 182.

280HOBBS Thomas, *Leviathan*, II, 30, 19.

281HOBBS Thomas, *Leviathan*, II, 30, 19.

282 “*Si quando autem alimentis hominum terra non sufficeret, remedium ultimum a bello erit, omnibus vel victoria vel morte suffecturo*”. HOBBS Thomas, *Leviathan sive de Materia, Forma, Et Potestate, Civitatis Ecclesiasticae et Civilis*, in HOBBS Thomas, *Opera Philosophica quae Latine Scripsit Omnia in Unum Corpus Nunc Primum Collecta Studio Et Labore Gulielmi Molesworth*, Londini, Apud Joannem Bohn, Vol. III, 1839, p. 249.

283FOUCAULT Michel, *La Société Punitif. Cours au Collège de France: 1972-1973*, Paris, Gallimard/Seuil, 2013, p.

(return of the state of nature is generally illustrated by war between American Indians)²⁸⁴.

Hobbes also writes that matter (*i.e.*, resources) “is a thing limited by Nature, to those commodities, which from [...] Land, and Sea, God usually either freely giveth, or for labour selleth to mankind”²⁸⁵. Nevertheless, this text, which is sometimes quoted by commentators to prove that the idea of scarcity is present in Hobbes' text²⁸⁶, is somewhat ambiguous. Indeed, two lines further, Hobbes contends that “plenty dependeth (next to God's favour) merely on the labour and industry of men”²⁸⁷. Therefore, the only condition of abundance is human labour: it may be hard to reach it but it is not inaccessible. From this point of view, the world described by Hobbes seems to not be subjected to a generalised notion of dearth. Some commentators even claim that the possibility of removing the state of scarcity by human labour proves that competition for scarce resources is not a sufficient condition to trigger a real state of conflict. Zarka argues, for instance, that with technical progress abundance could be reached and war would cease. Hence the importance of the other causes (diffidence and glory) to universalise the conflict²⁸⁸. However, it could be retorted that this technical progress is precisely what is lacking in the state of nature: “In such condition, there is no place for industry; because the fruit there of is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea”. The life of man is “solitary, poor, nasty, brutish, and short”²⁸⁹. There is no agriculture precisely because men are perpetually dispossessed from their lands. In a world in which men mutually expropriate themselves, there is not time to cultivate the land. Each time someone intend to plant seeds, someone comes to expropriate him from his land and his work is immediately lost. Consequently, wars of appropriation annihilate the only real way possible that one may get out of poverty and reach abundance: the industry of men. It would even be tempting to say that there is a reciprocal causality between scarcity and the conflict for appropriation: the competition for scarce resources leads to a conflict and in return, these wars prevent one from leaving the state of dearth. However, this model does not explicitly appear in the *Leviathan*. Broadly speaking, it must be admitted that only few texts evoke explicitly this state of scarcity. It seems that dearth is more an indispensable presupposition of the conflictual dynamic than a topic really developed in itself by Hobbes.

In fact, some commentators claim that the finiteness of the earth is an implicit

27 ; see also FOUCAULT Michel, *Il faut défendre la société. Cours au Collège de France: 1975-1976*, Paris, Gallimard/Seuil, 1997, p. 77.

284HOBBS Thomas, *Leviathan*, I, 13, 10-11.

285*Ibid.*, II, 24, 2.

286THIVET Delphine, *Une pensée hétérodoxe de la guerre, op. cit.*, p. 117.

287HOBBS Thomas, *Leviathan*, II, 24, 2.

288ZARKA Yves Charles, *Hobbes et la pensée politique moderne, op. cit.*, p. 139.

289HOBBS Thomas, *Leviathan*, I, 13, 9.

presupposition which causes a breach in Hobbes's argumentation²⁹⁰. As is well known, Hobbes' argumentation takes the shape of an hypothetico-deductive model: in *Leviathan*, he starts from the anthropological studies of the human being so as to deduce from these principals the state of nature in Chapter XIII. He claims himself that his demonstration is an “Inference made from Passions”, passions which are considered as the unique principles of this deduction²⁹¹. Therefore, logically speaking, war should be deduced from the sole passions and no exterior elements should be involved. Consequently, the implicit presupposition of material scarcity as a necessary component of war (without which the desire of appropriation would lead to real competition) introduces surreptitiously an element which is totally exterior from the realm of affect whereas the reasoning should only be based on this impassioned logic. In this sense, scarcity seems to be a presupposition which threatens Hobbes' argumentation more than the centre of his philosophical reflection on conflict.

Nevertheless, this theoretical movement by which we are compelled to go outside from the realm of human passion can be interpreted from another point of view: much more than a defect of Hobbes argumentation, it can be seen as a sign of the irreducibility of conflicts to the human sphere. To truly understand conflictuality, it is necessary to go out of the human realm and to confront ourselves with the brute materiality of the world. Indeed, the finiteness of the world is considered on the same level as the desire of appropriation, glory and diffidence: as these impassioned causes of conflict, scarcity of land is a fundamental *cause* of war, or at least a fundamental element of the conflictual dynamic. Men enter into conflict with each other to appropriate the matter coming from the Earth since there is not enough matter for all. As it will be explained later, Hobbes' successors will make this implicit presupposition explicit.

Before moving onto the next section, it is worth saying that this picture of the state of nature would have been very different if Hobbes had been more familiar with Amerindian wars, which he considered to paradigmatic of the world without State. Indeed, chronicles seems to agree that these wars were rarely caused by the desire of appropriating lands.

The account of André Thevet, cosmographer of the King, is especially relevant. In his book *Les Singularités de la France Antarctique*, concerning a French ephemeral colony founded in 1555 in the Guanabara bay (the site of the present-day town of Rio de Janeiro)²⁹², he writes the following thing:

“Si vous demandez pourquoi ces sauvages font guerre les uns contre les autres, vu qu'ils ne sont guère plus grands seigneurs l'un que l'autre ; aussi qu'entre eux n'y a richesses si grandes, et

290FOISNEAU Luc, *Hobbes et la Toute-puissance de Dieu*, op. cit., p. 244.

291HOBBS Thomas, *Leviathan*, I, 13, 10.

292On the France Antarctique, see FAURE Michel, *Une Histoire du Brésil Naissance d'une nation*, Paris, Perrin, Synthèses, 2016, p. 75 et sq.

*qu'ils ont de la terre assez et plus qu'il ne leur en faut pour leur nécessité. Et pour cela vous suffira entendre que la cause de leur guerre est assez mal fondée, seulement pour appétit de quelque vengeance, sans autre raison, tout ainsi que bêtes brutes, sans se pouvoir accorder par honnêteté quelconque, disant pour résolution que ce sont leurs ennemis de tout temps*²⁹³.

A similar report on the Tupinambas groups is given by Jean de Léry whose book was considered by Lévi-Strauss to be the handbook of the ethnologist (*bréviaire de l'ethnologue*)²⁹⁴:

*“Non pas, quant à ces Barbares, qu'ils se facent la guerre pour conquerir les pays et terres les uns des autres, car chacun en a plus qu'il ne luy en faut : moins que les vainqueurs pretendent de s'enrichir des despouilles, rançons, et armes des vaincus : ce n'est pas di-je tout cela qui les meine. Car, comme eux mesmes confessent, n'estans poussez d'autre affection que de venger, chacun de son costé, ses parens et amis, lesquels par le passé ont esté prins et mangez, à la façon que je diray au chapitre suyvant, ils sont tellement acharnez les uns à l'encontre des autres, que quiconque tombe en la main de son ennemy, il faut que sans autre composition, il s'attende d'estre traité de mesme : c'est-à-dire assommé et mangé. Davantage si tost que la guerre est une fois declairée entre quelques-unes de ces nations, tous allegans qu'attendu que l'ennemy qui a receu l'injure s'en ressentira à jamais, c'est trop laschement fait de le laisser eschapper quand on le tient à sa merci : leurs haines sont tellement inveterées qu'ils demeurent perpetuellement irreconciliables. Surquoy on peut dire que Machiavel et ses disciples (desquels la France à son grand mal-heur est maintenant remplie) sont vrais imitateurs des cruautés barbaresques: car puisque, contre la doctrine Chrestienne, ces Atheistes enseignent et pratiquent aussi, que les nouveaux services ne doivent jamais faire oublier les vieilles injures : c'est à dire, que les hommes tenant du naturel du diable, ne doivent point pardonner les uns aux autres, ne monstrent-ils pas bien que leurs coeurs sont plus felons et malins que ceux des Tygres mesmes*²⁹⁵.

These texts are quite clear on the motives of the Amerindians: they do not enter into war in order to appropriate land in a world in which space has become reduced and limited. Indeed, the Amerindian world is not sealed by the scarcity that Hobbes (and his followers) presuppose as the cause of war since there is plenty of land. Consequently, conflicts do not deal with the possession of land, neither with dearth, an ethnological fact which, according to Pierre Clastres, is not isolated but is one of the characteristic features of primitive wars. Instead of this economic explanation, chronicles claim that *vengeance* is the principal motive of these violent brawls²⁹⁶. In fact, a careful

293THEVET André, *Les singularités de la France Antarctique (1557)*, edited by Frank Lestringant, 2th edition, Paris, Chandeigne, 2011, p. 207.

294LÉVI-STRAUSS Claude, *Tristes Tropiques*, Pocket, Terre Humaine, 1984 [1955], p. 87.

295DE LÉRY Jean, *Histoire d'un Voyage fait en la Terre du Brésil*, Paris, Livre de Poche, Classiques, 1994 [1580], pp. 335-337.

296Pierre Clastres generalizes this absence of “economic war” to all primitive societies. CLASTRES Pierre, “Malheur du guerrier sauvage”, in CLASTRES Pierre, *Recherches d'Anthropologie Politique*, Paris, Seuil, 2012, p. 221. Similar facts have been observed in other parts of the Americas in other epochs. For instance, José Sánchez Labrador, a jesuit missionary who passed a part of his life in converting indians of the Chaco (a region of South America situated between Paraguay, Argentina and Bolivia), reports that *Guaycurús* never comes to war to extend their territory which provides all they need for their subsistence and was sufficiently vast. The real motive was once again vengeance: “*El motivo de salir los Guaycurús de su país a hacer la guerra, no es dilatar sus dominios o adquirir estados nuevos. No les obliga a coger las armas lo infecundo o estrecho del terreno que por todas partes es amplísimo y de las bellas calidades que ya se dijeron. La causa principal de llevar la guerra a tierras extrañas, es únicamente el interés de la presa y vengar los agravios que por tales ellos imaginan. Manifiestan una indecible ansia de tener cautivos y chicos de cualquiera otra nación, aun de la española. El que más tiene, goza una fama indeleble y autoridad grande en su toldo. Su valor se preconiza y casi es poca esfera la de su vida para los elogios*”. LABRADOR José Sánchez, *El Paraguay Católico*, Buenos Aires, Coni Hermanos, 1910, Digital Edition, Biblioteca Virtual del Paraguay, T. I, Part VI, chapter XVII, CCXCII, pp. 48-49.

http://www.porta guarani.com/1698_jose_sanchez_labrador/15174_el_paraguay_catolico_parte_i_obra_de_jose_sanchez_labrador.html. A part of this extract is quoted by Pierre Clastres in the his article we have just quoted p. 222. On José Sánchez Labrador and his book, see the review given by Paul Rivet: RIVET Paul, P. José Sanchez Labrador.

reading of these texts reveals that, for their authors, vengeance explains very little; it is more an absence of motive than a real explanation of this violence which is consubstantial to the societies living in the Guanabara bay. Indeed, the essence of vengeance is that it is a response to an original aggression. Now, if this aggression is grounded in a specific motive (which still has to be determined); or if this initial raid is itself motivated revenge, then this revenge would have had to have been caused by another attack whose motives is still unknown. In both cases, vengeance refers to a previous aggression whose motivation is not explained. Therefore, vengeance does not provide a real explanation of primitive war. We will see by the end of this part of the thesis that this cycle of revenge can be explained by political mechanisms proper to indigenous societies but for the moment, we shall quote Montaigne, who gives an explanation which is, apparently, is close to Hobbes's speculation on the causes of war:

“Leur guerre est toute noble et généreuse, et a autant d'excuse et de beauté que cette maladie humaine en peut recevoir; elle n'a autre fondement parmi eux que la seule jalousie de la vertu. Ils ne sont pas en débat de la conquête de nouvelles terres, car ils jouissent encore de cette uberté naturelle qui les fournit sans travail et sans peine de toutes choses nécessaires, en telle abondance qu'ils n'ont que faire d'agrandir leurs limites. Ils sont encore en cet heureux point, de ne désirer qu'autant que leurs nécessités naturelles leur ordonnent; tout ce qui est au-delà est superflu pour eux. Ils s'entr'appellent généralement, ceux de même âge, frères; enfants, ceux qui sont au-dessous; et les vieillards sont pères à tous les autres. Ceux-ci laissent à leurs héritiers en commun cette possession de biens par indivis, sans autre titre que celui tout pur que nature donne à ses créatures, les produisant au monde. Si leurs voisins passent les montagnes pour les venir assaillir, et qu'ils emportent la victoire sur eux, l'acquêt du victorieux, c'est la gloire, et l'avantage d'être demeuré maître en valeur et en vertu; car autrement ils n'ont que faire des biens des vaincus, et s'en retournent à leur pays, où ils n'ont faute d'aucune chose nécessaire, ni faute encore de cette grande partie, de savoir heureusement jouir de leur condition et s'en contenter. Autant en font ceux-ci à leur tour. Ils ne demandent à leurs prisonniers autre rançon que la confession et reconnaissance d'être vaincus; mais il ne s'en trouve pas un, en tout un siècle, qui n'aime mieux la mort que de relâcher, ni par contenance, ni de parole un seul point d'une grandeur de courage invincible; il ne s'en voit aucun qui n'aime mieux être tué et mangé, que de requérir seulement de ne l'être pas. Ils les traitent en toute liberté, et leur fournissent de toutes les commodités de quoi ils se peuvent aviser, afin que la vie leur soit d'autant plus chère; et les entretiennent communément des menaces de leur mort future, des tourments qu'ils y auront à souffrir, des apprêts qu'on dresse pour cet effet, du détranchement de leurs membres et du festin qui se fera à leurs dépens. Tout cela se fait pour cette seule fin d'arracher de leur bouche quelque parole molle ou rabaissée, ou de leur donner envie de s'enfuir, pour gagner cet avantage de les avoir épouvantés, et d'avoir fait force à leur constance”²⁹⁷.

The text is very clear: Amerindians wage war for glory, not for the appropriation of land. The parallel with Hobbes is obvious, but we shall immediately highlight limits of such a comparison with ethnographical studies for at least two reasons: first, this war for glory described by Montaigne is found only in specific groups of South America, and this particular case cannot be generalised to all primitive societies; second, the fight for prestige among Amerindian societies has nothing to do with Hobbes's war for glory.

This is exactly what Pierre Clastres shows in the article quoted earlier and which entitled

El Paraguay católico, *Journal de la Société des Américanistes*, T. 8, 1911, pp. 339-340.

297MONTAIGNE Michel, *Essais I*, edited by André Gide, Paris, Gallimard, Folio, 1962, pp. 311-312.

“*Malheur du guerrier sauvage*”. In this text, the anthropologist recalls that in his article entitled “*L’archéologie de la violence*” he demonstrated that war is the essence of the social being of primitive societies, which implies that all men are involved in this activity, a practice whose function is the conjuration of the apparition of a power separated from the rest of the group. In “*Malheur du guerrier sauvage*”, Clastres identifies some very specific groups in which the activity of war is “the privilege” of a “caste” of men (a nobility is the word used by the chronicles) who are dedicated full-time to this function. These professionals of war are motivated by a violent desire for glory. However, prestige is not accompanied by privilege, it is not the recognition by which they acquire power over the others, contrary to what Hobbes claimed when he said that reputation is power “because it draweth with it the adherence of those that need protection”²⁹⁸. Prestige is a rather the middle term between the social body and the group of warriors, a relation which implies a high degree of dependency; it is not due but a gift that the tribe can either grant or refuse to the warriors. And if the group accepts to honour the men of this caste, it is never definitive. In the battlefield, warriors have to run after prestige which is never acquired definitely and which has to be constantly defended. For glory is ephemeral and after each victory, the warrior comes back from combat to prove again his value to society. It is an infinite task whose dangerousness grows in intensity and which will finally lead to the warrior’s death. The warrior always has to go further; he has to fight more powerful enemies, he has to penetrate into territories that are more and more hostile and remote, and where he finally will encounter his own end. The ultimate step is when the warrior is alone against all, such as the famous Chulupi warrior, who took his best horse and travelled alone to the Toba's territory and where he finally perished in combat²⁹⁹. The warrior is therefore a being-for-death (*être-pour-la-mort*). Thus when a society and a warrior exchange glory for exploits, what they are in fact exchanging is glory for death.

“Il y a échange entre la société et le guerrier: le prestige contre l'exploit. Mais dans ce face à face, c'est la société qui, maîtresse des règles du jeu, a le dernier mot: car l'ultime échange, c'est celui de la gloire éternelle contre l'éternité de la mort. D'avance, le guerrier est condamné à mort par la société: point d'heur pour le guerrier sauvage, seulement la certitude du malheur. Mais pourquoi en est-il ainsi? Parce que le guerrier pourrait faire le malheur de la société, en y introduisant le germe de la division, en devenant organe séparé du pouvoir. Tel est le mécanisme de défense que la société primitive met en place pour conjurer le risque dont est porteur, comme

298HOBBS Thomas, *Leviathan*, I, X, 5. On the reputation as a form of power, see LAZZERI Christian, *Droit, Pouvoir et Liberté*, op. cit., p. 65-66.

299“*Les Chulupi célèbrent encore la fin d'un des leurs, Kaanoklé de grande renommée. Parvenu au faite de la gloire, il n'avait donc pas le choix : montant son meilleur cheval de guerre, seul, il s'enfonça de plusieurs journées de marche dans le territoire des Toba, attaqua un de leurs camps et mourut au combat. Dans le souvenir des Chulupi demeure vivace la figure de Kalali'in, célèbre chef de guerre Toba. Ils m'ont raconté comment au début du siècle, il venait la nuit, seul dans les campements chulupi endormis, égorgeant et scalpant un ou deux hommes à chaque visite, toujours insaisissable. Quelques guerriers chulupi résolurent de le capture et y parvinrent, en lui tendant un piège. Les exploits de Kalali'in sont évoqués avec haine, sa mort l'est avec admiration; car il périt sous la torture sans laisser entendre le son de sa voix.*”, CLASTRES Pierre, “*Malheur du guerrier sauvage*”, in CLASTRES Pierre, *Recherches d'Anthropologie Politique*, op. cit., p. 235.

tel, le guerrier: la vie du corps social indivisé, contre la mort du guerrier. Se précise ainsi le texte de la loi tribale: la société primitive est, en son être, la société-pour-la-guerre; elle est en même temps, et pour les mêmes raisons, société contre le guerrier"³⁰⁰.

Prestige is not the power that the warrior has over the rest of the group but a power that society has over the glorious warrior. It is a trap³⁰¹. The group traps the warrior into a race for prestige which is in fact a race that will lead him to his death. Recognition is thus a trap whose function is to avoid the emergence of a warrior which, over time, could take the power and thus subjugate the rest of the society. Therefore, glory, which Montaigne has pointed out as the principal motivation of war in Tupinamba's societies, has little to do with Hobbes' third cause of war³⁰². Moreover, as it has been suggested, war for prestige corresponds to very specific cases, the ones in societies where the war function is not distributed throughout the whole social body but is reserved for "an elite" which is to be neutralised. We will see further that these cycles of vendetta which, according to Thevet and Léry, have no motivation apart vengeance, have a function of dispersion of power.

But in any case, Hobbes failed to seize the deep meaning of the primitive wars which he took as the model for the state of nature: among Amerindians, there was no conflict for scarcity and the appropriation of land. Moreover, Hobbes' concept of glory was diametrically opposed to the race for prestige waged by the primitive warrior. This error could be understood if there was no documentation on such a social phenomenon in his time. However, our purpose is not to incriminate the author of the *Leviathan*, but to point out that this initial mistake has a long posterity and was repeated by those who, in the 19th century, made of the appropriation of land the principal motive of primitive war.

I.3) Malthus and Primitive War

Firstly, we would like to show how in political economy as well as how in anthropology the thematic of the state of nature has been revisited to think primitive war. More especially, we will see how Malthus places the problem of land scarcity at the centre of his analysis, whereas in Hobbes it was only implicit. Indeed, if, as we have seen, scarcity is a fundamental postulate in

300CLASTRES Pierre, "Malheur du guerrier sauvage", in CLASTRES Pierre, *Recherches d'Anthropologie Politique*, op. cit., p. 239.

301For the identification of recognition to a trap, see CLASTRES Pierre, "L'économie primitive", in CLASTRES Pierre, *Recherches d'Anthropologie Politique*, op. cit. p. 139.

302For reading of Montaigne from the point of view of Clastres' ethnology, see FERRIÉ Christian, "Les cannibales de Montaigne à la lumière ethnologique de Clastres" in *Rouen 1562. Montaigne et les Cannibales*, Proceedings of the ABC conference organised at Rouen University in October 2012 by Jean-Claude Arnould (CÉRÉdI) and Emmanuel Faye, Digital publishing of CÉRÉdI, "ABC conference report and workshop" (ISSN 1775-4054) n° 8, 2013.

Hobbes' deduction of war, it nonetheless remains the case that he never gave to this concept the importance that Malthus gave to it when he formulated the law of population. If for Hobbes scarcity was an implicit condition of the conflictual dynamic, Malthus provides an explicit formula to justify this concept.

Now, the interest in reading Malthus's *An Essay on the Principle of Population*³⁰³ lies in the fact that this “scientific” formulation of the concept of scarcity gives rise to a reflection on war. Accordingly, this topic has been underestimated by commentators. This is surprising given the fact that Malthus dedicated the first book of the second edition of his *Essay* to the question of war³⁰⁴. For that reason we would like to explore the relations between war and land scarcity in the two versions of the *Essay* (1798 and 1803). In this section, we maintain the argument that Malthus rendered explicit the role of land scarcity in the dynamic of war, whereas before it was just an implicit presupposition in the Hobbes' deduction.

As we shall see, this thesis is far from being obvious from a textual point of view since, in the *Essay*, wars appear to be more of a form of regulation of the ratio between population and subsistences than an effect of scarcity. Or to put it another way, commentators of the *Essay* usually consider war as a preventive check and rarely consider scarcity to be a cause of war. In a word, the *Essay* (and especially the first part) is rarely read as an intention to elaborate a grammar of conflict based on land scarcity.

I.3.1) Scarcity and Theodicy

Malthus' starting point consists in two fundamental postulates from which his principle of population is deduced: “I think I may fairly make two postulates. First, That food is necessary to the existence of man. Secondly, That the passion between the sexes is necessary, and will remain nearly in its present state.”³⁰⁵ From this second postulate, Malthus deduces a ratio between two

303In this section we use the two editions of the *Essay*. The reference for the first edition (1798) is the following : MALTHUS Thomas Robert, *First Essay on Population*, London, Palgrave Macmillan, 1966 [1798]. From now this first edition will be quoted as follows: MALTHUS Thomas Robert, *First Essay on Population*, 1798. Regarding the second edition we used the reference is MALTHUS Thomas Robert, *An Essay on the Principle of Population; or, A View of its Past and Present Effects on Human Happiness; with an Inquiry into our Prospects Respecting the Future Removal or Mitigation of the Evils which it Occasions*, A New Edition, very much enlarged, London, Printed for J., Johnson, in St. Paul's Church-yard, by T. Bensley, Bolt Court, Fleet Street, 1803. We will refer to this second edition as follows: MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803.

304Here we give some of the few studies which had explored the topic of war in Malthus' writings : BOWLER Peter J., “Malthus, Darwin, and the Concept of Struggle”, *Journal of the History of Ideas*, Vol. 37, n° 4, Oct. - Dec., 1976, pp. 631-650; BÉJIN André, “Du principe de population au principe de sélection: Malthus et les darwinistes sociaux”, in FAUVE-CHAMOUX Antoinette (ed.), *Malthus hier et aujourd'hui*, Paris, CNRS Editions, 1984, pp. 337-347.

305MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 11. These two postulates do not appear in the second edition. Even if it is well known that there is a great gap between Malthus' two editions of the *Essay*, we will quote

curves, the curve of population and the curve of subsistence, which progress in very different ways³⁰⁶. First, the desire for reproduction is such that the population possesses an infinite power for multiplication. Thus, when it is unchecked (that is, when nothing stops its power), the population increases in a geometrical ratio. This progression does not correspond to a real demographic increase but to an abstraction: regardless all the factors that could check its progression, population would increase in such a way. Second, Malthus claims that the power of the earth to produce subsistence for men is lesser than the power of reproduction. Indeed, subsistence increases in an arithmetical ratio. Now, if we compare the two progressions, it appears that “the power of population is indefinitely greater than the power in the earth to produce subsistence for man.”³⁰⁷ In the following extract, such a difference between the two ratio is perfectly clear when it is expressed in numeric terms:

“But to make the argument more general, and less interrupted by the partial views of emigration, let us take the whole earth, instead of one spot, and suppose that the restraints to population were universally removed. If the subsistence for man that the earth affords was to be increased every twenty-five years by a quantity equal to what the whole world at present produces; thus would allow the power of production in the earth to be absolutely unlimited, and its ratio of increase much greater than we conceive that any possible exertions of mankind could make it.

Taking the population of the world at any number, a thousand millions, for instance, the human species would increase in the ratio of –1, 2, 4, 8, 16, 32, 64, 128, 256, 512, &c. and subsistence as –1, 2, 3, 4, 5, 6, 7, 8, 9, 10, &c. In two centuries and a quarter, the population would be to the means of subsistence as 512 to 10: in three centuries as 4096 to 13; and in two thousand years the difference would be almost incalculable, though the produce in that time would have increased to an immense extent”³⁰⁸.

Hence, a situation of general dearth appears: there is not enough food for everyone. Here, we have to give some precision regarding the notion of scarcity and the theme of the avarice of the earth. At first glance, scarcity is not something intrinsic to the earth itself but seems to result from a relation between a population whose number is too high in comparison with the quantity of subsistence. When the population is small and the quantity of subsistence is sufficient to feed everyone, dearth disappears. Moreover, Malthus claims himself that the power of the earth has no limits. These two ideas seems to be present in the following text (which, however, disappears from the second edition):

“No limits whatever are placed to the productions of the earth; they may increase for ever and be

them both in order to better highlight the coherence of his perspective on conflicts of scarcity. Concerning the problem of contradictions between the two edition, see, LUX André, “Evolution et contradictions dans la pensée de Malthus”, *Population*, 23, n° 6, 1968. pp. 1091-1106 and also KEYFITZ Nathan, “L'évolution de la pensée et des concepts de Malthus”, in FAUVE-CHAMOUX Antoinette (ed.), *Malthus hier et aujourd'hui*, Paris, CNRS Editions, 1984, pp. 27-38

306For a complete presentation of the Malthus' law of population, see: STRASSART Joseph, *Malthus et la Population*, Liège, Faculty of Law, 1957, pp. 59-98. See also WOLFF Jacques, *Malthus et les Malthusiens*, Paris, Economica, 1994, pp. 13-16.

307*Ibid*, p. 13.

308MALTHUS Thomas Robert, *First Essay on Population*, 1798, pp. 24-26.

greater than any assignable quantity; yet still the power of population being a power of a superior order, the increase of the human species can only be kept commensurate to the increase of the means of subsistence, by the constant operation of the strong law of necessity acting as a check upon the greater power.”³⁰⁹

From this point of view, scarcity is not a matter of the finite quantity of stock. This concept of scarcity may work for limited resources such as the stock of petroleum, but regarding subsistence it seems that the quantity of food that the earth is able to produce is infinite. In this sense, there is no such thing as a finite stock of subsistence which is devoured by a famished population until there is nothing left. Nevertheless, it is not arguing that the earth has no intrinsic limits and that scarcity is *only* a result of the relation that a population has with a stock of resources. In fact, the reason for scarcity is also to found in the earth itself. This idea appears due to the fact that we consider there to be a qualitative difference between the earth and the population: their respective power of production. During the same portion of time, men always produce much more than the earth – the force of production is related to their powerful desire for union. Thus, if the earth is not limited by the quantity it is able to produce but because of its *productivity*. Even if the best agricultural policy were employed in order to reach a better productivity, the earth's power of production would remain the same: “Man is necessarily confined in room. When acre has been added to acre till all the fertile land is occupied, the yearly increase of food must depend upon the amelioration of the land already in possession. This is a stream, which, *from the nature of all soils*, instead of increasing, must be gradually diminishing”³¹⁰. This quotation reveals another element in favour of the intrinsic limit. While there may be no limit of the quantity that the earth is able to produce, there is a finite stock of land available for cultivation. Thus, in the case of land, the idea of a finite stock reappears.

Therefore, the avarice of land means at least three things: 1° the difference between the two curves (in this case the relation) 2° the limit of the productivity of the earth 3° the finite stock of land available for cultivation (in the latter two cases, scarcity is an intrinsic property of the earth).

E. A. Wrigley demonstrated that the material framework in which such a vision of the world was formulated was of an “organic economy”, that is, an economy in which energy and raw materials come from the world of living organisms³¹¹. Raw material as food, cotton, silk, fur, etc.,

³⁰⁹*Ibid.*, p. 26.

³¹⁰MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 5.

³¹¹“This constituted a problem central to the entire economy and not just to the supply of food, for traditional societies were organic economies, economies in which animal and vegetable raw materials were used exclusively in almost all branches of material production. Spinners, weavers, tailors, shoemakers, millers, brewers, glovers, hatters, carpenters, coopers, bakers, butchers; these were the occupations in which most of those engaged in material production worked, apart from agriculture. In all of them the raw materials used were animal or vegetable in origin. Furthermore, even those industries which used mineral raw materials, such as metal-working, brickmaking, or glassmaking, needed much energy in the form of heat to transform their raw materials, and this came largely from wood, leaving them also closely dependent on the productivity of the land and exposed to the risks associated with

are conditioned by the productivity of land. Likewise, energy and heat are produced by human and animal muscles as well as wood for fuel, but this ultimately depends on land. Even industries using raw minerals need energy that comes from the supply of wood and thus from the land. As the supply of land is fixed, growth is hence limited and social structures and political forms can do nothing to alter this material fact. As Wrigley writes, “the world of the classical economists was a bounded world where the growth path traced out by a successful economy might at best be asymptotic; it could never assume the exponential form that became the hallmark of economies that had experienced and industrial revolution”³¹².

This world of scarcity raises the philosophical and theological problem of the justification of evil³¹³. Indeed, in the world described by Malthus, man suffered from a great *evil*: because “the supreme Being has ordained, that the earth shall not produce food in great quantities (...)”³¹⁴, man is constantly confronted with the problem of subsistence. This fact explains “the little expectation that he can reasonably entertain of perfectibility on earth”³¹⁵. Even if Malthus does not employ this terminology, Leibniz' concepts of physical and metaphysical evil are here pertinent as they give an account of the human condition on earth³¹⁶. It is clear that cravings of hunger are a kind of physical evil, if this notion is defined as a pain; but it seems that physical evil is caused by another sort of evil, one which is metaphysical in the sense that it is a fundamental imperfection. We refer here to the imperfect power of the earth whose capacity of producing subsistence is limited.

Now, the question is the same that Robert Filmer asked to Hobbes: why would God have given so little to humankind when he is generous? Why would he have deliberately let man continue in such a pain? How is it possible to reconcile God's infinite liberality and goodness with the deep condition of scarcity he has left us with? To answer these questions, Malthus refuses to directly scrutinise God's infinite power; he rather prefers to start from the “book of nature” with the hope of perceiving some trace of his plans³¹⁷. So as to consider nature, he finds in an anthropology a justification for evil. According to him, nature is made of chaotic and inert matter from which God creates and forms the spirit. If Malthus does not admit a total monism, it should be noted that the

declining marginal returns”. WRIGLEY Edward A., *Poverty, Progress, and Population*, *op. cit.*, pp. 215-216.

312WRIGLEY Edward A., “The Limits to Growth: Malthus and the Classical Economists”, in *Population and Development Review*, Vol. 14, Supplement: Population and Resources in Western Intellectual Traditions, 1988, pp. 30-48.

313On this point, see LEMAHIEU D. L., “Malthus and the Theology of Scarcity”, *Journal of the History of Ideas*, Vol. 40, n° 3, Jul.-Sep., 1979, pp. 467-474; WATERMAN Anthony M., “Malthus Théologien: économie politique et théologie chrétienne dans le “Premier essai”, in FAUVE-CHAMOUX Antoinette (ed.), *Malthus hier et aujourd'hui*, Paris, CNRS Editions, 1984, pp. 323-336.

314MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 360.

315*Ibid.*, p. 348.

316LEIBNIZ Gottfried Wilhelm, *Essais de Théodicée. Sur la Bonté de Dieu, la Liberté de l'Homme et l'Origine du Mal*, GF Flammarion, 1969 [1710], pp. 430-431.

317MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 351.

spirit is not separated from the body but one springs up from the other by the stimulation of the Creator. As man is not an empire within an empire and cannot extract himself from nature, he is also subject to the inertia of matter: like the dust of the earth from which he is made, he is “inert, sluggish, and averse to labour”³¹⁸. Contrary to Marx, who will define materialism via activity and claim that “all social life is essentially *practical*”³¹⁹, Malthus claims that man is naturally in constant rest. Nevertheless, this inactivity is deeply linked with an absence of spirit and civilisation (man does not use his spiritual faculties nor does produce any work). Consequently in contrast with Paul Lafargue, Malthus does not glorify this state of nature and as such has nothing against the love that the moderns feel for labour³²⁰. Man should not stay in a state of laziness and stupidity. That is why God has used stimuli to make him work and develop his faculties:

“The first great awakeners of the mind seem to be the wants of the body*. They are the first stimulants that rouse the brain of infant man into sentient activity: and such seems to be the sluggishness of original matter, that unless, by a peculiar course of excitements, other wants, equally powerful, are generated, these stimulants seem, even afterwards, to be necessary, to continue that activity which they first awakened. The savage would slumber for ever under his tree, unless he were roused from his torpor by the cravings of hunger, or the pinchings of cold; and the exertions that he makes to avoid these evils, by procuring food, and building himself a covering, are the exercises which form and keep in motion his faculties, which otherwise would sink into listless inactivity.”³²¹

Metaphysical and physical evils are thus the means that God employs to provoke man into leaving this state of inertia and stupidity. Torments of hunger resulting from the terrestrial condition of scarcity leads man to cultivate the earth which would never give him sufficient provision if he left it up cultivated³²². Forced to be active, he has no choice but to use and develop his reason.

318 *Ibid.*, p. 363.

319 MARX Karl, *Theses on Feuerbach*, in ENGEL Friedrich, and MARX Karl, *Collected works. 1845-1847*, trans. Clemens Dutt, et al., Vol. 5, New York, International Publishers, 1975 [1845], p. 5.

320 “*Dans la société capitaliste, le travail est la cause de toute dégénérescence intellectuelle, de toute déformation organique. Comparez le pur-sang des écuries de Rothschild, servi par une valetaille de bimanés, à la lourde brute des fermes normandes, qui laboure la terre, chariote le fumier, engrange la moisson. Regardez le noble sauvage que les missionnaires du commerce et les commerçants de la religion n'ont pas encore corrompu avec le christianisme, la syphilis et le dogme du travail, et regardez ensuite nos misérables servants de machines. Quand, dans notre Europe civilisée, on veut retrouver une trace de beauté native de l'homme, il faut l'aller chercher chez les nations où les préjugés économiques n'ont pas encore déraciné la haine du travail. L'Espagne, qui, hélas! dégénère, peut encore se vanter de posséder moins de fabriques que nous de prisons et de casernes; mais l'artiste se réjouit en admirant le hardi Andalou, brun comme des castagnes, droit et flexible comme une tige d'acier; et le coeur de l'homme tressaille en entendant le mendiant, superbement drapé dans sa "capa" trouée, traiter d'"amigo" des ducs d'Ossuna. Pour l'Espagnol, chez qui l'animal primitif n'est pas atrophié, le travail est le pire des esclavages [4]. Les Grecs de la grande époque n'avaient, eux aussi, que du mépris pour le travail: aux esclaves seuls il était permis de travailler: l'homme libre ne connaissait que les exercices corporels et les jeux de l'intelligence. C'était aussi le temps où l'on marchait et respirait dans un peuple d'Aristote, de Phidias, d'Aristophane; c'était le temps où une poignée de braves écrasait à Marathon les hordes de l'Asie qu'Alexandre allait bientôt conquérir. Les philosophes de l'Antiquité enseignaient le mépris du travail, cette dégradation de l'homme libre; les poètes chantaient la paresse, ce présent des Dieux (...)*”. LAFARGUE Paul, *Le droit à la paresse*, Paris, Editions Mille et une Nuits, 2000, pp. 11-13

321 MALTHUS Thomas Robert, *First Essay on Population*, 1798, pp. 356-357.

322 “We cannot but conceive, that it is an object of the Creator, that the earth should be replenished, at least to a considerable degree; and it appears to me clear, that this could not be effected, without a tendency in population to increase faster than food; and as with the present law of increase, the peopling of the earth does not proceed very

Indeed, “there is no conceivable connection to our comprehensions, between the seed, and the plant, or tree, that rises from it.”³²³ If he wants to eat, man has to produce thus connection with reason alone, which is no more than a faculty of connecting ideas according to an order of cause and effect. Moreover, how could man dedicate himself to agriculture without a development of the faculty of reason that enables him able to anticipate changes in climate or other environmental contingencies? Finally, the best way to prove that evil is not meaningless is to show what happens when it is relatively absent: peoples who live in countries where relative abundance is enjoyed (because of the prodigality of nature) are far from being gifted with a sharp mind, claims Malthus and without much hesitation³²⁴...

I.3.2) Primitive War as a Mixed Positive Check

These considerations on scarcity lead us to the subject matter of the next section: the elucidation of the relation between dearth and war in Malthus' *Essay*. We offer the hypothesis that Malthus elaborated a grammar of conflict based on the appropriation of land in a bound world. According to this model of conflict, war would be caused by the state of scarcity. As already mentioned this hypothesis is problematic in Malthus' text since conflict do not appear immediately as the consequence of dearth, but as one of the “remedies” to the human misery provoked from the principle of population. These “remedies” are forms of regulations by which the relation between population and subsistence reach an appropriate balance. Indeed, these regulations check the population's growth rate in such a way that there is enough subsistence for everyone. The classification of these checks reveals war to be a form of regulation for the population rate. In order to understand the role that war plays in the regulation of the population, it is necessary to consider this rather complex (and sometimes, somewhat obscure³²⁵) classification.

In 1789, Malthus identified two checks, misery and vice. *Misery* consists principally in food

rapidly, we have undoubtedly some reason to believe, that this law is not too powerful for its apparent object. The desire of the means of subsistence would be comparatively confined in its effects, and would fail of producing that general activity so necessary to the improvement of the human faculties, were it not for the strong and universal effort of population, to increase with greater rapidity than its supplies. If these two tendencies were exactly balanced, I do not see what motive there would be, sufficiently strong, to overcome the acknowledged indolence of man, and make him proceed in the cultivation of the soil”. MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 491.

323MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 360.

324*Ibid.*, p. 358.

325On the classification of checks, see STRASSART Joseph, *Malthus et la Population*, *op. cit.*, pp. 98-132.

shortage³²⁶ and is a direct consequence of the law of population³²⁷: when the population grows too large in relation to the actual means of subsistence, people starve to death and their number decreases automatically. However, misery could also include “exposure to the season”, bad food, “the whole train of common diseases and epidemics”, plagues, famine³²⁸ and “the unwholesomeness of towns”³²⁹. Here, the model is that of self-regulation by feedback: 1° at the beginning, there is a balance between population and subsistence 2° then, because it increases by a geometrical ratio, the population exceeds the supply of subsistence and the balance is disrupted, this has, for immediate and dramatic consequence, the apparition of famines 3° as the mortality rate increases, the population decreases and the population-resources ratio recovers the initial balance. Here, the disastrous effect produced by the system is also the cause which leads the same system to recover its initial state.

The definition of *vice* is more problematic since, as many commentators have noted³³⁰, Malthus is very evasive on this point. What is even more strange is that he associates vice with celibacy:

“These considerations are calculated to prevent, and certainly do prevent, a very great number in all civilized nations from pursuing the dictate of nature in an early attachment to one woman. And this restraint almost necessarily, though not absolutely so, produces vice. Yet in all societies, even those that are most vicious, the tendency to a virtuous attachment is so strong, that there is a constant effort towards an increase of population”³³¹.

326“May he not see his offspring in rags and misery, and clamouring for bread that he cannot give them?”. MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 28; “But that these nations could not escape the general lot of misery arising from the want of subsistence, Europe, and all the fairest countries in the world, bear ample testimony”, MALTHUS Thomas Robert, *First Essay on Population*, 1798, pp. 44-45; “none can doubt the misery of want of food”, MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 52; “Whatever was the original number of British Emigrants that increased so fast in the North American Colonies; let us ask, why does not an equal number produce an equal increase, in the same time, in Great Britain? The great and obvious cause to be assigned, is, the want of room and food, or, in other words, misery; and that this is a much more powerful cause even than vice, appears sufficiently evident from the rapidity with which even old States recover the desolations of war, pestilence, or the accidents of nature”. MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 109;

327“The former, misery, is an absolutely necessary consequence of it [the law]”. MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 15. See also: “It is a perfectly just observation of Mr. Godwin, that, “There is a principle in human society, by which population is perpetually kept down to the level of the means of subsistence.” The sole question is what is this principle? Is it some obscure and occult cause? (...) Or is it a cause, open to our researches, within our view, a cause, which has constantly been observed to operate, though with varied force, in every state in which man has been placed? Is it not a degree of misery, the necessary and inevitable result of the laws of nature which human institutions, so far from aggravating, have tended considerably to mitigate, though they never can remove?” MALTHUS Thomas Robert, *First Essay on Population*, 1798, pp. 193-194.

328MALTHUS Thomas Robert, “Population. *From the Supplement to the 4th, 5th and 6th editions of the Encyclopaedia Britannica*, vi (Edinburgh, 1824), pp. 307-33” in MALTHUS Thomas Robert, *The works of Robert Malthus*, edited by E. A. Wrigley and David Souden, Vol. 4, London, W. Pickering, 1986, pp. 203-204

329“The unwholesomeness of towns, to which some persons are necessarily driven, from the nature of their trades, must be considered as a species of misery; and every the slightest check to marriage, from a prospect of the difficulty of maintaining a family, may be fairly classed under the same head. In short it is difficult to conceive any check to population, which does not come under the description of some species of misery or vice.” MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 108.

330STRASSART Joseph, *Malthus et la Population*, *op. cit.*, p. 107.

331MALTHUS Thomas Robert, *First Essay on Population*, 1798, pp. 28-29.

Two reasons may lead Malthus to associate vice with celibacy. First, if marriage is considered as a virtuous union, celibacy is then by contrast a vice. Second, the text also mentions that vice is a consequence of celibacy³³². Celibacy can therefore be considered first of all as the contrary of the exclusive attachment to one partner. It implies the *possibility* of having various partners thus to fall into a “love of variety” which is “a vicious, corrupt and unnatural taste”³³³. Malthus does not say this explicitly, but we may suppose that the other vices mentioned in the *Essay* are also consequences of celibacy. According to this hypothesis, the life of the unmarried person would be so dissolute that it would lead to drinking, gaming, debauchery³³⁴, promiscuous intercourse, unnatural passions, violations of the marriage bed³³⁵ as well as prostitution³³⁶. Now, the question is why does this vicious life led by the unmarried person contribute to checking the population growth? Malthus is once again somewhat elliptic, the reading of the text seems to lead to the following conclusion: marriage implies that the partners start a family (and then the birth of one or various children) whereas celibacy does not. To put it another way, for the vicious and unmarried person, the aim of sexual intercourses is not procreation but pleasure.

Now, deferred marriage does not necessarily lead to vice³³⁷. That is why, in 1803, Malthus allows himself to add another form of check³³⁸ that he calls “*moral restraint*” whose definition does

332See also the following texts: “The same observation will hold true with regard to all old states. The effects, indeed, of these restraints upon marriage are but too conspicuous in the consequent vices that are produced in almost every part of the world; vices, that are continually involving both sexes in inextricable unhappiness.” MALTHUS Thomas Robert, *First Essay on Population*, 1798, pp. 69-70

333“Mr. Godwin considers marriage as a fraud and a monopoly. Let us suppose the commerce of the sexes established upon principles of the most perfect freedom. Mr. Godwin does not think himself that this freedom would lead to a promiscuous intercourse ; and in this I perfectly agree with him. The love of variety is a vicious, corrupt, and unnatural taste, and could not prevail in any great degree in a simple and virtuous state of society. Each man would probably select himself a partner, to whom he would adhere as long as that adherence continued to be the choice of both parties”. MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 183

334MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 181

335MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 11

336Malthus does not mention prostitution explicitly but some passages seem to refer to it implicitly: “Add to which, that among those unfortunate females with which all great towns abound, more real distress and aggravated misery are perhaps to be found, than in any other department of human life”. MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 10. See also: “The remaining checks of the preventive kind, are the sort of intercourse which renders some of the women of large towns unprolific; a general corruption of morals with regard to the sex, which has a similar effect; unnatural passions and improper arts to prevent the consequences of irregular connections. These evidently come under the head of vice”. MALTHUS Thomas Robert, “Population. *From the Supplement*, *op. cit.*, p. 203

337This appears in the following text: “These considerations are calculated to prevent, and certainly do prevent, a great number of persons in all civilized nations from pursuing the dictate of nature in an early attachment to one woman. If this restraint does not produce vice, as in many instances is the case, and very generally so among the middle and higher classes of women, it is undoubtedly the least evil that can arise from the principle of population. Considered as a restraint on an inclination, otherwise innocent, and always natural, it must be allowed to produce a certain degree of temporary unhappiness; but evidently flight, compared with the evils which result from any of the other checks to population. When this restraint produce vice, as it does most frequently among men, and among a numerous class of females, the evils which follow are but too conspicuous.” MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 10

338“Throughout the whole of the present work, I have so far differed in principle from the former, as to suppose another check to population possible, which does not strictly come under the head either of vice or misery; and, in the latter part, I have endeavoured to soften some of the harshest conclusions of the first essay.” MALTHUS Thomas

not pose any major problem: “Moral restraint, in application to the present subject, may be defined to be, abstinence from marriage, either for a time or permanently, from prudential considerations, with a strictly moral conduct towards the sex in the interval”³³⁹. Here, the regulation mechanism does not differ from the one involved in the precedent check, except that delay of marriage does not lead to vice.

In 1803, misery, vice and moral restraint are the three checks by which population is kept at a level that maintains the means of subsistence. Now, Malthus proposes another classification, which had already appeared in 1798 but rise in importance five years later: the preventive check and the positive check. The first question regarding this is the relation between the two classifications. Malthus declares without ambiguity that misery, vice and moral restraint are “classed under the heads of preventive, and positive checks”³⁴⁰, which are more general categories. However, the problem of the distribution of the subcategories within the general categories remains obscure.

Let us examine the general checks. Usually, commentators claim that positive checks are biological regulations where preventive checks would correspond to social regulations,³⁴¹ but we will see that, if this interpretation is not totally false, it must be moderated. *Positive checks* are numerous, but what they all have in common is that they diminish the excess of population by mortality³⁴² (starvation is thus their model). Here, it should be noted that misery clearly falls under this category (we will see that some vices also pertain to this sort of check). Positive checks are not the privilege of humans since within the animal and the vegetal realms, indefinite population increase is also restricted by this sort of regulation: “The race of plants, and the race of animals shrink under this great restrictive law. And the race of man cannot, by any efforts of reason, escape from it. Among plants and animals its effect is waste of seed, sickness, and premature death”³⁴³. The

Robert, *An Essay on the Principle of Population*, 1803, p. vii.

339MALTHUS Thomas Robert, *A Summary View of the Principle of Population*, in MALTHUS Thomas Robert, *An Essay on the Principle of Population and A Summary View of the Principle of Population*, London, Penguin Books, 1985, p. 250.

340MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 11

341CANGUILHEM Georges, “La formation du concept de régulation biologique aux XVIII^e et XIX^e siècle”, in *Idéologie et Rationalité dans l'Histoire des Sciences de la Vie. Nouvelles études d'histoire et de philosophie des sciences*, Paris, Vrin, 2000 [1977], p. 92; PALTRINIERI Luca, “La notion de régulation démographique dans l'histoire des doctrines de population” in MICHEL Jacques (ed.), *La régulation entre sciences de la vie et sciences du gouvernement (XIX^e-XX^e siècles)*, Arabe, n° 4, pp. 60-76 ; see also CANGUILHEM Georges, “Régulation, épistémologie, *Encyclopaedia Universalis*, [Online], connection the 12th October 2021.

URL: <http://www.universalis-edu.com.janus.bis-sorbonne.fr/encyclopedia/regulation-epistemologie/>.

On the difference between social and biological regulations see CANGUILHEM Georges, “Le problème des régulations dans l'organisme et dans la société”, *Les Cahiers de l'Alliance Israélite Universelle (Paix et Droit)*, n° 092, 01 September 1955, pp. 64-81.

342MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 11 “The positive checks to population are extremely various, and include every cause, whether arising from vice or misery, which in any degree contributes to shorten the natural duration of human life.”

343MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 15; See also: “Plants and animals have apparently no

comparison with the living world seems to confirm the hypothesis that positive checks are biological regulations. However, a complete analysis of the content of this category clearly indicates otherwise.

By contrast with positive checks, preventive checks only belong to the human realm since they depend on a faculty that plants and animals does not possess. Indeed, thanks to the reasoning faculties, man is able to “calculate distant consequences” and to anticipate misery resulting from the principle of population:

“But man cannot look around him, and see the distress which frequently presses upon those who have large families ; he cannot contemplate his present possessions or earnings, which he now nearly consumes himself, and calculate the amount of each share, when with very little addition they must be divided, perhaps, among seven or eight, without feeling doubt, whether if he follow the bent of his inclinations, he may be able to support the offspring which he will probably bring into world”.³⁴⁴

That is why man prefers to delay marriage and opt for celibacy, a life which will lead him to either the worst vices or to the purest chastity. We see here that moral constraint and vice, *as it results from celibacy*, come under the category of preventive checks³⁴⁵. Thus, to provisionally summarise the imbrication of the two modes of classification, misery pertains to the category of positive checks, whereas moral restraint and vice pertain to preventive checks (we will soon see that this statement must be relativised regarding vice, which also comes under positive checks).

Now, an analysis of the content of positive check will leads to the abandon of the opposition between the biological and the social but also to the main problem of this subsection: the role of war in the regulation of the population rate. Indeed, lack of food is perhaps the model of positive checks, but this division also includes “unwholesome occupations, severe labour and exposure to the seasons, extreme poverty, bad nursing of children, great towns, excesses of all kinds, the whole train of common diseases and epidemics, wars, pestilence, plague and famine.”³⁴⁶ We see that a good part of these checks are not biological but social phenomena (that is, particularly in the case of great towns, bad nursing of children, and wars). Therefore, positive checks are a mix of biological and sociological regulations. This argumentation appears perfectly in the following text in which Malthus exposes the subdivision of this general category:

“On the positive checks, those which appear to arise *unavoidably from the law of nature* may be

doubts about the futur support of their offspring. The checks to their indefinite increase, therefore, are all positive.”
 MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 9.

344MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 9

345The following text proves that vice comes under the preventive check: “The remaining checks of the preventive kind, are the sort of intercourse which renders some of the women of large towns unprolific (...) These evidently come under the head of vice”. MALTHUS Thomas Robert, *A Summary View of the Principle of Population*, op. cit., p. 250. The same text is found in MALTHUS Thomas Robert, “Population. *From the Supplement...*”, in op. cit., p. 103. See also MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 10: “When this restraint produce vice (...) the evils which follow are but too conspicuous”.

346MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 11.

called exclusively misery; and those which we obviously bring upon ourselves, such as wars, excesses, and many others *which it would be in our power to avoid*, are of a mixed nature. They are brought upon us by vice, and their consequences are misery.”³⁴⁷

This text is particularly interesting insofar as we find in it a double opposition: 1° the opposition between non-mixed positive checks (which contain misery only) and mixed positive checks, in which misery and vice are mixed (thus vice does not only pertain to the general category of preventive check). 2° but also the opposition between what is the necessity of the law of nature and what is in our power to avoid. Once again, Malthus is elliptic. Indeed, he does not give any precisions on what he means by “mixed positive check”. Moreover, he does not explain why these mixed checks could be avoided.

In order to determine what is unknown in the equation, let us begin with what we know: Non-mixed positive checks do not raise any problems since they correspond to what Malthus would call misery. We saw that misery was a result of the law of population (one of the laws of nature established by God) but also a form of autoregulation by feedback, one that man shares with plants and animals (and in this sense, it is also a biological regulation). Man may have the faculty of reason by which he is able to foresee the tragic effects of the law of population, but he cannot go against this law of nature – or at least, if he can avoid some of its consequences, he cannot get rid of the law itself. In fact, if the law of population and the other laws of nature were avoidable, human reason would disappear itself. Indeed, we saw that the law of population was for Malthus what put into motion the human mind. Moreover, what would happen to the scientific spirit if there was no permanency in nature?

“The constancy of the laws of nature, or the certainty, with which we may expect the same effect, from the same causes, is the foundation of the faculty of reason. If in the ordinary course of things, the finger of God were frequently visible; or to speak more correctly, if God were frequently to change his purpose, (for the finger of God is, indeed, visible in every blade of grass that we see) a general and fatal torpor of the human faculties would probably ensue; even the bodily wants of mankind would cease to stimulate them to exertion, could they not reasonably expect, that if their efforts were well directed, they would be crowned with success. The constancy of the laws of nature, is the foundation of the industry and foresight of the husbandman; the indefatigable ingenuity of the artificer; the skilful researches of the physician, and anatomist; and the watchful observation, and patient investigation, of the natural philosopher. To this constancy, we owe all the greatest, and noblest efforts of intellect. To this constancy, we owe the immortal mind of a Newton”³⁴⁸.

If the laws of nature and what arises from them (*i.e.*, the biological regulation) are defined by their “unavoidability”, what is avoidable escapes by essence of these law. Consequently, as they are avoidable, mixed checks go beyond the law of nature and thus beyond the biological order. From there, it seems that this superior order that goes beyond the biological is the social order (even if Malthus never names it as such), and that mixed positive checks are something similar to what we

347MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 11 (we highlight).

348MALTHUS Thomas Robert, *First Essay on Population*, 1798, p. 363.

designate as a social regulation. Therefore, the opposition between preventive and positive checks is not totally reducible to the opposition between biological and social regulations. In fact, as we shall see, it seems that the opposition is more between rational regulation and non-rational regulation.

In any case, this quick examination of the classification of checks has demonstrated that war is considered as a positive check. More precisely, in the text above, war appears in the subdivision that Malthus names “mixed positive checks”. As we saw, this sort of regulation is a consequence of vice and that it leads to misery. To understand this point, it is necessary to dwell on the concept of vice and the theory of passions in which it is incorporated.

We have seen that celibacy may lead to a life of vice, especially to the multiplication of illegitimate intercourse. Now, this explanation does not give a complete account of vice since this concept also falls under the category of positive checks. Moreover, what was said regarding the second preventive check only provides one of the causes of vice (celibacy) but does not provide any real definition of the concept. This definition is given in a note to chapter II of Book I of the *Essay*. In this note, Malthus argues that vice is an action caused by a passion and whose general tendency is to produce collective misery, even if this action may occasionally produce an immediate and individual pleasure³⁴⁹. Thus, the action is judged in function of its result. This consequentialist ethic appears clearly at the beginning of Book IV of the *Essay*. In itself, there is no difference between the man who becomes prey to hunger and steals a loaf and the one who, moved by the same passion, eats the loaf he has honestly bought from the baker; but the first action is called vicious because, in the long term, if everyone stole, the number of loafs would considerably diminish, which would lead to a social catastrophe and contribute to the decrease of the total amount of happiness³⁵⁰. On the contrary, passions and actions are called virtuous when they increase the

349“As the general consequence of vice is misery, and as this consequence is the precise reason why an action is termed vicious, it may appear that the term misery alone would be here sufficient, and that it is superfluous to use both. But the rejection of the term vice would introduce a considerable confusion into our language and ideas. We want it particularly to distinguish that class of actions, the general tendency of which is to produce misery, but which, in their immediate or individual effects, may produce perhaps exactly the contrary. The gratification of all our passions in its immediate effect is happiness, not misery ; and in individual instances even the remote consequence (at least in this life) come under the same denomination. I have little doubt that there have been some irregular connexions with women, which have added to the happiness of both parties, and have injured no one. These individual actions therefore cannot come under the head of misery. But they are still evidently vicious, because an action is so denominated, the general tendency of which is to produce misery, whatever may be its individual effect; and no person can doubt the general tendency of an illicit intercourse between sexes, to injure the happiness of society”. MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, note 1, p. 11-12.

350“We are all conscious, of the inestimable benefits that we derive from these desires when directed in a certain manner; but we are equally conscious, of the evils resulting from them when not directed in this manner ; so much so, that society has taken upon itself to punish most severely, what it considers as an irregular gratification of them. And yet the desires in both cases are equally natural, and, abstractedly considered, equally virtuous. The act of the hungry man who satisfies his appetite by taking a loaf from the shelf of another, is in no respect to be distinguished from the act of him who does the same thing with a loaf of his own, but by its consequences. From the consideration of these consequences, we feel the most perfect conviction, that if people were not prevented from gratifying their

amount of happiness. That is why passions cannot be suppressed: “they are, in fact, the materials of all our pleasures, as well as of all our pains; of all our happiness, as well as of all our misery; of all our virtues, as well as of all our vices. It must therefore be regulation and direction that are wanted, not diminution or extinction”³⁵¹. Of course, the instance by which passions are regulated is reason, the faculty capable of calculating the pain and pleasure resulting from our actions. As argued, the rational faculties regulate the passion of love by preventive checks: reason calculates that, according to the population principle, it will be less painful to delay marriage than to get married early and to have numerous child who will be hard to feed. However, to suppress this passion is impossible and even undesirable³⁵². That is why reason postpones marriage in order to regulate the passion of love. Admittedly, this does not prevent vice because, as we saw, the individual full of vice may calculate that celibacy will prevent him the suffering of having children that would starve to death while giving him the possibility of satisfying his sexual passion in an illicit way. In this sense, vice is not totally opposed to rationality; the libidinous unmarried person calculates the pain and the pleasure that his action will bring about, but he is not totally consistent with his own reasoning because his debauchery will finally causes him more suffering. That is why only the moral man reaches the best articulation between *raison* and passion: he postpones marriage but never rejects it. In this way, he *regulates* his passion without suppressing it and gives it the best *direction*: indeed, for him, the passion between the sexes finds its accomplishment in the happiness of family instead of debauchery.

Having clarified the notion of vice and given a brief outline of Malthus's theory of passions, we are able to answer the question of the relation between vice, misery and war. This question could be formulated as follows: how do the passions as well as vice, lead to war and misery? Malthus does not give further explanation on this point, but some answers can be found in Book I of the *Essay*. Among “primitive” cultures, he writes, the passions of retaliation and revenge “prompt the midnight murder, and the frequent shedding of innocent blood”³⁵³. Further, in chapter

natural desires with the loaves in the possession of other, that the number of loaves would universally diminish. This experience is the foundation of the laws relating to property, and of the distinctions of virtue and vice, in the gratification of desires, otherwise perfectly the same.” MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, pp. 486-487.

351 MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 490. On Malthus moral and political philosophy, see BONAR James, *Malthus and his Work*, London, MacMillan and Co. 1885, p. 319 *sq.*

352 “Even if from passions too easily subdued, or the facility of illicit intercourse, a state of celibacy were a matter of indifference, and not a state of some privation, the end of nature in the peopling of the earth would be apparently liable to be defeated. It is of the very utmost importance to the happiness of mankind, that they should not increase too fast; but if does appear that the object to be accomplished, would admit of any very considerable diminution in the desire of marriage. It is clearly the duty of each individual not to marry till he has a prospect of supporting his children; but it is at the same time to be wished, that he should retain undiminished his desire of marriage, in order that he may exert himself to realize this prospect, and be stimulated to make provision for the support of greater numbers”. MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 492-493.

353 MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 22.

IV Malthus mentions the “insatiable fondness of the Indians for spirituous liquors”, this “rage that passes all expression” that produces “among them perpetual quarrels and contests”³⁵⁴. Such a passion for alcohol “may alone be considered as a vice adequate to produce the present depopulation”³⁵⁵. Here, war seems to be a mixed positive check caused by vice and responsible for the decrease of the population rate, not a form of conflict resulting from scarcity. The paradigmatic example is perhaps that of New Zealand in which warfare prevails to such a degree that it is considered as the principal check of the population of the island³⁵⁶. Moreover, in the rest of Book I of the *Essay*, there are some conflicts which are apparently not linked with the question of the lack of land. This is the case of the war between Greek city-states³⁵⁷, Roman military campaigns,³⁵⁸ and the French Revolution³⁵⁹. Consequently, on first sight, it would seem impossible to find any form of grammar of appropriation in Malthus’ *Essay*, since war appears here to be a form of regulation of the population rate and seems to have little to do with the appropriation of land.

Before going further, it is worth noting that new light has been shed on the difference between positive and preventive checks. As already argued the opposition is less between social and biological regulation than it is between rational and non-rational regulation. Indeed, with the preventive checks, reason regulates the passion between the sexes, even if the control is not always total, as it was said to happen when celibacy led to an illicit life. By contrast, the positive checks are made of biological regulations (hunger, diseases, etc.) but also of these specific regulations that have been called mixed. Now, the driving force of these mixed mechanisms of regulation are the passions of vice and actions which ensue from them. One may retort that those passions are biological motivations with the most prominent passion being hunger. Moreover, some passions are described as impulses coming from the animalistic part of humans – this is the case of benevolence which, if not regulated, may lead to disastrous consequences such as indolence³⁶⁰. However, there are other passions that cannot be reduced to a biological impulse. This is the case of love, which

³⁵⁴*Ibid.*, p. 44.

³⁵⁵*Ibid.*, p. 44.

³⁵⁶MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 49. The Islands of the South Sea are a textbook case for the principle of population because limits of space are “natural” and thus, clearer than in large continents such as America. See PANOFF Michel, “Malthus devant les insulaires du pacifique”, in FAUVE-CHAMOUX Antoinette (ed.), *Malthus hier et aujourd'hui, op. cit.*, p. 175.

³⁵⁷MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, I, 13.

³⁵⁸*Ibid.*, I, 14.

³⁵⁹*Ibid.*, II, 6.

³⁶⁰“They [love and benevolence] are both natural passions which are excited by their appropriate objects, and to the gratification of which, we are prompted by the pleasurable sensations which accompany them. As animal, or till we know their consequences, our only business is to follow these dictates of nature; but, as reasonable beings, we are under the strongest obligations to attend to their consequences; and if they be evil to ourselves or others, we may justly consider it as an indication that such a mode of indulging these passions is not suited to our state, or conformable to the will of God”. MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, pp. 559-560.

cannot only be described as a sexual impulse: “Virtuous love, exalted by friendship, seems to be that of mixture of sensual and intellectual enjoyment, particularly suited to the nature of man, and most powerfully calculated to awaken the sympathies of the soul, and produce the most exquisite gratification”³⁶¹. Apparently, this not only applies to virtuous love but also to love in general. Following Godwin's statement on this point, Malthus claims that love for a woman is not only excited only “the mere distinction of her being a female” but also by spiritual pleasures: the symmetry of the person, its vivacity, its wit, etc. Stripped of this intellectual enjoyment, love would be like a tree which has been striped of its spreading branches and lovely foliage: it would be despised and would excite no admiration³⁶². This proves that the identification of all passions to biological instinct is not so obvious for Malthus. The core of the passion is made of biological drives, but it seems that something escapes this mechanical logic. Passions are not reducible to their animalistic origins and there seems to be certain motivations which are specifically human. Therefore, mixed positive checks are mixed not only because they intertwine vice and misery, but also because they do not make a clear distinction between the biological and the “sociological”. However, this does not mean that from an axiological point of view positive checks and preventive checks are to be put on the same level of analysis, since the former proceeds from an irrational movement (which is due to its biological dimension) that only reason will be regulate and redirect by recourse to the rational faculty. In fact, *it is probably because the vicious passions of the mixed positive checks contain something human, and which they can be regulated, that the disastrous consequences of these impulsions are “in our power to avoid”*³⁶³. Moreover, the sociological dimension of these mixed checks must not be overestimated since the biological part of these regulations is perhaps more important; it is as if, within these natural forms of control, the social emerges from the natural world.

I.3.3) Primitive War as Result of Scarcity

To return to what was said earlier, the possibility of finding a grammar of appropriation in the *Essay* has been put in doubt because war was only described as a form that regulates the population rate. Nonetheless, from a conceptual point of view, it should be noted that there is no

361MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 487.

362MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 488. Malthus also says that “It is a very great mistake to suppose, that the passion between the sexes, only operates and influences human conduct, when the immediate gratification of it is in contemplation. The formation and steady pursuit of some particular plan of life, has been justly considered as one of the most permanent sources of happiness (...)”, MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 488.

363MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 11.

contradiction when stating that the imbalance between population and land leads to war, which in return decreases the population rate and re-establishes balance. We have already seen that regulation via feedback works for the case of misery and that there is no reason that it should not likewise be the case for war (as will be shown shortly, this scheme also appears in the *Essay*). Moreover, it would appear that the cases in which food shortages are not the principal cause of conflicts is exceptional. Indeed, at the beginning of Book IV of the *Essay*, Malthus is quite clear that most wars are caused by scarcity: “one of its first causes, and most powerful impulses, was undoubtedly an insufficiency of room and food”³⁶⁴.

“Ethnographic data” on the indigenous peoples of America gives a relevant example of this war for land³⁶⁵. The tribes of hunters, whose subsistence depends on cynegetic activity, need a great extent of land to subsist. “Like beasts of prey, whom they resemble in their mode of subsistence”, as Malthus writes,³⁶⁶ they always follow the peregrination of their game and, thus, are scattered over the surface of the Earth. If this space was infinite, the tribes could easily wander without running into another group. Although the vastness of American plains gives the illusion of being infinite, like islands, space is always limited. That is why American Indians always end up coming across other tribes and thus engaging in fights to the death.

“Those who escape the dangers of infancy and of disease are constantly exposed to the chances of war; and notwithstanding the extreme caution of the Americans in conducting their military operations, yet as they seldom enjoy any interval of peace, the wast of their numbers in war is considerable. The rudest of the American nations are well acquainted with the rights of each community to its own domains. And as it is of the utmost consequence to prevent other from destroying the game in their hunting grounds, they guard this national property with a jealous attention. Innumerable subjects of dispute necessarily arise. The neighbouring nations live in a perpetual state of hostility with each other. The very act of increasing in one tribe, must be an act of aggression on its neighbours, as a larger range of territory will be necessary to support its increased numbers. The contest will in this case naturally continue, either till the equilibrium is restored by mutual losses, or till the weaker party is exterminated, or driven from its country.”³⁶⁷

This text clearly refers to scarcity as one of the essential conditions of conflictuality, even if it is not explicitly mentioned. Indeed, population growth would not be a territorial problem if there was no restriction of space. The supernumerary members of the increasing tribe could occupy an empty land without disturbing the others. However, because land is a scarce resource, an excessive increase of population leads finally to the tribe trespassing on another group's territory. Because this territory contains a limited stock of resources essential to their survival, the other tribe will fight to the death to defend the territory that they consider as their property; hence, they do not want to be robbed for vital reasons. Extreme violence is here explained by the fact that tribes fight for their

364MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 500.

365On the ethnographic sources of Malthus, see GODELIER Maurice, “Les sources ethnographiques de la pensée de Malthus”, in FAUVE-CHAMOUX Antoinette (ed.), *Malthus hier et aujourd'hui, op. cit.*, pp. 127-147.

366MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 25.

367Ibid., p. 33-34.

survival: “their object in battle is not conquest, but destruction. The life of the victor depends on the death of his enemy”³⁶⁸.

The relationship between the limits of the earth and migration also produces a situation of conflict. Malthus dedicates chapter VI of Book I of the *Essay* to the question of migration. It must not be forgotten that the power of population is not only a power of production but also a power of peopling or settlement. This power overspreads the whole earth with people. This power encounters the limits of the earth and produces a situation of scarcity which leads peoples to migrate. To begin with, people leave their original land because of a lack of space at the local level. Malthus takes the example of Abram and Lot who “had so great substance in cattle, that the land would not bear them both, that they might dwell together. There was strife between their herdsmen. And Abram proposed to Lot to separate, and said, 'Is not the whole land before thee? If thou wilt take the left hand, the I will go to the right; if thou depart to the right hand, then I will go to the left’”³⁶⁹. Then, they migrate to reach far uninhabited countries – hostile regions such as the deserts of Asia and Africa for the less fortunate of them. Because the earth is not infinite, the surface of the earth irreversibly ends up being entirely peopled and new migrations bring about territorial struggles. According to Malthus, this model helps to explain the numerous conflicts that resulted from the Great migrations that took place between the IVth and the VIIth centuries³⁷⁰. Shepherds who originally needed huge spaced to lead their nomadic lifestyle, left the steppes of Asia to descend upon Europe. For instance, “the fate of Rome was (...) determined by an irresistible emigration of the Huns from the east and north, which precipitated on the empire the whole body of the Goths”³⁷¹. In this chapter of the *Essay*, Malthus' explanation of the conflicts resulting from migration gives priority to the territorial factor over other factors – as, for example, the strong and disinterested love of war and enterprise, internal dissensions, or a wish for a milder climate. For instance, regarding the raids led by Vikings between the 8th and the 10th century³⁷², he writes the following lines:

“I would by no means (...) be understood to say, that the northern nations never undertook any expeditions unless prompted by strained food or circumstances at home. (...) But, in a general view of the subject, I cannot help considering this period history as affording a very striking illustration of the principle of population; a principle, which appears to me, to have given the original impulse and spring of action, to have furnished the inexhaustible resources, and often prepared the immediate causes, of that rapid succession of adventurous irruptions and emigrations, which occasioned the fall of the Roman empire; and afterwards pouring from the thinly-peopled countries of Denmark and Norway, for above two hundred years ravaged and over-ran a great part of Europe. Without the supposition of a tendency to increase almost as great as among the Americans, the facts appear to me not to be accounted for; and with such a supposition, we cannot be at a loss to name the checks to the actual population, when we read the disgusting details of those unceasing wars, and of that prodigal wast of human life, which marked these barbarous

368*Ibid.*, p. 34.

369*Ibid.*, p. 65.

370*Ibid.*, p. 65.

371*Ibid.*, p. 72.

372*Ibid.*, p. 80, *sqq.*

periods. Inferior checks would undoubtedly concur; but we may safely pronounce, that among the shepherds of the north of Europe, war and famine, where the principal checks, that kept the population down to the level of their scanty means of subsistence”.³⁷³

In both cases, those of the American wars and those of the “barbarian invasions”, bloody struggles break out because of a situation of scarcity but, at the same time, they end up solving the problem of overpopulation. Thus, there is a sort of natural cycle in which scarcity and population growth produce wars which, in turn, act as positive checks, reducing the initial problem. Conflict is both a result of scarcity and its remedy. In this sense, war is similar to biological regulations such as misery: the mechanical effect of the population-resource law regulates, by feedback, the population rate which renders possible the return to a state of equilibrium. Notwithstanding this, as for the mixed positive check, the reduction of this mechanism to the biological level is in many ways problematic. Indeed, the phenomenon of war must not be understood as being simply mechanical.

Firstly, because habits and customs often complete the role played by scarcity. For instance, among the Iroquois tribes, the battle cry “let us go and eat that nation” may well be caused by a desperate and extreme hunger, but the fact remains that afterwards, the cannibalism that takes place is motivated by something other than hunger.

“Cannibalism, however, undoubtedly prevailed in many parts of the new world; and, contrary to the opinion of Dr. Robertson, I cannot but think that it must have had its origin in extreme want, though the custom might afterwards be continued from other motives. It seems to be a worse compliment to human nature, and to the savage state, to attribute this horrid repast to malignant passions, without the goad of necessity, rather than to the great law of self-preservation, which has, at times, overcome every other feeling even among the most humane and civilized people. When once it had prevailed, though only occasionally, from this cause, the fear that savage might feel of becoming a repast to his enemies, might easily raise the passion of rancour and revenge to so high a pitch, as to urge him to treat his prisoners in this way, though not prompted at the time by hunger”³⁷⁴.

In the above text, Malthus criticises William Robertson, a Scottish historian known for his *History of America*, in which he glorifies the power of the Britannic Empire and the colonisation of America³⁷⁵. In his book, he refuses the idea that an indigenous tribe would be prompted to eat flesh by the craving of hunger; instead, he claims that rancour of revenge³⁷⁶ and cruelty³⁷⁷ are the only

³⁷³*Ibid.*, p. 83.

³⁷⁴MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 35.

³⁷⁵In fact, it seems that his book has other intentions as for example the promotion of religious tolerance. See PETROFF Florence, “William Robertson’s Unfinished *History of America*. The Foundation of the British Empire in North America and the Scottish Enlightenment”, *Transatlantica* [online], 2 [2017, online since 19th April 2019, connection the 14th April 2020. URL: <http://journals.openedition.org/transatlantica/10326>.

³⁷⁶“It was not scarcity of food, as some authors imagine, and the importunate cravings of hunger, which forced the Americans to those horrid repasts on their fellow-creatures. Human flesh was never used as common food in any country, and the various relations concerning people who reckoned it among the stated means of subsistence, flow from the credulity and mistakes of travellers. The rancour of revenge first prompted men to this barbarous action.” ROBERTSON William, *History of America*, in ROBERTSON William, *The Works of WM. Robertson, D.D. In Eight Volumes*, Vol. 6, London, Published by W. Pickering, Chancery Lane; and Talbois and Wheeler, 1825, p. 333.

³⁷⁷“Their prisoners, after meeting at their first entrance with the same rough reception as among the North Americans, are not only exempt from injury, but treated with the greatest kindness. (...) It is not easy to account for this part of their conduct, unless we impute it to a refinement in cruelty.” ROBERTSON William, *History of America*, *op. cit.*, p.

real motivations of these “atrocities”. This opposition between the dietary and cultural cannibalism has been at the centre of the discussion in the XIX century, (especially the *Société d'Anthropologie de Paris*) but also in the anthropological debate between cultural ecology and cultural anthropology³⁷⁸. Malthus prefers the dietary hypothesis but, at the same time, it seems that he has no other choice than to accept the second. For that reason, he chooses to combine them into a synthesis. According to him, the culturalist hypothesis pretends to portray primitives (and mankind in general) in a favourable light, but it does only the contrary (hence the expression “worse compliment”). Indeed, on the one hand, it is right that primitive peoples are emancipated from the “goad of necessity”; but on the other hand, they extract themselves from the natural world by following vicious passions such as revenge and cruelty – Malthus ignores the fact that vengeance is often the motor of equality among warfare societies³⁷⁹. At least the ecological theory offers them an excuse for their practice: because they are chained to the realm of necessity, it is not their fault if they are prompted to eat their fellow due to hunger. That is why Malthus claims that anthropophagy is rooted in the craving of hunger. At the beginning, cannibalism is the result of the biological necessity to eat (the natural passion of hunger) but, over time, the practice becomes a custom and the original motive tends to disappear (or at least to blur) becoming replaced by human passions such as fear and revenge. These human passions take over from the biological motivations which are finally forgotten, even if hunger may still play a role. Therefore, the origin of these customs is biological, but the human passions reinforce the mechanism of depopulation. This synthesis is clearly unbalanced because, once again, the ecological ratio between population and land is pre-eminent; but at the same time, Malthus is forced to acknowledge that the sociological dimension cannot be eliminated. It appears then that his taking into account the cultural aspect of cannibalism does not result from a theoretical choice but from a resistance of the fact. It is as if Malthus had tried to adapt his demographic model to the ethnographical reality. Some considerations for these ethnographical data should, nonetheless, be appreciate³⁸⁰.

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378DULUCQ Sophie, “L’imaginaire du cannibalisme : anthropophagie, alimentation et colonisation en France à la fin du XIXe siècle”, *Actes des congrès nationaux des sociétés historiques et scientifiques*, Year 2014, 138-2, pp. 265-271.

379Indeed, usually vengeance has two motives: to balance (*égaliser*) and to harm (*nuire*). The emphasis of cannibalism is on the first motivation much more than the second one. To eat the other consists in reestablishing the balance with the one who previously did the same, there is no intention of cruelty: “*Plus que son prochain, on mange son pareil. L'ennemi n'est "récupérable" que s'il est identique. Le terme de vengeance, habituellement associé aux motivations de l'exocannibalisme, est trompeur car, initialement, égaliser est le principale et nuire le secondaire. (...) Tuer ou torturer le cannibale n'est qu'une réparation partielle. Pour équilibrer, il faut manger en retour. Il s'ensuit que dans les société acéphales où le groupe a pour obsession primordiale de faire "jeu égal" avec ses voisins, le cannibalisme se présente dans une première phase comme un phénomène extrêmement contagieux*”. GUILLE-ESCURET Georges, “Cannibales isolés et monarques sans histoire”, in *L'Homme*, 32, n° 122/124, La Redécouverte de l'Amérique, April - December, 1992, pp. 327-345.

380For a socio-ecological and cultural interpretation of anthropophagy, see the article of Guille-Escuret already quoted. This proposition is particularly interesting since it considers the population/protein ratio and articulates it to the

The second reason which prevents Malthus from adopting an overly mechanical interpretation of the phenomenon of war (as evidenced in his *Essay*) is that the relationship between the scarcity of land, population growth and conflict is not always described by Malthus through the simple feedback scheme presented above. The case of the Bedouins of Arabia and Syria illustrates this point perfectly. These people need a wide space to subsist, a way of life which triggers numerous territorial conflicts as already described. These conflicts regulate the population by violence but also by a production of scarcity. Indeed, as Hobbes already noted, a constant state of warfare prevents any technical development³⁸¹: “even the construction of a well, or a reservoir of water, requires some funds and labour in advance; and war may destroy in one day, the work of many months, and the resources of a whole year”³⁸². On the one hand, war takes time, time which could have been dedicated to technological inventions or the production of artefacts; on the other hand, material destruction always follows on from war. The poor development of industry and its constant destruction makes any true increase of subsistence impossible, a mode of subsistence which is difficult to provide in the hostile environment of the Syrian desert; and the absence of the technical conditions by which subsistence could be multiplied creates an extreme state of dearth, something which leads in turn to another wave of conflicts. This means that, if it is inherent to the earth, scarcity may be accentuated by social factors (here, technological ones). In all cases, the relationship between scarcity and war is dynamic and complex: “the evils seem mutually to produce each other. A scarcity of subsistence might at first perhaps give occasion to the habits of war, and the habits of war in return powerfully contribute to narrow the means of subsistence”³⁸³.

Sometimes, political and religious factors also play a role. Malthus claims that in the earlier ages, constant conflicts for scarce goods caused such decreases of population that it became increasingly complicated to provide soldiers to the armies, and thus to ensure the means of offence and defence³⁸⁴. Thus, in order to increase the population rate, statesmen removed the preventive check. To do so, they encouraged marriage and poured scorn on celibacy. This political factor of population increase was supplemented by the religious factor: as a numerous population was considered as a means of glorifying their God, religions encouraged procreation. In fact, both factors were articulated in a true “machine of peopling”: “In the religion of Mahomet, which was

sociological level within the historical context.

381HOBBS Thomas, *Leviathan*, I, 13, 9.

382MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 92.

383MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 92.

384“In the earlier ages of the world, when war was the great business of mankind, and the drains of population from this cause were, beyond comparison, greater than in modern times, the legislators and statesmen of each country, advertin principally to the means of offence and defence, encouraged an increase of people in every possible way, fixed a stigma on barrenness and celibacy, and honoured marriage.”. MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 500.

established by the sword, and the promulgation of which, in consequence, could not be unaccompanied by an extraordinary destruction of its followers, the procreation of children to glorify the Creator, was laid down as one of the principal duties of man; and he who had the most numerous offspring, was considered as having best answered the end of his creation”³⁸⁵. Followers of Mahomet need a great number of men to glorify their Creator and to wage their war. But the connection between religion and politics runs even deeper: war aims at a religious end; thus, to swell the ranks of their armies was also a means of celebrating their gods. The effect of such policies was a prodigious increase of population and thus a state of dearth, which in turn produced other wars³⁸⁶. Even if it is right to note that the production of conflict is complex and dynamic, this multi-circular process is locked in itself and difficult to remove: “under the influence of such moral sentiments, it is difficult to conceive how the fury of incessant war should ever abate”³⁸⁷.

According to Malthus, the inevitable deepening of this spiral of violence is typical of non-European societies – this is why he dedicates the first book of the *Essay* to the demography of the latter and the second to European populations. However, this raises the question, why would conflicts for scarcity be a specific difference of ancient societies? Even if Malthus does not say it explicitly, he describes the relation of ancient and modern societies with their environment in two very different ways. Whereas, “savages” live in extreme scarcity, contemporary societies have reached, if not a total abundance, a certain degree of safety in term of subsistence:

“War, the predominant check to the population of savage nations, has certainly abated, even including the late unhappy revolutionary contests: and since the prevalence of a greater degree of personal cleanliness, of better modes of clearing and building, towns, and of a more equable distribution of the products of the soil from improving knowledge in political economy, plagues, violent diseases, and famines, have been certainly mitigated, and have become less frequent.”³⁸⁸

On the contrary, the “savage” tormented by the craving of hunger will fight to the death for a piece of land. It would seem that there are, therefore, several degrees of scarcity: extreme scarcity produces extreme violence whereas relative scarcity gives room for more pacified relationships.

Now, it seems that, if this is to be understood, the difference must be placed into the evolutionist framework adopted by Malthus (at least in the second edition of the *Essay*). Admittedly, there is no real progress concerning the relationship between population and subsistence: the increase of the former is always limited by the latter, and this will never change. Progress lies in the means employed to re-establish a balance in the number-land ratio, that is, between the different types of checks: whereas in ancient societies populations were regulated principally by war (and thus by positive checks), modern European societies have reached a

385MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 500.

386*Ibid.*, 1803, p. 500.

387*Ibid.*, p. 501.

388MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, pp. 350-351.

superior stage by using preventive checks which avoid overpopulation³⁸⁹. The adoption of preventive checks is seen here as the only way to break the cycle of necessity in which scarcity and conflicts are united by a reciprocal causal relationship³⁹⁰. Indeed, thanks to sexual abstinence and delay of marriage, population never goes beyond the level of subsistence, and conflicts for scarce subsistence are therefore avoided; and reciprocally, dearth is also avoided to the extent that it is a result of factors produced by war (underdevelopment and natalist policies).

Even if a perfect respect of the moral constraint remains utopian, a first step towards this ideal was made by Christian societies who established preventive checks. They managed to institute a moral system against the miseries that result from scarcity. According to this consequentialist and utilitarian morality, “every act which was prompted by the desire of immediate gratification, but which threatened an ultimate overbalance of pain” is “considered as a breach of duty”³⁹¹. Therefore, the one who knows that he will not be able to feed four children will refrain his sexual desire; the one who knows that overpopulation will lead to war and other misery will promote chastity. In fact, this morality of abstinence and austerity is not an artifice by which nature (that is, the sexual urge) has been transcended by sacrifice or by the negation of sexual intercourse; since this maxim of prudence is founded on the first law of nature, that is, the principle of population itself – and the precepts of Christian religion are just a confirmation of this correspondence³⁹². By the edification of the moral system based on abstinence, European countries

389“In comparing the state of society which has been considered in this second book with that which formed the subject of the first, I think it appears, that in modern Europe the positive checks to population prevail less, and the preventive checks more, than in past times, and in the more uncivilized parts of the world.” MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 350.

390See the following extract: “If we could suppose such a system general, the accession of happiness to society in its internal economy, would scarcely be greater than in its external relations. It might fairly be expected that war, that great pest of the human race, would, under such circumstances, soon cease to extend its ravages so widely, and so frequently, as it does at present, and might ultimately perhaps cease entirely.” MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, pp. 500. See also: “In a society, such as I have supposed, all the members of which endeavour to attain happiness by obedience to the moral code, derived from the light of nature, and enforced by strong sanctions in revealed religion, it is evident that no such marriages could take place; and the prevention of a redundant population, in this way, would remove one of the principal causes, and certainly the principal means of offensive war; and at the same time tend powerfully to eradicate those two fatal political disorders, internal tyranny and internal tumult, which mutually produce each other”. MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, pp. 501-502.

391MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 495.

392“As it appears, therefore, that it is in the power of each individual to avoid all the evil consequences to himself and society resulting from the principle of population, by the practice of a virtue clearly dictated to him by the light of nature, and expressly enjoined in revealed religion; and as we have reason to think that the exercise of this virtue to a certain degree, would rather tend to increase than diminish individual happiness; we can have no reason to impeach the justice of the Deity, because his general law make this virtue necessary, and punish our offences against it by the evils attendant upon vice and the pains that accompany the various forms of premature death. A really virtuous society, such as I have supposed, would avoid these evils. It is the apparent object of the Creator to deter us from vice by the pains which accompany it, and to lead us to virtue by happiness that it produces. This object appears to our conceptions to be worthy of a benevolent Creator. The laws of nature respecting population, tend to promote this object. No imputation, therefore, on the benevolence of the Deity, can be founded on these laws, which is not equally applicable to any of the evils necessarily incidental to an imperfect state of existence.” MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, pp. 502-503.

are supposed to have put up an end to conflicts linked with scarcity.

Therefore, Malthus explains the restriction of conflictuality by the moralisation of society. Indeed, contrary to primitive societies which are regulated by vice and mixed positive checks, European modern societies were able to overcome the cycle of violence rooted in scarcity: indeed, they hence leave vicious and heretical morals for virtuous ones:

“Under the influence of such moral sentiments, it is difficult to conceive how the fury of incessant war should ever abate. It is a pleasing confirmation of the truth and divinity of the Christian religion, and of its being adapted to a more improved state of human society, that it places our duties respecting marriage, and the procreation of children, in a different light from that in which they were before beheld.”³⁹³

Here, “moral sentiment” refers to religious beliefs and the policies waged by legislators that were responsible for the increase in the population, thus of the infernal cycle already described. The text clearly insists that it is the sociological element of war which has to be replaced by Christian morality, not its ecological roots (the ratio between number and land) which cannot, in any case, be changed since they proceed from the law of nature. In other words, it confirms what was said above concerning the opposition between what arises “unavoidably from the law of nature” and what “would be in our power to avoid”. It is in our power to avoid war because this phenomenon not only results from the biological principle of population (from which no one escaped), but also from a sociological logic, which can be altered. It is this part of the phenomenon of war that has to be targeted to move society to a more pacified state. Thus, in order to progress, society has to pass from these vicious habits to Christian morality, from the regulation by war to regulation by morality, in short, from the mixed positive checks to preventive checks.

These dichotomies between vice and virtue, positive checks and preventive checks are also related to a difference of faculty. It is necessary to bear in mind that moral constraints, to the extent that they are a preventive check, imply the ability of anticipating the terrible consequences of overpopulation. In a word, this preventive check proceeds from reason. Therefore, according to Malthus societies which are devoid of this rational faculty are bare resemblance to animals who live in the constant present and cannot anticipate anything. It seems that for Malthus, primitive societies are similar to this: they cannot predict miseries resulting from the principle of population, thus, automatic mechanisms are finally triggered so as to regulate the population rate, and war is one of those mechanisms when linked to scarcity. This means that modern societies are able to rise above this blind mechanism in order to reach consciousness of what nature orders that needs to be done so as to avoid misery, whereas primitive societies are incapable of going beyond the cycle of overpopulation and war and remain in the realm of brutal violence. Consequently, the relegation of

393MALTHUS Thomas Robert, *An Essay on the Principle of Population*, 1803, p. 501.

conflicts of scarcity in primitive society is based on a strong Eurocentrism.

I.4) Malthusian Anthropology

The Malthusian theory of conflict has been revisited by Malthusian anthropologist since the beginning of the 20th century. In their respective studies on war, William Graham Sumner and Maurice R. Davie proposed the scarcity of land as the first motive of primitive violence. The closing section of this will be dedicated to the notion of primitive war in their work, mostly due to the fact that their theory draws attention to a point that was perhaps absent – or maybe implicit – in Hobbes and Malthus. Indeed, Davie and Sumner unveil the relationship to the earth that underlies conflictual interactions.

I.4.1) The Struggle for Existence and the Competition of Life

Davie hypothesises that, in order to explain the phenomenon of war, it is necessary to go under the antagonistic interactions and to pay attention to the basic conditions of life. One such condition of life is land since men draw their subsistence from it. However, the relation with land cannot be simply understood as pacific since land (or Nature) is a “hard-fisted stepmother”, and there is no “boon of nature”³⁹⁴ nor “banquet of life”³⁹⁵. As in Malthus, land is marked by the seal of scarcity. Consequently, men have to extort from Nature what Nature does not want to necessarily provide to them. This is why the relation with land takes the form of a veritable war that Davie and Sumner calls “*the struggle for existence*”:

“The struggle for existence is a process in which a group and nature are the parties. The group is

394The expression “boon of nature” refers to an essay of Sumner in which he argues against the idea of abundance. SUMNER William Graham, “The boon of nature”, in SUMNER William Graham, *Earth-Hunger and Other Essays*, edited by Albert Galloway Keller, New Haven, Yale University Press, 1913, pp. 233-244.

395DAVIE Maurice R., *The Evolution of War. A Study of its Role in Early Societies*, New Haven, Yale University Press, 1929, p. 9. The expression “banquet of life” also comes from an essay written by Sumner in which the authors claims that if there was no scarcity, there would be no social sciences : “If there is a banquet of life, and if it is set for an unlimited number, there is no social science possible or necessary; there would then be no limiting conditions on life, and consequently no problem of how to conquer the difficulties of living. There would be no competition, no property, no monopoly, no inequality. Fresh air and sunlight are provided gratuitously and super-abundantly, not absolutely, but more nearly than any other material goods, and therefore we see that only in very exceptional circumstances, due to man's action, do these things become property. If food were provided in the same way, or if land, as a means of getting food, were provided in the same way, there would be no social question, no classes, no property, no monopoly, no difference between industrial virtues and industrial services, and no inequality. When, therefore, it is argued that there is, or was, or ought to be, a banquet of life, open to all, and that the fact that there is no such thing now proves that some few must have monopolized it, it is plain that the whole notion is at war with facts, and that its parts are at war with each other”. SUMNER William Graham, “The Banquet of Life”, in SUMNER William Graham, *Earth-Hunger and Other Essays*, *op. cit.*, pp. 217.

engaged in winning from its environment what it needs to support its existence, and in carrying on this process the group-members are united in close association and possess certain mores in common.”³⁹⁶

Thus, under the war waged for the appropriation of land, a more fundamental conflict is waged for existence. Men have created powerful weapons in this war against nature; they have invented tools and arts to extract more from the land. Sumner, who employs the same warlike rhetoric claims that “It is legitimate to think of Nature as a hard mistress against whom we are maintaining the struggle for existence. All our science and art are victories over her (...)”³⁹⁷. However, another factor works against humans in this war: population. Even if Davie questions the comparison of the two rates of increase³⁹⁸, he admits the general principle of Malthusianism, especially the hypothesis that if birth rate is not restricted, the progression of population will end up outstripping the limits of the supply of food. For his part, Sumner even says that “from one point of view, history may be regarded as showing the fluctuations in the ratio of the population to the land”³⁹⁹.

Some remedies exist against this tendency, among which we find starvation and death. Another factor by which the population is restricted is the “standard of living”, that is to say, “the measure of decency and suitability in material comfort (diet, dress, dwelling, etc.) which is traditional and habitual in a subgroup”⁴⁰⁰. This standard is an ideal of material comfort below which the group is unwilling to drop (and which is, in this sense, relative). Now, when the number-land ratio is such that there is not enough supply to satisfy the needs of the increasing population, the material comfort necessarily decreases. Thus, in order to maintain this standard of living, the group

396DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 12.

397SUMNER William Graham, “Earth Hunger or the Philosophy of Land Grabbing”, in SUMNER William Graham, *Earth-Hunger and Other Essays*, *op. cit.* p. 35. In *Folkways* we also find the following lines: “The struggle for existence is a process in which an individual and nature are the parties. The individual is engaged in a process by which he wins from his environment what he needs to support his existence.” SUMNER William Graham, *Folkways. A Study of the Sociological Importance of Usages, Manners, Customs, Mores, and Morals*, Boston, Ginn and Company, 1906, p. 16.

398Indeed, among critics of Malthus, some have pointed out that the population would progress geometrically: “These famous progressions seem to be unfounded and the formulation open to attack, and in fact it frequently has been attacked, from either end. The assumed geometric increase of the human animal is open to criticism both from the point of view of logic and of observation. Malthus made the fundamental error of confusing a potential with a real increase: he mistook a biological possibility for a human tendency. On the side of the assumed limit of increase of human sustenance to an arithmetic ration, the facts have belied the statement since Malthus' time and how much longer this may or may not be the case, it would be idle to speculate. No such relation exists in the present-day world between the increase of culture man and the organisms on which he feeds.” Reuter, E., B., *Population problems*, p. 71.

399SUMNER William Graham, “Earth Hunger or the Philosophy of Land Grabbing”, *op. cit.*, p. 37. He begins his text on earth-hunger saying that “The most important limiting condition on the status of human societies is the ratio of the number of their members to the amount of land at their disposal. It is this ratio of population to land which determines what are the possibilities of human development or the limits of what man can attain in civilization and comfort”. SUMNER William Graham, “Earth Hunger or the Philosophy of Land Grabbing”, *op. cit.*, p. 31.

400SUMNER William Graham, *Folkways*, *op. cit.*, p. 171.

adopts a strategy of birth control of which celibacy and deferred marriage are the principal means⁴⁰¹. Standard of living tends, therefore, to restrict birth rate. Be that as it may, the struggle against nature remains: “it has merely changed its form; instead of a struggle for existence, it has become for some people a struggle for a standard of living”⁴⁰². To sum up, there are four factors: population, land, arts and the limitation of population number through deferred marriage and celibacy.

The ratio between number and land is a formula which applies to the whole living world⁴⁰³. Animals and plants cannot alter this ratio and cannot go beyond the limit of the supporting power of their environment. When the pressure upon the food supply is too heavy, a part of the population is automatically eliminated. Things are slightly different for humans who, thanks to their superior capacities, can modify the ratio through two other factors: the arts and the limitation of number. The first, by which men extract more from their environment, operates on the curve of land. The second is used by men, not so much to avoid the disaster resulting from overpopulation, but to increase the standard of living. By contrast with the first adjustment, the deliberate limitation of number operates on the population curve. These considerations tend to make the initial ratio elaborated by Malthus more complex. Sumner and Keller proposes the following formula: “population tends to increase up to the limit of the supporting power of the environment (land), on a given stage of the arts, and for a given standard of living”⁴⁰⁴.

Here, attention must be paid to the fact that Davie seems to distinguish implicitly two regimes of scarcity. The first is intrinsic to the earth itself: there is no abundance and, as we said, nature is a cruel mother who has to be controlled, not a paradise where it would be enough just to stretch one's hand to pick fruit. The second regime of scarcity is based on population-land ratio. As this ratio is a relation between two variables (population and land), it is relative. For instance, you may have few people with abundant lands or, on the contrary, many men in a reduced space.

Now, another conflict comes on top of this fundamental antagonism which opposes mankind against the earth:

“(…) each group, besides struggling with nature for its existence, has to compete with every other group with which it comes into contact; rivalry and collision of interests appear, and when these issue in a contest by force, we call it war.”⁴⁰⁵

401 KELLER Albert Galloway, “Birth control”, in *Yale Review*, Edited by Wilbur L. Cross, Vol. VII, New Haven, Connecticut, Yale Publishing Association, 1918, pp. 129-139.

402 DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 11.

403 SUMNER William Graham and GALLOWAY Keller, *The Science of Society*, Vol. 1, New Haven, Yale University Press, 1946 [1927], p. 45 (see the excerpt given in TOBIN Kathleen A., *Politics and Population Control*, Westport-London, Greenwood Press, 2004, p. 10). See also KELLER Albert Galloway, *Societal Evolution. A Study of the Evolutionary Basis of the Science of Society*, New York, The Macmillan Company, 1915, pp. 22-24.

404 SUMNER William Graham and GALLOWAY Keller, *The Science of Society*, *op. cit.*, p. 46 (see the excerpt given in by TOBIN Kathleen A., *Politics and Population Control*, *op. cit.*, p. 10).

405 DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 12.

In se, the collision does not necessarily lead to an armed conflict. It is only when natural resources exceed the supply of food provided by the land that confrontation becomes a veritable war called the “competition of life”⁴⁰⁶. Therefore, Davie and Sumner reaffirm the fundamental role played by the relation between population and land-number in human antagonisms.

“War has been defined as a contest by force between political groups, arising from the competition of life. Hence, when the means of subsistence are plentiful and numbers small, group-conflict is light and insignificant, but when many are striving for a limited supply, collision is harsh and violent. Thus the relative importance of war in a given group varies directly with the intensity of the its competition of life”⁴⁰⁷.

Now, the question of the relation between these two forms of antagonism remains. Is war an immediate consequence of the struggle for existence, as is suggested by Léo Frobenius in his *Menschenjagden und Zweikämpfe*⁴⁰⁸? The question is of a great importance because it concerns the relation between to sorts of interaction: the interaction of men with nature and the antagonistic interaction among men themselves. In other words, the problem is the following: how is the interaction with land (the *struggle for existence*) articulated with the inter-human interaction (the *competition of life*)?

At first sight, it seems that the struggle for existence is more a principle of “combination” than a principal of division. Indeed, men never wage the war against the earth alone; given that they always “win more out of nature by joint effort than the sum of what they could win separately”⁴⁰⁹, cooperation is, therefore, probably the best option if man were to win the war against nature. Eskimos of the Centre and East Greenland give a perfect image of this cooperation: living in a barren environment, they cannot afford to waste time quarrelling among themselves and prefer rather to help each other in their struggle for the necessities of life⁴¹⁰. Sumner gives the name “antagonistic cooperation” to this combination by which the group is formed. The cooperation is antagonistic because the initial antagonisms that opposed various individual are diminished to satisfy a greater common interest⁴¹¹. For instance, in the Sahara desert, nomads and townspeople are usually enemies however, they forge alliances when a greater interest is achieved through cooperation. Indeed, townspeople provide shelter to the nomads and the latter serve as messengers and circulate information from town to town. Therefore, the struggle for existence is the also

406“‘This collision may be light and unimportant, if the supplies are large and the number of men small, or it may be harsh and violent, if there are many men striving for a small supply’”. SUMNER William Graham, “War”, in SUMNER William Graham, *War and Other Essays*, Edited by Albert Galloway Keller, New Haven, Yale University Press, 1911, p. 9.

407DAVIE Maurice R., *The Evolution of War*, op. cit., p. 46.

408Quoted by Davie, in DAVIE Maurice R., *The Evolution of War*, op. cit., note 14 p. 303.

409SUMNER William Graham, “War”, in SUMNER William Graham, *War and Other Essays*, op. cit., 1911, p. 8.

410DAVIE Maurice R., *The Evolution of War*, op. cit., p. 46.

411SUMNER William Graham, *Folkways*, op. cit., p. 17-18.

principal cause for the formation of groups. Nonetheless, divisions arrive when the population oversteps the limit of subsistence. At this point, the group splits into two parts that immediately enter into conflict with each other. Thereafter, the two fractions may form alliances through intermarriage, reunifying through these customs. As Sumner claims, “at all stages throughout the history of civilization competition and combination forever alternate with each other”⁴¹².

Therefore, it appears that the war against nature is not directly responsible for the war between men: whereas the struggle for existence brings individuals to form antagonistic associations, the real cause of war is the ratio number-land. The distinction of the two regimes of scarcity may be helpful to express these two orders of causality: the intrinsic scarcity which forces men to wage war against nature drives individuals to associate together and leads them into combination; by contrast, overpopulation (the second regime of scarcity) leads to the competition of life and thus to war between humans. This idea is illustrated by the case of the Eskimos, the classical case of an absence of war, already spoke about:

“Among the Greenlanders warfare is unknown; this state of affairs is explained by a lack of crowding. The population is small, scattered, and chiefly engaged in winning subsistence in a difficult habitat. The struggle for existence is intense, and the fact that the Eskimos can and do live in such a barren region is one of the most remarkable cases of human adaptation to environment. (...) Cooperation in struggle for existence is absolutely imperative in their case”⁴¹³.

This case is essential for our argument, since it is characterised by the intensity of what we call intrinsic scarcity (the environment as inhospitable) and a total absence of the second regime (there is no overpopulation). Consequently, cooperation is prioritised over conflict. By contrast, the Eskimos of the Alaskan shore of Bering sea live in a constant state of war. The comparison of these two ethnographical examples definitely confirms that war is above all a product of a bad ratio between population and land.

“What is the explanation of this difference between the eastern and western Eskimos? In the first place, the struggle for existence is less severe in Alaska, and the population is denser. Consequently group-collision is more frequent and serious than among the Greenlanders”⁴¹⁴.

Does this mean that there is no connection between the struggle against nature and war between men? Accordingly, if we adopt Davie and Summer's point of view, each group that enters into conflict with each other are doing so in pursuit of their means of subsistence. In this sense, war is fundamentally based on the struggle against their environment. As Davie writes, “Groups come directly into conflict in carrying on their *struggle for existence*; they fight over hunting and grazing grounds, for food, for watering places, for plunder”⁴¹⁵. The struggle for existence is thus the final end of war; men fight each other in order to appropriate land and to wage a more fundamental war, a

412SUMNER William Graham, “War”, in SUMNER William Graham, *War and Other Essays*, op. cit., 1911, p. 8.

413DAVIE Maurice R., *The Evolution of War*, op. cit., p. 46-47.

414Ibid., p. 48.

415DAVIE Maurice R., *The Evolution of War*, op. cit., p. 66.

war which opens the depths of the material basis of society, wars which concern the collective relationships between humans and the earth. In a word, men enter into war in order to struggle against nature. However, as this fundamental struggle is also the principle of the formation of human associations, it is not sufficient to explain human antagonisms. Another element is needed and this element is the second regime of scarcity, the number-land ratio. In a sense, it could be said that men kill each other due to the fact that they do not have enough land at their disposal and thus, they cannot wage the war against this exterior materiality (land).

Pierre Clastres has strongly criticised this explanation of war in primitive societies. In his famous text entitled “*L’archéologie de la violence: la guerre dans les sociétés primitives*”, after having admitted that war is consubstantial to early societies, he reproaches contemporary ethnology for having underestimated the universal fact that the social being of these societies is a being-for-war (*un être-pour-la-guerre*). Clastres claims that this silence is in part due to sociological explanations that ethnology gave about war, preconceived explanations which exclude war from the field of the social relations of primitive societies⁴¹⁶. In the article, he offers a critical review of the three principal discourses which have been held on war among “primitive” societies”. According to the *naturalist discourse*⁴¹⁷ (whose principal follower would be Leroi-Gourhan), war is “a natural given rooted in the biological being of man”⁴¹⁸. War is inherited from hunting, the technique of acquiring food; in other words, war becomes the hunting of men. With this biologisation of social facts, war takes its root in the reality of man as a species and does not belong to the social being of primitive societies. In other words, war is deprived from its social dimension⁴¹⁹. The *exchangist discourse* (*discours échangiste*)⁴²⁰ defines war in relation to the reciprocal exchange. Indeed, according to Levi-Strauss wars are the outcome of unfortunate transactions. Here, exchange has an ontological propriety and occupies the core of the social being. Consequently, if the social being of the primitives is a being-for-exchange, war is just its non-being. Finally, the *economist discourse*,⁴²¹ represented by Maurice Davie, who is recognised by Clastres for his systematic compilation of the data given by the ethnography of his time on the war in early societies. According to Clastres, this discourse is based on the hypothesis that primitive economy is an economy of subsistence that

416CLASTRES Pierre, “L’archéologie de la violence”, in CLASTRES Pierre, *Recherches d’Anthropologie Politique*, Paris, Seuil, 2012, pp. 175-176.

417Ibid., pp. 176-179.

418CLASTRES Pierre, “L’archéologie de la violence”, in CLASTRES Pierre, *Recherches d’Anthropologie Politique*, Paris, Seuil, 2012, p. 177. Here we use the english translation CLASTRES Pierre, “Archeology of Violence : War in Primitive Societies”, in CLASTRES Pierre, *Archeology of Violence*, translated by Jeanine Herman, Introduction by Eduardo Viveiros de Castro, Los Angeles, Semiotext(e), 2010, p. 243.

419CLASTRES Pierre, “L’archéologie de la violence”, in CLASTRES Pierre, *Recherches d’Anthropologie Politique*, op. cit., p. 178.

420Ibid., pp. 183-188.

421CLASTRES Pierre, “L’archéologie de la violence”, in CLASTRES Pierre, *Recherches d’Anthropologie Politique*, op. cit., pp. 179-183.

provides primitive societies with the strict minimum to subsist, that is, to survive. This state of scarcity leads to competition between groups and thus to armed conflict. Clastres' strategy consists in attacking the foundation of this discourse: basing his argument on Sahlins⁴²² and Lizot's⁴²³ work of anthropological economy, he argues that primitive economy is not an economy of poverty but an economy of abundance. Indeed, the quantitative data on the labour-time of these societies shows that with few hours of labour per day (and at low intensity), primitive societies easily ensured the satisfaction of their material needs. This means that, although they could have worked more to create a stock, that is, accumulate a surplus, primitive societies choose to deliberately slow down production. Clastres even declares that primitive societies would be anti-production machines⁴²⁴. Primitive societies are society of the *otium*.

This renewed vision of the primitive economic system contrasts with the picture of “savages” who, tormented by hunger, are condemned to a constant struggle for their survival. Consequently, if primitive societies are societies of abundance, the connection between violence and economic misery, and with it the economist discourse, collapses. Against these three explanations of primitive war, Clastres states that violence, to the extent that it is a machine of dispersion that prevents the unification of the multiplicity of social groups under the logic of the One, is a machine against the State. Thus, if Hobbes had more than anyone understood that war and State are diametrically opposed, he had failed to understand that society without the State were indeed real societies and that primitive war is another way of being a society.

I.4.2) Hunger, Love, Vanity, and Fear of Superior Powers: The Four Great Motives

As astute as it is, Clastres' judgement of Davie needs to be tempered somewhat, his analysis is far more complex than a simple reduction of primitive war to the question of subsistence. The purpose here is neither to defend Davie against Clastres, nor to refute the conclusions of Clastres. What we would like to show is that, if for Davie and Sumner the appropriation of land remains the principal source of conflict, other elements have to be considered. Our objective in this section is to demonstrate how 1° a grammar of conflict (here, the grammar of “primitive” war) is never pure in the sense that it always includes a multiplicity of components (hunger, love, vanity, fear, etc.) and 2° how one of these components (in this case, appropriation) acquires a certain pre-eminence over the others. In other words, the grammar of primitive war that is centred on the appropriation of land

422SAHLINS Marshall, *Stone Age Economics*, Chicago and New York, Aldine-Atherton, 1972.

423LIZOT Jacques, “*Économie primitive et subsistance. Essais sur le travail et l'alimentation chez les Yanomami*”, in *Libre*, 4, Paris, Petite Bibliothèque Payot, 1978, pp. 69-114.

424See CLASTRES Pierre, “L'économie primitive”, in CLASTRES Pierre, *Recherches d'Anthropologie Politique*, op. cit.

also includes other motivations (love, vanity, fear, *etc.*), even if, in the final analysis, the desire of *having* still has the pre-eminence over the other components.

In order to demonstrate this point, the traditional question asked by many writers of the grammars of conflicts need to be asked again: “what are the basic motives which lead men to fight?”⁴²⁵, as Davie puts it.

First, war can be explained by the fact that tribes are constantly either in a defensive or offensive state. This hypothesis recalls what we said about diffidence in Hobbes. One of the causes of war for Hobbes was the fact that I expect the other will attack me. Consequently, according to Davies, I arm myself, which amounts to say that I am on the defensive, and since offensive is considered the best defence, I assault the other. However, it must be said that this explanation is rather lacking. If I choose to attack the other in order to defend myself, why was I in a defensive state initially? Certainly, this can only be justified by the fact that the other was himself threatening and aggressive; but if he has such an attitude, the reason might be that he was diffident and thus on the defensive himself. In short, the conflict could be explained immediately by the defensive attitude alone, but this attitude is not itself explained. Therefore, we fall into a cycle that explains very little.

Here, Davie's argument is quite elliptic, but the comparison with retaliation is helpful to understand what he really means. Indeed, the infinite cycle of revenge does not explain war since what must be first explained is the initial offence that initiated such a cycle. Revenge, defence and offensive may provide the immediate cause of the outbreak of hostilities, but they do not provide real and deep motives for war. Diffidence is the *causa fiendi* (“cause of becoming”) of conflict, but the *causa essendi* (“cause of being”) remains to be seen. Like the artisan who modifies the clay without creating it, God is the primary and only cause of the existence of matter, diffidence triggers the clash, but it is not its primary cause⁴²⁶. Diffidence is perhaps the cause of the evolution of war (it explains why, in such or such circumstances, conflict breaks out), but it is not its because of its being.

Likewise, Davie warns us that “pretexts, also, are to be distinguished from real motives; they tell no more than that the pretend wants war”⁴²⁷. J. Stanley Gardiner reports that in Rotuma (an

⁴²⁵DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 65.

⁴²⁶On this distinction we find in Saint Thomas Aquinas, see RASSAM Joseph, *La Métaphysique de Saint Thomas*, Paris, PUF, Initiation Philosophique, 1968, p. 62: “*Dieu est la cause première et universelle de tous les êtres en tant que cause essendi, par opposition à la causa fiendi. La causa fiendi, telle l'action de l'artisan, modifie ce qui existe déjà, sans produire l'exister même de ce qu'elle transforme ; et le résultat qu'elle provoque, continue à exister indépendamment d'elle : ainsi l'homme engendre un homme qui survit lors même que son géniteur périt. Mais la causa essendi, la cause créatrice qui donne l'exister, produit un effet qui ne peut subsister en dehors d'elle: par exemple la lumière disparaît quand la lampe est éteinte. Ainsi pour les choses, exister et dépendre de Dieu ne font qu'un*”.

⁴²⁷DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 65.

island of pacific which is a Fijian dependency), chiefs having sometimes no cause to fight steal women to provoke war. Here the capture of women is just the pretext hiding the real causes of war. The important point here is that, as a grammarian of conflicts, Davie intends to differentiate different levels of causality, to hierarchize them and to isolate the primary motivations of the conflictual dynamic.

After having put aside these secondary explanation, Davie exposes the four motives of war identified by Sumner in his text of 1903. Sumner declared that “The four great motives which move men to social activity are hunger, love, vanity, and fear of superior powers. If we search out the causes which have moved men to war we find them under each of these motives or interests”⁴²⁸. At first sight, this typology seems to be arbitrary. By contrast with the three causes of war we find in the *Leviathan*, this classification does not relies on any deduction. The absence of deduction may disappoint the philosopher, but here, the point of view is anthropological, not philosophical. For that reason, the four great motives are not deduced from the fundamental equality between men, but instead these categories are reconstituted by induction from the multitude of ethnographic materials gathered by the anthropologist – that is, at least, what could be inferred from reading *The Evolution of War* since, neither Davie, nor Sumner really explain their method in detail.

Davie recalls that these categories of conflict do not exist separately in the social world and are, as such, just abstractions: “since society is an organic whole, however, these four general causes of war can be separated only on paper; in actual life they are intricately intertwined”⁴²⁹. Therefore, Davie proposes nothing less than an analytic of the categories of conflict.

This method presents several advantages. The first is the effect of clarification produced by analysis. Indeed, the problem for the anthropologist is that social life is given to him in all of its actual disorder. Ethnographical material is a chaos in which everything is confused and, therefore, what is necessary is the putting in order of this mess. This is why, at the risk of simplification, abstraction, and thus, the construction of distinct categories, is necessary, even if it means reuniting retrospectively what has been separated⁴³⁰. To think is to classify. The second argument of the importance of the classification lies in the fact that there are often tensions between different motivations, as we will see. Finally, and above all, classification renders possible the hierarchisation of the motivations. In grammars of conflict, motives cannot be placed on the same level because some of them take centre stage while others occupy a less central role; some are the fundamental ground of the conflictual dynamic (without which there would no conflict), while

428SUMNER William Graham, “War”, in SUMNER William Graham, *War and Other Essays*, *op. cit.*, p. 14.

429DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 66.

430As seen in the introduction, Nancy Fraser has recently proposes a similar method to approach the distinction of the categories of redistribution and recognition.

others are just the catalyst. *In fine*, the principal problem of all grammars of conflict is that of the *centre of gravity of the conflict*. Now, whereas Sumner did not really offer a response to this question, Davie claims quite forthrightly that the appropriation of land is the principal cause of war among primitive societies. He writes :

“Religion has promoted war by demanding human sacrifices, prompting head-hunting, and insisting upon blood revenge. The factor of vanity appears in the desire for trophies, in the distinctions accorded the warrior, and in war for glory. A strong motive is the acquisition of women – as slaves or as wives. But the most fundamental cause of war is hunger or the economic motive, and it ties war up straightway with the competition of life”.⁴³¹

Davie does not really gives further explanations for the centrality of the economic motive, but he most likely thinks that the ethnographical facts speak for themselves. In other word, the implicit argument seems to be that for the most part, wars are motivated by economic reasons. Thus, the principal reason for the pre-eminence of this factor is thus quantitative. Now, another justification for this primacy could be advanced: if each cause of war is mixed with each other's, then it would seem that the appropriation of land is the motives which penetrates the most and animates the others. In other words, if each motive is *relatively* independent from the others (even if they may overlap), the motive of hunger is so fundamental that it is always found in each of these other categories. On reading the four chapters dedicated to the four motives of conflict from *The Evolution of War*, what is most evident is that the appropriation of land systematically reappears and plays some role in the dynamic, even in the more spiritual motivations, such as those related to religion. Here, we shall review these four chapters, paying attention to the role of the appropriation of land within each of these motivations.

In the chapter “War for land and booty”, Davie gives an explanation of war which differs somewhat from Sumner's in his article entitled “War”. Whereas in this article war was described as the breaking up of the group due to the pressure exerted by population on the land, here, conflict is associated with conquest (even if, it remains caused by scarcity). Davie begins the chapter by recalling the relation between struggles for existence, the appropriation of land, population and competition of life (that is war): “The struggle to live is essentially a struggle for food, and as food and all other necessities of life come ultimately from the soil, the struggle has been to gain more from a piece of land or to acquire additional land”⁴³². In this struggle against nature, the development of the arts “have made it possible to derive more from land” but the factor of population rapidly engendered a problem of dearth: “if land is abundant and fertile and the population relatively small, existence is easy, but if many people are living on a relatively small

⁴³¹DAVIE Maurice R., *The Evolution of War*, op. cit., p. 66.

⁴³²*Ibid.*, p. 76.

tract of land, the struggle to live is intensified”⁴³³. From there, there are two solutions: either the improvement of art makes it possible to produce more with the same lands or additional land are to be acquired. The problem is that progress in art always takes time whereas the second solution gives more immediate results. That is why the group in question generally opt for the migratory solution: “when the land becomes overpopulated, that is, when there are more mouths to feed than there is food to feed them, or even before this stage is reached, groups are impelled to move on to new lands”⁴³⁴. Migration is here a synonym for land grabbing since populations who move from there place often do so in order to appropriate other territory. “Earth Hunger” is the name of this “apparently insatiable desire to get more land”⁴³⁵. This expression is particularly evocative, since the term hunger has a double meaning, figurative and literal: it means the will to appropriate infinitely more and more land, but it also designates the real motivation of this phenomenon for land grabbing, that is, the hunger generated by the number-land ratio. Earth hunger is the hunger of land which results from the hunger of the stomach. Here, Davie and Sumner lay the foundation of a “real philosophy of colonisation”⁴³⁶.

This philosophy of colonisation does not try to give simple explanations of this phenomenon but attempts examine it in all its complexity. Indeed, earth hunger is not always motivated by hunger but may also stem from the desire to raise the standard of living: “even when a district is not overpopulated, the people may want better means of subsistence in order to live on a higher standard (...)”⁴³⁷. The standard of living may be improved in two ways: by the intentional limitation of the population (celibacy, deferred marriage, etc.), as we have seen above, or by operating on the land curve. This second option means the acquisition of new land and thus presupposes the phenomenon of land-grabbing. It is through this second form of earth hunger that Sumner explains the historical moment of western conquest in North America (this would be the same for the colonisation of Australia and Africa). His thesis is that America produced a new patrimony for the working class which, fleeing the old world and through appropriating land beyond the Appalachia mountains, increased their standard of life and reached equality. In effect, the working class, through migrating from the old continent – where the pressure of population on land was becoming too heavy – suddenly had access to wider areas of land. Furthermore, this movement of land appropriation did not only improve the situation of those who crossed the Appalachia but also those who stayed at home. Indeed, the acquisition of vast and “empty” areas had an effect on the labour

433DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 77.

434*Ibid.*, p. 77.

435SUMNER William Graham, “Earth Hunger or the Philosophy of Land Grabbing”, *op. cit.*, p. 44.

436*Ibid.*, p. 43.

437DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 77.

and land market in Europe: it made the rent for land low and food became cheap and wages high⁴³⁸. Sumner does not forget to note (without adopting any critical point of view) that this huge movement of land-grabbing benefited the poor people of Europe to the detriment of the inhabitants of these areas, which were all *but* empty: “The earth hunger of the civilized men has produced a collision of the civilized and the uncivilized, in which the latter have often perished”⁴³⁹.

Here lies the articulation between land-grabbing and conflicts. These new lands appropriated by the group that was prey to earth hunger are generally occupied by other populations. Thus, a conflict for appropriation results from a process that stems from a bad ratio between the population number and the space available:

“Hence groups are driven to seek fresh land. In so doing, however, they usually encounter other groups competing for the land or already in possession. Tribal boundaries are generally well defined, and any trespass or other aggression is met with resistance. Thus the competition of life leads to conflict. The encroachment of one hunting tribe on the lands of another was a persistent cause of hostilities among the American Indians, who were very jealous of their boundaries. Near the mouth of the Mackenzie River, warfare arising from violation of tribal boundaries was incessant; anyone found hinting out of his own territory was slain”⁴⁴⁰.

The interesting point, here, is that the point of friction is the boundary, which defines the territory of the group but also its identity. A proof of the importance of boundaries in these conflicts for appropriation lies in the fact that the most primitive groups, which did not have any notion of property and who did not delimit the land on which they hunt, never incited war:

“War does not exist among the Veddahs of Ceylon. (...) The veddahs are among the most primitive peoples extant; they represent the lowest stage of self-maintenance – collecting with some hunting and have almost no conception of property. They do not as yet possess well-defined hunting boundaries as a source of disputes leading to war.”⁴⁴¹

According to Davie, the primitive nature of this group may explain the fact that its members do not see their hunting territory as their possession. This, of course, presupposes the fact that property is then understood as a sign of societal evolution. As boundaries are generally a source of dispute, the absence of territorial delimitation is accompanied by an absence of war. However, this is an exception and in most of cases, people declare war when their boundaries are violated.

Indeed, each group is strictly limited to a definite area whose boundaries are also clearly

438“We may be very sure that the wheat from America has had far more effect on ideas in Europe than the ideas from America, and that the Old World aristocracies need care little for American notions if only American competition would not lower the rent of land. For the outlying continents affect not only those who go to them but also the whole labor class who stay at home. Even while they stay there the pressure of the whole reachable land-supply weighs upon the labor market and the land market at home; and it makes wages high, food cheap, and the rent of land low, all at once. That is what exalts the laborer and abases the landed aristocrat, working both ways in behalf of democracy and equality”. SUMNER William Graham, “Earth Hunger or the Philosophy of Land Grabbing”, *op. cit.*, p. 43.

439SUMNER William Graham, “Earth Hunger or the Philosophy of Land Grabbing”, *op. cit.*, p. 45.

440DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 78.

441Ibid., p. 51.

defined⁴⁴². These *clear* territorial boundaries seem to be similar to the furrows drawn in the soil by swing plough farmers who delimit their land or to surveyor who geometrically delimit a property or a possession (we will see that in fact these geometrical lines drawn, by those who we have called the *agrimensores*, can be considered in a very different way). It turns out that, according to Davie and the ethnological texts on which his reflection is based, these primitive groups have an appropriative relationship with the land: “wherever we turn we find similar evidence of the recognition of distinct areas over which groups have more or less exclusive rights. Every tribe certainly has its own clearly defined territory (...)”⁴⁴³. Indigenous people conceive of their territory as property, a term which has a wider meaning than just private property.

This insistence on the idea that boundaries are “clearly defined” is closely connected to another idea: the notion of conflict for territorial delimitations. To understand the connection between those two ideas, it is necessary to recall that a boundary is not necessarily a rigid-limit which, as a geometrical line, rigorously delimits a territory and leads automatically to a war when it is crossed by members of a group residing outside these limits. A boundary can also be conceived as a wider zone of separation that is sterile and uninhabited. In his seminal article entitled “*Frontière: le mot et la notion*”, Lucien Febvre says that “in ancient times”, human groups were scattered and did not live head to head. Vast areas of isolation, such as marshes and moors, separated these groups⁴⁴⁴. For instance, Gallic cities were separated by uncultivated heaths. The notion of *marche* was used to describe these large areas of medieval France that separated two territories (for example, the duchy of Bourgogne, and the duchy of Champagne, or even two Realms). Indeed, if *marche* were points of friction between seigniors, they were also places in which they met for tournaments or to pledge (or receive) homages⁴⁴⁵. Therefore, what characterised these boundaries was not their vagueness – since, like all limits in the Middle ages they were precise – but that they were place of meeting. This does not mean that they were peaceful places since tournaments were simulacra of battle and there were always tensions, even open conflicts, between seigniors. However, *marche* was not this rigid limit that separates enemies ready to confront each other in cases of transgression. In other words, it was not reduced to a place of

442 “It remains to show that these races are all, without exception, divided into groups which are strictly limited to definite areas – contrary to the still common notion that they wander where they please) and we may further note that the inhabitants of these areas co-operate to a greater or less degree in the search for food, and that there is a social obligation upon each man to do his share.” CARR-SAUNDERS A. M., *The Population Problem. A Study in Human Evolution*, Oxford, Clarendon Press, 1922, p. 203.

443 CARR-SAUNDERS A. M., *The Population Problem*, *op. cit.*, p. 205.

444 FEBVRE Lucien, “Frontière : le mot et la notion”, FEBVRE Lucien, *Pour une Histoire à Part Entière*, Paris, EHESS, 1982, pp. 11-24.

445 GUENÉE Bernard, “Des frontières féodales aux frontières politiques”, in NORA Pierre (ed.), *Les Lieux de Mémoire*, T. II, *La nation*, vol. 2, *Le territoire – l'Etat – Le Patrimoine*, Paris, Gallimard, Bibliothèque illustrée des histoires, 1986, p. 11-33.

violence, but it was a place in which there was an intense occurrence social life. At the end of the 13th century, these boundaries disappeared. At the same time, another sort of boundary gained in importance: the borders of kingdoms. Before this period, the power of the king was so weak that these borders were limited among so many others (for example, the delimitation of *pagi*, territorial subdivisions of the Carolingian State which were administrated by counts); but from the end of the 13th century, they became the only limits which really counted⁴⁴⁶. According to Lucien Febvre, the historic evolution of the boundaries from the *marches* to the borders of kingdoms can be explained by the emergence of state sovereignty: “*en réalité, ce n'est pas en partant d'elle-même, c'est en partant de l'Etat qu'il convient d'étudier et d'analyser la frontière*”⁴⁴⁷. Before this period of European history, the notion of territorial sovereignty was not yet elaborated and one and the same territory fell under various sovereigns. This multiplicity of intertwined sovereignties was then progressively replaced by unique state sovereignty. At the end of the 13th century, as Bernard Guenée writes, States began to be present everywhere and increase their control on the *marches* of the kingdom, these large areas were situated on both sides of the border and constituted their backbone. More and more inhabitants of these *marches* began to ask themselves which side they belonged to. Everything for the inhabitants of these *marches* began change related to whether they lived on one side or the other. It was notably Philippe IV, Le Bel who consolidated the border of the French kingdom. As Guenée perfectly summarises, “*Les marches du royaume avaient longtemps été un lieu de rencontre. Les frontières du royaume étaient maintenant un lieu hostile où se heurtaient deux mondes de plus en plus différent*”⁴⁴⁸. Thus, the boundary became a gap between two rival nations that were completely distinct. The boundary became a battle front. Indeed, this is one of the French meanings of the term *frontière* in the 13th and the 14th centuries: a *frontière* (boundary) may designate the frontage (*façade*) of an edifice but also the front line (*ligne de front*) of a troop. One may ask how the movement from the first meaning of *frontière* (*façade*) and the second (*ligne de front*) to the third (the border of a kingdom) occur. Lucien Febvre answers this by arguing that that the word *ville* (town) played the role of mediation. Indeed, as towns have fortifications to face attacks from the enemy, then so should boundaries have ramparts beyond which lies the enemy.

Accordingly, it is this meaning that Davie has in mind when he writes that the boundaries of primitive societies' territory are clearly defined, and when he claims that war occurs when there is fiction between these boundaries⁴⁴⁹. Thus, he projects this vision of the territorial state (and its rigid

446GUENÉE Bernard, “Des frontières féodales aux frontières politiques”, in NORA Pierre (ed.), *Les Lieux de Mémoire*, *op. cit.*, p. 20.

447FEBVRE Lucien, “Frontière : le mot et la notion”, FEBVRE Lucien, *Pour une Histoire à Part Entière*, *op. cit.*, p. 18

448GUENÉE Bernard, “Des frontières féodales aux frontières politiques”, in NORA Pierre (ed.), *Les Lieux de Mémoire*, *op. cit.*, p. 21.

449On the question of boundaries, there is a huge bibliography a sample of which is given here: BALIBAR Etienne,

boundaries that are similar to the front line of a battlefield) on the primitive territoriality, a transposition which should be questioned.

In any case, it is clear that according to this concept of territory, those who lie beyond the boundaries are enemies. Thus, there is no difference between the foreigner who lives beyond the bounds of the community and the enemy who has to be killed: “a stranger is a non-tribesman, and a non-tribesman is an actual or potential enemy”⁴⁵⁰. As Tylor writes, the foreigner was the first meaning for *hostis*, which came to mean “enemy”⁴⁵¹. According to Davie, there is a strong polarity between the interactions of individuals inside the group and the interactions with members of other groups. Inside the group (the in-group), the struggle for existence leads individuals to prefer solidarity to war. By contrast, with foreigners, that is, members of the out-group, the competition of life prevails. This sentiment, by which the primitive man distinguishes his group from the others, corresponds to what Sumner first calls ethnocentrism, “this view of things in which one's own group is the centre of everything, and all others are scaled and rated with reference to it”⁴⁵². Nonetheless, the problem is that nothing in this definition, which has been “popularised” by Lévi-Strauss, leads to the idea of violence⁴⁵³. *A priori*, there is no connection between violence and taking oneself as the point of reference to estimate and judge the others. The simple depreciation of the other, which is judged by reference to the in-group, does not seem sufficient to attack him. The argument is perhaps that ethnocentrism is a dehumanisation of the other: only members of the in-group are considered to be human beings, a conception which is perfectly expressed in the sentence “we alone are people”⁴⁵⁴. Now, once this sentiment is connected with the competition of life, a phenomenon of violence may be triggered: “when the competition of life brings different group into contact, their mores are brought into contrast and antagonism; hence conflict is hastened. Thus the factor of ethnocentrism or group egotism (...) is an important cause of war”⁴⁵⁵. In other words, ethnocentrism exacerbates the competition of life between groups. Davie even claims that this sentiment leads to the quasi-systematic extermination of those who do not belong to the group, as

“Fichte et la frontière intérieure. A propos des *Discours à la nation allemande*”, in BALIBAR Etienne, *La crainte des masses. Politique et philosophie avant et après Marx*, Paris, Galilée, 1997, pp. 131-157; BALIBAR Etienne, “Qu'est-ce qu'une frontière?”, BALIBAR Etienne, *La crainte des masses*, op. cit., pp. 371-381. JEANPIERRE Laurent, “Frontière”, in CHRISTIN Olivier (ed.), *Dictionnaire des Concepts Nomades en Sciences Humaines*, Paris, Métailié, 2010, pp. 157-169; FEBVRE Lucien, “Limites et frontières”, in *Annales. Economies, sociétés, civilisations*, 2th, n° 2, 1947, pp. 201-207; FEBVRE Lucien, “Frontière: limites et divisions territoriales de la France en 1789”, in FEBVRE Lucien, *Pour une Histoire à Part Entière*, op. cit., pp. 25-29; NORDMANN Daniel, “Des limites d'Etat aux frontières nationales”, in NORA Pierre (ed.), *Les Lieux de Mémoire*, op. cit., pp. 35-61.

450 DAVIE Maurice R., *The Evolution of War*, op. cit., p. 13.

451 TYLOR Edward Burnett, *Anthropology: an introduction to the study of man and civilisation*, New York, D. Appleton and Co., 1899, p. 413.

452 SUMNER William Graham, *Folkways*, op. cit., p. 13.

453 LÉVI-STRAUSS Claude, *Race et histoire*, Gallimard, Folio Essais, 1987 [1952].

454 SUMNER William Graham, *Folkways*, op. cit., p. 14.

455 DAVIE Maurice R., *The Evolution of War*, op. cit., p. 22.

was the case with Australians who would kill every stranger they met⁴⁵⁶.

However, this articulation between extreme violence and ethnocentrism must be questioned. In fact, ethnocentrism exist in all societies. Indeed, every society divides humanity in two parts: itself, whose members are the true representative of humanity and the others, which participate to a lesser extent to humankind. Clastres even claims that ethnocentrism is a formal property of all cultural formation, that it is immanent to culture itself⁴⁵⁷. However, even if all culture is ethnocentric, this does mean that all culture is necessary violent and, even less, that it is oriented towards the extermination of the other. Ethnocentrism is too general to explain more restricted phenomena such as violence and extermination.

The important point here is the concept of territory, which appears in the lines concerning the war for the appropriation of land. Territory is clearly the delimited area in which the group a group lives and from which the means of subsistence are extracted. The territorial boundaries define the limits of the group and beyond them lie the foreigner, the enemy. This idea is perfectly expressed in a passage of Ceasar's *The Conquest of Gaul*: "Robberies beyond the bounds of each community have no infamy, but are commended as a means of exercising youth and diminishing sloth"⁴⁵⁸.

We have just presented the first motive of war, which is centred around the appropriation, especially the appropriation of land. Now, what remains is examine the other motivations (love, vanity, and fear of superior powers) and to understand how the motive of hunger reappears, in one way or another, in each of them.

This is especially explicit in the case of the motive of "love" (chapter VII), which leads men to fight their enemy in order to steal their women. Indeed, the capture of women is not a practice that occurs within the group since it would damage its unity. Thus, in order to avoid internal disorder, men generally steal women from rival groups. Gratification of sexual passion is not the chief reason for such a practice. In fact, women have an economic value: men put them to work for them. In other words, women join the ranks of those who wage the war against nature: "he more women he has to labor for him, the more secure is his position in the struggle for the existence"⁴⁵⁹.

The first motive of war (hunger) also plays a role in conflicts caused by religion (chapter VIII). To understand how religion leads men to war, Davie argues that it was previously needed to dwell on the general characters of primitive religion. In order to do so, he based his analysis on the anthropology of religions, especially on Edward Tylor's famous theory of animism. According to

456*Ibid.*, p. 13.

457CLASTRES Pierre, "De l'Ethnocide", *L'Homme*, T. 14, n° 3/4, Jul. - Dec. 1974, p. 104.

458CEASAR, *The Conquest of Gaul* Book 6, 23. Quoted by DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 21.

459DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 97.

Tylor, even if primitive societies do not have any kind of supreme divinity, this does not mean that they have no religion. Indeed, this definition is too narrow and, thus, an extension of the concept of religion should allow us to use it as a relevant category to analyse the beliefs and practices of these primitive societies. That is why Tylor redefined religion as the “belief in Spiritual Beings”⁴⁶⁰. Animism is the name of the primitive religions, religion which can also be described as the elementary form of the religious life, that is to say, of all religions⁴⁶¹. Animism is grounded on two dogmas: 1° the soul exists and it survives after the destruction of the body 2° the world is peopled with spirits and ghosts who “affect or control the events of the material world, and man's life here and hereafter”⁴⁶². It must be added that primitive people also attribute a soul to non-human beings such as animals and plants. Because men have intercourse with these spirits, receiving pleasure or displeasure from them, the belief in these invisible beings leads to acts of propitiation and reverence. In fact, the fear of these invisible and powerful non-human entities is one the characteristics of “primitive” religions.

Tylor does not only give a definition of primitive religion, but he also provides a genetic explanation of animism. In other words, he identifies the mental mechanism as that which is responsible for the formation of these beliefs in spirits and argues that it is based on the principle of association⁴⁶³. Indeed, according to him, two biological problems hold the primitive's attention: 1° the difference between a living body and a dead one and 2° the nature of human shapes appearing in dreams and visions⁴⁶⁴. To the first question, an “obvious inference” is made that propose that it is precisely *life* that makes the difference between the two sort of bodies. Regarding the second problem, the “savages”, as Taylor writes, infer that what appears to them in dreams are phantoms. During the night, the image of the body separates itself from its material envelop and comes to visit men in their dreams. Now, these two ideas, life and phantoms are closely connected with the notion of the body: life makes it alive and phantoms are its second self. That is why, through an association of ideas, the primitive mentality combines these two ideas (life and the phantom) which are connected to the third term (the body). From this combination results the concept of soul: “it is a thin unsubstantial human image, in its nature a sort of vapour, film, or shadow; the cause of life and

460TYLOR Edward Burnett, *Primitive Culture. Researches into the Development of Mythology, Philosophy, Religion, Language, Art, and Custom*, Vol. 1, London, John Murray, Albemarle Street, W., 1920, p. 424.

461On Tylor's animism, see DELGADO ROSA Frederico, “Aux archives de l'animisme”, *Mélanges de la Casa de Velázquez*, 45-1, 2015, pp. 221-242. See also CHARBONNIER Pierre, *Les rapports collectifs à l'environnement naturel: un enjeu anthropologique et philosophique*, PhD Thesis, Besançon, Franche-Comté University, Ecole doctorale with the Laboratoire de Recherches Philosophiques sur les Logiques de l'Agir, 2011, pp. 44-48.

462TYLOR Edward Burnett, *Primitive Culture*, *op. cit.*, p. 426-427.

463On Tylor's associationism and its critics by Durkheim, see KECK Frédéric, *Lévy-Bruhl. Entre philosophie et anthropologie*, Paris, CNRS, 2008, p. 152 *et sq.*

464TYLOR Edward Burnett, *Primitive Culture*, *op. cit.*, p. 428.

thought in the individual it animates (...)”⁴⁶⁵. Subsequently, we easily grasp how primitive people view the world as populated with spirits and phantoms: after the death of the body, the soul continues to exist and appear to men, and it is able to enter into and act in the bodies of men, animals, and things. Furthermore, the same explanation is given regarding the attribution of a soul to animals⁴⁶⁶ and plants. The case of plants is particularly interesting because Tylor explicitly argues that the same primitive inference used to “deduce” the notion of the individual soul applies again to the vegetal:

“Plants, partaking with animals the phenomena of life and death, health and sickness, not unnaturally have some kind of soul ascribed to them. In fact, the notion of a vegetable soul, common to plants and to the higher organisms possessing an animal soul in addition, was familiar to mediaeval philosophy, and is not yet forgotten by naturalists. But in the lower ranges of culture, at least within one wide district of the world, the souls of plants are much more fully identified with the souls of animal. The Society Islanders seem to have attributed “varua”, *i.e.*, surviving soul or spirit, not to men only but to animals and plants. The Dayaks of Borneo not only consider men and animals to have a spirit of living principle, whose departure from the body causes sickness and eventually death, but they also give to the rice its “samangat padi”, or “spirit of the paddy”, and they hold feasts to retain this soul securely, lest the crop should decay. The Karen say that plants as well as men and animals have their “lâ” (“kelah”), and the spirit of sickly rice is here also called back like a human spirit considered to have left the body”⁴⁶⁷.

Here, we see that the necessity of making the difference between a living plant and a dead one lead indigenous people to postulate that they are animated by a soul.

Now, if Davie follows the general lines of this theory of primitive religion, he also articulates it into his theory for the struggle of existence (the war against nature), which is itself articulated into an anthropological theory of chance. We have seen that the struggle against the earth was a response to the fact that nature is not generous and that there is no banquet of life: “primitive people carry on a severe struggle for existence. They are, as it were, on the very verge of existence, and the least mishap may push them over”⁴⁶⁸. The harshness of this struggle is increased by the fact that its outcome is highly uncertain: “if the hunters catch no game, if the cattle become diseased or are stolen, or if any similar ill luck befall the group, its very existence is imperilled and it may perish”⁴⁶⁹. Thus, if the struggle for existence is so uncertain, it is due to element of chance that it contains: it is always only by accident that I catch the game or not. Here, there is once again a strong parallel between the war men wage against nature and the war men wage against each other: “war is one of the most critical events in the life of primitive man, and one in which he has great need of divine intercession, especially since the “aleatory element” is so strongly involved”⁴⁷⁰.

Here, Davie and other Malthusian anthropologists hold an opposing view to that of French

465 *Ibid.*, p. 429.

466 *Ibid.*, p. 467.

467 TYLOR Edward Burnett, *Primitive Culture*, *op. cit.*, pp. 474-475.

468 DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 104.

469 *Ibid.*, p. 104.

470 *Ibid.*, p. 111.

anthropology (especially Lévy-Bruhl), even though their analysis of religion presents notable similarities. Indeed, Lévy-Bruhl is well known for having claimed that the primitive mentality refuses any idea of chance. Lévy-Bruhl argues that, in contrast with our mentality, the primitive mentality does not admit of any causal relation *because* he prefers to explain phenomena by the intervention of “mystical powers” (*puissances mystiques*)⁴⁷¹. For that reason, there is no accident for the primitive, nor chance. Lévy-Bruhl reports the anecdote of a man in New-Guinea, who had been injured by a spear thrown by another member of the same group during a hunting expedition⁴⁷². If we adopt a scientific point of view, this event should be interpreted as the result of causality. According to this mentality, it could even be said that this event occurred *by accident*. Indeed, if we follow Cournot's philosophy (to which Lévy-Bruhl seems to subscribe⁴⁷³), chance is not the contrary of causality since it is the meeting of two *independent* causal series at the same point and at the same time (the spear throwing and the spatial position of man who receives the projectile). By contrast, according to the “primitive” mentality this event does not result from ill luck, but it has been caused by a mystical power. More precisely, the indigenous man of New-Guinea had claimed that a spell had been cast on the spear thrower. Thus, for the primitive chance does not exist⁴⁷⁴.

471 “Le fait consiste en ceci, que le primitif, Africain ou autre, ne se préoccupe aucunement de rechercher les liaisons causales qui ne sont pas évidentes par elles-mêmes, et que, tout de suite, il fait appel à une puissance mystique. En même temps, les observateurs, missionnaires ou autres, donnent leur explication de ce fait : si le primitif a recours tout de suite à des puissances mystiques, c'est, selon eux, parce qu'il néglige de rechercher les causes. - Mais pourquoi le néglige-t-il ? L'explication doit être renversée. Si les primitifs ne songent pas à rechercher les liaisons causales, si, quand ils les aperçoivent ou quand on les leur fait remarquer, ils les considèrent comme de peu d'importance, c'est la conséquence naturelle de ce fait bien établi que leurs représentations collectives évoquent immédiatement l'action de puissances mystiques.” LÉVY-BRUHL Lucien, *La Mentalité Primitive*, Paris, Félix Alcan, 1925 [1922], p. 19. On the concept of mystical causality, cf KECK Frédéric, *Lévy-Bruhl. Entre philosophie et anthropologie*, op.cit., pp. 174-175.

472 LÉVY-BRUHL Lucien, *La Mentalité Primitive*, op. cit., p. 29.

473 Indeed, Lévy-Bruhl has written an eulogistic foreword to the edition of 1911 of Cournot's book titled *Traité de l'enchaînement des idées fondamentales dans les sciences et dans l'histoire*. See COURNOT Antoine Augustin, *Traité de l'enchaînement des idées fondamentales dans les sciences et dans l'histoire*, Paris, Hachette et Cie, New edition with an foreword of Lucien Lévy-Bruhl, 1911 [1861]. On Lévy-Bruhl concept of chance and his link with Cournot's philosophy, see, BERGSON Henri, *Les Deux Sources de la Morale et de la Religion*, Paris, Puf, Quadrige, 2008 [1932], note 82, p. 432.

474 “Il ressort des faits qui précèdent que les primitifs, en général, ne voient pas de différence entre la mort survenant par vieillesse ou par maladie, et la mort violente. Non pas qu'ils soient déraisonnables, selon l'expression de Bentley, au point de ne pas remarquer que dans un cas le malade meurt plus ou moins lentement au milieu des siens, et que dans l'autre, l'homme périt tout d'un coup, dévoré par un lion, par exemple, ou frappé d'un coup de lance. Mais cette différence n'a pas d'intérêt à leurs yeux, puisque ni la maladie d'une part, ni la bête féroce ou le coup de lance de l'autre, ne sont les vraies causes de la mort, mais sont simplement au service de la force occulte qui a voulu cette mort et qui, pour arriver à ses fins, aurait aussi bien pu choisir un autre instrument. Donc, toute mort est accidentelle, même la mort par maladie. Ou, plus exactement, aucune ne l'est. Car, aux yeux de la mentalité primitive, il ne se produit jamais, à proprement parler, d'accident. Ce qui nous semble accidentel, à nous Européens, est toujours, en réalité, la manifestation d'une puissance mystique qui se fait sentir ainsi à l'individu ou au groupe social. Pour cette mentalité, d'une façon générale, il n'y a pas de hasard, et il ne peut pas y en avoir. Non pas qu'elle soit persuadée du déterminisme rigoureux des phénomènes ; bien au contraire, comme elle n'a pas la moindre idée de ce déterminisme, elle reste indifférente à la liaison causale, et à tout événement qui la frappe, elle attribue une origine mystique”. LÉVY-BRUHL Lucien, *La Mentalité Primitive*, op. cit., p. 27. Bergson argued against this thesis that there is no fundamental difference between the scientific and the primitive mentality. If the latter explains phenomenon by intentional causes, the civilised man, who sometimes claims that something has happened

On the contrary, Davie considers that chance is part of the primitives' existence since the struggle against nature, qua the infrastructure of social life, contains an aleatory element, a concept that he borrows from William Graham Sumner and Albert Galloway Keller. According to Keller, the aleatory element is simply just a result of ignorance⁴⁷⁵. For modern science, if all the chains of causalities are to lead to a specific event then such an event should never been considered fortuitous. It is only because we ignore these chains that we consider that the thing has happened by accident. For instance, according to the scientific point of view, the collision of a boat with an iceberg should never be considered to be a question of chance. From the moment we know the chain of causality that will lead the boat to collide with the iceberg, we should be able to know that the crash will happen. We are stunned by a dramatic event, and we blame the event on by luck only because we do not know the series of causes that led to the collision. In other words, as Laplace writes, if we knew the entire state of the Universe at a specific moment, then we knew the totality of its past, present and future states and as such, there would not be no such thing as luck⁴⁷⁶. This notion of chance is opposed to Cournot's since, according to him, chance is not linked with a deficit of knowledge; luck lies in the meeting of the independent series of causes (it is thus objective and belongs to the world of causality), which means that the hypothesis of a superior intelligence would never suppress it⁴⁷⁷. By contrast, luck is for Keller a failure of knowledge.

Now, "the savage is like the child. His knowledge, beyond the restricted sphere of

by accident, does not really differs from the primitive. Indeed, his notion of chance is nothing more than an intention which has been emptied from its content: "*Le hasard est donc une intention qui s'est vidée de son contenu. Ce n'est plus qu'une ombre; mais la forme y est, à défaut de la matière.*" BERGSON Henri, *Les Deux Sources*, op. cit., p. 155. In fact, both of them (intentional causes or and chance) serve to explain an event which is not only a physical effect but also has a human signification. BERGSON Henri, *Les Deux Sources*, op. cit., p. 151. On the debate between Lévy-Bruhl and Bergson, see KECK Frédéric, *Lévy-Bruhl. Entre philosophie et anthropologie*, op.cit., pp. 170-186.

475 KELLER Albert Galloway, "The Luck Element", in *The Scientific Monthly*, Vol. 4, n° 2, Feb. 1917, pp. 145-150.

476 "*Nous devons donc envisager l'état présent de l'univers, comme l'effet de son état antérieur, et comme la cause de celui qui va suivre. Une intelligence qui, pour un instant donné, connaîtrait toutes les forces dont la nature est animée, et la situation respective des êtres qui la composent, si d'ailleurs elle était assez vaste pour soumettre ces données à l'analyse, embrasserait dans la même formule les mouvements des plus grands corps de l'univers et ceux du plus léger atome: rien ne serait incertain pour elle, et l'avenir comme le passé, serait présent à ses yeux.*" LAPLACE Pierre-Simon de, "De la probabilité", *Essai Philosophique sur les Probabilités*, Paris, Bachelier, 1825, p. 4.

477 "*Il n'est donc pas exact de dire, avec Hume, que "le hasard n'est que l'ignorance où nous sommes des véritables causes," ou, avec Laplace, que "la probabilité est relative en partie à nos connaissances, en partie à notre ignorance:" de sorte que, pour une intelligence supérieure qui saurait démêler toutes les causes et en suivre tous les effets, la science des probabilités mathématiques s'évanouirait, faute d'objet. Sans doute le mot de hasard n'indique pas une cause substantielle, mais une idée: cette idée est celle de la combinaison entre plusieurs systèmes de causes ou de faits qui se développent chacun dans sa série propre, indépendamment les uns des autres. Une intelligence supérieure à l'homme ne différerait de l'homme à cet égard qu'en ce qu'elle se tromperait moins souvent que lui, ou même, si l'on veut, ne se tromperait jamais dans l'usage de cette donnée de la raison. Elle ne serait pas exposée à regarder comme indépendantes des séries qui s'influencent réellement, ou, par contre, à se figurer des liens de solidarité entre des causes réellement indépendantes. Elle ferait avec une plus grande sûreté, ou même avec une exactitude rigoureuse, la part qui revient au hasard dans le développement successif des phénomènes. Elle serait capable d'assigner a priori les résultats du concours de causes indépendantes dans des cas où nous sommes obligés de recourir à l'expérience, à cause de l'imperfection de nos théories et de nos instruments scientifiques.*" COURNOT Antoine-Augustin, *Essai sur les fondements de nos connaissances et sur les caractères de la critique philosophique*, Vol. 1, Paris, Librairie de L. Hachette et Cie, 1851, pp. 62-63.

immediate experience is small”⁴⁷⁸. Consequently, the aleatory element is one of the fundamental life-conditions of the primitive, and it especially characterises the struggle he wages against nature to extract some subsistence.

Here is the point of articulation between Tylor's theory of religion and the theory of the struggle for existence:

“The aleatory element has always been the connecting link between the struggle for existence and religion. It was only by religious rites that the aleatory element in the struggle for existence could be controlled. The notions of ghosts, demons, another world, etc., were all fantastic. They lacked all connection with facts, and were arbitrary constructions put upon experience. They were poetic and developed by poetic construction and imaginative deduction. The nexus between them and events was not cause and effect, but magic.”⁴⁷⁹

The aleatory element requires an explanation which is given by the spirits and the invisible beings that the primitive mentality has inferred by association. If, for example, the game had escaped by accident, the “savage” explains this misfortune by the intervention of a ghost or some other entities. Thus, whereas for Lévy-Bruhl's “savages”, chance does not exist because they explain events with mystical causes, Davie and Sumner's “savages” previously admit that their material life is conditioned by an aleatory element which is afterwards explained by some invisible power. Religion is a conjuration of an aleatory element which has been previously admitted. Indeed, this situation of incertitude is unbearable for the primitive who risks despair when he sees his game fly away. The only remedy is to explain what cannot be explained by an unnatural cause.

Now that we have given a complete overview of primitive beliefs and their articulation with the struggle for existence through the mediation of the aleatory element, we should be able to examine the link between primitive religion and war. We would like to recall the fact that our aim was principally to show that even religion must be considered as one of the four causes of war, when it is mixed with the more fundamental motivation of hunger. In a way, we have partly fulfilled our objective since we have shown that hunger is at the centre of gravity of religion. Indeed the first motivation of religious belief is the conjuration of the aleatory element which is inherent to the struggle for existence. Nevertheless, it is not sufficient to show that religion is rooted in the war against nature, it is also necessary to show that this struggle plays a role in conflicts that are motivated by religious beliefs.

Davie gives various reasons that explain why religion may lead to war: the religious factor intensifies ethnocentrism⁴⁸⁰ (a sentiment which is responsible for aggressiveness), and it makes the warrior hope for rewards and advantages situated in the other life for his exploits of war⁴⁸¹. Moreover, primitivistic gods are generally bellicose and demand the blood of the enemy to be shed.

478 KELLER Albert Galloway, “The Luck Element”, in *The Scientific Monthly*, Vol. 4, n° 2, Feb. 1917, pp. 145-150.

479 SUMNER William Graham, *Folkways*, op. cit., p. 7.

480 DAVIE Maurice R., *The Evolution of War*, op. cit., p. 105.

481 *Ibid.*, pp. 105-106 and p. 108.

War is a way of contenting their thirst for violence⁴⁸². Finally, witchcraft is an important cause of hostility among primitive cultures: in societies where all events are explained by some invisible power, the idea that a man is able to harm another through a spiritual agency is very common. Disease, death and other accidents may be explained by a spell cast by a sorcerer and each accusation of witchcraft runs the risk of ending with war⁴⁸³. However, having inspected of all the religious causes of war listed in the chapters dedicated to religion no sign of the fundamental motive (hunger) can be revealed. However, after having provided general consideration on religion, Davie lists three “special religious causes of war”: blood revenge (chapter IX), human sacrifice (chapter X) and head-hunting (XI)⁴⁸⁴. Here the motive of hunger reappears, especially in the two ultimate cases.

The general idea is that, if spirits provide an explanation for the chance that is contained in the struggle for existence and if they are responsible for bad and good luck in need for subsistence, it is necessary to win their favour and to avoid their ire. This is precisely the role of human sacrifice and head-hunting which may be considered as acts of propitiation. Regarding the first, Davie claims that any enterprise needing insurance against ill luck requires sacrifice. These sacrifices are sometimes human and thus they require raids and violence to find the victims. Thus, it could be argued that primitives give violent sacrifices to their spirits in order to have luck in their struggle for existence. The same is true with head-hunting which is another religious cause of war. For instance, Davie mentions the case of the Kenyahs of Borneo among which abundant harvests and protections against disease can be obtained by those who cut the head of their enemies. In both of these cases, the struggle against nature is the root of the religious causes of war.

What remains now to is to examine the fourth motivation of war, that is, glory. Davie begins chapter XII entitled “War for glory” with a philosophical consideration that recalls the lines that Pascal dedicated to diversion (*divertissement*). Indeed, war appears to be a remedy against an illness which devours the soul of the primitive: “ennui”⁴⁸⁵. The excitement produced by the war activity diverts him from the monotony of his daily life. In other words, it is a diversion in both meanings of the term, that is, something which may divert attention (in French, a *diversion*) and the idea of

482*Ibid.*, p. 111.

483It is interesting to note that according to Davie primitive societies do not fight for religious differences. DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 117.

484DAVIE Maurice R., *The Evolution of War*, *op. cit.*, p. 119.

485In Pascal's fragment on diversion, War is also said to be one of the diversions used to escape ennui: “*De là vient que le jeu et la conversation des femmes, la guerre, les grands emplois sont si recherchés. Ce n'est pas qu'il y ait en effet du bonheur, ni qu'on s'imagine que la vraie béatitude soit d'avoir l'argent qu'on peut gagner au jeu ou dans le lièvre qu'on court, on n'en voudrait pas s'il était offert. Ce n'est pas cet usage mol et paisible et qui nous laisse penser à notre malheureuse condition qu'on recherche ni les dangers de la guerre ni la peine des emplois, mais c'est le tracass qui nous détourne d'y penser et nous divertit*”. PASCAL Blaise, *Pensées et Opuscules*, edited by Léon Brunschvicg, Paris, Librairie Hachette et Cie, 1909, 139, p. 391.

amusement (in French, a *divertissement*). Nevertheless, contrary to Pascal, ennui is not connected to rest. According to the Jansenist rest produces ennui, the sentiment of general anguish which has no specific object⁴⁸⁶. Indeed, when I stay calm in my room, I feel my own nothingness, my own vacuum, and I begin to recall to myself my sad condition of mortality⁴⁸⁷. By contrast, it is not rest that makes the primitive feel *ennui* but a certain sort of activity to which the diversion is opposed to the extent that it is itself another form of activity:

“War offers diversion and relief from ennui. It provides a mode of escape from the monotony of a dull existence. Primitive life seems to afford scanty amusements and means of recreation; the savage is so engrossed in a severe struggle for existence that his life leaves little room for diversion. Hence men like to fight. The most exciting things they know are hunting, herding, and warfare. These are the occupations they enjoy, and their pursuit affords a considerable measure of satisfaction and pleasure”⁴⁸⁸.

The struggle for existence is thus the activity that diversion conjures. Davie does not really explain why this activity engenders *ennui*, but it is easy to guess why: indeed, the struggle for subsistence is an activity which is characterised by repetition. Every day, the “primitive” repeats the same acts by which he provides himself his subsistence. This repetition of the same creates a sentiment of *ennui* which disappears only with the diversions of war. Thus, we see that at the root of the wars for glory, there is once again this fundamental conflict with nature.

This war by which the primitive man diverts himself is a sort of game. Like the amusement that it offers him, it is not serious. That is why “vanity” is perhaps the word which best characterises the nature of this activity. Here, the term has to be understood in its two significations: first, war is *vain* and frivolous as a play; but this sort of war is related to *vanity* also because those who practice this activity are looking for glory and pride. The war that diverts us from what is boring (the struggle for existence) is motivated by glory:

“War also furnishes a ready means of bringing distinction to one's self, for the military virtues have ever been honored and extolled. The women, as we have seen, prefer men who have given proof of their prowess, they receive the returning warrior with songs of praise, they feast him and crowd around to listen to his exploits. All this appeal to man's vanity and gives him additional motives for fighting”⁴⁸⁹.

It should even be said that glory is vain in the sense that it is not a serious motivation (which does not mean it is not important) and hence frivolous. Indeed, because it diverts us from the struggle for existence, it is opposed to what is really serious, namely subsistence.

486On the concept of ennui, see MACHEREY Pierre, “Pascal et le divertissement”, paper written for Pierre Macherey's seminar “La Philosophie au Sens Large”, 06/10/2004, <https://philolarge.hypotheses.org/files/2017/09/06-10-2004.pdf>

487“*Ennui. Rien n'est si insupportable à l'homme que d'être dans un plein repos, sans passions, sans affaire, sans divertissement, sans application. Il sent alors son néant, son abandon, son insuffisance, sa dépendance, son impuissance, son vide. Incontinent il sortira du fond de son âme l'ennui, la noirceur, la tristesse, le chagrin, le dépit, le désespoir*”. PASCAL Blaise, *Pensées et Opuscules*, op. cit., 131 p. 398.

488DAVIE Maurice R., *The Evolution of War*, op. cit., p. 147.

489DAVIE Maurice R., *The Evolution of War*, op. cit., p. 147.

The futility of war for glory does not mean, however, that such a motivation cannot be mixed with the economic element: “Among the Tinglits the desire to obtain slaves in order to increase the power of the chief and his clan is said to have been one of the commonest incentives to war. Here vanity is clearly combined with economic motives”⁴⁹⁰. Indeed, slaves are sought because they are a source of free labour (and thus contribute to the struggle for existence) but also because they are prestigious goods. Therefore, the motive of hunger reappears in the motivation which is apparently the most opposed to it, that is, vanity.

Nonetheless, there are some exceptions; and, glory is sometimes opposed to the economic motives. This point perfectly appears in the complete version of the philosophy of colonisation proposed by Sumner. We already gave a glimpse of this philosophy above when we showed that land-grabbing functions via by a double motivation, namely, hunger and the standard of living. Now, according to Sumner and Davie, these economic causes remain insufficient to give a full picture of land-grabbing. Indeed, sometimes the group desires to conquer foreign lands not for their economic value but for only for its glory. The importance of this factor is especially visible when it appears to be contradictory to economic causes. This opposition appears in the debates about the European colonisation at the end of the 19th century. Colonies sometimes costed more than they brought back to the State in return. This is precisely one of the many things that Georges Clemenceau reproached Jules Ferry's politics of colonisation for. In his speech on the 30th July 1885 given to the assembly of deputies, he argued against Jules Ferry's thesis of “colonial outlet” according to which French market would find new consumers in the colonised territories⁴⁹¹. Clemenceau retorted to this idea that the commercial outlets are never opened with canons⁴⁹². However, if it was a disaster from an economic point of view, the colonial expansion was also a way to “makes France great again” claimed Ferry. In his speech of the 28 July 1885, he said the following thing:

*“Les nations, au temps où nous sommes, ne sont grandes que par l'activité qu'elles développent ; ce n'est pas 'par le rayonnement des institutions'... (Interruptions à gauche et à droite) qu'elles sont grandes, à l'heure qu'il est.
(...)”*

⁴⁹⁰*Ibid.*, p. 149.

⁴⁹¹ “Je vais examiner la question comme il l'a fait, au triple point de vue économique, humanitaire et politique. Au point de vue économique, la question est très simple pour M. Ferry. Il n'y a pas besoin de consulter Stuart Mill ; la formule court les rues : Voulez-vous avoir des débouchés? Eh bien! Faites des colonies, dit-on. Il y aura des consommateurs nouveaux qui ne sont pas encore adressés à notre marché, qui ont des besoins ; par le contact de votre civilisation, développez ces besoins, entrez en relations commerciales avec eux, tâchez de les lier par des traités qui seront plus ou moins bien exécutés. Voilà la théorie des débouchés coloniaux”. CLEMENCEAU Georges, *Politique Coloniale. Discours du 30 juillet 1885 à la Chambre des Députés, Bureaux du Journal la Justice*, Paris, 1885, p. 11.

⁴⁹² “Mais les débouchés ne s'ouvrent pas à coups de canon”. CLEMENCEAU Georges, *Politique Coloniale. Discours du 30 juillet 1885*, p. 17 On Clemenceau's anticolonialism, see AGERON Charles-Robert, “Clemenceau et la question coloniale” in *De “l'Algérie française” à l'Algérie algérienne*, vol. 1, Paris, Éditions Bouchène, Histoire du Maghreb, pp. 257-276.

Rayonner sans agir, sans se mêler aux affaires du monde, en se tenant à l'écart de toutes les combinaisons européennes, en regardant comme un piège, comme une aventure, toute expansion vers l'Afrique ou vers l'Orient, vivre de cette sorte, pour une grande nation, croyez-le bien, c'est abdiquer, et dans un temps plus court que vous ne pouvez le croire, c'est descendre du premier rang au troisième ou au quatrième. (Nouvelles interruptions sur les mêmes bancs. - Très bien ! très bien ! au centre.) Je ne puis pas, messieurs, et personne, j'imagine, ne peut envisager une pareille destinée pour notre pays."⁴⁹³

Here, colonialism is motivated by nationalism. Sumner calls political hunger this “appetite of states for territorial extension as a gratification of national vanity”⁴⁹⁴. The motivation is not economic profit but the prestige acquired through the acquisition of new territories. The national glory justifies the economic losses caused by the colonial expansion. This strong opposition between glory and hunger is perfectly summarised by Sumner: “The notion is that colonies are glory. The truth is that colonies are burdens”⁴⁹⁵.

I.5) Conclusion

As we understand it, a grammar of conflict is a set of principles and rules which govern the conflictual dynamic. Principles are the motivations which lead actors to act and to enter into conflict with each other. As we saw in this chapter, conflicts among humans are rarely motivated by a unique motive, a motivational heterogeneity that our grammarians did not failed to notice. As seen all along this chapter, Hobbes and Malthusian anthropologists held back from reducing conflictuality to a unique motivational component, and they insist on the plurality of the motivations which lead people to war. Glory, diffidence, love, vanity, fear of superior powers, are some of those motives. However, multiplicity does not mean chaos, lack of unity and dispersal of the motivational components. These components are closely articulated to each other and form a sort of system which is at the basis of the conflictual dynamic. This is why we used the expression impassioned complex to designate this set of heteroclite but interrelated passions which produce the state of war. Rules organise and determine the place of each passion within the structure. Indeed, within the impassioned complex, all elements do not the same role: some of them are triggering factors, while others accelerate the dynamic of the conflict or have just a secondary role. Now, in the texts focused on, there was always a pre-eminent principle which prevails over the other components of the conflict. In Hobbes as is the case in Malthus as well as the Malthusian anthropologists, the principal motivation placed at the centre of the conflictual dynamic was the desire of appropriation. It is for

⁴⁹³FERRY Jules, “Les fondements de la politique coloniale. 28 juillet 1885”, <https://www2.assemblee-nationale.fr/decouvrir-l-assemblee/histoire/grands-discours-parlementaires/jules-ferry-28-juillet-1885>

⁴⁹⁴SUMNER William Graham, “Earth Hunger or the Philosophy of Land Grabbing”, *op. cit.*, p. 46.

⁴⁹⁵*Ibid.*, p. 52.

this reason that we classified these discourses on war among the general grammar of having. Most of the time a grammar is not uniform, but it is almost always centred around a specific motivational component.

Now, we saw that the description of the sub-grammar of appropriative wars would be incomplete if we did not account for the object of the appropriation. Indeed, there would be no conflict if this object, which is a part of the world, did not take a specific form. Indeed, the portion of the world which is appropriated must be limited in quantity so that individuals can neither share it nor take as much as they want of it. In other words, that specific configuration of the world presupposed by violent wars for appropriation takes the name of scarcity. These conflicts for appropriation take place in a world of dearth. Taking into consideration this specific configuration of the earth into the logic of conflict led us to examine the nature of the collective relationship with the material world that this grammar presupposes. We saw that this point was explicitly exposed by Malthusian anthropologists, who conceived collective relationships with nature on the model of the conflictual interaction between humans. In other words, war between humans provides the model of the interaction with nature. Indeed, these interactions with the natural world are conceived as a struggle for existence. Consequently, under the war waged between men, a much more fundamental war. When men fight each other for a piece of land, they enter into conflict in order to wage a war which is much more profound than human war, the struggle against nature for existence. War for the appropriation of land presupposes the war against nature. This presupposition provides a good argument to rule out this grammar of conflict. A grammar of ecological conflicts can hardly be based on the category of war for appropriation given the violent interaction with the natural world that such a discourse presupposes.

Moreover, as argued several times in this chapter, the Malthusian theory of primitive war is questionable from an ethnographical point of view. Indeed, political anthropology of the 1970's demonstrated that non-capitalist societies are not societies haunted by dearth and famine but constitute "original affluent societies". Consequently, the picture of savages fighting for their survival does not reflect the ethnographical reality. This prevents any explanation of the primitive war in terms of scarcity of lands. In fact, if war is really consubstantial to "primitive" societies (as Clastres argues), the first motivation of these conflicts is not the appropriation of land but a specific form of glory. The "primitive" warrior is trapped into a quest for glory which leads him to death, a strategy that "primitive" societies employed to avoid the emergence of a power separated from the rest of the group.

Finally, the content of these specific forms of conflict is problematic from a moral point of view. Indeed, in the model inherited from Hobbes, egotistic individuals driven by the urge for self-

conservation fight others so as to appropriate a piece of land. There is no intention of sharing the land with others so that everyone receives what is due. The conflict is solved in violence and with the victory of one party over the other. In other words, these conflicts are not oriented toward the improvement of intersubjective relationships between individuals or a better social order based on justice. This amounts to say that this grammar has no normative content, which raises a problem from the perspective of a grammar of ecological conflicts, *i.e.*, a grammar which presupposes a certain form of environmentalism. It is hard to imagine how a grammar with an environmentalist content could be grounded on a non-normative category such as the war of all against all. Indeed, one of the main characteristics of environmentalism is its capacity to redefine and establish *better* relations between humans and non-humans but also between humans themselves. From this point of view, a grammar of conflict based on the principle of self-conservation, a pure self-conservation, is immediately unwelcome. For that reason this grammar of conflict is immediately excluded. In the following chapter, we will return to the problem of the need for a grammar with a normative content. We shall compare the grammar of war for the appropriation of land with the grammar of distributive justice in order to show that the second satisfies the normative requirement of an environmental grammar whereas the firsts do not. Given that only the grammar of distribution has a normative content, we explore this other possibility offered by the general grammar of having.

II. The Fair Distribution of Lands in a Finite World Marked by Scarcity

II.1) Introduction

It has been contented several times that the grammar of Having, and more broadly, general grammars of conflict, contain a plurality of sub-grammars. In the precedent chapter, we examined the sub-grammar of wars for appropriation, which was characterised by a lack of normative content. In this chapter, our objective is to argue that the grammar of Having cannot be reduced to this amoral grammar of conflict and that other grammars are possible. As mentioned above, distribution is one of these other possibilities. Similar to wars for appropriation, struggles for distribution are centred on the appropriation of scarce resources. Indeed, as will be explained in the following chapter, the scarcity of land is one of the “conditions of possibility” of the existence of the distributive problem. If the appropriable part of the surface of the earth was infinite the problem of the fair distribution of lands would never be raised since everyone could appropriate as much as they want. However, by contrast with the Hobbesian model, struggles for distribution are not motivated by the sole egotistic desire of self-conservation and an unlimited desire of appropriation; they are oriented toward an ideal of justice according to which everyone should receive what they deserve. In other words, distribution is a normative category in the sense that 1° it aims for the satisfaction of everyone's interests, not only the interests of a particular group 2° it implies an ideal conception of what a *just* distribution *should be*. The first section of this chapter is dedicated to these problems: 1° through a reading of Rawls' interpretation of Hume, we show how the category of distribution is based on the notion of a moderate scarcity and how it is part of the general grammar of Having 2° we insist on the necessary distinction between primitive wars of appropriation and the normative concept of distribution.

Nonetheless, we also highlight the limits of these texts that are dedicated to the category of distribution insofar as they fail the question of “praxis”, that is, the implementation of the ideal of justice in the reality through a practical dynamic (in other words, a dynamic of conflict). These texts

are very rich from the point of view of a clarification of the concept of distribution but they do not approach the problem of distributive conflicts. In other words, they cut the grammar of distribution from its conflictual dimension. For that reason, we have decided not to dwell on this corpus of texts and look instead to a corpus that places the category of distribution at the centre of its dynamic of struggle.

In fact, one of our concerns is also to provide some textual and historical basis to the idea of a grammar of distribution and also to question the centrality of this category in the history of social struggles since the beginning of the 19th century. As seen in the general introduction, according to a historical narrative, which can be found in the discussion about social justice, the struggles of the past which emerged with the birth of the modern market society had a strong distributive content. Adopting the perspective of recognition, we will see in the second part of this work that this historical account should be relativised. Now, even from the point of view of a grammar of having, the thesis that distributive struggles have been the paradigm of social conflicts for the past 150 years is still to be proven.

First, for those who, as Fraser is, are sympathetic with this view, rarely provide any historical and textual basis for this thesis. Indeed, it is as if they consider the grammar of distributive struggles as self-evident, and that no concrete references, debates, texts, or historical conflicts, etc., were needed to support such a historical hypothesis. This sometimes gives the impression that the category of distribution is vague and empty and that it has no historical basis. Obviously, this does not mean that distributive conflicts did not play an important role at the end of 18th century, and that they did not provide the subject matter of the debates on social justice among philosophers and other theoreticians. It just means that this grammar should not be taken for granted without a significant investigation into the concrete struggles and the historical debates within which it appeared. It is to remedy to this lack of concrete content that we have decided to write a long chapter on one of the historical moments in which the claim for the redistribution of wealth and income took place, and that retains a significant place within the imagination of social protests and philosophical debates: the French Revolution. The sections after the part on the Rawlsian interpretation of Hume (which can be considered as a preamble) are devoted to this period. More especially, we will focus on Babeuf's writings dedicated to the problem of land redistributions. A full investigation into the grammar developed by this "precursor of communism" will reveal the second difficulty relating to the historical thesis that distribution constitutes the central claim of the social struggles since the end of the 18th century and that it has been erected as the paradigm of social justice. Indeed, the work of Babeuf can be situated on the tension that exists between the distributive paradigm and a socialist grammar of collective appropriation of lands. This tension,

which will run through numerous discussions among socialists and communists all along the 19th century, proves that, within the general framework of the grammar of Having, distribution has been challenged by other forms of grammar. In other words, this casts a doubt on the hypothesis that distribution has been the paradigm of all social struggles for the collective appropriation of land (and other wealth). In this chapter, we will deal with this tension between the grammar of distribution and the grammar of collective appropriation in the work of Babeuf. Finally, as for the first chapter of this first part, we will examine the question of the collective relationship which is involved in the interactions between humans in conflict. As previously said, in the different models presented in the three parts of this thesis, the interactions between individuals and groups which enter into conflict with each other are mediated by a relation to a third term, land. This is certainly the case for the grammars that we will deal with in this chapter since for Babeuf, and several of his contemporaries, distribution means first and foremost the distribution of land.

To summarise, in this chapter we treat three problems: 1° the problem of the distinction between the war for land appropriation and land distribution and their common feature as belonging to the grammar of Having 2° the problem of the tension between land distribution and collective appropriation of land 3° the problem of the collective relationship with the earth that is presupposed by these grammars of conflict.

II.2) Distribution and Scarcity

II.2.1) Circumstances of Justice: Subjective Circumstances

In this section we treat the problems raised by the similarities and the differences of the grammars of appropriative war and land distribution, in the framework of the general grammar of Having. First, we highlight the common ground of both grammars, the notion of scarcity. Second, we show that, by contrast with the grammar of primitive war, distribution is a normative grammar.

As with the first sort of conflict analysed above, distribution is strongly linked to the notion of scarcity. Scarcity is, in Rawls' own words, one of the two “circumstances of justice”, that is, a set of conditions which render the use of the principle of justice both possible and necessary. It is thus important to dwell upon these circumstances.

According to Rawls, principles of justice become necessary when there is both identity and conflict of interest. Individuals cooperate only if they have a common interest to do so – that is, if collectivity gives them more advantages than they would have if they were alone – and the problem

of distribution would not present itself without a certain form of cooperation⁴⁹⁶. The absence of cooperation would mean a total lack of relation or the outburst of violence. In the first case, individuals work separately and thus there is no common social product to divide up; in the second, there is no reason for sharing anything with enemies. In both cases, there are no fruits of collaboration to share and thus no problem about their just distribution. Therefore, there is no equitable distribution without cooperation and no cooperation without identity of interest. Nevertheless, this first tendency must necessarily be counterbalanced by a conflict of interest: individuals always prefer to receive a larger part of the total social product and for that reason they enter into conflict with others who share the same objective. This is why it is necessary to choose principles which determine how the social product will be divided up between the individuals working together. The background conditions that give rise to the necessity of choosing those principles of distribution are the circumstances of justice.

Rawls identifies two of them: the subjective and the objective circumstances of justice. He calls the first one “subjective” to the extent that it is not related to the external world but to humans engaged in cooperation: they are “the relevant aspects of the subjects of cooperation, that is, of the persons working together”⁴⁹⁷. According to Hume, egoism is the subjective condition of the possibility of justice: without egoism, the problem of repartition of what is “mine” and what is yours” does not arise. To prove it, he imagines a situation in which the opposite passion would be pre-eminent: suppose that each individual was moved by an infinite generosity; in this case, the question of justice would be superfluous.

“(…) suppose, that, though the necessities of human race continue the same as at present, yet the mind is so enlarged, and so replete with friendship and generosity, that every man has the utmost tenderness for every man, and feels no more concern for his own interest than for that of his fellows: It seems evident, that the USE of justice would, in this case, be suspended by such an extensive benevolence, nor would the division and barriers of property and obligation have ever been thought of. (…)

Why raise land-marks between my neighbour's field and mine, when my heart has made no division between our interests; but shares all his joys and sorrows with the same force and vivacity as if originally my own?”⁴⁹⁸

Taken to the extreme, generosity would mean that the other is for me another “I”. In other words, it would mean the abolition of the distinction between me and you, between my interest and

⁴⁹⁶Hume details the benefits of cooperation. According to him, humans, in contrast to animals, suffer both from numerous wants and from a lack of means to fulfil them. Cooperation makes up for these defects. More specifically, cooperation has, at least, three advantages: 1° by the conjunction of force, power of production increases 2° by division of labour, specific abilities increase 3° by mutual succour, accidents are avoided. HUME David, *A Treatise of Human Nature. Being an Attempt to Introduce the Experimental Method of Reasoning into Moral Subjects*, edited by L.A. Selby-Bigge, M.A., Oxford, Clarendon Press, 1960 [1739-1740], pp. 484-485. Hume also cites another explication for this union, i.e., “the natural appetite betwixt the sexes”. *Ibid.*, p. 486.

⁴⁹⁷RAWLS John, *A Theory of Justice*, Revised Edition, Cambridge-Massachusetts, The Belknap Press of Harvard University Press, 1999 [1971], p. 110.

⁴⁹⁸HUME David, *An Enquiry Concerning the Principles of Morals*, edited by J. B. Schneewind, Indianapolis-Cambridge, Hackett Publishing Company, 1983 [1751], pp. 21-22.

yours. Consequently, I would give as much importance to the other's needs and desires as to mine. For example, I would not keep a piece of land for myself but I would naturally and immediately share it with the other who needs it since I consider his desire for this object as important as my own. In this idyllic world depicted by poets, my land would be yours and yours would be mine, which would amount to saying that “the whole human race would form only one family; where all would lie in common, and be used freely, without regard to property; but cautiously too, with as entire regard to the necessities of each individual, as if our own interests were most intimately concerned”⁴⁹⁹. Therefore, the problem of the division of land, its repartition among cooperating individuals and, thus, distributive justice, would not present itself. *A contrario*, egoism (which is, contrary to Hobbes' opinion, coupled with a “confin'd generosity”⁵⁰⁰) implies a relative distinction between everyone's interests and hence also the inevitable conflict between these interests. In this case, my needs are much more important than yours and I strive to satisfy them to the highest possible degree even if it is to the detriment of the other. As others want the same sort of goods as I do and are motivated by the same desire of acquiring goods without consideration of anyone else's needs but their own, a strong conflict of interest breaks out.

It should be noted that Rawls seems to approve such considerations but rejects the reduction of the conflict of interest to a mere question of appropriation.

"Conflicting claims arise not only because people want similar sorts of things to satisfy similar desires (for example, food and clothes for essential needs) but because their conceptions of the good differ; and while the worth to us of basic primary goods may be agreed to be comparable to their worth to others, this agreement cannot be extended to the satisfaction of our final ends."⁵⁰¹

Conflicting claims arise not only because people want similar sorts of things in order to satisfy similar desires (for example, food and clothes for essential needs) but because their conceptions of what is good differ; and while the worth of basic primary goods may be agreed to be more or less the same for everyone, this agreement cannot be extended to the satisfaction of our final ends.

Whereas Hume seems to give to the concept of individual interest an economic meaning – that is, the avidity of acquiring possessions for ourselves⁵⁰² –, Rawls enlarges its scope and

⁴⁹⁹Ibid, p. 22.

⁵⁰⁰HUME David, *A Treatise of Human Nature*, op. cit., p. 495.

⁵⁰¹“Théorie de la justice et idéologie: Hume et Rawls”, *Methodos* [Online], 8 2008, online since the 11th April 2008, connection the 13th October 2021.

URL: <http://journals.openedition.org/methodos/1513> ; DOI : <https://doi.org/10.4000/methodos.1513>.

⁵⁰²“All the other passions, besides this of interest, are either easily restrain'd, or are not of such pernicious consequence, when indulg'd. (...) This avidity alone, of acquiring goods and possessions for ourselves and our nearest friends, is insatiable, perpetual, universal, and directly destructive of society.” HUME David, *A Treatise of Human Nature*, op. cit., p. 491-492. This passion of interest is also called “love of gain” by HUME David, *A Treatise of Human Nature*, op. cit., p. 492. Frédéric Brahimy seems to take for granted the definition of interest by this love of gain : “La justice a pour unique fonction de désamorcer les effets néfastes de la passion naturelle de l'avidité. Ce qui rend son institution nécessaire, c'est la conjonction d'une propriété du tempérament naturel des hommes et

associates it rather to the conception of the good: a person's interest is defined by his own “conception of good”, *i.e.*, “the rational plan of life that he would choose with deliberative rationality”⁵⁰³. Rawls quite clearly adopts an opposing view of the movement by which, according to Hirschman, interest was progressively reduced to its economic dimension at the beginning of the XVIIIth – whereas, it yet comprised before the “totality of human aspirations” and a “calculation with respect of the manner in which these aspirations were to be pursued”⁵⁰⁴. This identification of the multiplicity of interests proliferating within the social body with a conception of the good life, which differs in accordance with each individual, reflects immediately “the historical conditions

d'une particularité des circonstances extérieures. La propriété de la nature humaine est l'avidité, l'appât du gain; et les circonstances extérieures sont la rareté et la précarité des biens susceptibles de satisfaire cette passion. Cette conjonction définit une dimension de la condition humaine qui requiert la construction des institutions.”. BRAHAMI Frédéric, *Introduction au Traité de la nature humaine de David Hume*, Paris, Puf, Quadrige, 2003, p. 224. Eléonore le Jallé seems to agree with this identification. See LE JALLÉ Éléonore, *L'autorégulation chez Hume*, Paris, Puf, Pratiques théoriques, 2005, p. 207.

503RAWLS John, *A Theory of Justice*, *op. cit.*, p. 372. This idea is also clearly exposed in the following passage, in which Rawls gives four other definitions of goodness: “The first idea—that of goodness as rationality 210—is, in some variant, taken for granted by almost any political conception of justice. This idea supposes that the members of a democratic society have, at least in an intuitive way, a rational plan of life in the light of which they schedule their more important endeavors and allocate their various resources (including those of mind and body, time and energy) so as to pursue their conceptions of the good over a complete life, if not in the most rational, then at least in a sensible (or satisfactory), way”. RAWLS John, *A Theory of Justice*, *op. cit.*, p. 176. This reference to goodness does not contravene the thesis of the priority of justice over goodness (on this idea see RAWLS John, *A Theory of Justice*, *op. cit.*, p. 28). Admittedly, under the veil of ignorance, “the parties do not know their conceptions of the good or their special psychological propensities.”. RAWLS John, *A Theory of Justice*, *op. cit.*, p. 11. Nevertheless, it does not mean that they have interest and pursue their own conception of good, even if they do not know what exactly they are. RICŒUR Paul, *Le Juste*, Paris, Editions Esprit, 1995, p. 79. The important is that no conception of good or justice influence the determination of principle of justice and the procedure of distribution. See Ricoeur's commentary on this point: “*Ce n'est pas que l'idée de bien soit totalement absente d'une théorie où le juste a priorité sur le bien : l'idée de “biens sociaux primaires” tient une place privilégiée au plan de l'énumération des choses à distribuer et appartient à ce titre à la structure de base de la société ; c'est de la procédure de distribution que l'idée de bien est strictement exclue. Une procédure équitable de distribution doit pouvoir être définie sans faire référence aux évaluations attachées à la caractérisation comme “biens” des avantages et désavantages alloués aux partenaires du contrat ; on reviendra sur ce point quand on évoquera les points principaux de la discussion déclenchée par Théorie de la justice. Mais si ce sont des biens qui sont à allouer équitablement, l'équité de la distribution ne doit rien à leur caractère de bien et tout à la procédure de délibération. Quand il est subordonné au bien, le juste est à découvrir, quand il est engendré par des moyens procéduraux, le juste est construit ; il n'est pas connu d'avance ; il est supposé résulter de la délibération dans une condition d'équité absolue.*” RICŒUR Paul, *Le Juste*, *op. cit.*, pp. 102-103.

504HIRSCHMAN Albert O., *The Passions and the Interests. Political Arguments for Capitalism before Its Triumph*, Princeton-Newjersey, Princeton University Press, 1997 [1977], p. 32. Interestingly, Hume was one of the first agents of this reduction: “in his essay Rohan had defined interest in terms of dynastic or foreign policy. It was revolution and civil war in mid-seventeenth-century England that necessarily imparted more of a domestic and group orientation to the concept. The “interest of England” was no longer discussed in relation to Spain or France, but rather in relation to the main protagonists of those domestic struggles. Similarly, after the Restoration, the discussions around religious tolerance dealt with the interest of England in relation to the interests of Presbyterians, Catholics, Quakers, and others. It was thereafter, toward the end of the century, with political stability reestablished and a measure of religious toleration ensured, that the interests of groups and individuals were increasingly discussed in terms of economic aspirations. By the early eighteenth century we find Shaftesbury defining interest as the “desire of those conveniences, by which we are well provided for, and maintained” and speaking of the “possession of wealth” as “that passion which is esteemed peculiarly interesting.” Hume similarly uses the terms “passion of interest” or the “interested affection” as synonyms for the “avidity of acquiring goods and possessions” or the “love of gain.” This evolution of the term may have been assisted by a convergent shift in the meaning of “public interest”; “plenty” became an increasingly important ingredient of that expression”. HIRSCHMAN Albert O., *The Passions and the Interests*, *op. cit.*, p. 37.

under which modern democratic societies exist”⁵⁰⁵. On the one hand, this idea of interest extends beyond the mere love of gain (contrary to the situation of the 18th); on the other hand, there are numerous different conceptions of what is good and no authority has the right to eliminate this diversity so as to impose a particular comprehensive doctrine of goodness (contrary to “non-modern societies”): reasonable pluralism is a permanent feature of democratic societies. Notwithstanding, it does not mean that conflicts of interest understood in a larger sense totally exclude the appropriative dimension:

“Thus while the parties have roughly similar needs and interests, or needs and interests in various ways complementary, so that mutually advantageous cooperation among them is possible, they nevertheless have their own plans of life. These plans, or conceptions of the good, lead them to have different ends and purposes, and to make conflicting claims on the natural and social resources available.”⁵⁰⁶

Here, Rawls seems to suggest that the conflict between different plans of life (which are incommensurable) lead to a conflict regarding the appropriation of goods and their distribution. Indeed, goods (“natural and social resources available”) are *means* by which individuals carry out their own plans of existence; consequently, one and the same good could be used for two opposite projects: for instance, land could be used as a means to establish a utopian society in which self-management and equality prevails, or it could be used for the construction of an airport by means of which the possibilities of exchange and interaction between different geographical contexts would be augmented. As the two irreconcilable worlds depend on the same natural good, conflicts of appropriation and distribution are inevitable. Therefore, to assure that no one is forced to give up on his own plan of life, a fair distribution of goods has to be found.

II.2.2) Outward Circumstances

Now, as in the case of violent conflicts spoken about above, the condition of the possibility of distributive conflict is not only to be found within a human collectivity, but also in external elements. As Hume writes, “this contrariety of passions wou'd be attended with but danger, did it not concur with a peculiarity in our *outward circumstances*, which affords it an opportunity of exerting itself”⁵⁰⁷. It seems that the starting point is the same as that of Hobbes and Malthus', that is, the idea that cooperation always takes place within a “definite geographical territory”, *i.e.*, a limited space, and, further, that “natural and other resources” are scarce⁵⁰⁸. Hume specifies that only certain

505RAWLS John, *Justice as Fairness. A restatement*, Cambridge-London, The Belknap Press of Harvard University Press, 2001, p. 84.

506RAWLS John, *A Theory of Justice*, *op. cit.*, p. 110.

507HUME David, *A Treatise of Human Nature*, *op. cit.*, p. 487.

508RAWLS John, *A Theory of Justice*, *op. cit.*, pp. 109-110.

sorts of goods lead to conflicts regarding distribution. According to him, the “internal satisfaction of our minds” cannot be stolen because it is immaterial (“we are perfectly secure in the enjoyment of the first”). Likewise, “external advantages of our body” cannot be used by the one who steals them: I can disfigure someone and hence diminish his beauty, but it will never make me more handsome. This sort of good is considered as being external in opposition with immaterial goods but remains internal in the sense that it is a non-sharable part of the body and cannot be used by someone else. Since this sort of good is physically part of the other's body, the attempt to take possession of it would necessarily involve a brutal act of violence and hence would damage it. Even if I could appropriate this good, the very process of acquiring it would change its nature. Only material goods which are truly characterised by the form of externality can be the kind of good which can be a real source of conflict regarding the problem of distribution. Such is the case regarding the possessions “we have acquired by our industry and good fortune”⁵⁰⁹. Contrary to the two other kinds of goods mentioned above, material goods can be stolen (“transferr'd”) and this without entailing a transformation or a modification of their nature. In other words, the possession of those goods is by nature precarious. And it is this precarious nature which constitutes an initial cause of conflict⁵¹⁰ (the role of justice is precisely to ensure abolish this realm of instability⁵¹¹). The second reason is that these goods are not sufficient in quantity to supply everyone's needs.

Nevertheless, as Rawls writes, it is necessary to insist on the fact that scarcity is *moderate*, a precision which, as we will see, implies a very different way of conceptualising conflictuality⁵¹². Two arguments can be invoked to show that moderate scarcity is a *sine qua non* of distributive justice. In both cases, a situation of “non-moderate scarcity” is imagined in order to prove that without the circumstance of a moderate scarcity, the question of a fair distribution would be superfluous. Two alternatives are possible, the first being a situation of abundance. Importantly, Hume had already considered in detail this possibility, basing his reflection on a poetic description of the Golden Age⁵¹³:

509HUME David, *A Treatise of Human Nature*, *op. cit.*, p. 487.

510HUME David, *A Treatise of Human Nature*, *op. cit.*, p. 488.

511“For when men, from their early education in society, have become sensible of the infinite advantages that result from it, and have besides acquir'd a new affection to company and conversation ; and when they have observed, that the principal disturbance in society arises from those goods, which we call external, and from their looseness and easy transition from one person to another ; they must seek for a remedy, by *putting these goods, as far as possible, on the same footing with the fix'd and constant advantages of the mind and body*. This can be done after no other manner, than by a convention enter'd into by all the members of the society to bestow stability on the possession of those external goods, and leave every one in the peaceable enjoyment of what he may acquire by his fortune and industry. By this means, every one knows what he may safely possess ; and the passions are restrain'd in their partial and contradictory motions.” (we highlight) HUME David, *A Treatise of Human Nature*, *op. cit.*, p. 489. It should be noted that the goal of justice is to give to external goods the stability which is characteristic of the two first categories of goods.

512 RAWLS John, *A Theory of Justice*, *op. cit.*, p. 110.

513 For Marx, this situation of abundance characterises a future state of society much more than a fiction (the superior

“Let us suppose that nature has bestowed on the human race such profuse *abundance* of all *external conveniences*, that, without any uncertainty in the event, without any care or industry on our part, every individual finds himself fully provided with whatever his most voracious appetites can want, or luxurious imagination wish or desire. His natural beauty, we shall suppose, surpasses all acquired ornaments: The perpetual clemency of the seasons renders useless all cloaths or covering: The raw herbage affords him the most delicious fare; the clear fountain, the richest beverage. (...) It seems evident, that, in such a happy state, every other social virtue would flourish, and receive tenfold encrease; but the cautious, jealous virtue of justice would never once have been dreamed of. For what purpose make a partition of goods, where every one has already more than enough?”⁵¹⁴

The fictional space described in this text takes its image from the empirical world. Some resources such as air and water are, indeed, unlimited and as such there is no need to divide, share and, then, to distribute them⁵¹⁵. Here, Hume probably has in mind Grotius’ arguments in favour of the “inappropriability” of the sea⁵¹⁶. In the *The Rights of War and Peace*, Grotius claimed that the sea cannot be appropriated because of an attribute which is a part of its material nature: “There is (...) a natural Reason which forbids, that the Sea, thus considered, should be any Body’s Property, because the taking of Possession obtains only in Things that are limited”⁵¹⁷. Something can be divided up, distributed and appropriated if and only if it is possible to delimit it. By nature, a liquid cannot be marked out, unless it is contained in another thing, as is the case for lakes, ponds or rivers. That is why, the sea is by nature indivisible. Nevertheless, it is not this argument that peaks Hume’s attention but the one invoked by Grotius some lines before, where he claims that the sea cannot be divided and distributed, not *in virtue* of an intrinsic attribute of the object in question, but *in virtue* of “moral Reason”, *i.e.*, reasons concerning human conventions. Indeed, “the Cause which obliged Mankind to desist from the Custom of using Things in common, has nothing at all to do in this Affair: For the Sea is of so vast an Extent, that it is sufficient for all the Uses That Nations can draw from thence, either as to Water, Fishing, or Navigation”⁵¹⁸ Therefore, the sea must remain in common possession.

If Hume prefers this first argument – which he uses without the concept of the state of nature – to the second argument, it is probably because he considers the “non-appropriability” of the sea to be due not to one of its intrinsic characteristics. Moreover, he gives some arguments in favour of

step of the communist society) that is needed to be established. The consequences of this orientation of the becoming of society is that of distributive justice (and more specifically the principle of “equal right” advocated by the authors of the Gotha’s program. MARX Karl, *Critique of the Gotha Programme*, in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 24, 1874-1883, Trans. Peter and Betty Ross, New York, International Publishers, 1989 [1875]. On Marx’s critic of social justice see RENAUT Alain, *Qu’est-ce qu’une Politique Juste? Essai sur la Question du Meilleur Régime*, Paris, Grasset, 2004, pp. 83-118.

514HUME David, *An Enquiry Concerning the Principles of Morals*, *op. cit.*, p. 21.

515HUME David, *A Treatise of Human Nature*, *op. cit.*, p. 495.

516“And not topic is so much insisted on by those, who defend the liberty of the seas, as the unexhausted use of them in navigation”. HUME David, *An Enquiry Concerning the Principles of Morals*, *op. cit.*, p. 21.

517GROTIUS Hugo, *The Rights of War and Peace*, Edited and with an Introduction by Richard Tuck, From the edition by Jean Barbeyrac, Indianapolis, Liberty Fund, Natural Law and Enlightenment Classics, 2005, II, 2, p. 430.

518GROTIUS Hugo, *The Rights of War and Peace*, *op. cit.*, II, 2, p. 428.

this idea: an abundance depends on the relation between the size of the population and the quantity of the object which is coveted⁵¹⁹. “It may happen, writes Hume, in some countries, at some periods, that there be established a property in water, none in land; if the latter be in greater abundance than can be used by the inhabitants, and the former be found, with difficulty, and in very small quantities”⁵²⁰. Here, Hume refers to a famous episode of Lot's separation from Abram in *Genesis*. When a quarrel broke out between the herdsmen of Abram cattle and the herdsmen of Lot's cattle, the first said to the other: “Let there be no strife, I pray thee, between me and thee, and between my herdsmen and thy herdsmen; for we *be* brethren. *Is* not the whole land before thee? separate thyself, I pray thee, from me: if *thou wilt take* the left hand, the I will go to the right; or if *thou depart* to the right hand, then I will go to the left”⁵²¹. The land is so wide in this case that there is no need to fix the rules of distribution and appropriation; there is so much land that everyone can use it according to his needs, thus a simple repartition of the space is sufficient. The same cannot be said of a water hole or oasis, which are very rare in the desert. This is the reason why a quarrel breaks out between Abram and one of Abimelech's servants, who had seized one of the former's wells⁵²². In any case, it would seem as though it is not an intrinsic attribute that causes distributive conflicts.

Now, *moderate* scarcity not only differs from abundance but also from absolute scarcity. Rawls claims that if the conditions were harsh enough then no cooperation would be possible. This statement can be understood in two ways. Firstly, the quantity of scarcity would be such that there would be nothing to produce nor to share⁵²³. Furthermore, if fruitful ventures were to inevitably break down, it could be also due to the violence generated by a great lack of natural resources. This is Hume's hypothesis on the matter:

“Suppose a society to fall into such want of all common necessities, that the utmost frugality and industry cannot preserve the greater number from perishing, and the whole from extreme misery: It will readily, I believe, be admitted, that the strict laws of justice are suspended, in such a pressing emergence, and give place to the stronger motives of necessity and self-preservation. [...] But where the society is ready to perish from extreme necessity, no greater evil can be dreaded from violence and injustice”⁵²⁴.

Once again, certain situations found in the real world correspond to this fiction. After a shipwreck, it is absolutely normal to grab what remains without any intention to share it with the others; and during a siege, who would refrain from seizing the means to safety? In these situations, there is no longer any room for fair distribution and violence prevails.

519HUME David, *An Enquiry Concerning the Principles of Morals*, *op. cit.*, p. 21.

520*Ibid.*, p. 21.

521*The Bible*, Authorised King James Version with Apocrypha, with an Introduction and Notes by Robert Carroll and Stephen Prickett, Oxford, Oxford University Press, Oxford World's Classics, 2008, 13: 8-9, p. 13-14.

522*The Bible*, *Op. Cit.*, 21: 25, p. 23.

523LARRÈRE Catherine, “La justice environnementale”, *Multitudes*, 2009/2, n° 36, p. 160.

524HUME David, *An Enquiry Concerning the Principles of Morals*, *op. cit.*, pp. 22-23.

II.2.3) The Normative Content of the Concept of Distribution

With the above we reach the question of the fundamental difference between violent conflicts related to scarcity and distributive conflicts. The first corresponds to a situation of extreme dearth in which the *survival* of individuals is immediately involved. Violence is thus the physical reaction of the person dying of hunger. According to Hume, a paradigmatic example of these violent conflicts is the act of pillaging: “The public, even in less urgent necessities, opens granaries, without the consent of proprietors”⁵²⁵. In the day and age of Hume, “frumentary violences” were quite common. It is worth mentioning for example the Falmouth tin miners' riots of 1727; miners, who, when faced with the rise of food prices, plundered the granaries⁵²⁶. These popular examples of unrest have often been interpreted by historians as “rebellions of the belly”. According to this model of interpretation, the conflict is understood as a chain of reactions that starts with an economic stimuli (the fluctuation of food prices, dearth and finally hunger) and ends up with a set of mechanical reactions such as violence and pillaging, etc.⁵²⁷ This “spasmodic view of the popular history” has been relayed by a long tradition of social history (a tradition that was strongly criticised by E. P. Thompson) and, in many ways, does not really differ from the first model of conflict given by Hobbes and Malthus.

As we will see, in the second part of this thesis, this grammar of conflict, which Honneth has called the “struggle for existence”, is deprived of any normative dimension. 1° First, the agents who enter into conflict are driven by a *conatus* of self-conservation. Then, as for the “rebellions of the belly”, this type of struggle becomes a struggle for existence⁵²⁸. 2° given that the pursuit of self-preservation is an individual undertaking, the egocentric individual, who only pursues his own benefit, constitutes the centre of gravity of the anthropology which partakes of this grammar. Consequently, individuals in conflict are driven by their egoistic self-interest. 3° This implies that human beings are considered as “self-propelled automatons”, which permanently calculate their interest – once again, we are close here to the mechanical model of conflict denounced by E. P. Thompson. 4° Conflict is not a “moral medium” that would lead “from an underdeveloped state of ethical life to a more mature level of ethical relations”⁵²⁹; it is not oriented toward an

525“‘The public, even in less urgent necessities, opens granaries, without the consent of proprietors’”. Hume, *Ibid*, 23.

526WILSON Charles, *England's Apprenticeship. 1603-1763*, Londres, Longman, 1965, p. 345. Quoted by E. P. Thompson in THOMPSON Edward P., “The Moral Economy of the English Crowd...”, *op. cit.*, p. 186.

527THOMPSON Edward P., “The Moral Economy of the English Crowd...”, *op. cit.*, p. 185.

528HONNETH Axel, *The Struggle for Recognition*, *op. cit.*, p. 8.

529*Ibid.*, pp. 17-18.

accomplishment of intersubjective relationships (as in Hegel's struggle for recognition). In fact, the struggle for existence is oriented toward nothing apart itself, that is, a pure explosion of violence which has no end. To put it another way, this sort of conflict does not contain in itself its own peaceful resolution; and if there were no external intervention (of the State), this mechanism of violence would stop only after the bloody victory of one of the parties. That is, it would perpetuate itself indefinitely.

On the contrary, it seems that the distributive model is based on a less compulsive understanding of social struggles and adopts a more normative point of view⁵³⁰. Admittedly, this grammar has certain points in common with that of primitive war. As argued, there the problem of distribution would not exist if individuals were not driven by the passions of egoism and if distribution did not produce a conflict of interest. However, this should be tempered by the fact that the struggles for redistribution are not motivated by the sole interest of one individual or even by sectional interests. Indeed, the fair distribution of goods aims for the satisfaction of everyone's interest, not just the interest of a specific group or a faction. Individuals who are thrown into the battle for redistribution do not seek to receive more than their fair share (in other words they are not moved by what William Graham Sumner calls 'hunger for the earth'). Instead, their wish is that everyone receives what belongs to them by right⁵³¹. In other words, these individuals are motivated by the idea of justice, not individual interest.

This leads us to the reasons that made us establish a clear difference between the "struggle for existence" and the grammar of distribution (even if, these two models should come under the same grammar of having). Distributive justice is a normative concept in the sense that it always

⁵³⁰Honneth agrees with Fraser saying that distribution is a normative concept: "if the rise of a specific type of social movement prompts a complete shift of critical social theory's key normative concepts toward demands for recognition, then, according to Fraser, something necessarily falls out of view that has lost none of its moral urgency in view of growing immiseration and economic inequality: the persistence, beyond "postmodern" forms of identity politics, and especially under conditions of unrestrained neoliberal capitalism, of those social struggles and conflicts connected to the experience of economic injustice. [...] The trend toward growing impoverishment of large parts of the population; the emergence of a new "underclass" lacking access to economic as well as sociocultural resources; the lacking access to economic as well as sociocultural resources; the steady increase of the wealth of a small minority – all these scandalous manifestations of an almost totally unrestrained capitalism today make it appear self-evident that the normative standpoint of the just distribution of essential goods be given the highest priority." FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, op. cit., pp. 111-112

⁵³¹"An justice is the state in accordance with which the just person is said to be the kind of person who is disposed to do just actions in accordance with rational choice, and to distribute goods – either between himself and another or between two others – so as to assign not more of what is worth choosing to himself and less to his neighbour (and conversely with what is harmful), but what is proportionately equal; and similarly in distributing between two other people. Injustice, on the contrary, is concerned with what is unjust, that is, a disproportionate excess of deficiency of what is beneficial or harmful; so injustice is an excess and a deficiency, because it is concerned with excess and deficiency. In one's own case, this is an excess of what is unqualifiedly beneficial, and a deficiency of what is harmful; in the case of others, though the general result is the same, the proportion may be violated in either direction. In an unjust action, to have too little is to suffer injustice, while to have too much is to commit it". ARISTOTLE, *Nicomachean Ethics*, trans. Roger Crisp, Cambridge, Cambridge University Press, Cambridge Texts in the History of Philosophy, 2004, V, 5, pp. 91-92.

implies, explicitly or implicitly, an ideal conception of what a fair distribution of social wealth among society *should be*, and it raises the question of the principles of distribution according to which the basic structure of society *should be* ordered so that it become just.

This idealistic dimension of the grammar of redistribution is especially manifest in millennialist movements of the 19th century, as in the Lazzarettism of Tuscany, the Andalusian anarchists or even the Sicilian *fasci*⁵³². According to the *Apocalypse of John*, the Millennium is the period of a thousand years that takes place before the Apocalypse in which Christ comes back to the earth and establishes peace and justice⁵³³. Millennialism appropriated this part of the Bible, proclaiming a coming world in which all injustices and hierarchies will disappear. Now, one of the characteristics of this new realm of justice is that land will be redistributed equally⁵³⁴. Thus, here, redistribution is a normative motivation in the sense that the group, which projects itself into this form of earthly paradise, imagine what a fair distribution *should be*. In other words, millennialist movements are not motivated by self-conservation but an ideal.

This normative aspect of distribution is confirmed from a theoretical point of view. According to Rawls, justice as fairness is an “ideal theory”, that is, it asks “what a perfectly just, or nearly just, constitutional regime *might be like*, and whether it may come about and be made stable under the circumstances of justices, and so under realistic, though reasonably favourable, conditions.”⁵³⁵ This “pure theory” is a theory of the ought (*devoir être*). Through the elaboration of the two principles of justice, this ideal construction (the well ordered society) provides norms from which the established order can be judged, criticised and, maybe, transformed⁵³⁶.

This provides two other reasons to distinguish distribution from the struggle for existence. First, distributive conflicts are not reducible to the brute violence of food riots. Agents do not respond to mechanical stimuli and they are not automatons driven by a desire for self-conservation since they pursue an ideal of redistribution. Secondly, contrary to the struggle for existence, conflict is not to itself its own end, and it contains in itself its own transcendence. It is oriented toward something else other than itself, toward something else other than the pure indefinite reproduction of violence, and thus toward a state which is beyond the conflictual dynamic itself and which is better from an axiological point of view. Indeed, it could be said that struggle is a moment

532HOBBSAWM Eric J., *Primitive Rebels, Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries*, Manchester, University of Manchester, The University Press, 1971 [1959], pp. 57-107.

533DUBAR Claude, “La fin des temps: millénarisme chrétien et temporalités”, *Temporalités* [Online], 12 | 2010, online since the 14th February 2011, connection the 13th July 2020. URL : <http://journals.openedition.org/temporalites/1422>.

534HOBBSAWM Eric J., *Primitive Rebels*, *op. cit.*, p. 67.

535RAWLS John, *Justice as Fairness*, p. 13. We highlight.

536“(…) the idea of a well-ordered society should also provide some guidance in thinking about nonideal theory, and so about difficult cases of how to deal with existing injustices. It should also help to clarify the goal of reform and to identify which wrongs are more grievous and hence more urgent to correct.” *Ibid*, p. 13.

that leads from a state of society in which inequality prevails to a more just and fairer order: struggle is the means by which the ideal is implemented in the material world.

It is right to say that the articulation of this “realistic utopia” with a “practical dynamic” is quasi absent from the *Theory of Justice*; indeed, Rawls fails the dialectical moment by which a mediation between ideal and *praxis* are unified, and he does not manage to formulate a concept of a “just practice” by which principles of justice would be used as immediate criteria of action⁵³⁷. Nevertheless, this mediation between theory and practice is not impossible and some attempts have already been tried⁵³⁸. Moreover, it is sufficient for our immediate purpose to notice that the concept of fair distribution expresses a certain form of normativity which can be transferred from the purely theoretical to the level of *Praxis*. However, the problem of the articulation between the ideal and its implementation in the world remains. For that reason, the following section will provide a convincing case for the articulation of the ideal of a fair redistribution of land and the realisation of this ideal through the mediation of the dynamic of struggle.

Now, the fact that distributive justice entails a form of normativity also means a justification and a foundation of these claims for redistribution – indeed, a rule cannot be a norm if it is arbitrary, *i.e.*, not justified. From the point of view of a “pure theory”, these norms can be justified by the fact that they would be chosen under a hypothetical situation of the “veil of ignorance”. In other words, principles of justice are justified because they are those that rational individuals would choose by *contract* (after having deliberated) if they were placed in a rational and equalitarian situation in which they would not know their place in society (their class or their social status), neither their natural capacities, nor their own conception of goodness⁵³⁹. This artifice (very similar to the Kant's categorical imperative) make possible the neutralisation of any interest or material inclination that could influence the adoption of the principles: indeed, knowing that he could be rich as well as poor, a rational individual would approve principles advantaging the other, whatever their social position might be once the veil is removed – otherwise, if the rich knew his situation, they would, for example, prevent any form of taxation as a principle. The veil of ignorance guarantees that rationality and above all universality and the impartiality of principles are not the fruit of individual interests and, consequently, it provides a strong justification for these political norms⁵⁴⁰.

Even if justification is here situated at a theoretical level it seems that the normativity

537On this point see BIDEZ Jacques, *Théorie générale. Refondation du marxisme*, Paris, PUF, Actuel Marx Confrontations, 1999, pp. 324-325 and 335-336. See also BIDEZ Jacques, *John Rawls et la théorie de la justice*, in collaboration with Annie Bidez Mordrel, Paris, PUF, Actuel Marx, 1995, pp. 14-15 and 127-131.

538 BIDEZ Jacques, *Théorie générale*, p. 336 sq.

539 RAWLS John, *A Theory of Justice*, *op. cit.*, p. 11.

540On the problem of justification of “political theories” see SPITZ Jean-Fabien “La justification rationnelle des théories politiques. Le problème de la justification dans la Théorie de la Justice de John Rawls”, *Hermès, La Revue* 1988/1, n° 1, pp. 86-109.

underlying the practical dynamic entails, or at least, needs some form of justification. Other sorts of justification for redistribution have been given. For instance, according to Fraser distributive claims are founded on a political ground, that is, what she calls “the parity of participation”. Indeed, the claims for distributive justice are legitimate because a fair distribution makes any actor able to participate in the social life as a peer. Indeed, actors suffering “deprivation, exploitation, and gross disparities in wealth, income, and leisure time”, are denying the opportunity “to interact with others as a peers”⁵⁴¹. Therefore, claims for distribution are not only based on the individual interest but also aim for the possibility of a participation in the political life and, thus, of a constitution of a wider political community. Finally, whatever the principles of justification, what is important to note is that these demands are founded on a form of universality that goes beyond the motivation of the individual’s survival. Therefore, justification provides a second argument to differentiate distributive conflicts from violent conflicts caused by an absolute scarcity. In the second model, actors are not motivated by any reason that could be justified (or pretend to do so) by some universal principle transcending individual interest; they only look for their interest, which is reduced to their own survival.

In this section, we have dealt with the problem of the distinction between two sub-grammars which belong to the same general grammar of Having: the grammar of the war for appropriation of land, and the grammar of land redistribution. We found that 1° both grammars are based on the same presupposition of land scarcity 2° normativity is the criterium of distinction between these grammars. Now, it remains the case that in the corpus we have chosen to read in this section, the category of distribution is separated from the dynamic of struggle. For that reason, the following sections of this chapter are devoted to the philosophy of Babeuf in which the ideal of land redistribution and the dynamics of struggle are deeply articulated.

II.3) Egalitarianism and Communism in the Work of Gracchus Babeuf

We have just seen how the grammar of having cannot be reduced to the primitive war for the appropriation of land. Indeed, besides these conflicts founded on egoistical compulsive motivations, the model of distributive justice provides a normative grammar of conflict which places at centre of gravity of the conflictual dynamic an ideal of fair distribution. However, we have also noted that the theoretical tradition, which has dealt with the question of distribution, has failed to account for the dialectical movement by which this ideal of distribution passed from its status as

541FRASER Nancy and HONNETH Axel, *Redistribution or Recognition?*, *op. cit.*, p. 36.

a pure idea to its implementation in the social and material world. In other words, this tradition has failed the moment of struggle by remaining at the level of ideal, the moment which is necessary to transform the ideal into reality.

In order to find this articulation between the ideal of distribution and the moment of *praxis*, we should look to another tradition. This is why we have decided to focus on the debates regarding the social question that took place during the French revolution. Indeed, a great part of these discussions, which were held in a context of struggle for redistribution, took for their object the problem of distributive justice. We will pay a particular attention to Gracchus Babeuf since his theoretical work gives a good example of how the concept of distribution may become a real grammar of conflict and for at least two reasons. First, his historical action (and thus his struggle) aims to abolish the unequal distribution that appeared with the feudal mode of production, and more widely with the regime of private property. Second, from a more theoretical perspective, it should also be noted that an articulation between the question of redistribution, and what we could be authorised to call “class struggle” can be found in his writings.

Of course, this bibliographical choice would not be relevant in the context of this thesis if the question of land was not at the centre of this articulation between distribution and conflict. As we will see, the socio-political context in which Babeuf elaborated his utopia was one relating to the agrarian question. It is in the feudal archives that Babeuf, who had first worked as a feudist⁵⁴², became aware of the unequal repartition of land inherent to feudalism⁵⁴³. Moreover, Babeuf's project, in which land has a central place, cannot be understood if it is not placed in the context of the intense peasant struggles he participated in during the Revolution. More generally, it could be said in agreement with Kropotkin that, since great industry was in its infancy and land was still the chief instrument for exploiting human labour, it was quite natural that the revolutionary ideas were

542 A feudist was a un erudite in charge of studying and classifying the seigniorial archives in order to clarify the seigniorial rights and the precise dimension of the fiefs. See FAVIER Jean, “Feudiste”, *Encyclopædia Universalis* [Online], connection the 15 October 2021.

URL: <http://www.universalis-edu.com/janus.bis-sorbonne.fr/encyclopedie/feudiste/>. See also BABEUF François-Noël, *Ecrits*, Introduction and notes by Claude Mazauric, Pantin, Le Temps des Cerises, 2009, p. 22. On the period during which Babeuf worked as a feudist, see PELLETIER Antoine “Babeuf feudiste”, in *Annales historiques de la Révolution française*, n°179, 1965, pp. 29-65. Terrier is the name of these archive. Babeuf defines this term as follows: “Le terrier était un recueil énumératif des biens domaniaux féodaux et censuels d'une terre et en générale de tous les droits et appartenances qui en dépendaient” MAZAURIC Claude, *Babeuf et la Conspiration pour l'Egalité*, Paris, Editions Sociales, 1962, p. 57.

543 “J'étais féodiste dans l'ancien régime, et c'est la raison pour laquelle je fus peut-être le plus redoutable fléau de la féodalité dans le nouveau ; ce fut dans la poussière des archives seigneuriales que je découvris les affreux mystères des usurpations de la caste noble. Je les dévoilai au peuple par des écrits brûlants, publiés dès l'aurore de la révolution. Mon Département en fut électrisé, il se fit une insurrection contre les droits féodaux, on n'en paya plus trois ans avant le décret définitif qui les supprima; le peuple me bénit, et la horde nobiliaire m'exécra”. ESPINAS Alfred, *La Philosophie Sociale du XVIIIe Siècle et la Révolution*, Paris, Félix Alcan, 1898, p. 212. In this part, all quotations of Babeuf's texts respect his own orthography.

turned toward the possession of the soil⁵⁴⁴.

We are also interested in Babeuf's work because if the distribution of land occupies an important place within his utopian project, then the claim for equality enters into tension with another, the collective appropriation of land. This tension has been identified by historians of the utopian movements of the 18th century as a conflict (or at least a discrepancy) between two doctrines: egalitarianism and socialism. In a famous article entitled "Egalitarianism and socialism", the Russian historian Viatcheslav Petrovitch Volgin, defines egalitarianism as the equal distribution of the means of production and consumer goods, which implies that private property is not questioned since everyone enters into possession of an equal part⁵⁴⁵. Concretely, it means that, if land is that which has to be redistributed, egalitarianism demands that everyone receive an equal portion of land as his property. Therefore, property is not abolished and the critique of capitalism is still incomplete. By contrast, socialism puts forward the idea of the socialisation of land (and the other means of production) and thereby claims to abolish private property. It seems that this tension between egalitarian distribution and socialism is inherent to the text of Babeuf, who oscillates between the two terms of this polarity⁵⁴⁶.

Accordingly, this hesitation between the two models is indicative of a problem that is inherent to all theories of justice, that the concept of distribution in which they are founded is not self-evident. We have seen that it is commonplace to claim that struggles of the past (which proliferated with the rise of the market society) were principally centred around the question of distribution. Now, it is precisely this obviousness which should be put in doubt.

The critique that Marx addresses to distributive justice in his *Critique of the Gotha Program*⁵⁴⁷: *Equal Right* is well known (according to which, every worker should receive back

544"Deux idées fondamentales – celle de l'égalité de tous les citoyens dans leurs droits à la terre, et celle que nous connaissons aujourd'hui sous le nom de communisme, trouvaient des partisans dévoués parmi les encyclopédistes, ainsi que parmi les écrivains les plus populaires de l'époque, tels que Mably, d'Argenson et tant d'autres de moindre importance. Il est tout naturel que, la grande industrie étant alors dans les langes, et le capital par excellence, l'instrument principal d'exploitation du travail humain, étant alors la terre, et non pas l'usine qui se constituait à peine, – c'est vers la possession en commun du sol que se portait surtout la pensée des philosophes et, plus tard, la pensée des révolutionnaires du dix-huitième siècle. Mably, qui, bien plus que Rousseau, inspira les hommes de la Révolution, ne demandait-il pas, en effet, dès 1768 (Doutes sur l'ordre naturel et essentiel des sociétés) l'égalité pour tous dans le droit au sol et la possession communiste du sol ?" KROPOTKIN Peter, *La Grande Révolution. 1789-1793*, Paris, P.-V. Stock, Bibliothèque historique, 1909, p. 16.

545VOLGINE V., "Le socialisme et l'égalitarisme", in *Essais sur l'Histoire des Idées Socialistes de l'Antiquité à la fin du XVIIIe*, trans. Marc-Antoine Parra, Moscou, Editions du Progrès, pp. 394-411.

546In a sense, Volgin had already highlighted this ambiguity. He claims that between these two pure models there are a lot of intermediary forms in which socialisation and equal distribution are mixed: "Un exemple classique du premier phénomène est celui de Babeuf. Partisan ardent de la 'loi agraire', c'est-à-dire de la redistribution des terres en 1793, il devient communiste conséquent vers 1795. Les babouvistes de l'époque envisageaient la 'loi agraire' comme l'aspiration des groupes peu conscients de la population. L'évolution de Babeuf est une sorte de transposition idéologique de ce détachement du prolétariat de la petite bourgeoisie" VOLGINE V., "Le socialisme et l'égalitarisme", in *Essais sur l'Histoire des Idées Socialistes*, op. cit., p. 410.

547On Marx's critique of distributive justice, see TOSEL André, "Marx, la justice et sa production" TOSEL André, *Études sur Marx (et Engels). Vers un communisme de la finitude*, Paris, Éditions Kimé, Philosophie, épistémologie, 1996,

exactly what he gives to society⁵⁴⁸) “is still in principle – *bourgeois right*”⁵⁴⁹. Indeed, the same principle prevails as in the exchange of commodity-equivalents: if the worker gives a certain amount of individual quantum of labour, he should receive back the same amount; or to put it another way, workers exchange equal values. Moreover, because the socio-economic framework of this principle is still the capitalist mode of production, this right (promoted by Lassalle and his followers) is encumbered by a great number of defects: given that natural capacities are unequally distributed, the stronger is able to supply a greater individual quantum of labour during the same time period and thus, to receives back more – “the equal right is an unequal right for unequal labour”⁵⁵⁰.

However, before Marx's critique of distributive justice, the idea that distribution was the central motive of social struggles was never something obvious. Indeed, the idea of a fair distribution was not the only path followed by the social struggles which emerged against the inequalities generated by the market society; it was challenged by another grammar of conflict centred on the collective appropriation of land. We would like to explore this alternative in this section, showing that it appears within the text of Babeuf itself. We shall also turn to later debates among Marxism inasmuch as these discussions can be seen as a continuation of those which were hold during the French Revolution.

II.3.1) Babeuf Before 1789: The “manuscript on collective farms”

In a sense, Volgin had already drawn our attention to the fact that, between these two pure models, there are many intermediary forms in which socialisation and equal distribution are mixed. Babeuf was taken as the paradigmatic example of these mixed models since, according to Volgin, he was first a fervent supporter of the “agrarian law” (in other words, of the redistribution of land) and became a communist around 1795 (the date of the publication of the *Manifeste des Plébiéens*). This evolution, he writes, corresponds to the movement of separation from the petty-bourgeois ideology.

pp. 77-103 ; RENAULT Emmanuel, “La justice entre critique du droit et critique de la morale”, *Philopsis*, Revue numérique <https://philopsis.fr>, 2002. On the Critique of the Gotha Program, see also GARO Isabelle, “Le socialisme introuvable de Marx: une lecture de la Critique du programme de Gotha”, in *Contretemps*, [online], online since the 7th May 2020 (initially published in *Contretemps*, n°3, June 2009), <http://www.contretemps.eu/socialisme-marx-critique-programme-gotha/> and GARO Isabelle, *Communisme et Stratégie*, Paris, Editions Amsterdam, 2019, pp. 235-246. Isabelle Garo tries to challenge Lenin's interpretation according to which the object of this text would be to distinguish between Lassalle's socialism and communism, the former only corresponding to the first and lower phase of communist society.

548MARX Karl, *Critique of the Gotha Programme*, *op. cit.*, p. 86.

549*Ibid.*, p. 86.

550*Ibid.*, p. 86.

If this interpretation seems to be correct from a general point of view, Babeuf's evolution is here presented in a too progressive and linear way. Indeed, in the colloquium of Stockholm that took place on the 21st August 1960 the Russian historian Victor Daline made public the existence of a draft of a letter dated from 1st June 1786 in which Babeuf mentioned a project of collective farms⁵⁵¹. This letter addressed to Dubois de Fosseux is considered now as a sufficient proof that Babeuf's adherence to communism must be dated before 1795. However, between the correspondence with Dubois de Fosseux (15th December 1785 – 21st April 1788), and the publication of the *Manifeste des Plébéiens*, Babeuf not only expresses his support for the redistribution of lands, but he also will also defend temporarily private property.

For now, let us begin with this manuscript of 1786. In this letter, which was never eventually sent to Dubois de Fosseux, Babeuf comments on the results of the essay contest held by the Academy of Arras in 1785. The problem submitted to the candidates asked if it was useful to divide the farms and land leases in Artois⁵⁵². To this question, two sorts of answers were given: while the advocate Delegorgue, the winner of the contest, argued against the division, Delestré du Terrage, who obtained an *accessit* from the Academy, pronounced himself in favour. It is worth dwelling a while on the arguments put forward by both parties of the debate, especially on those advanced by the winner of the contest.

II.3.1.1) Delegorgue and Delestré du Terrage's Essays: Redistribution or Property

In his *Mémoire sur la division des fermes*, Delegorgue argues that only big farms were able to carry agriculture to perfection, and thus to feed everyone. His demonstration relies on a reconstitution of the history of Artois. In the past, he claims, the province flowered due to the contribution of the manufactures. When they started to fall down, famine came and people began to be in need, and as a result some farmers worked the land to avoid the worst. Nevertheless, Delegorgue argues, this was not sufficient and the region remained poor. This was due in part by the fact that some habits and customs restrained the farmer's labour: “il lui étoit défendu de faire porter plus de deux fois pendant trois ans des fruits à la terre, & lui qui devoit savoir mieux que tout autre ce qu'elle pouvoit lui rapporter sans le priver pour l'avenir de fruit de ses travaux, étoit

551 DALINE Victor M., “Les idées sociales de Babeuf à la veille de la révolution”, in SOBOUL Albert (ed.), *Babeuf et les Problèmes du Babouvisme, Stockholm International Colloquium*, Paris, Editions Sociales, 1963, pp. 55-72.

552 “Est-il utile en Artois de diviser les fermes ou exploitations des terres et dans le cas de l'affirmative, quelles bornes doit-on garder dans cette division?”. DOMMANGET Maurice, “La division des fermes selon Babeuf. Sa place dans sa tactique communiste”, In DOMMANGET Maurice, *Sur Babeuf et la Conjuration des Egaux*, Paris, Maspero, 1970, p. 76; BABEUF François-Noël, *Ecrits, op. cit.*, p. 127.

*contraint de la laisser sterile pendant une année sur trois*⁵⁵³. In other words, the three year crop rotation system (*assolement triennal*) hindered the production because some parts of the land should be left uncultivated (*en jachère*). Delegorgue explains these customs (which appear strange for his contemporary) by the fact that farmers were not capable of developing their “industry”. He probably refers to the fact that traditional agricultural techniques did not ensure the soil regeneration because there was not sufficient fertiliser and leguminous plants (which fix the nitrogen⁵⁵⁴) were not cultivated⁵⁵⁵. Consequently, it was necessary to “let the land to rest”. Moreover, the cultivation of the same plants during two consecutive years lead to a poor harvest, especially for the wheat: the ears were of a bad quality, the stems bent near ground level (lodging), etc. This explains that peasants had to use the crop rotation technique⁵⁵⁶. However, the change of the agricultural techniques and a better investment could remedy these technical problems, to avoid the *jachère* and thus to maximise the extent that the lands were cultivated. The presupposition of this text is that every piece of land should be cultivated. As Arthur Young writes, the English agronomist, who lauds Delegorgue in his *Travels to France*: “*pas un morceau de terre inculte ne doit être laissé à l'abandon*”⁵⁵⁷. In the third part of this thesis, it will be explained that this promotion of the extension of cultivation over uncultivated land was part of the physiocrat project of agricultural modernisation.

Now, the large scale farmers are precisely those who developed the agriculture in the Artois and put an end to starvation⁵⁵⁸. These heroes used their genius, worked hard, invested their capital and took excessive risks to carry out some *experimentation* and to innovate⁵⁵⁹. What they did to

553DELEGORGUE, *Mémoire sur cette Question, Est-il Utile en Artois de Diviser les Fermes et Exploitations des Terres et dans le cas de l'affirmative, quelles bornes doit-on garder dans cette division*, 1786, <https://gallica.bnf.fr/ark:/12148/bpt6k1340382.image>, p. 6-7. See also the following passage : “(...) Je suis loin de croire que la Culture soit portée, dans la Province, au dernier degré de perfection ; on y connoît encore une foule de terroirs où l'effolement a lieu, c'est-à-dire où la nature reste oisive pendant une année sur trois, & où un tiers de la richesse du terroir est annéanti”. DELEGORGUE, *Mémoire*, op. cit., p. 11.

554BAUDIN Jean-Bernard and DELAHAIE Amicie, “Apports de la chimie dans l'agriculture (1/2) - les engrais”, <https://culturesciences.chimie.ens.fr/auteurs/amicie-delahaie>, 2017.

555BÉTEILLE Robert, “Jachère”, *Encyclopædia Universalis* [Online], connection the 25th July 2020.
URL: <http://www.universalis-edu.com.janus.bis-sorbonne.fr/encyclopedia/jachere/>

556FAUCHER Daniel, “L'assolement triennal en France”, in *Études rurales*, n°1, 1961, pp. 7-17; BOULAIN Jean-Louis-Georges *Histoire de l'Agronomie en France*, Paris, Tec & doc-Lavoisier, 1996, pp. 22-27

557YOUNG Arthur, *Voyages en France en 1787, 1788 et 1789*, T. II *Le Travail et la Production en France: Agriculture, Commerce, Industrie*, trans. Henri Sée, Librairie Armand Colin, Les Classiques de la Révolution Française, 1976, p. 744.

558“Ces lois & ces usages prouvent, ou que les Cultivateurs du temps où ils ont été introduits n'avoient pas la même industrie que ceux de nos jours, ou qu'ils n'avoient pas les moyens de la développer, & je suis autorisé à croire que ce fut cette dernière raison qui les maintint si long-temps en vigueur, puisque, lorsque les Fermiers ont prouvé qu'en cultivant les terres d'une autre manière & avec plus de frais, elles ne devoient pas rester dans une stérilité funeste & contraire au bien public, ces lois & usages furent généralement abrogés & annéantis”. DELEGORGUE, *Mémoire*, op. cit., p. 7.

559“(…) n'oublions jamais que nous devons ces nouveaux canaux d'où découlent les richesses de l'Artois au génie, aux fatigues, aux travaux et peut-être au malheur des Fermiers qui, les premiers, furent assez hardis pour faire des expériences que le succès ne couronna pas toujours ; s'ils n'y ont pas sacrifié, ils y ont au moins risqué ce que je

improve the agriculture in the region was to first settle the problem of the soil regeneration, which meant that the farmers had to leave the land partly uncultivated. In order to do so, they used manure that only a large herd (and thus a farm) could provide⁵⁶⁰. They also used fertilisers imported from other places. Delegorgue has in mind the marl, the clay (*glaise*) or the whitewash (*chaux*)⁵⁶¹, but also urban waste⁵⁶² (such as cesspool emptying, *poudrette*⁵⁶³ urban sludge⁵⁶⁴, etc.⁵⁶⁵). He may also refer to the exchange of farmers' straw against the manure produced by urban cavalry, which began to be a usual practice in the 18th century⁵⁶⁶. These importations from the town were at a cost that only a large farm and farmer could cover⁵⁶⁷.

More than a several times, the text emphasises these forms of material interrelations between the town and the countryside, interaction that have attracted environmental historians' attention. Some of them argue that from 1790 to 1880, there was a form of complementarity between the town, the countryside and industry⁵⁶⁸. City-dwellers consumed agriculture and

n'oserois appeler leur fortune, si je n'étois sûr qu'on entend encore aujourd'hui par ce mot un gain lent, modique, honnête & légitime (...)". DELEGORGUE, *Mémoire*, *op. cit.*, p. 8.

560DELEGORGUE, *Mémoire*, *op. cit.*, p.8 This argument was also used by physiocrat, Weulersse, *Le mouvement physiocratique en France*, t. I, p. 338, *sq.*

561See YOUNG Arthur, *Voyages en France*, *op. cit.*, p. 744.

562HERMENT Laurent and LEROUX Thomas, "Recycling: the industrial city and its surrounding countryside", 1750-1940, in *Journal for the History of Environment and Society*, vol. 2, 2017, pp. 1–24. KNITTEL Fabien, "Agronomie des engrais en France au XIXe Siècle. Salpêtre, déchet urbains, engrais chimiques: trois exemples de valorisation agricole, *Association d'Histoire des Sociétés Rurales*, "Histoire & Sociétés Rurales", Vol. 48, 2017/2, p. 179. pp. 177-200 ; YOUNG Arthur, *Voyages en France*, *op. cit.*, p. 747.

563Poudrette is a fertiliser made with dried excrement. It was discovered in 1784 and exploited from 1785 onwards in Cae (Barles, *L'invention des déchets urbains en France*, pp. 66-70). Arthur Young testifies that it was used in the north of France during the period we are interested by. YOUNG Arthur, *Voyages en France*, *op. cit.*, p. 1234.

564Urban sludge is an emanation of the public road, a by-product of artisanal and domestic activities. It is a complex material made of domestic waste and household wastewater (Barles, *L'invention des déchets urbains en France*, p. 89).

565We also could mention bone char, this porous material obtained by charring animal bones. It was first was used in sugar refining as a decolorising and then was reused as a fertiliser. Indeed, bone char contains 30% phosphate (BOULAIN Jean, "Quatre siècles de fertilisation", in *Etudes et Gestion des Sols*, 2, 3, 1995, p. 206), one of the principal mineral fertilisers with nitrogen and potassium (KNITTEL Fabien, "Agronomie des engrais en France au XIXe Siècle, *op. cit.*, p. 179; BOURRIGAUD René, *Le développement Agricole au 19e en Loire-Atlantique*, Nantes, Centre d'Histoire du Travail de Nantes, 1994, pp. 145-147). However, it is not sure that Delegorgue's text refers to this specific technique of fertilisation. Admittedly, bone meal was already used in the English countryside since the 18th century (BOULAIN Jean, *Histoire des Pédologues et de la Science des Sols*, Paris, Institut National de la Recherche Agronomique, 1989, p. 65). But it seems that was only at the beginning of the 19th century that farmers fertilised their lands with this substance. For instance, market gardeners of the region of Nantes started to massively employ it from 1822 onward (BOULAIN Jean, *Histoire des Pédologues*, *op. cit.*, p. 273; KNITTEL Fabien, "Agronomie des engrais en France au XIXe Siècle, *op. cit.*, p. 179; BOURRIGAUD René, *Le développement Agricole au 19e en Loire-Atlantique*, *op. cit.*, p. 146). According to Herment and Leroux, the utilisation of *noir animal* dates back to 1812 (HERMENT Laurent and LEROUX Thomas, "Recycling...", *op. cit.*, p. 6). Nevertheless, it should be noted that since 1770, farmers of Thiers' surrounding recycled the ground bone from the cutlery manufactures to produce fertiliser and it seems that this practice was common in other towns of Europe such as Sheffield or Solingen (BOULAIN Jean, *Histoire des Pédologues*, *op. cit.*, p. 271). However, it seems that this use of *noir animal* for agriculture remained local and did not prevail in other regions of France (BARLES Sabine, *L'invention des Déchets Urbains, France, 1790-1970*, Seyssel, Champ Vallon, 2005, p. 44).

566KNITTEL Fabien, "Agronomie des engrais en France au XIXe Siècle, *op. cit.*, p. 178.

567YOUNG Arthur, *Voyages en France*, *op. cit.*, p. 747.

568BARLES Sabine, *L'invention des Déchets Urbains, France, 1790-1970*, *op. cit.*

industrial products but at the same time they gave back what they previously had taken. Indeed, as Delegorgue's text suggests, urban and industrial residues were literally *recycled* and used for agriculture as fertiliser. Therefore, this complex town-industry-agriculture was a true metabolism whose biogeochemical cycles were closed. According to Barles, this recycling *avant l'heure* was intentional and not only motivated by profit: industrialists, agronomists, engineers and cultivators sought deliberately to “close the loop”⁵⁶⁹. Barles claims that it is only from 1880 that a separation between town and countryside can really consummated. Indeed, progressively, industry and agriculture found new resources (plant vegetation matter for the production of paper, natural phosphates extracted from mines, chemical fertilisers, etc.), and it loses interest for urban *excreta* to the point that there was no more outlet for these raw materials produced by towns. In a word, the recycling ends.

Does Delegorgue essay pertain to this movement of recycling which took place at the end of the Ancien Régime and the first part of the industrialisation? To answer this question, the thesis of recycling *avant l'heure* should be re-examined. In fact, historians have recently questioned the idea that the first part of the 19th was the golden age of recycling⁵⁷⁰. Indeed, the metabolic rift of the 1880s has led to an idealisation of this period, whereas the accumulation of urban residue was already a problem between 1750 and 1850. In early modern Europe, recycling of urban waste was restricted to the surroundings of the towns. Moreover, only a minority of industrial by-products were recycled because towns produced a too large volume of waste for agriculture to absorb. It should be added that recycling was a part of the liberal project. Entrepreneurs insisted on the congruence between reducing pollution and increasing profit. Proving that there was no loss of matter within the factory (and putting the blame on the workers in the case of any accident), they also used the recycling discourse to stifle environmental protests⁵⁷¹. Consequently, if we admit that recycling was promoted by liberal thinking, it would not be false to say that Delegorgue belonged to this movement of recycling, that is similar to Arthur Young, the famous English agronomist who also promoted large farms⁵⁷².

The general form of his argumentation proves that Delegorgue is attached to the liberal tradition. Indeed, his argument is based on a certain history of economic development which closely resembles the myth of the pioneer of capitalism narrated by Smith⁵⁷³ and denounced by

569BARLES Sabine, *L'invention des Déchets Urbains, France, 1790-1970*, *op. cit.*, p. 121.

570HERMENT Laurent and LEROUX Thomas, “Recycling...”, *op. cit.*

571FREZZO Jean-Baptiste, “La main invisible a-t-elle le pouce vert ?”, *Techniques & Culture* [Online], 65-66, 2016, online since the 31th October 2018, connection the 30th June 2020. URL : <http://journals.openedition.org/tc/8084>; DOI: <https://doi.org/10.4000/tc.8084>.

572FREZZO Jean-Baptiste, “La main invisible a-t-elle le pouce vert ?”, *op. cit.*, p. 327.

573SMITH Adam, *An Inquiry into the Nature and Causes of the Wealth of Nations*, Vol. I, eds. R. H., Campbell and A. S. Skinner, Indianapolis, Liberty Classics, 1976, p. 277.

Marx in the famous chapter on the “so-called primitive accumulation”. According to this scenario, the first to produced stock, the initial accumulation of capital (without which there would never have been surplus value and thus the accumulation of capital), were diligent, intelligent and frugal elites, whereas the others, were lazy rascals, and were incapable of producing anything⁵⁷⁴. Likewise, Delegorgue’s story depicts hard workers, great men who, thanks to their creativity and their inventiveness, generated wealth for the benefit of all. In a word, this fiction is nothing more than a praise of the capitalist agricultural farm. This tale is repeated by Arthur Young, who sings the praises of the English agrarian system and, after having lauded Delegorgue's essay, seems to say that this model should be applied to France⁵⁷⁵. This agrarian system had emerged in 1760 with the agricultural revolution, which was characterised, among others, by the increase of agricultural output and the increase of labour productivity⁵⁷⁶, and which had facilitated the English industrial revolution⁵⁷⁷. This model involves a series of transformations in English agriculture, such as the suppression of *jachères* and the increase of arable lands brought into cultivation, land concentration and consequently, the creation of large farms, a new wave of enclosures and the suppression of open-fields, but also the progress in empirical selection of animal breeding, the use of drainage and different sorts of fertilising technics, *etc*⁵⁷⁸. The transposition of this capitalist model of agriculture to France (and more especially to the province of Artois) is exactly what Delegorgue proposes⁵⁷⁹.

We will be shorter on Delestré du Terrage, since we did not have access to his essay and there is much less information on him⁵⁸⁰. However, basing himself on a report redacted by Dubois

574MARX Karl, *Capital*, vol. I, in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 35, London, Lawrence & Wishart, 1996 [1867]. p. 704.

575“*Les idées fausses, aujourd'hui si répandues en France, sont d'autant plus surprenantes qu'aucune langue n'abonde, comme la langue française, en conceptions très justes sur bien des question d'économie politique. Il ne peut y avoir de remarques plus justes, plus vraies sur l'avantage présenté par les grandes fermes et les riches fermiers que dans l'Encyclopédie et personne n'a mieux traité la question que M. Delegorgue. L'Artois, remarque-t-il, était universellement soumis à cette rotation : deux récoltes et une jachère ; mais, comme on a aboli les anciennes coutumes, on a maintenant une récolte annuelle. Un changement si bienfaisant et peu répandu en France fut fondé sur des expériences nombreuses et coûteuses, qui ne purent être faites que grâce au fumier provenant de grands troupeaux et d'importants cheptels. Par qui ce changement fut-il effectué? Par de petits fermiers, qui ne peuvent même pas subvenir à leur propre entretien ? Assurément non.*” YOUNG Arthur, *Voyages en France*, op. cit., p. 748.

576OVERTON Mark, “Re-establishing the English Agricultural Revolution”, *The Agricultural History Review*, Vol. 44, n° 1, 1996, pp. 1-20. Here, we follow the traditional periodisation of the British agricultural revolution, according to which the change would have occurred from 1750. However, in the 1960's, “revisionist historian” have claimed that productivity rose earlier, between the 16th and the 17th. The revisionist view has been reformulated during the 1990's and rediscussed by scholars who maintain the initial periodisation. see ALLEN Robert C., “Tracking the Agricultural Revolution in England”, *The Economic History Review New Series*, Vol. 52, n° 2, May, 1999, pp. 209-235.

577RUILIÈRE Gilbert, “Le développement de la Grande-Bretagne au 18eme siècle : révolution industrielle ou agricole ?”, in *Économie rurale*, n° 63, 1965. pp. 39-46.

578BOULAIN Jean, *Histoire des Pédologues*, op. cit., pp. 62-65.

579DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française (1785-1794)*, trans. Jean Champenois, Moscou, Editions du Progrès, 1976, p. 92.

580There is only three lines dedicated to him in the Dictionnaire des correspondants de l'Académie d'Arras. cf. “Lestree du Terrage”, in BERTHE Léon-Noël, *Dictionnaire des Correspondants de l'Académie d'Arras au temps de Robespierre*, Arras, published with the assistance of the Centre National de la Recherche Scientifique, 1969, p. 144.

de Fosseux, who summarises the essays written on the question of the division of farms, Dommanget gives the outline of Delestré's argumentation⁵⁸¹. The first argument he addresses against the grouping of small farms into larger farms is that small farmers will take better care of their farms than big farmers do. Indeed, the latter were known to be careless: because of the size of their farm, they could not monitor all of their workers and because they were always in the market, they were often accused of absenteeism⁵⁸².

Secondly, the large scale farmer is not only absent from the land he administers, but he also behaves like a despot. Admittedly, they are not always the owner of the land (even if this is more often the case than in the case of small farmers), and they are often subjected to a tenant farming contract (*contrat de fermage*)⁵⁸³. Nonetheless, because they are the only employers in the village, they have considerable power. They can, for example, leave the day labourer without job and deprive the artisan from his clientele. Moreover, they not only have in their hands the local economic power but also political power: usually they are mayor or have some official authorities over the rest of the villagers⁵⁸⁴. Therefore, the dismantling of the large farms means the end of this tyrannical power exerted by large farmers.

Finally and above all, the principal idea of the division (through a limitation of its size⁵⁸⁵) is to redistribute land and thus to re-establish equality and to get rid of misery in the countryside. What does this form of redistribution really mean concretely? At first sight, it seems that Delestré

581DOMMANGET Maurice, "La division des fermes selon Babeuf...", *op. cit.*, pp. 77-78.

582LEFEBVRE Georges, *Questions Agraires au Temps de la Terreur*, Paris, CTHS, 1989, p. 99.

583It is worth recalling that tenant farming is an agricultural system in which the owner leases his farm to the farmer in exchange for rent which has been fixed in advance in the contract. ("Fermage/Fermes/fermiers" in Dictionnaire de la Révolution Française, pp. 446-447). It is usual to distinguish tenant farming from sharecropping (*Métayage*). Indeed, in the second case, the sharecropper (*métayer*) gives to the owner a portion of his harvest whereas in the first case, the amount of the rent paid by the tenant farmer is independent from the harvest level, since, as just mentioned, it is fixed in advance in the contract (each year). Cf. MERLET Michel and PETIT Olivier, "Agriculture – Accès aux ressources productives" Encyclopaedia Universalis [Online], connection the 6th August 2020, URL : <http://www.universalis-edu.com/encyclopedie/agriculture-acces-aux-ressources-productives/>
See also LE ROY LADURIE Emmanuel, *Les Paysans Français d'Ancien Régime: du XIV^e au XVIII^e siècle*, Paris, Editions du Seuil, 2015, During the 18th century the system of sharecropper has been replaced by the system of tenant farming. Then appeared big capitalist farms (RESENDE Hernâni, *Socialisme Utopique et Question Agraire dans la Transition du Féodalisme au Capitalisme: sur le concept d'Egalitarisme Agraire dans la Révolution Française*, Paris, Centre d'Etudes et de Recherche Marxistes, 1976, p. 3). According to Georges, Lefebvre, tenant farming was common in the great plains, between the Flandre et the Orléanais (including the Picardie, the Brie and the Beauce). By contrast, sharecropping was practiced in the Dunois, the Sologne, the Nivernais and the Autunois. LEFEBVRE Georges, *Questions Agraires au Temps de la Terreur*, *op. cit.*, pp. 84-85. Now, tenant farming and sharecropping was opposed to the owner-occupancy (*faire-valoir direct*), i.e., the indistinction between the owner and the user of the farm. Whereas the two first models was characteristic of the French agriculture, the system of owner-occupancy was dominant in England. LEFEBVRE Georges, *Questions Agraires au Temps de la Terreur*, *op. cit.*, p. 84.

584LEFEBVRE Georges, *Questions Agraires au Temps de la Terreur*, *op. cit.*, *op. cit.*, pp. 94-95. On the power of farmers in Artois, also see JESSENNE Jean-Pierre, "Le pouvoir des fermiers dans les villages d'Artois (1770-1848)", in *Annales. Economies, sociétés, civilisations*, 38^e year, n° 3, 1983, pp. 702-734.

585The maximum was generally fixed at 300 acre (102 hectare). LEFEBVRE Georges, *Questions Agraires au Temps de la Terreur*, *op. cit.*, pp. 97-98.

du Terrage promotes what has been called the “agrarian law”. But should the division of farms be identified with the agrarian law? We will give a more detailed definition of the agrarian law later, but let us just say that for the moment during the French Revolution, it was not a detailed program elaborated by a group, but an idea that covered various meanings and interpretations. For the moment, suffice is to say that, in its most common meaning, the agrarian law meant the equal distribution of lands⁵⁸⁶. This redistribution has been assimilated to a violation of property, since to redistribute land, expropriation was needed beforehand. For instance, the confiscation, the nationalisation and the sale of the national property (*biens nationaux*) from 1789 onwards has been considered as a threat against clergy and emigrant properties⁵⁸⁷. Here is the difference that has been noted between the agrarian law and the division of large farms which does not come with any expropriation. As just mentioned, most of the time, large scale farmers were not the owner of the land. In his letter of June 1786, Babeuf describes how large scale farmers were chosen by the rich owners for their supposed capacities to successfully run the farm and thus to pay the rent, for the good education they received, etc⁵⁸⁸. Consequently, the division did not required any sort of expropriation. A large farm might be divided and redistributed to various smaller farmer, each of them having the possibility of running the part he received, the owner of the whole land remained the same and thus, the property remained intact. What makes the difference between the agrarian law and the division of farm is that the former is a form of expropriation, whereas the latter gives just access to the use of the land⁵⁸⁹. That is why several French revolutionaries, such as Saint-Just, accepted the idea of the division of farms but not the idea of sharing of properties (*partage des propriétés*). However, in both cases the idea remains the same: the possibility for the peasant to have a source of livelihood.

586Babeuf defines the agrarian law as the “*distribution des terres par égale portion*”. BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, in BABEUF François-Noël, *Œuvres*, T. I, *Babeuf Avant la Révolution*, published by Victor Daline, Armando Saitta, Albert Soboul, Paris, Bibliothèque Nationale, 1977, p. 114.

587GAUTHIER Florence, “Loi agraire”, in *Dictionnaire des Usages Socio-politiques: 1770-1815*, 2, *Notions-concepts*, Paris, Klincksieck, 1987, pp. 67-74. On the national properties, see LEFEBVRE Georges, “La vente des biens nationaux”, in LEFEBVRE Georges, *Etudes sur la Révolution Française*, PUF, 1963, pp. 307-337; see also the beginning of Gérard Béaur's article on redistribution during the French Revolution (BÉAUR Gérard, “Révolution et redistribution des richesses dans les campagnes: mythe ou réalité ?”, *Annales historiques de la Révolution française* [Online], 352, April-June 2008, online since the 1st June 2011, visited the 19th April 2019. URL : <http://journals.openedition.org/ahrf/11151> ; DOI : 10.4000/ ahrf.11151; DUPARC Pierre, “Biens nationaux”, *Encyclopædia Universalis* [Online], connection the 18th August 2020. URL : <http://www.universalis-edu.com/encyclopedie/biens-nationaux/>

588BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 88.

589DOMMANGET Maurice, “La division des fermes selon Babeuf...”, *op. cit.*, pp. 92-93.

II.3.1.2) Babeuf's position: Between Division and Large Scale Farming

The positions presented above give good indication why Babeuf seems to prefer Delestré du Terrage's solution to Delegorgue's. For Babeuf, the former has perfectly understood the intentions behind the question of the contest: "*M. Delestré a compris comme moi que la question à résoudre avait été proposée par des propriétaires curieux de savoir s'ils tireraient un peu plus fort revenu en divisant leurs fermes qu'en ne les divisant pas*"⁵⁹⁰. Indeed, from the point of view of the owners, the question of the alternative between division and large scale farming farms remains open. In other words, the promotion of large farms is not necessarily for them the best solution. For example, some of them preferred to dismantle their farms in order to rent separately the farms as parcels. As these lands were highly coveted by peasants, the owner took advantage of the competition and raised the bidding⁵⁹¹. Be that as it may, Delestré unmasks the ideological orientation of the question. As most of those who pronounced themselves for the division, Delestré du Terrage subverts the orientation of the question. According to him, the division has nothing to do with the incomes of the owner but with general well-being: "*Tous ont eu cette conviction qu'il s'agissait d'envisager la division uniquement sous ce point de vue, l'augmentation du bien-être général et non l'augmentation du revenu du propriétaire foncier. Tous ont affirmé, ce que je crois aussi fermement que la division aurait pour effet de terminer la misère, les crimes qu'elle enfante et la mendicité*"⁵⁹². Thus, Babeuf agrees with Delestré du Terrage, that the real problem is the social question. Indeed, he prefers this "friend of humanity" (*ami de l'humanité*) because his "system of equality" (*système d'égalité*) is oriented toward the satisfaction of the needs of everyone⁵⁹³.

By contrast, Babeuf addresses two criticisms to Delegorgue. First, the grouping of farms leads to a monopoly: "*si dans une paroisse trois ou quatre cultivateurs-en-chef tiennent seuls toute l'exploitation du territoire avec un petit nombre de bras mercenaires, ils parviennent à exécuter toute leur besogne, et alors il est démontré que tous les autres habitants ne peuvent trouver place à labourer même pour le compte des autres*"⁵⁹⁴. In other words, they have to turn to industry and thus to emigrate to the town, hence a rural exodus, which is denounced by the contemporaries of Babeuf. The consequence, writes Babeuf is the inequality of fortunes. This monopoly is also a monopoly of grains that leads to the worst form of speculation. They close their granary and wait for the prices to

590BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 82.

591LEFEBVRE Georges, *Questions Agraires au Temps de la Terreur*, *op. cit.*, pp. 95-96.

592BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. Cit.*, p. 83.

593*Ibid.*, p. 81.

594*Ibid.*, p. 82.

increase. When the time comes, they send all they have to the market without worrying whether or not other peasants have sufficient provisions to survive and to avoid a famine⁵⁹⁵.

Now, Babeuf's preference for Delestrés du Terrage's essay does not mean that he fully embraces his opinion. In fact, he expresses reservation about the idea of dividing excessively the farms:

*“Si vous avez eu la patience de lire mon mémoire, vous avez pu voir que je n'admets pas cette division des fermes sans la soumettre à des règles, et que pour moi diviser ce n'est pas briser, Mon opinion est que toutes les fois que la division sera extrême, c'est-à-dire toutes les fois qu'elle descendra à des menues parcelles, elle sera plutôt nuisible qu'utile. Dans ma manière de diviser les fermes, je ne dépèce, je n'émiette, je n'isole rien”*⁵⁹⁶.

Indeed, the extreme division promoted by Delestré du Terrage would mean the decline of agriculture, according to Babeuf: *“trop de subdivisions dans les fermes auraient les plus fâcheux résultats; elles amèneraient la décadence de l'agriculture; des parcelles insignifiantes tenteraient peu les vrais laboureurs dont l'espèce disparaîtrait rapidement et l'on ne verrait plus à leur place qu'on appelle des pauvres haricotiers”*⁵⁹⁷. In fact, the *haricotier* were not the poorest people of the peasant world; they belonged to an intermediary class between the lower class, *i.e.*, the day labourer (*manouvrier*), and the upper layer of the peasantry, *i.e.*, the large scale farmers⁵⁹⁸. Nonetheless, the *haricotier* was a small-holding peasant, who only possessed 4 hectares of land. Their life was characterised by a fragile balance that could be compromised by a bad harvest alone⁵⁹⁹. It seems, therefore, that Babeuf wants to highlight how precarious the life of the peasant is when he is granted access only to small parcels of land.

Moreover, it seems that the nature of the land itself is opposed to the division:

*“Quelques-uns, au nom de la suprême justice, songent déjà à déchirer tous les titres, ne fussent-ils entachés ni de fraude ni de violence. On rêve comme retour pour chacun au droit naturel, droit de vivre, le partage de l'eau de la fontaine; mais il n'en est pas de la terre, comme de la fontaine, le sol ne produit pas abondamment sans le concours vigoureux des bras de l'homme et de son intelligence: il faut l'union des forces et des volontés pour le féconder, et l'émietter par parcelles égales entre tous les individus, c'est anéantir la plus grande somme de ressources, qu'il donnerait au travail combiné; c'est courir à la disette et à la pénurie de tout par le chemin le plus court, et puis l'eau de la fontaine coule toute seule”*⁶⁰⁰.

Here, Babeuf reverses Grotius' argument against the division of seas. As was said, for Grotius, water could not be the object of redistribution because it was abundant (thus it is not

⁵⁹⁵*Ibid.*, p. 86.

⁵⁹⁶*Ibid.*, p. 83.

⁵⁹⁷*Ibid.*, p. 89.

⁵⁹⁸ANTOINE Annie, BROAD John and BRUMONT Francis, “Les sociétés rurales”, in ANTOINE Annie and MICHON Cédric (eds.), *Les sociétés au XVIIIe siècle: Angleterre, Espagne, France*, Rennes, Presses Universitaires de Rennes, 2006, p. 163.

⁵⁹⁹BÉRENGER Jean, “Les contestations du dix-septième siècle”, LIVET Georges and MOUSNIER Roland (eds.), *Histoire générale de l'Europe (2). L'Europe du début du XIVe siècle à la fin du XVIIIe*, Paris, PUF, Hors collection, 1980, pp. 379-380.

⁶⁰⁰BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 114.

necessary to appropriate it individually) and also because a liquid is something that cannot be marked out physically with border stones. Here, it is the contrary: it is precisely because water is abundant that it can be shared between everyone. In contrast with a fountain, land does not abundantly produce by itself. Land is so unproductive that its individual exploitation would not be sufficient for what is necessary. Thus, since there is strength in unity, only the cooperation of everyone will give abundant harvests. Collective work overcome the fundamental infecundity of land. This virtue of collective work clearly appears in the description Babeuf gives of the collective farms. The farmer who works his land alone has to do everything on the farm (sow, harvest, dig ditches, etc.), and he often has to delay some of these activities until the next day. On the contrary, thanks to the division of labour, every task is achieved on time in the collective farms⁶⁰¹. Collective work also makes reciprocal surveillance and a certain emulation which prevents all distraction possible, and then all dissipation of labour. Finally, the collective provides a form of security regarding risks and the vagaries of life: if someone gets sick, the others will work more to ensure the accomplishment of his tasks until he regains his health. Consequently, only labour in common is able to lead to an abundance and the division of farms would lead to the penury.

Furthermore, the excessive division of the lands hinders the progress of agriculture: *“impossible de tenter des essais et de faire des observations concluantes sur un lopin unique de peu d'étendue. Cette subdivision en particules ne donnerait généralement que de pitoyable cultures, et ne contribuerait en rien à extirper la misère”*⁶⁰². Here, Babeuf reproduces the argument that Delegorgue had used in favour of the large scale farms. Delegorgue argued that only large scale farmers were able to *experiment* and thus to improve agricultural techniques. Indeed, the size of the farm made these tests possible. If the testing of new techniques does not worked on one of the parcels of land, the abundant harvest in the other parcels can compensate the loss⁶⁰³.

In fact, despite their oppositions regarding the social question – one was trying to increase the owner's income and defend the interests of the dominant class, whereas the other struggles for the lower classes – Babeuf does share some views with Delegorgue regarding the economic question⁶⁰⁴. In particular, Babeuf admits the economic superiority of large farms and, although he pronounces himself in favour of the division, some of his statements suggest that, according to him, the size of the farm should remain the same⁶⁰⁵: *“C'est sur le produit des récoltes que s'opère la division telle que je la conçois. La ferme continue d'être un ensemble, mais celui-ci est un groupe*

601BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 85.

602*Ibid.*, p. 90.

603DELEGORGUE, Mémoire, *op. cit.*, pp. 8-9.

604DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, *op. cit.*, p. 94

605DOMMANGET Maurice, “La division des fermes selon Babeuf...”, *op. cit.*, pp. 91-92.

*de travailleurs proportionné à son importance et réunis sous un même contrat pour la faire valoir*⁶⁰⁶. Although he does not really give details on the exact size the farm should be, it can be quite certainly argued that he agrees more with Delegorgue than with Delestré du Terrage on that point. In fact, as the text just quoted suggests, the division concerns more the product of the collective work than the land itself. In short, the harvested product should be distributed. Now, although the size seems to remain the same for Babeuf, it is clear that the farm is not being run by a unique farmer but by an association of workers.

To summarise Babeuf's position regarding Delegorgue and Delestré du Terrage, it could be said that the tribune of plebs seeks to go beyond the alternative between capitalist property and the division of farms. At the same time, he shares with his two competitors a part of their views. On the one hand like Delestré du Terrage, Babeuf seeks to reach equality and to put an end to misery; on the other hands, he agrees with Delegorgue that large scale farms are more productive. In short, from the social point of view (equality and redistribution), he takes Delestré du Terrage's side, from the economic point of view, he aligns himself with Delegorgue. The solution of this apparent contradiction lies in his project for collective farms.

In fact, the economic level is subordinated to the social level. Indeed, the productivity of collective farms is the solution to the question of misery: *“grâce à l'établissement des fermes collectives, on ne verrait plus de pauvres vieilles femmes, maigres et sales à faire peur, conduisant sur le bord des chemins de pauvres vaches teignes dont elles espèrent tirer un peu de lait – on ne verrait plus de mères presque faméliques user leur santé et se vieillir avant l'âge à force de prostituer leur sein aux enfants de la ville*”⁶⁰⁷.

Now, these farms are not only economically profitable, but they also produce a fraternal community (*communauté fraternelle*)⁶⁰⁸. By contrast with division which obliges people to work their land individually, collective work has the effect of bringing men together (*rapprocher les hommes*). The labour in common leads them to a life in common. Babeuf mentions a reorganisation of the distribution of houses. He was perhaps planning to group houses, but he might also be referring to a project of collective houses. In any case, this life in common would reinforce solidarity: *“rapprochés comme en un faisceau ils seront plus à portée de s'entre-secourir, et moins disposés à s'entrenuire*”⁶⁰⁹. It is not only the bodies which are brought together but also the spirits since work and life in common produces a collective intelligence and transforms mentalities. Indeed, collective life breaks down the isolation that would occur if peasants were to (and continue

606BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 83.

607*Ibid.*, p. 85.

608*Ibid.*, p. 84.

609*Ibid.*, p. 86.

to) live in dispersed housing. Thus, the cause of superstition is removed since it is solitary life that plunges them into the darkness of ignorance. On the contrary, the communitarian life brings back the light of reason. Finally, the mutual surveillance we already mentioned does not only increase productivity, but it also ensures the security of the members of the community: “*plus de larron, plus d'incendiaire, plus de potence, plus de bourreau*”⁶¹⁰.

The product of this collective labour is subsequently divided up between the members of the community. Every man who is in the prime life has sufficient strength to produce more than he needs to feed himself. Consequently, the surplus of force and the of material product is owned by society and by consequence it should be redistributed to all its members: “*La nature est notre mère à tous, si elle nous a prodigué un excédant de force, ce n'est pas pour que nous en abusions et que nous nous fassions la part du lion: nous sommes tous ses enfants, elle veut que nous nous traitions en frères. Répartition! Répartition! Sur cette terre si vaste et si féconde, il y a pour les besoins de tous. Répartition sans exclusion, sans préférence, voilà le vœux et le commandement de la nature*”⁶¹¹. It should be noted that Babeuf concretely organised the distribution of this surplus: a part will be kept for sowing, another will be given to the owner of the land and finally what remains will be redistributed to all the workers⁶¹².

Here, Babeuf articulates the collective work of the land to the distribution of its products. This has at least two implications which are important for our concerns. First, as Daline noted, the Letter of June 1786 goes against Lefebvre's thesis that Babeuf's communism is just a communism of distribution (*communisme de la répartition*)⁶¹³. For Lefebvre, Babeuf articulates the common appropriation of land to its distribution. According to a distinction made by medieval jurists during the 12th and the 13th century (and that Babeuf would have borrowed from his former profession as a feudist), the Nation owns the land as its *dominium directum* (*propriété éminente* in French), that is, as an absolute ownership; thus, lands are redistributed to individuals as a *dominium utile* – in other words, each individual is allowed to *use* individually a part of the *dominium directum*⁶¹⁴. However, we have just seen that since 1786, Babeuf was already defending a form of collective labour and articulates this communism of production to the equal distribution of the social product. Consequently, Babeuf's communism cannot be reduced to a communism of distribution (at least at this moment of his political trajectory).

610Ibid., p. 86.

611Ibid., p. 107.

612Ibid., p. 111.

613DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, op. cit., p. 96.

614LEFEBVRE Georges, “Les origines du communisme de Babeuf”, LEFEBVRE Georges, *Études sur la Révolution Française*, op. cit., pp. 417-418. On the distinction between *dominium directum* and *dominium utile*, cf. PATAULT Anne-Marie, *Introduction Historique au Droit des Biens*, Paris, PUF, Droit Fondamental, 1989, p. 111; VANUXEM Sarah, *La Propriété de la Terre*, Marseille, Wildproject, 2018, p. 38, note 68.

Now, and this is our second point, the place given to the distributive element in this articulation between communism and distribution should be clarified. In order to do so, we have to consider three moments of the collective relationship with land: 1° the *appropriation* of land, 2° the *productive relationship* with land (the production) 3° and the *consummation of the products* of land. We have seen that in 1786, Babeuf criticises the agrarian law and the division of farms, which means that distribution is not located at the first level. In other words, the worker does not appropriate the land individually further to its distribution. Distribution is also not located at the second moment (the production). Indeed, all workers work the same land in common and do not work separately on parcels which would have been distributed individually to each one of them. Consequently, distribution is relegated to the moment of consumption: goods that are produced in common are distributed and individuals consummate them individually. This proves something: it is hard (and maybe impossible) to eliminate the problem of distributive justice. Indeed, even when Babeuf operates a strong critique of distribution, he finally has to take into account the question of distribution when he deals with consumption. Indeed, consumption remains an individual act and, hence it seems that a form of distribution and as well as a form of distributive justice is required. Admittedly, we can imagine a type of collective meal production and distribution as we find in ancient utopias⁶¹⁵. However, when sharing meals in common, food is always distributed to individuals and thus it seems hard to remove the question of the sharing up as well as distributive justice, here. In any case, for Babeuf, the critique of distribution does not amount to a total suppression of this question but; he certainly relegates this problem to the background.

We have seen that Babeuf rejects the project of large scale farms, the agrarian law and the division of farms, and that he articulates a communism of production to a form of distributive justice. Does he defend the common ownership of land? We have just seen that he rejected the idea of a fair distribution of land. Does this mean that land is collectively appropriated in his farming project? At first sight, it would seem not. Indeed, if we follow what we previously said, it is not really the community of workers which appropriate the land but the owner. Babeuf is clear, “*la ferme reste entière relativement au propriétaires*”,⁶¹⁶ and the workers sign a tenant farming contract (*contrat de fermage*) with the owner, as it is for large farms.

⁶¹⁵See for example Plato, *The Republic*, trans. Allan Bloom, New York, Basic Books, 1991 [1968], V, 457b-458d, pp. 136-137.

⁶¹⁶BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. Cit.*, p. 83.

II.3.1.3) A Dissimulated Critique of Property?

Nevertheless, in the rough draft on collective farms, Babeuf's attitude toward property is far from being clear. Admittedly, he claims that he did not want to put into question big property ownership, and that it was too early to broach this subject⁶¹⁷; but does this not function as a form of precaution taken against his recipient? Does he use a strategy of dissimulation? Most of the commentators agree that he does not explicitly reveal his real intention in this letter. Indeed, just after having claimed that he does not question property, he admits that its origin is problematic: *"Plus on se reporte par la réflexion à des temps éloignés, temps de beaucoup antérieurs au nôtre, bien entendu, plus on acquiert la conviction que le respect de ce droit problématique est dû à une fois aveugle. Quelle terrible conflagration, si la multitude venait un jour à se demander pourquoi quelques-un ont tout et les autres rien"*⁶¹⁸. Further in the rough draft, Babeuf narrates this story in detail.

His genealogy is preceded with a long passage on the natural right which will be the narrative thread of his story⁶¹⁹. In order to solve the problem of natural right, he proceeds to a critique of the theoreticians of natural rights' methodology. Natural rights should not be found in some immemorial origin. Indeed, any empirical data about such origin are hard to find. Moreover, if we look at the past, we only find barbarism and thus no natural right. In fact, these rights had to be found in ourselves: *"n'avons nous pas un estomac, un coeur, un cerveau, des organes de reproduction, qui tous nous enseignent la vérité? N'éprouvons-nous pas les sensations les plus douloureuses par le trop grand froid, par l'excessive chaleur, et par toutes les intempéries des saisons"*⁶²⁰. Our organism makes us feel that the unique natural right we have is the right to live (*droit de vivre*), a right which will be of great interest during the French Revolution. Two laws ensue from this right: the law of labour (to live, labour is necessary) and the law of equality (each individual has the right to the part that enables him to survive). Therefore, the first natural right is not the right of property but the right to live: *"le droit de vivre correspondant à tout ce qu'exige le développement et la conservation de l'être humain est antérieur au droit de propriété, droit de*

⁶¹⁷*Ibid.*, p. 87.

⁶¹⁸*Ibid.*, p. 87.

⁶¹⁹On Babeuf's conception of natural right, see IKNI Guy-Robert, "Autour des luttes agraires picardes : Babeuf et les Droits de l'Homme", in *Grandes Figures de la Révolution Française en Picardie, Biérancourt, Aisne. 17 et 18 juin 1989*, Imprimerie Dupuis, Tergnier, 1990, pp. 59-71; ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique. Morelly, Mably, Babeuf, Un débat avec Rousseau*, PhD Thesis, Paris I University, Panthéon-Sorbonne, 2013, pp. 332-341.

⁶²⁰BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 105.

convention ou de tolérance quelquefois à celui qui en jouit plus que son organisation n'exige"⁶²¹. In other words, the right of property is pushed into the background. Here, one cannot help but think of Robespierre, who will subordinate the right of property to the right of existing (*le droit à l'existence*)⁶²².

Now, the history of property is in part the history of the violation of this fundamental right. Babeuf first tackles the history of feudal property which, he argues, he knows perfectly well given his former profession as a feudist. Thus, this history is not the product of his imagination but it is based on both experience and archives. This form of property has its origin in the despoliation of peasants' lands, peasants who were forced to become serfs⁶²³. In view of the miserable condition of serfs, it only be concluded that the natural right was sacrificed.

Concerning property in general, Babeuf gives another history of its origin. Property seems to have have appeared with sedentarism in relation to the climate⁶²⁴. In countries where the climate was rough, men had to build up stocks of provisions to survive during hard times and thus to settle down. These lands in which they settled became their possession and as a result property appeared. This form of property, he argues, originated from the struggle for life and hence it is the daughter of the right to life. In that, this "modest property" (*propriété modeste*) is totally legitimate⁶²⁵. As land was abundant in this first moment of history, everyone could occupy a piece of land without threatening the other's right to life. Problems came with the excess of property (*exagération de la propriété*). Driven by an unlimited desire for more – which is very similar to what Sumner called "earth hunger" – some individuals started to appropriate more than their right to life allowed. During this second moment of the history, the division of labour, money and the traffic of lands appeared. Motivated by the desire of having, owners started to take possession of great extent of lands: "*ce fut là le point de départ de la grande propriété, moitié acquise, moitié extorquée, mais toujours et partout absorbante et tyrannique (...)*"⁶²⁶. After this, space became rare, and there was no longer enough to feed everyone. Here comes the problem of distributive justice. As we already said with Hume, scarcity is the "circumstance of justice"; however, here, the scarcity of land is neither a simple "outward circumstance", nor something natural. Babeuf takes in account the

⁶²¹*Ibid.*, p. 107.

⁶²²See Robespierre's famous discourse *Sur les subsistances* pronounced in the Convention the 2th December 1792 : "*Quel est le premier objet de la société ? C'est de maintenir les droits imprescriptibles de l'homme. Quel est le premier de ces droits ? Celui d'exister. La première loi sociale est donc celle qui garantit à tous les membres de la société les moyens d'exister ; toutes les autres sont subordonnées à celle-là ; la propriété n'a été instituée ou garantie que pour la cimenter ; c'est pour vivre d'abord que l'on a des propriétés. Il n'est pas vrai que la propriété puisse jamais être en opposition avec la subsistance des hommes*". ROBESPIERRE Maximilien, "Sur les subsistances", in ROBESPIERRE Maximilien, *Ecrits*, edited by Claude Mazauric, Paris, Messidor/Editions sociales, 1989, p. 225

⁶²³BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 108.

⁶²⁴*Ibid.*, p. 109.

⁶²⁵*Ibid.*, p. 105.

⁶²⁶*Ibid.*, p. 112.

population-land ratio but, in contrast with Malthus, it seems that it is not the principal cause of dearth⁶²⁷. In fact, scarcity is rather a product of a social relationship (*i.e.*, big property) which engendered an odious distribution (*détestable répartition*). It is because large scale owners have appropriated much more than they were allowed to, and it is because property was distributed unequally that the question of distribution was raised:

“(…) *si au lieu d'un fleuve, on n'a plus qu'un mince filet d'eau, et que les prenants soient nombreux, pour que chacun en ait, et c'est le droit de chacun, il faut en venir à la répartition, car si un seul prend plus que sa part, tous en souffriront.* Introduite sans opposition, quand il y avait de l'espace à volonté, la propriété n'a pu se maintenir plus tard et se faire respecter qu'à la condition de ne préjudicier au droit naturel de qui que ce soit, de ne jamais anticiper sur lui, enfin de ne jamais l'entamer. – *S'il n'y a plus un pouce de terre à prendre, si la propriété a tout couvert, il est évident qu'alors non seulement elle a entamé le droit de vivre de quiconque n'a pas à soi un pouce de terre, mais qu'elle l'a totalement absorbé. C'est elle par conséquent qui lui doit son droit de vivre*”⁶²⁸.

Leaving aside their historical disagreement on the *Directoire* and the strategy of the *Conspiration*⁶²⁹, the state of affairs presented by Babeuf is very similar to what Paine will describe 11 years later in his “Agrarian Justice” (1797). Paine starts with the premise that, in the state of nature, the earth was the “common property of the human race”. Inequalities and poverty appeared when the idea of landed property arose with the improvement of the soil made by cultivation (these improvements being impossible to separate from the earth). Indeed, because just a few men appropriated the soil, the others remained landless and were thrown out from their natural inheritance, *i.e.* the earth. That is what Paine calls the landed monopoly. To remedy to this injustice, an indemnification for this loss is necessary: “Every proprietor therefore of cultivated land, owes to the community a *ground-rent*”⁶³⁰. The parallel with the end of Babeuf’s just quoted is striking. Nevertheless, in contrast with the tribune of the plebs, Paine is a defender of property. He claims that the solution of the agrarian law – which would expropriate the owners – would be unjust since every man has the right to the piece of land he has improved by cultivation. Indeed, because labour *creates* value, the one who transforms a piece of land has a right to it⁶³¹. However, “it is the value of

627 *Ibid.*, p. 114.

628 *Ibid.*, p. 110.

629 Indeed, Paine was a supporter of the *Directoire* and disapproved Babeuf’s *conspiration* that he compared to the royalists’ plots. LOUNISSI Carine, *Thomas Paine and the French Revolution*, Cham, Switzerland, Palgrave Macmillan, 2018, p. 256.

630 PAINE Thomas, “The Agrarian Justice”, in PAINE Thomas, *Rights of Man. Common Sense and other Political Writings*, Oxford, Oxford University Press, Oxford World’s Classics, 1998, p. 418.

631 According to Robert Lamb, labour gives the right to the thing because it *creates* value, not because *value* is created. In other words, the emphasis is put on the creation, not on the value. It means that labour gives the right on thing not because it “creates “value” for the world or maximizes utility” but rather because it creates something that was not in existence until it was created. In short, it is because I create a value that did not exist before that it is mine, not because I create an additional value which is useful. See LAMB Robert, “Liberty, Equality, and the Boundaries of Ownership: Thomas Paine’s Theory of Property Rights”, in *The Review of Politics*, Vol. 72, N° 3, SUMMER 2010, p. 502.

the improvement only, and not the earth itself, that is individual property”⁶³². In other words, the earth is still the common property of humanity. Here, Paine distinguishes between two sorts of property: natural property that God gives to us (the common property of humanity) and the artificial or acquired property which is the result of labour. Unfortunately, because the additional value is impossible to separate from the earth, common property of the soil has been confused with private property. Literally, landed property absorbed this common property. Consequently, it is on the restoration of this distinction that Paine grounds his ground-rent. If the common property of the earth remains under private property, and if a handful of man appropriate all the lands, then these men owe to the landless the part of the land which is commonly possessed and has been mixed with their labour. Consequently, a portion equal in value to the natural inheritance which has been absorbed should be subtracted from property through the ground-rent.

In the letter of June 1786, the situation is very similar. Owners have appropriated all the land and the others remain landless. However, because, according to natural rights, everyone has the right to live, a compensation of this landed monopoly should be paid. Now, Babeuf does not opt for the solution of rent. Owners should rather allow the landless to work in their lands. However, specifies Babeuf, these men will not be exploited and will get from these lands all that they need to be able to exert their right to live. Thus, the solution remains the implementation of collective farms. Admittedly, as we said, Babeuf does not propose to remove private property, but this is most probably because he chooses to be cautious. Indeed, his words are harsh against large property – in the name of which so much crime has been perpetrated⁶³³. One could retort that Paine also sees the first appropriation as a violent moment in which owners expropriated English peasants. However, as we said, he claims that if he advocates for the rights of the dispossessed, he also defends the rights of the possessor. That is not the case for Babeuf, who just admits (with an ironic touch) that private property will remain safe: “*Comment vous acquitterez-vous? Vous dessaisirez-vous, en allant au devant d'une sorte de loi agraire? Non, ce que vous avez, vous le garderez, vous continuerez à être titulaire des beaux domaines qui flattent votre orgueil (...)*”⁶³⁴. This looks more like a concession admitted under the pressure of potential repression than a real defence of property. Moreover, at the end of the letter, Babeuf evokes the revolts against property which were rumbling among the victims of inequality⁶³⁵. The struggle for the collective appropriation of the land is not so far and threatens property at any time. In other words, he insists again and again on the threat hovering over big property in the case that measures would be taken by the landless, and it is easy

632PAINE Thomas, “The Agrarian Justice”, *op. cit.*, p. 417.

633BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 112.

634*Ibid.*, p. 110.

635*Ibid.*, p. 116.

to understand that he perhaps makes these threats his own. Admittedly, he specifies that this revolt is far from happening and that the basis of the social edifice cannot be changed, only improved (in short, that a reform is more realistic than a revolution). However, he does not really give many arguments on why we should prefer reform to a revolution, and it is as if his argumentation was intentionally weak. *In fine*, it seems that Babeuf already puts into question private property, even if he does it implicitly. Does this mean that he goes so far as to promote the collective appropriation of land? Does he add the communism of appropriation (the collective appropriation of the earth) to the communism of production (collective work)? Due to the fact that he still admits the private property of farms, it should seem that Babeuf does not entirely admit the community of goods (and then of land), at least in 1786⁶³⁶.

To summarise what we have previously said, there are at least six possible options to answer the question of the division of farm: 1° the defence of *private property* and large scale farms 2° the *division of farms* (farms are divided and distributed to small farmers, but it is still the property of the owner) 3° the *agrarian law* (owners are expropriated and lands are redistributed) 4° the *communism of production* (individual produce in common) 5° the *communism of distribution* (lands and produce are equally distributed) 6° the *communism of appropriation* or community of goods (lands and goods are collectively appropriated).

In 1786, Babeuf opts for a communism of production and a communism of distribution but, as we just said, he still hesitates on the question of the community of goods. The important point in this typology is that Babeuf rules out the principal options related to distribution. It is true that he integrates into his program the redistribution of subsistence, but this integration rather signifies the limit point of the critique of distributive justice which cannot completely eliminate the question of distribution.

The specificity of Babeuf's argumentation against distribution is that it involves the question of the collective relationship with the earth. Most of the time, the critique of distributive justice is based on the idea that redistribution is not a radical enough program. Instead of undermining the foundations of the established order, redistribution just leads us back to the status quo. When Marx says that the equality of rights is still in principle a *bourgeois* right, he precisely means that it does not question the foundations of the capitalist society. Generally, distributive justice is accused of leaving intact the regime of private property since lands are redistributed to peasants as property. In short, it does not go beyond the framework of individualist production and ownership⁶³⁷.

⁶³⁶Here we agree with Claude Mauzauric. See BABEUF François-Noël, *Ecrits, op. cit.*, note 24 p. 146.

⁶³⁷"Tels sont les motifs pour lesquels les théoriciens de la petite bourgeoisie critiquaient, souvent assez violemment, les relations capitalistes. Pourtant cette critique du capitalisme ne va pas jusqu'au bout : la négation de ses fondements. L'abolition complète de la propriété privée et du principe de l'exploitation individualiste est inadmissible puisque la petite bourgeoisie y voit une prémisses de son existence ; cela ne l'empêche pas de

Nonetheless, in the letter of June 1786, Babeuf does not really adopt this more Marxist argumentation since he does not openly criticise property. His argument intertwines the social question and considers what sort of agriculture should be implemented to attain better productivity. As we will see, the principal reason which lead Babeuf to choose the collective farm option is that it provides a balance between the partisans of the division of farms – who intended to solve the problem of poverty but are unable to reach a satisfactory level of production – and the partisans of the large scale farm options – which is satisfactory from the point of view of production but does not really takes into account the social question. Both of these solutions do not manage to articulate the social and the economic questions (in other words, the problem of misery and the problem of agricultural production). This is precisely the articulation that Babeuf intends to achieve. Now, in this articulation, the problem of the relationship with the earth is fundamental since it is the agricultural production itself which is the solution of the social question. In other words, it is because collective farm has a more productive relation to the land than small plots that they are able to put an end to misery. We even could say that it is because collective farms are more adapted to the material configuration of land (its fundamental infecundity), that they are able to solve the social question.

We would like now to deal in depth with this relation to the land that underlies redistribution – the collective appropriation debate. The “ecological infrastructure” of the social question is particularly manifest in the ambiguous proximity Babeuf has with Delegorgue on the question of agriculture.

II.3.2) Under the social question: Modernisation

II.3.2.1) The Modernisation of Agriculture: the suppression of *jachère* and useless pathways

The similarities between Delegorgue and Babeuf goes beyond the question of the size of the farms. Both think that no piece of land should be let uncultivated: “*Il n'y a pas un coin de perdu sur le plus vaste domaine, chaque terrain est parfaitement étudié et apprécié: où le blé vient le mieux et rend le plus, là est le blé: où le lin doit prospérer, là est le lin, où le colza donnera la récolte la plus abondante, là sera le colza*”⁶³⁸. This passage of the letter of June 1786 recalls the quotation of

désapprouver la richesse et la misère accrues et même de critiquer l'institution de cette propriété, dans la mesure où celle-ci est une prémisses nécessaire de l'accumulation capitaliste. D'où toutes sortes de plans visant à égaliser les biens, à freiner le progrès économique, à conserver le principe de l'individualisme”. VOLGINE V., “Le socialisme et l'égalitarisme”, in *Essais sur l'Histoire des Idées Socialistes*, op. cit., p. 408-409.

⁶³⁸BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, op. cit., p. 85. Further he proposes that “(...) que

Young cited above. The extension of the cultivated land is a leitmotiv of Babeuf's writings before 1789, as it appears in two other measures advocated by the tribune of the people: the reduction of pathways in the Province of Artois and the suppression of the *jachères*.

The first proposition is developed in the essay he sent for the essay contest, which was held by the Academy of Arras in 1787. The question here was the following: “*Est-il avantageux de réduire le nombre de chemins dans le territoire des villages de la Province d'Artois, et de donner à ceux que l'on conserverait une largeur suffisante pour être plantés? Indiquer dans le cas de l'affirmative, les moyens d'opérer cette réduction*”⁶³⁹. In order to answer the question, Babeuf undertakes a sort of genealogy of the pathways in Artois. When different peoples scattered all over the surface of the globe and took the decision to gather themselves together in different places, it became necessary to establish communication channels between each of these groups of habitation. However, these pathways were made in function of personal needs and particular views, not the common good. In other words, chance and caprice were the principle according to which they were designed: “*il suffit (et cela arrive encore quelquefois) qu'un seul homme se fût avisé de croire trouver dans une direction quelconque, une route plus commode et plus abrégée, et eut le premier osé franchir les légers obstacles qu'il s'opposaient à sa témérité, pour que tout à coup on eût vu de nouveaux sentiers paraître*”⁶⁴⁰. Consequently, roads leading to the same place were multiplied. In other words, a great number of these communication channels were useless. Admittedly, Babeuf writes, the multiplication of paths reduced unnecessary detours; however, these advantages were nothing in comparison to the disadvantages brought by their proliferation. Indeed, paths take up a lot of space that is not used for agriculture.

*“Si l'on aperçoit dans cet exposé quelque sorte de vraisemblance; Si l'on reconnaît qu'effectivement le plus grand nombre de nos chemins paraisse avoir été établi d'une manière fort peu raisonnée, préjudiciable à l'agriculture, et indifférente au Commerce, qu'il soit véritablement intéressant d'avoir toujours en vue qu'il ne doit être sacrifié aucuns terrains, à moins qu'il ne soit visiblement prouvé que l'absolue nécessité publique y engage, et qu'enfin les diverses idées répandues dans ce mémoire méritent quelque attention, il sera très aisé sans doute d'effectuer le projet de l'auteur”*⁶⁴¹.

In conclusion, a lot of these paths should be removed in order to extend the areas under cultivation.

The suppression of *jachères* is the second measure proposed by Babeuf to reach the same goal. This measure appears clearly in a letter in which Babeuf proposes to Dubois de Fosseux

“tout y soit utilisé, rien en friche, rien de parasite, rien de perdu, rien de détourné de la bonne production pour un futile agrément ou pour une extravagante fantaisie(…)”. BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 112.

639BABEUF François-Noël, Question proposée par l'Académie d'Arras, in BABEUF François-Noël, *Œuvres*, T. I, *Babeuf Avant la Révolution*, *op. cit.*, p. 137.

640*Ibid.*, p. 138.

641*Ibid.*, p. 144.

concerning some of the subjects for the essay contest:.

1

“Est-ce un usage abusif de laisser anuellement en jachère, le tiers des premières qualités, ou même de toutes les sortes de tères à labour? Dans le cas de l’affirmative, pour l’un ou l’autre état de la question, déterminer théoriquement 1° les avantages qui paraîtraient résulter de l’abolition de cet usage, soustraction faite du surcroît de dépense qu’occasionerait pour l’exploitation, une pratique opposée, 2° Les moyens les plus propres à porter le commun des cultivateurs à suivre ce nouvel usage”.

2

“Quels seraient les moyens d’établir la plus juste fixation de la quantité, de la situation locale, des limites, des droits et des devoirs de toutes les parties bien-fonds, de tèles condicions qu’èles pussent être envers la Loi, et même de perpétuer cète fixation, quelques changements qui survinssent dans les formes distributives et les atenancements des objets: de manière à prévenir toute espèce de procès entre les citoyens, à l’occasion des propriétés foncières”.

3

“Avec la somme générale de connaissances maintenant acquise, quel serait l’état d’un peuple dont les institutions sociales seraient tèles, qu’il régnerait indistinctement dans chacun de ses membres individuels, la plus parfaite égalité, que le sol qu’il habiterait ne fût à personne, mai appartient à tous, qu’enfin tout fût commun, jusques aux produits de tous les genres d’industrie. De semblables institutions seraient-èles autorisées par la Loi naturelle? Serait-il possible que cète société subsistât, et même que les moyens d’observer une répartition absolument égale fussent praticables”⁶⁴².

As Daline argues, this text partially invalidates Lefebvre's thesis that Babeuf's communism would have its roots in the communitarian tradition of the peasant world⁶⁴³. In a famous article entitled “*Les origines du communisme de Babeuf*”, Lefebvre intends to prove that Babeuf's communism was not only book-based. He recalls that Babeuf grew up among the peasants of Picardie, a region in which the three year crop rotation system (*assolement triennal*) produced a communitarian life. Indeed, as arable lands were divided into three *soles* and peasants had plots in each of these three sections, they had to sow and to plough their fields at the same time⁶⁴⁴. It should be noted that peasants were very attached to this agricultural system since they used the part of the land left uncultivated to let their livestock go to pasture (a practice mostly known under the name of *vaine pâture*). Now, much like the promoters of agricultural progress⁶⁴⁵ (Delegorgue, for example), Babeuf's proposal goes against and collides with these communitarian practices. Indeed, he

642BABEUF François-Noël, Letter to Dubois de Fosseux, 21 March 1787, in BABEUF François-Noël, *Œuvres*, T. I, *Babeuf Avant la Révolution*, op. cit., pp. 181-182.

643DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, op. cit., pp. 29-30 and p. 63.

644“Chaque exploitation comprenant nécessairement des parcelles éparpillées dans les trois soles, cette structure entretenait une vie communautaire, tous les cultivateurs se trouvant astreints à respecter la rotation triennal, tant pour les prescriptions légales et les baux que par l'impossibilité d'y contrevenir, puisque à défaut de clôture le bétail aurait ravagé la parcelle indiscrètement soustraite à la jachère; d'ailleurs, l'entremêlement des parcelles commandait à tous de labourer et d'ensemencer dans le même temps, et l'autorité interdisait de récolter avant la publication de son ban de moisson. L'habitat renforçait la mentalité communautaire dans ce pays de gros village condensés (...)”. LEFEBVRE Georges, “Les origines du communisme de Babeuf”, op. cit., p. 416.

645LEFEBVRE Georges, “La place de la Révolution dans l'histoire agraire de la France” in *Annales d'histoire économique et sociale*, 1^{er} year, n° 4, 1929, pp. 506-523.

proposed nothing less than the suppression of the *jachères* and thus of the collective rights which were attached to them⁶⁴⁶.

Nonetheless, his intention is to solve this apparent contradiction between his will of agricultural progress (and thus his will of feeding everyone), and the suppression of the collective right which had ensured peasant's subsistence under the *Ancien Régime*. Here the rest of the text we have just quoted comes into play. As noted by Stéphanie Roza, each subject proposed by Babeuf in the essay contest are deeply interconnected⁶⁴⁷. Indeed, Babeuf is fully aware that the suppression of *jachères* would deprive peasants from an important part of their means of subsistence⁶⁴⁸. It is for that reason that he proposes the second subject which has to do with land distribution. The *cadastre* (the fixation of the quantity of lands, the fixation of limits by which plots are delimited, rights and obligations of the possessors over his estate, etc.) is the means by which Babeuf chooses to implement concretely this redistribution thanks to which everyone will have access to a piece of land and thus to a minimum of subsistence. The third subject aims for the same goal through the common property of the land and its products. Now, it should be noted that there is an apparent tension between the two last subjects. Indeed, the second subject is oriented toward the redistribution of land in the form of individual property (everyone gets a piece of land which becomes their property) whereas the third subject seems to go beyond this individualist solution and suggests that land should be owned in common. We will see that in the Preliminary Address of the

⁶⁴⁶Two years later Babeuf will temper this idea. In the meantime, it seems that he realised that the suppression of all pasturelands caused a problem of agricultural productivity. Indeed, without pasture there is no manure and thus no fertiliser: “*On a voulu étendre démesurément les domaines labourables; on a porté la charue par-tout. Qu'est-il arrivé? Les mauvaises terres défrichées servoient auparavant à la pâture de bestiaux qui fournissaient d'abondans engrais pour les bonnes; du moment qu'il n'y a plus eu de pâturages, les bestiaux ont disparu; ni les bonnes, ni les mauvaises terres n'ont plus été fumées; il a fallu, pour arracher quelque chose du fond aride de celles-ci, y porter même le peu de mauvais fumier provenu des pailles que les bonnes terres avoient produites; ces dernières s'en sont entièrement passées: & delà, elles se sont desséchées au point que le sol, devenu presque aussi mauvais que celui des défrichemens, y a été assimilé de prix. Le laboureur s'est vu ruiné: il a reconnu, trop tard, que, sans pâturage, point de bestiaux; sans bestiaux, point d'engrais, sans engrais, point de dépouilles; & sans dépouilles, il est peu consolant sans doute de rester possesseur de vastes terrains qui ne présentent que la triste perspective d'infructueux déserts.*”
BABEUF François-Noël, *Cadastre Perpétuel ou Démonstration des procédés convenables à la formation de cet important ouvrage, pour assurer les principes de l'Assiette & de la Répartition juste & permanentes, & de la Perception facile d'une CONTRIBUTION UNIQUE, tant sur les Possessions Territoriales, que sur les Revenus Personnels; Avec l'exposé de la Méthode d'Arpentage de M. Audiffred, par son nouvel instrument, dit GRAPHOMETRE-TRIGONOMETRIQUE; méthode infiniment plus accélérative & plus sûr que toutes celles qui ont paru jusqu'à présent, & laquelle, par cette considération, seroit plus propre à être suivie dans la grande opération du Cadastre*, Dédié à l'Assemblée Nationale, Paris, Granery & Volland, 1789, <https://gallica.bnf.fr/ark:/12148/bpt6k84793b/f2.item.texteImage>, pp. 188-189. It should be noted that in this text, Babeuf highlights more on the economic consequences of the suppression of pasturelands than the destruction of the peasants' communitarian practices.

⁶⁴⁷ROZA Stéphanie “Comment la révolution a transformé l'utopie : le cas de Gracchus Babeuf”, *Annales historiques de la Révolution française*, 366, 2011, pp. 83-103.

⁶⁴⁸In 1790, he will write: “[*Droit de parcours*]. *L'extinction du parcours, le droit universel & exclusif de la clôture, sans pourvoir réellem'. efficacem', universellem'. à la subsistance de chaque individu dépouillé du droit naturel à la subsistance assurée par le don de tout à tous, c'est justifier l'invasion de l'Europe cultivée par les Nations, ou les hordes du Nord. La force réclame un droit imprescriptible*”. BABEUF François-Noël, *Les Lueurs Philosophiques*, in BABEUF François-Noël, *Œuvres*, Vol. I, Ed. Philippe Riviale, Paris, l'Harmattan, 2016, p. 293.

Cadaastre Perpétuel, Babeuf proposes a solution to this apparent contradiction.

Now, this text raises another problem: if the redistribution of lands and the implementation of common property may successfully overcome the loss of subsistence due to the suppression of *jachère*, does it entirely solve the social problems engendered by the removal of these collective rights? Indeed, we have just seen that in Picardie, the system of use of the land fostered communitarian practices such as the use of common labour. It is as if the constitution of the life of the peasant community depended on this specific use of the land. Broadly speaking, these spaces, which were used collectively according to collective rights, were not reducible to a stock of resources for subsistence but were also the substrate of the peasant identity.

The case of forests in the Ancient Regime is emblematic. The forest is not only seen by the peasant of the Ancient Regime through an economic perspective, but it is also for him an original mythical space, the *Urwald* (literally the primeval forest), in which material and spiritual resources are present for everyone⁶⁴⁹. As Bachelard writes, the forest and the field are both a “non-I” (*un non-moi*), but they are not a non-I in the same way. Whereas the field is a “with-us” (*avec-nous*), the forest is a “before-us” (*avant-nous*); it is the realm of the antecedent⁶⁵⁰. Because the forest is the place of the immemorial, the ancestral, it is opposed to the present, *i.e.* the society structured by human order and the law. Before the stabilisation of the social organisation, there is the Order of Nature, which is the realm of liberty. This “libertarian vitalism” defies the stabilised order of the society.

Notwithstanding this, it does not mean that the opposition between the *Urwald* and the structured social order is equivalent to the opposition between the realm of non-humans and the realm of humans, between Nature and Culture. In fact, as a “libertarian matrix”, forests were the den of brigands, smugglers, deserters and others fringe elements. This vision of the forest as a space of total liberty is perfectly depicted by Eugène Le Roy in his novel entitled *Jacquou le Croquant*, which narrates the life and the revolt of a peasant against the local nobles: Le Roy “*peint (...) l'image d'une forêt idéalisée, symbole de la liberté et de l'identité paysanne: refuge des croquants, espace de liberté, de chasse, de beauté et de mystères avec ses loups et ses sorcières*”, writes Martine Chalvet in her beautiful book on the history of the forest⁶⁵¹. Therefore, if forest is a place in which both the wild and freedom manifest themselves in all their fury, it is not a nature hermetically closed in on itself and exterior to the human world. Indeed, it is a place fully inhabited and regularly

⁶⁴⁹NICOLAS Jean, *La Rébellion Française. Mouvement Populaires et Conscience sociale. 1661-1789*, Paris, Gallimard, Folio histoire, 2008, p. 636.

⁶⁵⁰BACHELARD Gaston, *La Poétique de l'Espace*, Paris, PUF, 1961, pp. 169-172 (quoted by Jean Nicolas in NICOLAS Jean, *La Rébellion Française*, *op. cit.*, p. 649).

⁶⁵¹CHALVET Martine, *Une histoire de la forêt*, Paris, Seuil, 2011, p. 179 and p. 195-197.

frequented by peasants⁶⁵² and other characters already mentioned. The wild here is not a synonym of the non-human; it seems to be attributable to all beings of the forest, human or not. In fact, it is as if the forest were a territory in which humans and non-humans formed a collective. This non-separation between forest and the rural area seems also to be true from a strict material and economic point of view. Indeed, Andrée Corvol insists on the fact that, under the Ancient Regime, there was a sort of symbiosis between the two milieus: the forest area (which provided firewood and in which peasants let their cattle go to pasture, etc.) compensated the lacks of the rural area⁶⁵³. Moreover, from a morphological point of view, these two spaces were not separated by a clear frontier; a sort of no man's land ensured the transition⁶⁵⁴.

The important point here is that the forest seems to be constitutive of the formation of the collective of humans. Jean Nicolas perfectly expresses this point when he exposes the motivations of a conflict related to the right of *triage* (setting aside) in the Dauphiné:

*“Le plus important alors avait été l'union des villageois et consuls qui avaient affirmé que les bois étaient consubstantiels à leur être: notre terroir, lisons-nous dans une requête “n'était anciennement qu'une forêt, c'est pourquoi on lui a donné le nom de Taulignan qui dérive du mot latin totum lignum”, étymologie douteuse, mais lourde de symboles...”*⁶⁵⁵.

Therefore, it seems that the collective use of these space is much more than a simple natural resource for exploitation. Even if, when using historical materials for philosophical analysis (and thus venturing outside of our own discipline) we should remain cautious, we would like to hypothesis that what is at stake here is a “form of attachment to the land (*attachement*)”. In the fourth part of this work, we shall return to this concept in more detail but for now, let us just says that attachment is a relation which deeply determines the ontological constitution of the terms which are related. To be attached to a land means for a group that its being depends on its relation with this natural milieu. If our hypothesis is right, it would mean that the suppression of the collective rights of using these collective spaces (and thus the suppression of the collective access to this space) should be seen as destruction (or an alteration) of this form of attachment. In other words, if collective use is understood as a form of attachment, the restriction of use engendered by the suppression of collective rights is a destruction of this relation with the land by which the group

652 “L'espace boisé n'est donc pas cet univers angoissant que décrivent avec volupté les contes d'autrefois. Il n'inquiète que l'étranger pour lequel il est terre inconnue. Il est, au contraire, familier aux pas de l'éleveur et de l'agriculteur. Pénétrer dans le périmètre boisé, et y couper en “bon père de famille”, selon l'expression consacrée, sont des gestes naturels, gestes légitimes de l'usager, et usurpés par le délinquant. La nécessité seule impose son rythme. Celui qui est ayant droit, comme celui qui ne l'est pas, expriment la profondeur des liens qui les unissent à la terre de l'Arbre, et ce, dans leurs réponses les plus spontanées quant au but de leurs déplacements. “Aller au bois”, “venir au bois” sont des tournures elliptiques, qui, de par leur sobriété, rendent tout commentaire superflu. Les mouvements entre le centre et la périphérie ne requièrent pas de justifications”. CORVOL Andrée, *L'Homme et l'Arbre sous l'Ancien Regime*, Paris, Economica, 1984, p. 432.

653 CORVOL Andrée, *L'Homme et l'Arbre sous l'Ancien Regime*, Paris, Economica, 1984 p. 272.

654 CORVOL Andrée, *L'Homme et l'Arbre sous l'Ancien Regime*, Paris, Economica, 1984, p. 41.

655 NICOLAS Jean, *La Rébellion Française*, op. cit., p. 643.

constitutes itself. In his book, Jean Nicolas insists on the fact that struggles for the use of the forest went beyond economic concerns; these conflicts were also related to the negative impacts that the suppression of collective use had on the *being* of the group since this being intrinsically depended on the uses of the forest, and thus on the relation established with it.

Here, even if it is necessary to remain cautious, one may ask if it is not possible to transpose this hypothesis to the *jachères*, which were collectively used by the peasants. This would mean that the suppression of these uncultivated spaces would be more than a simple question of subsistence and would therefore be related to the ontological constitution of their collective life. If this hypothesis is right, the solution in terms of redistribution and economic compensation proposed by Babeuf would remain insufficient.

II.3.2.2) Technical Progress and Abundance

In any case, it remains certain that his political program presupposes a modernisation of agriculture. In that his position is close to Delegorgue's and the physiocrats who both promoted the English model. An additional proof of this point lies in his promotion of agricultural machines: “*Les gens qui ont des notions un peu plus positives savent que par l'effet de l'emploi des machines agricoles et de la bonne distribution des travaux ainsi que cela se pratique dans le pays de grande culture où la propriété s'est agglomérée dans peu de mains, il y aurait dix fois plus de bras qu'il n'en faut pour mettre les terres en valeur*”⁶⁵⁶. More generally, it seems that Babeuf was never afraid of technical progress⁶⁵⁷: “*(...) quand on observe la marche des sciences, ne sent-on pas venir une époque où l'invention de nouvelles machines, rendra superflu le déploiement d'une grande force musculaire?*”⁶⁵⁸, writes the future tribune of the people in the manuscript of June 1786. In the Manuscript known as *Les Lueurs Philosophiques* (1790-1791)⁶⁵⁹, Babeuf promotes the use of fire engines (*machine à feu*) for milling. Babeuf is probably referring to the steam engine invented by Newcomen in 1712 than to James Watt's, which was created in 1775. Indeed, the use of Watt's engine was very exceptional at the end of the 18th century. By contrast, the fire engine had been used since 1782 to pump out the ground water that filled mines and from 1790 they were used to mill wheat⁶⁶⁰. Interestingly, Babeuf entitles the paragraph he dedicates to the fire engine “*charbon*

656BABEUF François-Noël, Lettre à Charles Germain 10 Thermidor an III (28 July 1795), in BABEUF François-Noël, *Pages Choies de Babeuf*, introduced by Maurice Dommanget, Paris, Librairie Armand Colin, 1935, pp. 215-216.

657SCHIAPPA Jean-Marc, *Gracchus Babeuf, avec les Egaux*, Paris, Les Editions Ouvrières, La part des Hommes, p. 91.

658BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 98.

659For the justification of this datation, see DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, *op. cit.*, p. 306.

660ESPINAS Alfred, *La Philosophie Sociale du XVIIIe Siècle et la Révolution*, *op. cit.*, note 2, p. 85. MITCHELL Timothy,

de terre”, i.e., coal. Indeed, fire engines used coal for the combustion process, this sedimentary rock, whose production increased 500 percent between 1750 and 1830 caused, as is well known, huge environmental degradations⁶⁶¹. In the manuscript, Babeuf proposes to replace water mills by these fire engines. According to him, because of the water mills, a lot of lands were flooded and thus became unsuitable for cultivation. Once again, the problem for him is to extend the cultivation of waste lands⁶⁶². Moreover, Babeuf insists on the productivity of the fire engine. He reckons that just one of these machines might replace 15 water mills. We will see further that the substitution of water mills with the fire engine (combination of coal and steam) is precisely what made possible for European countries, the liberation (and thus the detachment) from the energetic limitations of biomass and organic economies⁶⁶³, but also from the constraints of waterpower.

In fine, because machines in general reduce the drudgery of work and the labour-time needed⁶⁶⁴, they are also the solution to the problem of the livelihood of man⁶⁶⁵. In other words, with technical progress, man goes beyond the question of subsistence and thus detaches himself (*s'arrache*) from his natural condition.

This technological optimism moderates the thesis of Babeuf's “economic pessimism”. According to Jean Dautry, Babeuf never pictured a communist society based on the abundance of wealth⁶⁶⁶. Dautry argues that, by contrast with Saint-Simon and the later socialists, Babeuf ignored the revolutionary nature of industry and some of his stances was close from Malthus⁶⁶⁷. However, historians have questioned this idea⁶⁶⁸. In particular, Daline has showed that his social ideas had been deeply influenced by his knowledge of the capitalist socio-economic structures of his natal Picardie, and especially of the development of the capitalist manufacturing during the 1780s⁶⁶⁹. For

Carbon Democracy, op. cit., p. 13.

661 JARRIGE François and LE ROUX Thomas, *La Contamination du Monde. Une Histoire des Pollutions à l'Age Industriel*, Paris, Seuil, l'Univers Historique, 2017, p. 64.

662 BABEUF François-Noël, *Les Lueurs Philosophiques*, op. cit., p. 253-254.

663 JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, p. 65.

664 “Si j’ai inventé une machine, un procédé qui simplifie et abrège la besogne de mon art, si je possède un secret pour faire mieux ou plus vite en quoi que ce soit, je [ne] tremble plus qu’on me le dérobe, je m’empresserai au contraire de le communiquer à l’association et de le déposer dans ses archives pour que jamais on n’ait à déplorer de l’avoir perdu”. BABEUF François-Noël, Letter to Charles Germain, 10 Thermidor an III (28 July 1795), in BABEUF François-Noël, *Pages Choisies de Babeuf*, op. cit., p. 213.

665 “Irai-je m’alarmer à l’annonce d’une machine qui supprime dans ma profession l’emploi d’un grand nombre de bras? Non, mille fois non, car je sais que l’introduction de cette machine ne doit mener à rien de fâcheux : ce sera tout naturellement pour l’association une somme de temps gagnée et par conséquent une diminution de fatigue. Les bras remplacés par la machine seront appelés à coopérer ailleurs et aucun estomac n’en pâtira. Ma subsistance et celle de tous sont assurés convenablement et pour toujours; elle est à l’abri de toute vicissitudes, de tous les caprices, de toutes les spéculations, de toutes les chertés.” BABEUF François-Noël, Letter to Charles, Germain 10 Thermidor an III (28 July 1795), in BABEUF François-Noël, *Pages Choisies de Babeuf*, op. cit., p. 213-214.

666 DAUTRY Jean, “Le pessimisme économique de Babeuf et l’histoire des utopies”, in *Annales historiques de la Révolution française*, 33th year, n° 164, April-June 1961, pp. 215-233.

667 MAZAURIC Claude, *Babeuf et la Conspiration pour l’Egalité*, Paris, Editions Sociales, 1962, p. 161.

668 ROZA Stéphanie, “Situation de la connaissance du babouvisme”, *Cahiers d’histoire. Revue d’histoire critique*, 115, 2011, pp. 157-174 ; ROZA Stéphanie, *Comment l’Utopie est devenue un Programme Politique*, op. cit., pp. 27-29.

669 DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, op. cit., p. 63 sq., p. 102,

the Russian historian, Babeuf perfectly understood the importance of the industrial techniques, which were just beginning to emerge in France⁶⁷⁰. Moreover, in the letter of June 1786, he claims explicitly that collective farms will bring abundance among the associated workers:

“(…) personne n'est serviteur, il n'y a que des associés; le propriétaire n'est que cela; il l'est pour son domaine; il l'est pour les avances qu'il a jugé à propos de faire dans le but d'améliorer les conditions de la culture et son rendement. Ce qui forme sa part, c'est le produit total de ce qu'il a pu ajouter loyalement de terrain à chaque mesure de droit de vivre sans fouler les travailleurs. Et sa part, n'en doutez pas, sera encore belle; car à ces champs qu'il livre à des co-intéressés, l'abondance ne fera jamais défaut – il n'aura plus affaire à des êtres malingres, souffreteux, épuisés, abrutis, découragés, mais à des individus robustes, alertes, énergiques, joyeux, infatigables, intelligents et remplis d'émulation – avec eux tout prospérera, et, dans de telles conditions, le monde fut-il deux fois, trois fois plus peuplé, ce qui demande des siècles, il ne laissera pas d'y avoir pour tous ample moyen de vivre”⁶⁷¹.

However, the text often quoted to prove Babeuf's proximity with Malthus has been over-interpreted. We refer here to a passage of *La guerre de la Vendée et le système de dépopulation* in which he makes the strange assumption that the crimes perpetrated by Carrier in the name of the *Comité de Salut Public* in Nantes during the war of Vendée (i.e., the bloody repression of the counter-revolutionary and the *anti-montagnard*) were motivated by a secret project of depopulation that was supposed to re-establish the balance between population and subsistence. This refers to the implausible hypothesis of the “depeopling (*dépeuplement*) of France”⁶⁷². In this text, Babeuf explicitly states that he does not agree with the presupposition of the *Comité de Salut Public* that the French soil is insufficient to feed the whole population: “(…) je ne crois pas avec eux que les productions du sol français n'aient jamais été en portion inférieures aux besoins de tous ses habitants (…)”⁶⁷³. Two lines further he writes the following :

“Je crois que dans le cas même où il serait bien reconnu que les moyens de subsistances d'une nation ne seraient point en mesure suffisante pour remplir l'appétit de tous ses membres; je crois qu'alors les simples lois de la nature commandent, au lieu de la dépopulation, la privation partielle de chacun des membres, pour satisfaire, par égalité, dans la portion usuelle, les besoins de tous”⁶⁷⁴.

Contrary to what Dautry argues, this text does not prove the potential proximity between Babeuf and Malthus. Indeed, what Babeuf wants at any price is to show that Carrier's crime could be avoid. The proof is that, even if we admit the hypothesis that population rate exceeds the

p. 327.

670DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, op. cit., p. 328-329.

671BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, op. cit., p. 111.

672“De ces premières bases dériveraient les considérations et les conséquences suivantes. (...) Que d'ailleurs un dépeuplement était indispensable, parce que, calcul fait, la population française était en mesure excédante des ressources du sol, et des besoins de l'industrie utile (...) Enfin (et c'est l'horrible conclusion) que la population surabondante pouvant aller à tant (...) il y aurait une portion de sans-culottes à sacrifier, qu'on pouvait 'déblayer ces décombres' (expression de Barrère : Cause secrète, p. 14) jusqu'à 'telle quantité', et qu'il fallait en trouver les moyens”. BABEUF François-Noël, *La Guerre de la Vendée et le Système de Dépopulation*, eds. Reynald Secher and Jean-Joël Brégeon, Paris, Cerf, Coll. “l'Histoire à vif”, 2008, p. 117-118.

673BABEUF François-Noël, *La Guerre de la Vendée*, op. cit., p. 122.

674Ibid., p. 123.

capacity of production for French soil, there are other solutions than the “*dépopulation*” option to resolve this problem (for example, a just distribution of subsistences). Now, it is correct that in the line after the above quote, he seems to consider the possibility of the overpopulation mentioned by Mably, Plato and Montesquieu. And it should be admitted that he had already evoked this possibility in the letter on collective farms: “*Mais si un jour la population se trouvait si formidablement augmentée, que ceux qui pouvaient encore avoir du superflu, grâce au concours et au concert actif de tous les travailleurs, n'eussent plus même l'intégralité de leur droit de vivre, ce serait pour tous une bien affreuse calamité*”⁶⁷⁵. But immediately after this passage, he considered two solutions to the problem of overpopulation⁶⁷⁶. First, with the progress of science, it should be possible to avoid such an excess of population. And second, men could be better distributed over the whole surface of the globe. Therefore, the problem of over-population is not irremediable and the comparison with Malthus is rendered irrelevant.

Does this mean that Babeuf's economic program aims at for unbridled abundance and the infinite accumulation of commodities which characterises nascent capitalism? Or does this abundance mean the simple satisfaction of needs? It is not easy to answer this question and commentators are divided on this point. The *Fragment d'un projet de décret économique*, which is one of the documents elaborated by the conspirators, is often quoted by historians as providing some elements of a response:

“*La communauté nationale assure, dès ce moment, à chacun de ses membres: un logement sain, commode et proprement meublé; des habillemens de travail et de repos, de fil ou de laine, conformes au costume national; le blanchissage, l'éclairage et le chauffage; une quantité suffisante d'alimens en pain, viande, volaille, poisson, oeufs, beurre ou huile; vin et autres boissons usitées dans les différentes régions; légumes, fruits, assaisonnemens, et autres objets dont la réunion constitue une médiocre et frugale aisance; les secours de l'art de guérir*”⁶⁷⁷.

This text is often interpreted as a return to the old tradition of utopia that was imbued by asceticism⁶⁷⁸. However, this idea should be questioned. First of all, it should be noted that the term *médiocre* does not mean “insufficient”, “poor” or “inferior” but refers to something which is middling, something which is within the average⁶⁷⁹. Now, the important point is that, to be fully understood, the *Fragment* should be placed in its intertextual and historical context. In particular, Coë has shown that a comparative study of this text with Morelly's *Code de la nature* is necessary⁶⁸⁰.

⁶⁷⁵BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 116.

⁶⁷⁶*Ibid.*, p. 117.

⁶⁷⁷Fragment d'un Projet de Décret Économique, in BUONARROTI Filippo Michele, *Conspiration pour l'Égalité de Babeuf. Suivi du procès auquel elle donna lieu, et des pièces justificative, etc., etc.*, T. 1, Bruxelles, A la Librairie Romantique, 1828, p. 311.

⁶⁷⁸DAUTRY Jean, “Le pessimisme économique de Babeuf et l'histoire des utopies”, *op. cit.*, pp. 215-233.

⁶⁷⁹Cf. BABEUF François-Noël, *Œuvres*, Vol. I, Ed. Philippe Riviale, *op. cit.*, note 2 p. 164.

⁶⁸⁰COË R. N. C., “La Théorie morellienne et la Pratique babouviste” in *Annales historiques de la Révolution française*, 30th Year, n° 150, January-March 1958, pp. 38-50.

Indeed, in the *Fragment*, Buonarroti (which seems to be the principal author of the text), proposes to implement Morelly's ideal community. Now, this reference to praxis implies the confrontation of theory with historical reality and thus some modification in Morelly's initial program. The question of the level of production that should be reached is one of those points which have been modified by the Babouvists. Whereas Morelly had dissociated utopia and asceticism, and aimed at the maximum level for the standard of living, the Babouvists settled for the minimum. According to Coë, this does not mean a return to asceticism, but it does have to do with the historical circumstances encountered by the Babouvists and the condition of feasibility of their economic program. Indeed, in order to achieve their goal (the taking up of power and the implementation of a communist society), they count on the support of a vanguard and the mass of the poor who have suffered from deep misery since the Directory took liberal measure. For these masses, Morelly's maximum standard of living would have appeared as an impossible ideal and thus it would have had a demoralising effect on them. More realist is the minimum standard of living proposed in this text. Therefore, this text is more of a concession granted to the reality principle than a real promotion of the austerity related to the ancient utopias⁶⁸¹.

This does not mean that Babeuf would have opted for Morelly's maximum. In any case, one thing is sure, abundance did not mean for him an unlimited production of goods. He claims several times that desire should be moderated. In the letter of June 1786, he makes the difference between desires, which are unlimited, and needs, which are limited. Only the fulfilment of needs (physical or intellectual) leads to general happiness. Nevertheless, Babeuf does not really give any precision regarding what these needs concretely are⁶⁸². In the letter to Charles Germain already quoted, Babeuf reproaches the institutions for producing immoderate desires. Indeed, because these institutions do not ensure that individuals are not lacking anything, and since they do not offer any guarantee regarding their future, desire become unlimited: “*voilà pourquoi, ne pouvant tabler sur rien, nous sommes immodérés dans nos désirs. Si nos convoitises, si nos projets de fortune sont exagérés, c'est parce que dans cette vieille société de hasard où tout est si précaire, Il n'est fortune si colossale que des chances préférables ne puisse dissoudre*”⁶⁸³.

Therefore, it is clear that for Babeuf, abundance does not mean the unlimited. Now, it remains unclear if this abundance goes beyond the minimum standard of living or if it proposes a maximum standard of living. Probably Babeuf aims at a material comfort which cannot be reduced to a minimum, as evidenced by the fact that he explicitly prefers the material advantages of

681ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit., p. 190 see also p. 144, pp. 146-147.

682BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, op. cit., pp. 90-91.

683BABEUF François-Noël, Letter to Charles Germain, 10 thermidor an III (28 Juillet 1795), p. 214.

civilisation to the harsh life and the frugality of the state of nature⁶⁸⁴. What is sure is that he aims at abundance, and that his social program is based on the modernisation of agriculture and the use of machines. As Philippe Riviale asks rhetorically in a note to his edition of *Les Lueurs philosophiques*: “généraliser les machines à vapeur: est-ce le fait d'un esprit médiocre, tourné vers le passé?”⁶⁸⁵ In that, he shares some presuppositions with his adversaries such as Delegorgue and the promoters of the English model who think large scale big farms are more productive than smaller ones.

To summarise, on the one hand like Delestré du Terrage, Babeuf aims at equality, which implies a certain division of the farm and thus a redistribution of lands; on the other hand, he agrees with Delegorgue that large farms produce are profitable. In short, from the social point of view (equality and redistribution), he takes Delestré du Terrage's side, from the economic point of view, he aligns himself with Delegorgue. The solution of this apparent contradiction are collective farms.

II.3.3) The Distributive Moment

From 1789, Babeuf seems to reverse his prior position on the distribution-collective alternative to appropriation. In a series of texts published between 1789 and 1794, the reference to collective farm is abandoned and the equal distribution of lands begins to acquire a central position. As we will see, in some texts he even becomes an apologist for the agrarian law that he had denounced years before. This change raises various questions. Firstly, is this move from collectivisation to a program of redistribution a pure result of his revolutionary pragmatism? Is it a strategy that would consist of proceeding stages⁶⁸⁶? According to this hypothesis, Babeuf firstly was in favour for the agrarian law and then, during the second phase, he advocated in secret for the nationalisation of land. Secondly, is this redistributive turn frontally opposed to the proto-form of communism we find in the letter of June 1786? Or does Babeuf support a mixed position in which communism and equality would be articulated?

684BABEUF François-Noël, Letter to Dubois de Fosseux, 8 July 1787, in BABEUF François-Noël, *Ecrits*, *op. cit.*, p. 170-171.

685BABEUF François-Noël, *Les Lueurs Philosophiques*, *op. cit.*, p. 254, note 1.

686BABEUF François-Noël, *Ecrits*, *op. cit.*, p. 47 and p. 55.

II.3.3.1) The Cadastre perpétuel: Geometry and Equality

The *Cadastre perpétuel* (the perpetual cadastre) was initiated in 1786 but was really only achieved in 1789. The objective of the book was announced in the first lines of the *Preliminary Discourse*: to put an end to the fiscal inequalities of the feudal regime⁶⁸⁷. Indeed, under the Ancient Regime, levees taxes were unjust. In the *Discours Préliminaire*, which was redacted between the spring and the summer 1789⁶⁸⁸, Babeuf condemns the unequal repartition of taxes: whereas the members of the *tiers état* are taxed to death, the “egoist classes” were unfairly exempt of these taxes. In order to deconstruct this injustice, Babeuf attacks the foundation of the argumentation by which the seigniors legitimise their taxes. They argue that tenant farmers owed them a ground rent (*cens*) in exchange for giving them land property that they had previously dismembered and separated from their fief. Now, as we have already mentioned, these large estates were nothing less than the fruit of initial usurpations. Consequently, the tax is considered fundamentally unjust and should be removed⁶⁸⁹. Only the taxes which contribute to the common happiness should be maintained. These taxes are justified because he who takes advantage of his participation in the Society should give back in return something which contributes to the common needs of the other members⁶⁹⁰. This is the reason why Babeuf prefers to call these subventions “*contribution*” that citizens owe to the State rather than “tax”. The *cadastre* according to Babeuf will be used to set up a *just distribution* of these so-called “contributions”, without distinction of class.

It may be recalled that a *cadastre* is a register of the whole real estate (*foncier*) (which includes measurements, cartographies, etc.) on which the tax system is based⁶⁹¹: given that land is one of the principal bases of taxation⁶⁹², a precise register of all properties make a precise (and thus

687BABEUF François-Noël, *Cadastre Perpétuel*, *op. cit.*, p. xix.

688ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique.*, p. 343.

689BABEUF François-Noël, *Cadastre Perpétuel*, *op. cit.*, p. 13-14.

690*Ibid.*, pp. 4-5.

691CHOUQUER Gérard, *La Terre dans le Monde Romain. Anthropologie, Droit, Géographie*, Paris, Errance, 2010, pp. 46-47. On this topic, see also TOUZERY Mireille “Cadastre et Compoix”, in BÉLY Lucien, *Dictionnaire de l'Ancien Régime*, Paris, P.U.F, 1996, p. 191; GILLIER Bernard, *Arpenteur au Siècle des Lumières*, Vichy, Adequat Editions, 2010.

692 “L'objet qu'on se propose dans un Cadastre est en général de répartir un impôt dont la forme est déterminée, sur la totalité de celles des terres d'une Province qui sont sujettes à cet impôt, & de le répartir proportionnellement au produit net de ces terres. Ce produit net, qui se forme en déduisant de la valeur des fruits les frais de culture, est appelé produit imposable dans les Mémoires qui nous ont été remis, & nous lui donnerons désormais ce nom”. MM. Tillet, l'Abbé Bossut, Desmarest, Du Séjour, and De Condorcet, “Rapport sur un projet pour la réformation du Cadastre de la haute Guienne, présenté à l'Assemblée de cette Province, et sur lequel les Chefs de cette Assemblée on demandé l'avis de l'Académie” (1782), in *Essai sur la constitution et les fonctions des Assemblées Provinciales*, T. 2, 1788, p. 1-2. In fact, there was a debate on the basis of taxation. Physiocrats, who consider that land is the source of all value, claim that tax should be based on land property. BABEUF François-Noël, *Cadastre Perpétuel*, *op. cit.*, p. 23). Others, retort that such a proposition would be unfair since the burden of contributions

a just) levying possible. Indeed, it is worth recalling that injustice did not lie only on the fact that the privileged were exempt from taxation. Among those who were taxable, some of them dissimulated a part of their property and thus escaped taxation⁶⁹³. For that reason a precise knowledge of the real estate within the French territory was the remedy to this injustice, knowledge which is made possible by the *cadastre*. In other words, the *cadastre* is the technical and material apparatus by which the idea of justice is implemented in the material world.

The *cadastre*, Babeuf argues after Dutillet de Villars, is an impartial judge which settles conflicts between the oppressor and the poor. Contrary to the civil servants who were in charge of the distribution of tax, the *cadastre* is not human and thus not submitted to passions which lead to nepotism, to arbitrariness, and finally to injustice: “*Voulez-vous faire une opération utile? (...) Etablissez, entre l'oppresseur & le malheureux qu'il veut écraser un Juge également redoutable pour tous deux: que ce Juge ne puisse ni voir, ni entendre, ni palper. (...) Mais quel sera ce Juge au-dessus des passions, au-dessus même de la nature humaine? Je l'ai déjà nommé, c'est le Cadastre*”⁶⁹⁴.

Babeuf describes with precision the tasks which has to be executed to create a *cadastre*. One of the principal tasks was to acquire knowledge of the extent of each property of the kingdom, an operation which implies a topographic mapping and thus a general land survey⁶⁹⁵. For that purpose, Babeuf recommends the use of the trigonometric graphometer invented by Tyot de Lyon and perfected by Audiffred with whom the tribune of the people collaborated and corresponded⁶⁹⁶. This measuring instrument solves the difficulties that surveyors encountered with former surveying techniques, especially those raised by the irregularities of the terrain. Indeed, given that in reality

would only rest on the cultivators (the bourgeois living in town should also be taxed). Babeuf opts for an intermediate solution and proposes two contributions. The first, the real contribution (*la contribution réelle*) will be based on land incomes, the second, the personal contribution, will be calculated on “personal incomes” of the individual, that is on incomes generated from their industry (dailies, doctors, merchants, etc.). See BABEUF François-Noël, *Cadastre Perpétuel*, op. cit., p. 124-125. On this the difference between real contributions and personal contributions see SPECTOR Céline, “Théorie de l'impôt”, in ROUSSEAU Jean-Jacques, *Discours sur l'économie politique*, ed. Bruno Bernardi, Paris, Vrin, 2002, p. 195-221. cf. also GILLIER Bernard, *Gracchus Babeuf (1760-1797). L'arpenteur et la Révolution*, Vichy, Adequat, 2012, p. 76.

693BABEUF François-Noël, *Ecrits*, op. cit., note 62, p. 164.

694DU TILLET DE VILLARS, *Précis d'un projet d'établissement du cadastre dans le Royaume*, pp. 37-38. Quoted by Babeuf, in BABEUF François-Noël, Letter to Audiffred, 29 May of 1787, in BABEUF François-Noël, *Œuvres*, T. I, *Babeuf Avant la Révolution*, op. cit., p. 202, and BABEUF François-Noël, *Cadastre Perpétuel*, op. cit., pp. 33-34. In these pages, Babeuf gives Du Tillet de Villars credit for having proved that *cadastres* were the best solution to establish distributive justice.

695“*La première opération est la connaissance exacte de l'étendue de chaque propriété. Un Cadastre ne peut être exécuté d'après des principes sûrs, s'il n'est précédé d'un arpentage général. On propose ici de lever un plan détaillé et figuré de toutes les terres. On lèvera ce plan au graphomètre, en calculant des triangles assez petits, qu'on rapportera ensuite à ceux de la carte de France, ce qui servira de vérification pour ce nouveau travail*”. MM. TILLET, l'ABBÉ BOSSUT, DESMAREST, DU SÉJOUR, and DE CONDORCET, “*Rapport sur un projet pour la réformation du Cadastre de la haute Guienne ...*” (1782), in *Essai sur la constitution et les fonctions des Assemblées Provinciales*, T. 2, 1788, p. 3-4. Quoted by Babeuf, in BABEUF François-Noël, *Cadastre Perpétuel*, op. cit., p. 33. See also BABEUF François-Noël, *Cadastre Perpétuel*, op. cit., p. 32, 58 and 184.

696BABEUF François-Noël, *Ecrits*, op. cit., note 58, p. 163.

plane surfaces do not exist, it becomes difficult to obtain straight lines with surveyor chains⁶⁹⁷. With such methods, errors are unavoidable. Now, with the new graphometer, there was no need of any Gunter's chain or other imprecise instruments formerly used by surveyors. To get a perfect line, all that was needed was to point the new instrument, equipped with a telescope, at the other extremity of the side of the field in order to know the length⁶⁹⁸. This invention erases the asperities of reality. In other words, the landscape is transformed with high precision into a plane surface. Once again, this precision in measurement is at the service of justice: any overestimation of the dimensions of the field and as such, any unjust taxes, are avoided⁶⁹⁹.

In order to be a real instrument of justice, this partitioning of space (*quadrillage de l'espace*), by which a precise knowledge of the territory is made possible, should also be maintained over time. In other words, the *cadastre* must be perpetual. Now, the perpetuation of such a process raises a problem since, as Smith argues in a passage of the *Wealth of Nations* in which he intends to prove the uselessness of the *cadastre*, the problem is that, once the first land survey is achieved for the first time, it become obsolete “in the course of a very moderate period of time”⁷⁰⁰. Two sorts of variation make the *cadastre* null and void. The first has to do with the social evolution of property which passes from hand to hand within the human sphere⁷⁰¹. Concretely, new property acquisitions and divisions of inheritance require a revision of the property registration. Besides this classical problem inherent to any cadastral project, it should be added that environmental factors lead to modification of the *cadastre*. Babeuf knows perfectly well that the daily life of those who work the land is subject to climatic vagaries⁷⁰². Moreover, as we said, he pays particular attention the technical progress thanks to which yields are increased. Those factors increase the net product of land and thus require the modification of the *cadastre*⁷⁰³. Babeuf, who himself reproaches his predecessors for not having considered this problem⁷⁰⁴, agrees with the necessity of such a

697BABEUF François-Noël, *Cadastre Perpétuel*, *op. cit.*, p. 172.

698BABEUF François-Noël, *Cadastre Perpétuel*, *op. cit.*, p. 176. On trigonometric graphometer and other surveyor's tools, see GILLIER Bernard, 1789. *Le Droit de Propriété et l'Arpenteur*, Vichy, Brun, 2016, pp. 227-248.

699BABEUF François-Noël, *Cadastre Perpétuel*, *op. cit.*, p. 174.

700SMITH Adam, *An Inquiry into the Nature and Causes of the Wealth of Nations*, Vol. II, eds. R. H. Campbell and A. S. Skinner, Indianapolis, Liberty Classics, 1981, p. 836. See also TOUZERY Mireille, “Cadastres en Europe à l'époque moderne. Modèles continentaux et absence anglaise”, in TOUZERY Mireille (ed.), *De l'Estime au Cadastre en Europe. L'Epoque Moderne*, Vincennes, Institut de la gestion publique et du développement économique, Comité pour l'histoire économique et financière de la France, Histoire économique et financière - Ancien Régime, 2007, p. 6.

701BABEUF François-Noël, Letter to Dubois de Fosseux, 3 June 1787, in BABEUF François-Noël, *Ecrits*, *op. cit.*, p. 164. See also BABEUF François-Noël, *Ecrits*, *op. cit.*, note 64 p. 165.

702BABEUF François-Noël, Letter to Dubois de Fosseux, 27 October, 1786, in BABEUF François-Noël, *Ecrits*, *op. cit.*, p. 153.

703VINCENT Julien, “En attendant le cadastre : désir d'égalité, horizon d'attente et contribution foncière, 1789-1820”, in ABERDAM Serge, CONCHON Anne and MARTIN Virginie (eds.), *Les Dynamiques Economiques de la Révolution Française*, Colloquium (7-8 June 2018), Paris, Histoire économique et financière - Ancien Régime, 2021, pp. 79-97.

704BABEUF François-Noël, *Cadastre Perpétuel*, *op. cit.*, p. 56.

revision⁷⁰⁵. For that reason, he dedicates a part of his book to the search for the mechanism of rectification by which the *cadastre* could be made adequate to the frequent and incessant movement of property redistribution. Indeed, the perpetuation is the condition *sine qua non* of justice⁷⁰⁶. As we shall see, it is precisely because of the temporal dimension of justice that Babeuf will reject the agrarian law in 1795.

To summarise what we have just said, it is clear that Babeuf aims for a fair repartition of tax. It seems that the notion of tax as thought out by Babeuf also has a redistributive function in the sense that it leads to the redistribution of wealth and thus to the equalisation of the material living conditions⁷⁰⁷. Now, as evidenced by the reading of the *Discours préliminaire*, Babeuf's project goes far beyond simple fiscal justice. In fact, it is not only tax which should be distributed but the land itself. This desire to go further than a simple reform of taxation appears in the list of social reforms he provides at the beginning of the *Discours* (a national fund for the subsistence of the poor, free health care, free education and justice system, etc.) but also when he proposes to move from a realist to the utopian order: “*Notre tâche, sans doute, est de nous livrer à l'examen des moyens de pouvoir présenter un plan admissible dans l'ordre qui existe; mais il doit nous être permis de jeter quelques regards sur l'ordre qui devrait exister*”⁷⁰⁸.

Here, Babeuf's starting point is the state of nature, which is a state of equality⁷⁰⁹. However, as Babeuf writes, those who justify wealth inequality argue that an inequality of faculties already exists in the state of nature. Nevertheless, admitting this hypothesis, the People's tribune retorts, it seems obvious that if the social contract was grounded on reason, the rise of society should remedy this natural inequality instead of increasing it. Those who have superior faculties should help those who are less endowed and as a result counterbalance the initial situation. Instead, the emergence of society brought about the worst inequalities. Indeed, whereas accumulation was severely repressed under the state of nature, civilised man appropriated and monopolised all land and wealth to the detriment of the others⁷¹⁰. Babeuf gives a strange explanation to this unequal accumulation. He explains that, animated by a strange prejudice, people have given more value to certain professions which, in consequence, have been paid excessively; and, for that reason, Babeuf argues, that those who exert those trades have become excessively rich⁷¹¹. Without these prejudices,

“tous les individus eussent senti leur dignité respective; tous eussent vu que la Société n'est qu'une

⁷⁰⁵*Ibid.*, p. 38.

⁷⁰⁶*Ibid.*, p. 185.

⁷⁰⁷*Ibid.*, p. xxxiv. cf. ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique.*, p. 349.

⁷⁰⁸*Ibid.*, pp. Xxv-xxvi.

⁷⁰⁹*Ibid.*, p. xxvi.

⁷¹⁰*Ibid.*, pp. Xxvii.

⁷¹¹For a clarification of this explanation, see ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, *op. cit.*, pp. 346-347.

grande famille dans laquelle les diverses membres, pourvu qu'ils concourent, chacun suivant ses facultés physiques & intellectuelles, à l'avantage général, doivent avoir des droits égaux. La terre, mère commune, eût pu n'être partagée qu'à vie, & chaque part rendue inaliénable: de sorte que le patrimoine individuel de chaque Citoyen eût toujours été assuré & imperdable. Dans une contrée comme la France, où, d'après la moyenne proportionnelle des résultats des différents calculs pour l'étendue totale des terrains en culture, il peut se trouver environ soixante-six millions d'arpents, de quel joli manoir chaque chef de ménage n'auroit-il pas pu jouir? En supposant quatre personnes pour chaque ménage, la division des vingt-quatre millions d'habitans, à quoi on fait monter la population de l'Empire François, donne six millions de familles: conséquemment chaque manoir eût été de onze arpents"⁷¹².

Further in the text, he adds:

"Comme il est impossible que chacun puisse se procurer tout ce qui lui est physiquement nécessaire, il faudroit toujours que les hommes s'entraidassent; & loin qu'un tel arrangement nuisît à la félicité commune, il est sensible que si toutes les fortunes trop excessives en bien fonciers, qui sont telles que presque dans chaque territoire, un particulier ou deux en dominant les deux tiers, & l'autre tiers, accablé, à peu près seul, du poids de toutes les charges, reste à la majorité des habitans des campagnes; si, ajoute-t-on, toutes ces fortunes excessives étoient distribuées entre tous ces habitants malheureux, quelque soit leur nombre, chacun d'eux vivroit dans une honnête aisance"⁷¹³.

Here, land redistribution is justified by the natural right (which is quite similar to the right to live from the manuscript of 1786),⁷¹⁴ but also by the social utility of everyone: because every individual contributes to public utility (*utilité commune*) every individual has an equal right to enjoy a part of the total social product⁷¹⁵. Now, the modalities of such redistribution should be specified. Indeed, one could argue that Babeuf's argument is exposed to same criticism that Marxism will address to programs of redistribution. According to this criticism, the redistribution of land remains insufficient because property is not questioned. However, it appears that, in the first text, Babeuf explicitly attacks both feudal and private property. Indeed, the restriction of the possession of land to the duration of life obviously goes against one of the essential attributes of these forms of property, that is its perpetuity (*i.e.*, the idea that property survives beyond life). To understand this point, it is necessary to dwell a moment on the specific temporality which is proper to the feudal and modern property.

The idea that perpetuity is an inherent characteristic of feudal property appears in a famous letter addressed to Dubois de Fosseux dated from 8 July 1787. In this letter, he reformulated the genealogy of feudal property that he had already exposed in his letter on collective farms and traced the emergence of the right of primogeniture (*droit d'aînesse*) during the first period of the feudal system. This counter-history is probably based on Charles Jean François Hénault's history of France entitled *Abrégé chronologique de l'histoire de France* (1768). According to Hénault, after the

⁷¹²BABEUF François-Noël, *Cadastre Perpétuel*, *op. cit.*, p. xxxii.

⁷¹³*Ibid.*, p. 16.

⁷¹⁴*Ibid.*, p. xxix.

⁷¹⁵*Ibid.*, p. xxx-xxxi. On this double justification see ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, *op. cit.*, p. 350-351.

conquest of Gaul (which was under the yoke of the Romans) by Clovis and the Franks, there were two sorts of land: 1° Salic lands, which were hereditary, and 2° military benefices (*bénéfices militaires*), which were lands given as life estates that were conceded by the King⁷¹⁶. At the end of the second race (the Carolingians), the Dukes transformed their properties from life estate into hereditary property and thus, fiefdoms and their suzerains were born. In the “petition on fiefdoms” written in 1791, Babeuf’s argument against feudal property will rely on Hénault’s books⁷¹⁷. In 1787, he narrates a very similar story. Even if he does not name explicitly the Franks, the portrait he gives of the barbarians who, animated by a fierce desire for domination, conquered and monopolised lands at the beginning of the feudal system, certainly resembles the violent rise of the Franks as it is presented by several historians of his time⁷¹⁸. Similar to Hénault, he shows how the nobles made these possessions acquired by conquest perpetual. The difference is that he insists more on the right of primogeniture. According to Babeuf this right originated in a sort of desire for posterity (we are

716 HÉNAULT Charles-Jean-François, *Abrégé Chronologique de l'Histoire de France*, T. I, Paris, Amable Costes et C^{ie}, Libraires-Éditeurs, 1821, p. 126.

717 DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française*, *op. cit.*, p. 354 sq.

718 In this sense, Babeuf’s depiction of these “heads exalted by the enthusiasm of conquest” (*têtes exaltées par l'enthousiasme des conquêtes*) is similar to Henri de Boulainvilliers’ portrait of the Franks. Both depict a horde animated by a freedom that is more equivalent to a fierce desire of domination than the will for equality, a figure of the wild barbarian whose posterity continues in Nietzsche’s *On the Genealogy of Morality* (see NIETZSCHE Friedrich, *On the Genealogy of Morality*, trans. Carol Diethe, Cambridge, Cambridge University Press, 2007, II, §17). See FOUCAULT Michel, *Il faut défendre la société*, *op. cit.*, p. 131-132. On that point, Babeuf’s narrative differs somewhat from Hénault’s who, by contrast, defends the thesis that the Franks had a king and were not barbarians who would have descend upon the Gaul and reduced to slavery their inhabitants (*Abrégé chronologique de l'histoire de France*, p. 48). This is the debate between the “German thesis” (Boulainvilliers) and the monarchist thesis (l’Abbé du Bos). Boulainvilliers argues that the Franks constituted a warlike aristocracy among which equality prevailed and kings were warlord elected for a limited period of time. Entering in Gaul, the Franks let the Gaulish possess their lands but demanded these peasants to pay a tax in exchange of their protection. Thereby feudality was born (FOUCAULT Michel, *Il faut défendre la société*, *op. cit.*, p. 134). Frankish kings ended up usurping the power conferred to them by the nobles, transformed it into an absolute power and finally became monarch. This counter-history is a clear questioning of the legitimacy of the monarchist power and a call addressed to the nobles who will become aware of what has been dispossessed from them. L’Abbé du Bos, on the contrary, argues that the Franks were not barbarians. On the contrary, romans established an alliance with them to face a Goth invasion. Franks have been absorbed by the Roman Gaul and only their kings remain intact, kings whose power was derived from the roman imperium. In short, monarchy existed among them since the beginning. It is only at the end of Carolingian realm that the absolute power began to decline. It is related on this decomposition of the central power that feudalism and then, an aristocracy of nobles, were formed (FOUCAULT Michel, *Il faut défendre la société*, *op. cit.*, pp. 178-179). On this debate see also ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, *op. cit.*, pp. 453-458 and ROZA Stéphanie, “L’abbé de Mably, entre modérantisme et radicalité”, *Tangence. Penser la Révolution Française: auteurs et textes oubliés*, n° 106, 2014, pp. 29–50. Even if he claims that he adopts an intermediary position, Hénault’s own narrative of these events is closer to l’Abbé Dubos’ thesis than Boulainvilliers’. Indeed, for him Frankish kings were since the beginning monarchs and it is only when the seigniors transformed their life estates into hereditary properties that a cast of nobles emerged. The very interesting point is that Babeuf uses all this historical material to build a narrative which is irreducible to the “German” and the “monarchist thesis”. If, as the supporters of the “German thesis”, he argues that Franks were barbarians, it is not to show that this “nation” was a cast of nobles preexisting the monarchy which would have dispossessed them from their power, but to show how they despoiled the inhabitants of Gaul. Thus, he uses the monarchist theory to explain how nobles made these property perpetual. However, it is not to defend the absolute power against a the emerging aristocracy but to adopt the point of view of the people, the “peasants” who were dispossessed from their lands. It should be noted that, by contrast with the other historians, Babeuf places the question of the possession of land at the centre of this story narrated from the point of view of the oppressed.

tempted to say eternity). In the period of the formation of the feudal system, after the first moment of conquest, those who monopolised most of the lands were not entirely satisfied by their new acquisitions. Indeed, their desire to become eternal through the perpetuation of their property was frustrated by the perspective of the parcelling up of their possessions and its redistribution to all their descendants after death. After several generations their property would be totally dispersed and their name that was associated with this legacy would progressively vanish until it was totally forgotten. For that reason they decided to bequeath their lands and their house to the firstborn so that their estate remained in the same hands. “*De là, l'origine des soi-disants nobles; et cèle de ces distinxions révoltantes dans tous les ordres de la société*” writes Babeuf⁷¹⁹. Indeed, similar says Hénault, “*ce fut la possession des terres qui fit les nobles*”⁷²⁰. Perpetuating their estate beyond life, the nobles perpetuated their name. This text clearly reveals how the perpetuity of the possession of land is inscribed in the foundation of feudal property. According to Babeuf's narrative, it is because property of land (which was originally a simple life estate) became hereditary and because this same property was made indivisible (and then perpetual) that it became a fiefdom. Consequently, restricting the duration of possession to the time of a single life (that of the possessor), as it is prescribed by Babeuf in the *Discours préliminaire*, amounts to negating one of the more important aspects of feudal property.

Besides, the restriction imposed on the possession does not only contravene the nature of feudal property, it also neutralises one of the fundamental elements of the concept of property, *i.e.*, the prerogative of *abusus*. To understand this point, it is worth recalling that, in the classical theory of property, the right of property contains three prerogatives: *usus* (the right to use the thing as I want), *fructus* (the right of enjoyment, *i.e.*, the right to have the fruit of the thing) and *abusus*. This ultimate and most fundamental attribute of property is a right to dispose materially of the thing, which means a right to misuse (my use of the thing can be contradictory to its nature) or to destroy it. Now, *abusus* is also the right to dispose juridically, which means the right to *alienate* and to pass down the object of property. The latter right includes the right to make a will, which implies another form of perpetuity⁷²¹. Indeed, in order to be really effective, such a right must be prolonged beyond the death of the testator. Obviously, this prolongation is highly problematic since it amounts to nothing less than presupposing the existence of a right (the right of property which includes the right of making a will) without its holder (since the testator has already died). To solve this problem, one could argue that the right of property disappears with its holder and that the right of the successor is a new right. In other words, the right of the successor has nothing to do with the

719BABEUF François-Noël, Letter to Dubois de Fosseux, 8 July 1787, in BABEUF François-Noël, *Ecrits*, *op. cit.*, p. 168.

720HÉNAULT Charles-Jean-François, *Abrégé Chronologique de l'Histoire de France*, *op. cit.*, p. 127.

721XIFARAS Mikhaïl, *La Propriété, Etude de Philosophie du Droit*, Paris, PUF, 2004, pp. 124-126.

right of the testator to make a will. Then the right of property suffers from a discontinuity. For that reason, the commentators of the Civil Code preferred another solution: they claimed that the right of property passes from the hands of the testator to the hands of the successor. This means that, if the holder of the right of property changes, the right itself remains permanent. Here is one of the reasons the right of property is said to be absolute: it is absolute because it is perpetual⁷²². This dimension of *transmissibility* (and thus of perpetuation) is so fundamental that some jurists such as Renouard argue that without this faculty of passing the object down, property would not exist in its fullness⁷²³.

This is precisely the fundamental character of the right of property which is neutralised by Babeuf's own definition of property. According to him, land is redistributed to individuals who possess it individually but only for life. On first analysis, it is as if, Babeuf had gone back in time before the constitution modern and feudal property; as if Babeuf had resuscitated the life estate given by the Frankish kings during the Clovis period. However, this is not exactly the case since for Babeuf, it is not the king who concedes the life estate. Indeed, into which hands does the property come back to once the owner is dead? Not to his heirs but to society itself, Babeuf specifies two years later in a letter addressed to Coupé: “*Voudra-t-il [Coupé] se payer de mes réponses: que la terre ne doit pas être aliénable; qu'en naissant chaque homme en doit trouver sa portion suffisante comme il en est de l'air et de l'eau, qu'en mourant il doit en faire héritier non ses plus proches dans la société, mais la société entière; que ce n'a été que ce système d'aliénabilité qui a transmis tout aux uns et n'a plus laissé rien aux autres...*”⁷²⁴. In a way, Lefebvre was not wrong when he wrote that Babeuf revived the theory of the double domain: the seignior is replaced by the nation and the vassal is replaced by the members of this nation. In other words, society has the *dominium directum* whereas the individual who receives land from the redistribution has the *dominium utile*. This modern reinterpretation of the divided domain may be seen as an additional way of undermining the right of private property. Indeed, the fact that the double domain admits the superposition of two

⁷²²The term absolute has at least four other meanings. Property is absolute because 1° it is a real right, *i.e.*, a right directly in a thing and then which is opposable *erga omnes* (XIFARAS Mikhaïl, *La Propriété*, *op. cit.*, pp. 32-33) 2° it is a complete right (XIFARAS Mikhaïl, *La Propriété*, *op. cit.*, p. 106) 3° it is a supreme right, in the sense that it includes the right of misusing or even destroy the thing (XIFARAS Mikhaïl, *La Propriété*, *op. cit.*, p. 119). 4° it is exclusive (XIFARAS Mikhaïl, *La Propriété*, *op. cit.*, 134 *sq.*).

⁷²³XIFARAS Mikhaïl, *La Propriété*, *op. cit.*, p. 125. In 1790, Babeuf will recall those characteristic features of property in a text in which he makes an apologist argument for property: “*Deux caractères essentiels de la propriété, sont qu'elle doit être exclusive, par conséquent inviolable & transmissible. Elle ne peut être transmissible (excepté les cas d'hérédité & de donation) que par la voie des contrats d'aliénation. La transmissibilité seroit une chimère, si les contrats de cette espèce n'étoient pas inviolables, comme la propriété qu'ils transmettent. [...] Un caractère essentiel de la propriété à joindre à ceux d'invocabilité & de transmissibilité, est celui de perpétuité. La pleine propriété, dans un état constitué sur des lois justes & conservatrices de l'ordre social, doit être inviolable, perpétuelle, & transmissible*”. BABEUF François-Noël, *Les Lueurs Philosophiques*, *op. cit.*, pp. 297-298.

⁷²⁴BABEUF François-Noël, Letter to Coupé, 10 September 1791, in BABEUF François-Noël, *Pages Choisies de Babeuf*, *op. cit.*, p. 124.

sort of property on the same thing (the *dominium directum* and the *dominium utile*) is a negation of the exclusivity and the opposability *erga omnes*, *i.e.*, two of the essential characteristics of modern property (since there are two fundamental meanings of its absolutism)⁷²⁵.

In fine, Babeuf's program of the redistribution of land escapes from the reproach of being a *petit-bourgeois* versions of egalitarianism. Indeed, redistribution does not lead to private property since the individual possession of land is limited by the fact that it is only a part of the huge collective property owned by society. Consequently, Babeuf's perpetual *cadastre* is one of the "intermediary forms" that Volguine refers to in his article when he admitted the possibility of a mix between egalitarianism and communism. It is worth recalling that Volguin considered Babeuf political program as one of these mixed forms. However, in his article on egalitarianism and communism, the articulation between redistribution and collective property was not synchronic; it was the product of an evolution within Babeuf's thinking which leaves behind the *petit bourgeois* ideology of egalitarianism to adopt the real proletariat view, *i.e.*, collectivism. In other words, there was no real articulation, at the best, there was just a radicalisation. This progressivist reading of Babeuf's evolution is immediately refuted by Daline's discovery of the manuscripts on the collective farms. Moreover, the *Cadastre perpétuel* is proof that a real and perfect articulation of these two historical solutions to the social question exists in Babeuf. Indeed, land is at the same time the eminent property of the state, and it is that which is redistributed to the individual through the form of an individual possession.

II.3.3.2) Land Surveying and Frontiers

This mixed form of distributive and collective appropriation is implemented through a material apparatus by which the soil is divided with geometrical lines, that is, through land surveying, which constitutes the fundamental operation of the *cadastre*. The *cadastre* does not only serve to establish an equalitarian tax; it is also the technical means of land redistribution and, *in fine*, of the appropriation of land. Indeed, if Babeuf breaks with private property, his political

⁷²⁵PFISTER Laurent, "Domaine, propriété, droit de propriété. Notes sur l'évolution du vocabulaire du droit français des biens," *Revue générale de droit*, vol. 38, n° 2, 2008, p. 334. However, some historians and theoreticians of the law have noted that there was something as a resurgence of the double domain among the theoreticians of the modern property. Indeed, admitting the diverse forms of dismemberment of property (usufruct, easement, etc.), classical theoreticians never really got rid of the medieval property. For example, if we take the case of the usufruct, admitting that usufruct is a real right of property, they were lead to the conclusion that the domain was separated between the usufructuary and the bare-owner. GROSSI Paolo, "Tradizioni e modelli nella sistemazione post-unitaria della proprietà", in GROSSI Paolo, *Il Dominio e le Cose, Percezioni Medievali et Moderne dei Diritti Reali*, Milano, Guiffre, 1992, p. 439-569. VANUXEM Sarah, *La Propriété de la Terre*, p. 30 and 38 ; XIFARAS Mikhaïl, *La Propriété*, *op. cit.*, p. 99, pp. 104-105, p. 108. In a sense, it is as if it was impossible to leave the frame of this theory of the double domain, and Babeuf would be a proof of that.

project remains structured by the concept of appropriation. The mixed form is nothing more than a mix between collective and individual appropriation of the land. This close link between equality, the geometrisation of the earth, appropriation, and conflict seems to be a regular aspect of modern political thought.

In a completely different context, the American colonisation was thought, experienced and carried out within this conceptual frame. Contrary to the pilgrim fathers of the Jamestown and Plymouth colonies who saw the American continent as a hostile desert in which man, subjected to temptation, could only provisorily sojourn⁷²⁶, later American settlers saw in the new world a promise of democracy and equality. For them, the Old World was the realm of scarcity and inequality: lands were scarce and unequally distributed, the cities were crowded and society was structured by hierarchies. For that reason, the old continent was corrupted by class conflict. By contrast, the American continent meant the realm of abundance: the lands of the west were so vast that there was enough for everyone. According to Frederick Jackson Turner, the rise of American democracy was not born of a theorist's dream⁷²⁷; nor was it a product of human history (the American Revolution, the Civil War)⁷²⁸; but was founded in relation to the specific material configuration of the American space, *i.e.*, its immensity⁷²⁹. It is on this soil (in American forests, says Turner), not on ideas, that democratic ideals (individualism, free competition, equality, self-governance, hatred of Aristocracy, special privileges and monopoly) grew. Going West, settlers progressively occupied these lands and pushed the frontier of the settlements further out, this moving limit which separates populated areas from inhabited areas, civilisation from savagery⁷³⁰. These quasi infinite spaces, and the continual shift of the frontier were the condition of possibility for the free competition and the appropriation of this land. This competition was never a synonym of inequality or monopoly since a new clearing further out west seemed ever possible⁷³¹. Consequently, everyone has the same chance of appropriating a piece of land. Equality of

726 NASH Roderick Frazier, *Wilderness and the American Mind*, *op. cit.*, p. 23 sq.; CRONON William, "The Trouble with Wilderness: Or, Getting Back to the Wrong Nature", in CRONON William, *Uncommon Ground: Rethinking the Human Place in Nature*, New York, W. W. Norton & Co., 1995, pp. 69-90 ; PURDY Jedediah, *After Nature*, *op. cit.*, p. 52.

727 TURNER Frederick Jackson, *The Frontier in American History*, New York, Henry Holt and Compagny, 1920, p. 243 and p. 290.

728 TURNER Frederick Jackson, *The Frontier in American History*, *op. cit.*, p. 248.

729 "American democracy was born of no theorist's dream ; it was not carried in the *Susan Constant* to Virginia, nor in the *Mayflower* to Plymouth. It came out of the American forest, and it gained new strength each time it touched a new frontier". TURNER Frederick Jackson, *The Frontier in American History*, *op. cit.*, p. 293.

730 TURNER Frederick Jackson, *The Frontier in American History*, *op. cit.*, p. 3. On the Turner's concept of frontier and the debate it generated, see CRONON William, "Revisiting the Vanishing Frontier: The Legacy of Frederick Jackson Turner", in *Western Historical Quarterly*, Apr., 1987, Vol. 18, n° 2 (Apr., 1987), pp. 157- 176. See also QUENET Grégory, *Qu'est-ce que l'Histoire Environnementale*, Seyssel, Champ Vallon, 2014, pp. 44-48. DURAFOUR Jean-Michel, "Cette frontière qui battait sans cesse en retraite: Turner et le cas américain", Paris, PUF, Cités, 2007/3 n° 31, pp. 47-58.

731 TURNER Frederick Jackson, *The Frontier in American History*, *op. Cit.* 1920, p. 243.

opportunity and equality in the possession of land were the consequence of such free competition. This individualism was not opposed to any form of community. Indeed, the settling of these lands gave rise to spontaneous and voluntary associations which were self-governed and autonomous from the government⁷³². Indeed, one of the most well-known democratic ideals of the United States was born in the west: “government of the people, by the people and for the people”⁷³³ as well as the distrust regarding any form of elaborated governmental institution⁷³⁴. To sum up, the democratic ideal of equality was a product of the expanding frontier .

The motor of force of this history (and thus the history of equality) is the dialectic of scarcity and abundance. First, settlers left the Old World, which was marked by the seal of scarcity as well as the conflict relating to the distribution of land to settle in a continent where there was no lack of land. However, the societies of the East Coast quickly reproduced in America the Old World's social forms and industry meaning that the class conflicts and competition for scarce resources reappeared on the continent⁷³⁵. When, on the east coast, the scarcity of land and the pressure of capital upon labour became excessive and unbearable, the free land of the West appeared as a gateway of escape for the exploited masses. This process repeated itself all along the 19th century: whenever social conditions crystallised in the East, settlers migrated to West⁷³⁶. The west side of the frontier functioned as safety valve, whenever conflicts relating to land were produced, people could escape to the West⁷³⁷. On the top of this dialectic of scarcity and abundance, a dialectic of savagery and civilisation also operated since whenever settlers left civilised towns of the East and ventured West making new clearing in the western forests, they returned to a primitive condition and progressively rebuilt the edifice of civilisation (the outcome of this rebuilding being properly American, not a reproduction of the Europe)⁷³⁸. Finally, the frontier vanished in the 1890s with the end of the last free lands and exponential population growth⁷³⁹. With the end of abundance, the non-problematic competition for the appropriation of infinite resources became a competition for scarce resources, more government and more legislation were needed to govern over these conflicts of scarcity and as a result individualism was abandoned⁷⁴⁰. Government was needed to function as the management of conflicts in a world of relative scarcity⁷⁴¹.

⁷³²*Ibid.*, pp. 343-344.

⁷³³*Ibid.*, p. 320, p. 248.

⁷³⁴*Ibid.*, p. 254.

⁷³⁵*Ibid.*, p. 267.

⁷³⁶*Ibid.*, p. 259, p. 274.

⁷³⁷TURNER Frederick Jackson, *The Frontier in American History*, *op. cit.*, p. 280 ; PURDY Jedediah, *After Nature*, *op. cit.*, p. 34.

⁷³⁸TURNER Frederick Jackson, *The Frontier in American History*, *op. cit.*, 1920, p. 4.

⁷³⁹*Ibid.*, p. 247.

⁷⁴⁰*IBID.*, p. 277 and p. 307.

⁷⁴¹PURDY Jedediah, *After Nature*, *op. cit.*, p. 34.

This dialectic history evidences once again the close relation between scarcity and distribution since the lack of land causes distributive conflict and engenders a need for redistribution. However, by contrast with Hume and Rawls, this redistribution does not take place within the initial and local space of scarcity (the East Coast) but in an “elsewhere”, within which resources are abundant (the Western Frontier). In other words, spaces of scarcity raise distributive conflicts and spaces of abundance resolve these antagonisms. When these safety valves no longer exist, the resolution of conflicts must take place within a space of relative scarcity (the America of the 1890s).

To a large extent, the distribution of lands in the West was technically made possible by the use of geometry. We refer here to Jeffersonian surveyor grids. After the signature of the Treaty of Paris in 1783, the Proclamation line of the 7th October 1763⁷⁴², which forbid the extension of settlement beyond Appalachia (on Indian land), was ignored⁷⁴³. In the 1780s, Jefferson intended to democratically manage these new territories which were just opened to colonisation. In the same vein as the physiocrats, he considered that the earth was the principal wealth of a Nation and heaped imprecation upon the feudal system of the Old Europe, which left uncultivated a large number of lands⁷⁴⁴. With Babeuf, he considered that all lands must be occupied and used. However, those lands situated between the Appalachia and the Rocky mountains were unknown territories. Therefore, the problem was the following: how to fairly distribute all these lands without knowing anything of these new areas and avoiding the monopolisation by a group of elites? The solution lay in Jefferson's grids⁷⁴⁵. These orthogonal grids divided the western territories into square plots. They were used at the same time to map these unknown territories and to produce a fair partition of the soil. In other words, Jeffersonian grids intertwined two tasks generally carried out apart: the cartography and the *cadastre*. These two tasks gave a solution to the problem already mention: they made the knowledge of these quasi unexplored areas and the just distribution of lands possible. The Land Ordinance (20 May 1785) was one of the legal instruments which gave body to Jefferson's project. In this ordinance, grids were established with meridians and parallels, and the basic unit was the “township”, that is, a square plot of six miles. Each township was divided into thirty six sections of one mile (*i.e.*, 640 acres), which was to be distributed to new settlers. It was this survey

742 LACROIX Jean-Michel, *Histoire des États-Unis*, Paris, PUF, Quadrige, 2013, p. 67 ; DURPAIRE François, *Histoire des États-Unis*, Paris, PUF, Que sais-je ?, 2020, p. 19-20.

743 LACROIX Jean-Michel, *Histoire des États-Unis*, *op. cit.*, p. 80 ; DURPAIRE François, *Histoire des États-Unis*, Paris, PUF, *op. cit.*, p. 14.

744 LÉCHENET Annie, “Le Republicanisme américain : Jefferson (1743-1826) et la poursuite du bonheur”, in ALAIN Caillé *et al.*, *Histoire Raisonnée de la Philosophie Morale et Politique*, Paris, La Découverte, Hors collection Sciences Humaines, 2001, pp. 500-504.

745 MAUMI Catherine, “La grille du National Survey, assise spatiale de la démocratie américaine”, *XVII-XVIII. Revue de la Société d'Etudes Anglo-américaines des XVIIe et XVIIIe siècles*, n° 66, 2009, pp. 117-141.

system that produced the peculiar landscape of the Midwest which is made up of squares-within-squares⁷⁴⁶. The colonisation of the West will be further reinforced and encouraged by the Homestead Act of 1862, granting 160 acres to each settler provided that he lives on it and improves it during five years⁷⁴⁷. Here, the modern program of the geometrisation of nature is not the result of the scientific revolution of the 17th century, but is the product of a concrete legal apparatus, which inscribed the geometrical forms directly in the ground.

The comparison of Babeuf's and Jefferson's program proves that the transformation of the natural space into grid patterns is frequently consubstantial to the equalitarian project. The specificity of this geometrical partitioning of the space appears even clearer when these projects are compared with what was originally the art of land surveying, especially in the Roman world. Contrary to a widespread belief, Roman land surveyors (also called *agrimensores* or *gromatici*) did not divide the antic world into squares. According to Chouquer, *agrimensores* move themselves within an ontological framework – *i.e.*, a system of properties of existing beings by which continuities and discontinuities between these beings are defined⁷⁴⁸ – very different from this naturalist “religion of geometry”. “Methodological analogism” (*analogisme méthodologique*) is the name he gives to their specific system of distribution of properties, in reference to the concept of analogism proposed by Descola in *Par-delà Nature et Culture*⁷⁴⁹. Analogism is an ontology that divides up the whole collection of beings into a multiplicity and recomposes it through a dense network of analogies⁷⁵⁰. This is precisely what the *agrimensores* did.

For instance, Roman surveyors established a series of analogies between their body and the space they survey. The notion of *pes* (foot), *passus* (step), *cubitus* (cubit) are some examples of these continuities established by the *agrimensor*⁷⁵¹. There are also phonetic analogies as when Silius Italicus gives the etymology of the word territory comparing it with the notion of terror: territory (*territoria*) would be the land from which citizens, who were terrified (*territi*) by the occupant, run away⁷⁵². Interestingly, is also the transformation of natural elements of the landscape into boundary markers (*bornes*). In order to do so, a sign (*signum*) or a mark (*nota*) was used to convert the natural elements into a boundary marker. The *signum* was a survey marker (*témoin*) buried under this natural element, whereas the *nota* was an inscription (an animal head, a numeral, a letter or a geometrical figure (one was invisible, the other visible). This act was ritual since it was

746PURDY Jedediah, *After Nature*, *op. cit.*, p. 8.

747LACROIX Jean-Michel, *Histoire des États-Unis*, *op. cit.*, p. 245.

748DESCOLA Philippe, *Par-delà Nature et Culture*, Paris, Gallimard, Bibliothèque des Sciences Humaines, 2005, p. 176.

749CHOUQUER Gérard, *La Terre dans le Monde Romain*, *op. cit.*, p. 55

750DESCOLA Philippe, *Par-delà Nature et Culture*, *op. cit.*, p. 210.

751CHOUQUER Gérard, *La Terre dans le Monde Romain*, *op. cit.*, p. 56.

752Ibid., p. 59.

accompanied by sacrifices. Such a practice may appear as something quite natural, but in fact, we, moderns, used to distinguish the mountains, rivers, rocks, etc., (which are classified as geomorphological elements) from boundary marks and other material tracks (which are juridical notions and thus pertain to the world of law). In other words, we make a distinction between the natural order (natural elements) and the legal order (and boundary marks), the human and the non-human world. Therefore, the conversion of the natural elements into boundary markers consists in connecting elements that we usually consider as being heteroclites.

Furthermore, for the *gromatici*, lines drawn in the soil are more than simple limits by which a piece of land is enclosed. Indeed, the system of delimitation is cosmological since the *limites*, the axes used by the Roman surveyors are established in a closed connection with the “system of the world”: the *decimani* are directed in relation with the sun's course and the *kardines* in relation with the axis of the world⁷⁵³.

The form taken by the agrarian controversies (the proof, their classification, and their scheme) is itself analogical. For instance, controversies are interrelated together. To make it simple, there are four general controversies (in total there are fifteen)⁷⁵⁴. The two first controversies are called “preliminary”: 1° the controversy concerning boundary marks (*borne*) (is it placed in the right place? Is it in accordance with the limit?) 2° the controversy of alignment (*rigor*), the straight lines which follow the eyes between two points (the boundary marks)⁷⁵⁵. The two others are called “material” controversies: 3° there is the controversy of the limit (where does the limit run exactly?) and 4° there is the controversy place (who owns this plot and what is its status?). Now, there is a relation of comparison (*comparatio*) between the two first controversies: the controversy of place given to the boundary marks may lead to a controversy of *rigor*. The same is true with the conflicts of limit and place and in general with the rest of the fifteen controversies, which stem from these four general cases. All of these cases are interrelated in a complex way⁷⁵⁶. It should be noted here how the nature of the conflicts for land change when the collective relationships to the earth are not reduced to the question of appropriation.

According to Chouquer, Roman surveyors should not be turned into moderns by a projection of our naturalist categories on the ancient world and that these *gromatici* divided up by the means of their own conception of lines. They did not integrally divide Roman lands into squares, and they did

⁷⁵³*Ibid.*, p. 164-165.

⁷⁵⁴*Ibid.*, p. 282.

⁷⁵⁵CHOUQUER Gérard, *Dictionnaire des Termes et Expressions de l'Arpentage et du Foncier Romains*, New version, 2011, <https://www.yumpu.com/fr/document/read/13762278/par-gerard-chouquer-cnrs-nouvelle-version-augmentee-> p. 80.

⁷⁵⁶The scheme p. 132 of Chouquer's book gives a good insight of this complexity. CHOUQUER Gérard, *La Terre dans le Monde Romain*, *op. cit.*, p. 132.

not implement uniformly the same Roman measure everywhere. In a word, contrary to common opinion, they did not reduce the nature of the existents of the world to uniform geometrical abstractions. Where modernity uses external rules to fix similarities and reduce the irregularities of the world, *gromatici* intended to connect disparate beings without losing their singularities⁷⁵⁷. In a word, to delimit a land is not simply to enclose it and to appropriate it; it is an operation of connection of beings by the means of analogies, it is a way of world-making. On the contrary, the reduction of the multiplicity of beings to these abstract geometrical grids is characteristic of the project of the *cadastres* promoted by Babeuf and Jefferson so as to implement social justice.

This modernist relationship to nature, which underlies the redistributive projects of land, is particularly significant in the passages of Turner's book dedicated to the perception that settlers had of the American environment. To the pioneers, the West is not a welcoming place: "the forest was no friendly resource for posterity, no object of careful economy"⁷⁵⁸. In other words, it is an enemy and must be treated as such. That is why, the pioneers have to declare the war on this hostile environment: "The first ideal of the pioneer was that of conquest. It was his task to fight with nature for the chance to exist"⁷⁵⁹. Concretely, it meant to cut and to burn every single tree in his path.

The war against nature goes hand-in-hand with the war waged against a certain sort of men, those Turner calls "the fierce race of savages"⁷⁶⁰. It is worth recalling that Turner first published "The significance of the Frontier in American History" in 1893, *i.e.*, three years after the Wounded Knee massacre and the assassination of Sitting Bull. As recalled by Jedediah Purdy, the American ideal of liberty and equality, which came out of the American forest, was founded on the exclusion of the Indians. This exclusion was inscribed in the already mentioned legal apparatus by which the colonisation of the west was organised. We have seen that one of the principles of the occupation of the West was the Homestead act (1862), which granted property as the reward for developing the land. It is this regime of private property that justified and made possible the dispossession of Indians from their lands. As a proof of that, the legal argumentation advanced by the American jurist James Kent had as its aim the justification of the appropriation of Native American lands by the colonists⁷⁶¹. Indeed, in his famous *Commentaries on American Law*, he claims that North America was legally empty knowing perfectly well that Amerindians had lived on these territories for centuries prior. This paradox was solved thanks to a Lockean argument that mixing labour with land gives the right to its appropriation. Indeed, as many defenders of colonisation in North America, James Kent considered that the Amerindian use of the land could not be regarded as a real

757CHOUQUER Gérard, *La Terre dans le Monde Romain*, p. 57.

758TURNER Frederick Jackson, *The Frontier in American History*, *op. cit.*, p. 270.

759*Ibid.*, p. 269.

760*Ibid.*, p. 269.

761PURDY Jedediah, *After Nature*, *op. cit.*, p. 82.

improvement of the land. Hunting, gathering and passing over the ground were not looked on as being sufficient transformations of the land. Only use of the land that gives rise to property was cultivation and this included sedentary agriculture, *i.e.*, a practice specific to the colonist⁷⁶².

Here, the articulation between the war against nature and the war against men is very different from that we find in Malthusian anthropology. We have seen that, according to Maurice Davie, these two sorts of conflict represented two different levels. The struggle for existence was something as was the infrastructure of the competition for life. Even if these two levels were not articulated according to a strict causality (struggle for existence would immediately lead to competition for life), it remained the case that men engaged in war in order to wage a deeper war, *i.e.*, the war against nature. In the present case, things are somewhat different since the two levels seem to be combined. Indeed, in the story related by Turner, American natives are considered as a part of the natural environment⁷⁶³. It appears clearly in the text already mentioned in which Turner explains that colonists living in the frontier return to a state savagery: "The wilderness masters the colonist. It finds him a European in dress, industries, tools, modes of travel, and thought. It takes him from the railroad car and puts him in the birch canoe. It strips off the garments of civilisation and arrays him in the hunting shirt and the moccasin"⁷⁶⁴. In other terms, the Amerindian way of life is totally identified with the degree-zero of civilisation, and thus with the wilderness. Consequently, the war against wilderness is indistinctly a war against nature and the Amerindians, against humans and non-human. This war consists in a civilising mission by which the colonists detach themselves progressively from the "Amerindian natural way of life" to which they had returned to by crossing the frontier, starting from this degree-zero of culture and passing through all the steps of civilisation. Therefore, the truth of the war against nature is the detachment (*arrachement*) from the earth. On the other hand, this war, which is both against humans and non-humans, should be distinguished from another inter-human conflict: the struggle for land redistribution that led to the colonisation of the West. Here, the civilising war is the infrastructure of equality.

We made this digression in order to show that the project of land redistribution in North America has much in common with Babeuf's *cadastre*, that is, the use of a land surveys as a means of equality. In this way, the modern geometrisation of the world appeared as one of the material conditions of possibility of equality. Similar to Jefferson's grid, Babeuf's program of redistribution remains trapped to the general framework of modernity. Moreover, this digression revealed that, in

762This lockean argument was in fact used since the beginning of the colonisation of North America in 1620. TULLY James, "Rediscovering America: The *Two Treatises* and Aboriginal Rights", in TULLY James, *An Approach to Political Philosophy: Locke in Contexts*, Cambridge, Cambridge Press University, 1993, pp. 137-176.

763NICHOLS David A., "Civilization Over Savage : Frederick Jackson Turner and the Indian", in *South Dakota History*, 2, 1972.

764TURNER Frederick Jackson, *The Frontier in American History*, *op. cit.*, p. 4.

the case of North America, the war against nature was the underlying conceptual infrastructure of the concept of equality.

Like many projects of distributive justice, these programs of land redistribution in North America have been subject to criticism. We will see further how Marx and Lenin will criticize Kriege's distributive project. In the meanwhile, it is to be noted that something different happened with Babeuf. Between 1790-1792, he pursued his reflection on distributive justice, developed in the Preliminary Discourse, and proposed a program of land redistribution. However, unlike Kriege, who was critiqued by Marx and Lenin, the criticism of the distributive program will be from Babeuf himself since, in 1795, he will undertake a radical period of self-criticism.

II.3.3.3) For a Grammar of Distribution

This period of 1790-1792 is marked by Babeuf's commitment to the agrarian movement, a movement which positioned itself against feudalism, and which started in the spring of 1790 and continued until 1792. Indeed, it was on the night of the 4th August 1789 that the end of the feudal regime was declared. However, the abolition had not yet been completed. While the *Constituante* had abolished what the jurisconsult Laferrière called “dominant feudality” (*la féodalité dominante*) they left “contracting feudality” (*la féodalité contractante*) intact. In the first case, feudal rights were said to be originated in violence and oppression whereas in the second case, the peasant paid a tax for a supposed “primitive land concession” that the seigniors had supposedly granted to him⁷⁶⁵. These seigniorial rights based on a supposed primitive land concession (principally the *cens* and the *champart*⁷⁶⁶) were subject to payment of compensation (*rachat*), a payment which was generally to the peasants' disadvantage⁷⁶⁷. This legislation set up by the *Constituante* had raised discontent among the peasants and triggered a social movement that continued without interruption until the elimination of Feudalism in 1792. Among the sources of friction, we find the questions of honorary prerogatives (such as the *droit du banc*)⁷⁶⁸, the right of “*voyerie*” (the right for the seignior to plant trees along the road)⁷⁶⁹ and obviously the different taxes (among others, the tithe, the *champart*, the *cens*, etc.) which weighed heavily on the peasants' shoulders⁷⁷⁰. Now, this movement was not

765BABEUF François-Noël, *Ecrits*, op. cit., p. 240; DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, op. cit., p. 345; CLERE Jean-Jacques, “L’abolition des droits féodaux en France”, *Cahiers d'Histoire. Revue d'Histoire Critique*, 94-95, 2005, pp. 135-157.

766*Champart* was the right the seignior has to collect a percentage of the peasant's harvest whereas the *cens* was a fix annual tax.

767DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, op. cit., p. 344.

768*Ibid.*, p. 347.

769*Ibid.*, p. 348.

770*Ibid.*, p. 352.

restricted to undermining the foundations of feudalism, it also attacked big property, the free market and the bourgeois liberal legislation of the *Constituante*. Peasants waged a war against the seigniors and their castles, but they also fought against large scale owners and demanded land redistribution. From a more general perspective, the program of the Agrarian movement in France during the Revolution had been fundamentally equalitarian. Peasants were opposed to feudal aristocracy, but this does not mean that their objectives concurred with the bourgeoisie's. Despite this, this peasants' autonomy should not be identified with a retrograde movement stuck in the pass, as Lefebvre argued⁷⁷¹. The peasants, who set up popular granaries, demanded the "law of maximum" (*la loi du maximum*) and for the "right to live" (*droit à l'existence*). As such, Ado's thesis that the agrarian movement had been subjectively anti-capitalist but objectively reducible to the bourgeois revolution⁷⁷², should be also discarded. In short, this agrarian movement in France was strongly opposed to liberalism and the automatisisation of the economic sphere⁷⁷³.

This aspiration to go beyond the destruction of feudalism and the hostility toward the development of capitalist social relationships in France appears in Babeuf writings dating from this period. Indeed, his criticism was not only against the iniquity of the *Ancien Régime*, but he also demanded social equality⁷⁷⁴. His equalitarian claims go hand in hand with an analysis of the new

771 If Lefebvre claimed that peasants' movement tried to hinder the development of capitalism, he refused to consider it as a precursory form of socialism. According to him, peasants were conservative. They were concerned with distribution, not with the collective appropriation of the means of production. Moreover, they were fixated on their collective rights and their small private property that they fiercely defended. Finally, says Lefebvre, they were opposed to the agricultural progress: they were not interested by the increase of production and were against any technical innovation. He concludes: "*Si socialisme il y a eu, c'eût été en tout cas un socialisme "partageux" bien différent du nôtre. Ces hommes étaient tournés vers le passé: ils voulaient le maintenir ou le rétablir; ou, si l'on préfère, c'est avec des éléments qu'ils empruntaient au passé qu'ils se construisaient une société idéale. Dans leur état d'esprit, il y avait sans doute plus de conservatisme et de routine que d'ardeur novatrice*". LEFEBVRE Georges, "La révolution française et les paysans", in LEFEBVRE Georges, *Etudes sur la Révolution Française*, PUF, 1963, p. 349.

772 Ado assumes that the peasant claims were deeply equalitarian. They protested against land concentration and the expropriation of smaller peasants. That is the subjective point of view. However, Ado also claims that from the objective point of view (the point of view of the historical development of the social relation of production), the implementation of the equalitarian program and the establishment of a society of small producers paved the way for capitalism: "*Cependant l'approche marxiste de la question agraire a depuis longtemps montré la profonde différence qui existe entre l'orientation subjective des tendances égalitaires des couches populaires dans la période de transition du féodalisme au capitalisme, et leur contenu historique objectif. Elle a mis en lumière les potentiels progressistes – dans le sens strictement économique du terme – qui se développent, sous ces mots d'ordre égalitaires, dans le mouvement populaire, essentiellement paysan. Il faut préciser ici que la petite exploitation paysanne, au libre développement de laquelle voulaient, en fait, participer les partisans du morcellement des terres, peut par elle-même servir de base élargie au capitalisme agraire lors de la constitution des rapports sociaux bourgeois.[...] Malgré les comportements anticapitalistes qui lui sont inhérents, la tendance égalitaire n'est pas, dans le fond, en contradiction avec le développement agraire bourgeois : elle est en lutte pour une solution radicale de la question agraire dans le cadre de la révolution bourgeoise.*" ADO Anatoli, *Paysans en Révolution. Terre, pouvoir et Jacquerie: 1789-1794*, Paris, Société des Etudes Robespierriennes, 1996, pp. 380-381. For a clear presentation of this debate, see RESENDE Hernâni, *Socialisme Utopique et Question Agraire*, op. cit., pp. 21-25.

773 GAUTHIER Florence and IKNI Guy-Robert, "Le mouvement paysan en Picardie: meneurs, pratiques, maturation et signification historique d'un programme (1775-1794)", in NICOLAS Jean (ed.), *Mouvements Populaires et Conscience Sociale. XVIe-XIXe siècles*, Proceedings of the ABC conference organised at Paris, 24-26 May 1984, Paris, Maloine, 1985, pp. 435-448.

774 BABEUF François-Noël, *Ecrits*, op. cit., p. 233.

society in terms of class conflict.

This conflictuality appears in an article of the *Correspondant Picard*, the newspaper created by Babeuf in October 1790⁷⁷⁵. In the very first lines of the article, Babeuf compares the “new order of things” resulting from the disintegration of the *Ancien Régime* with the social organisation of the Roman Republic, that was structured on a fundamental division between the plebs and the patricians.

*“Sous quelques décade de Rome ancienne, l'ordre des Patriciens voulut occuper seul tous les emplois de la République, voulut diriger seul toutes les affaires de l'administration. L'ordre du peuple, indigné d'une exclusion où le mépris se joignait à l'insulte, se révolta bientôt contre ceux qui l'opprimaient en voulant usurper ses droits les plus chers. Il eut de là ses tribuns, ses représentants au Sénat, des consuls et des dictateurs pris dans son sein”*⁷⁷⁶.

Reading these lines, one cannot help thinking about Machiavelli, who was one of the first to highlight the fact that conflict is the essence of the political order⁷⁷⁷. Indeed, it is worth recalling that for the Florentine secretary, the *desunione* between the plebs and the nobles had been the first cause of the freedom in Rome⁷⁷⁸:

*“Io dico che coloro che dannono I tumulti intra I Nobili e la Plebe, mi pare che biasimino quelle cose che furono prima causa del tenere libera Roma; e che considerino più a' romori ed alle grida che di tali tumulti nascevano, che a' buoni effetti che quelli partorivano; e che e' non considerino come e' sono in ogni repubblica due umori diversi, quello del popolo, e quello de' grandi; e come tutte le leggi che si fanno in favore della libertà, nascono dalla disunione loro, come facilmente si può vedere essere seguito in Roma (...)”*⁷⁷⁹

In every city, Machiavelli writes in *The Prince*, two diverse humours are found: the great desire to command and to oppress and the people's desire not to be oppressed⁷⁸⁰. In the case of Rome, the nobles intend to dominate the plebs, the latter intend not to be dominated. Freedom results from this conflict. Indeed, as long as this conflict is maintained, none of the two parties gets the upper hand over the other and consequently, power is never seized by one of two. Here, the plebs plays a key role since they are the guard of freedom. Indeed, whereas the nobles are motivated by a desire of domination, the people's desire consists less in usurping freedom than in living a free life. Thus, not being able to seize this freedom, they do everything they can to prevent

775SCHIAPPA Jean-Marc, *Gracchus Babeuf, avec les Egaux*, op. cit., p. 33.

776BABEUF François-Noël, *Le Correspondant Picard*, Novembre 1790, BABEUF François-Noël, *Ecrits*, op. cit., p. 235.

777HONNETH Axel, *The Struggle for Recognition*, op. cit., p. 17.

778On this point see, GEUNA Marco, “Machiavelli e il ruolo dei conflitti nella vita politica”, in ARIENZO Alessandro, and CARUSO Dario (eds.), *Conflitti*, Napoli, Libreria Dantes e Descartes, 2005, pp. 19-57; NADEAU Christian, “Machiavel. Domination et Liberté Politique”, *Philosophiques*, Vol. 30, n° 2, Autumn, 2003.

779MACHIAVELLI Niccolò, *Discorsi sopra la Prima Deca di Tito Livio*, MACHIAVELLI Niccolò, *Tutte le Opere*, A cura di Mario Martelli, Firenze, Sansoni Editore, 1971 [1531], p. 82.

780“Perché in ogni città si trovano questi dua umori diversi; e nasce da questo, che il popolo desidera non essere comandato né oppresso da' grandi, e li grandi desiderano comandare e opprimere il popolo (...)” MACHIAVELLI Niccolò, *Il Principe*, MACHIAVELLI Niccolò, *Tutte le Opere*, A cura di Mario Martelli, Firenze, Sansoni Editore, 1971, [1532], p. 271.

the nobility from seizing it⁷⁸¹. However, it should be specified that, as a product of the *desunione*, freedom is not only the freedom of the people (who succeed in not being dominated), but also and above all the freedom of the whole city⁷⁸². Freedom is not only the fact that, resisting domination of the powerful, the people succeed in not being dominated; freedom results from the fact power itself is not dominated, neither by the nobles, nor by the plebs⁷⁸³. The tribunate, which results from the struggle between the plebs and the Senate, is the institution in charge of impeaching the occupation of the power by one of these parties.

Similar to Machiavelli, Babeuf considers that the essence of the political order is not the concord, but the conflictual discord. As Stéphanie Roza writes, the only difference between the two approaches maybe lies in the fact that Machiavelli considers the *desunione* as a negative means of containing the great's desire of domination (and thus a means of maintaining the equilibrium of power), whereas, for Babeuf, the function of the social conflict is positive: it is a means to reach the satisfaction of the people's demands⁷⁸⁴. However, both of them consider that conflict does not lead to the annihilation of one of the two parties but to extract concession from the minority which holds the power.

The Florentine secretary and the tribune of the people should also be compared from the point of view of the grammar of conflict developed in the texts quoted above. At the beginning of the *Discorsi*, Machiavelli elaborates what we will call in the third part of this thesis a “grammar of action”, in the sense that conflict results from a collision between diverse wills. Indeed, nobles intend to impose their will on the plebs whop, *a contrario*, try not to see that its will be hampered with. In the first lines of the article quoted above, the patricians take the power for themselves and exclude the plebs from participation in the public matters. This exclusion must be considered as a restriction of the people's will since the plebs are prevented from making any decision concerning the future of Rome. For that reason, the people revolt against this exclusion and demand more participation. Machiavelli writes that “(...) *quando il popolo voleva ottenere una legge, o e' faceva alcuna delle predette cose, o e' non voleva dare il nome per andare alla guerra, tanto che a placarlo bisognava in qualche parte sodisfarli*”⁷⁸⁵. When the people want to obtain a law, they force

781 “E senza dubbio, se si considerà il fine de' nobili e degli ignobili, si vedrà in quelli desiderio grande di dominare, ed in questi solo desiderio di non essere dominati; e, per conseguente, maggiore volontà di vivere liberi, potendo meno sperare di usurparla che non possono i grandi: talché, essendo i popolari preposti a guardia d'una libertà, è ragionevole ne abbiano più cura; e non la potendo occupare loro, non permettino che altri la occupi.” MACHIAVELLI Niccolò, *Discorsi*, op. cit., I, 5, p. 83.

782 GAILLE-NIKODIMOV Marie, *Conflit Civil et Liberté. La Politique Machiavélienne entre Histoire et Médecine*, Paris, Champion, 2004, p. 31.

783 LEFORT Claude, *Le Travail de l'Œuvre. Machiavel*, Paris, Gallimard, Tel, p. 475 ; NADEAU Christian, “Machiavel. Domination et Liberté Politique”, *Philosophiques*, Vol. 30, n° 2, Autumn, 2003, p. 340.

784 ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit., p. 525.

785 MACHIAVELLI Niccolò, *Discorsi*, op. cit., I, 4, p. 83.

the senate to promulgate it. In order to do so, they “took to the street”, or they refused to go to war, war being important for the security and the survival of a great empire whose foreign policy was based on expansion⁷⁸⁶. This amounts to saying that political participation is not something which is given immediately to the people; it is something which is wrested from the powerful, something which is acquired by social struggle. Apparently, it is this grammar of participation that Babeuf uses to express the conflicts which structure the new political order emerging after the fall of the *Ancien Régime*. However, a careful reading of the text shows that Babeuf connects this grammar with a grammar of having, a grammar which finally becomes the centre of the conflictual logic.

With the apparition of the new regime, the cards of the social classes are reshuffled. Henceforth, the social order is no longer divided into three orders but into four classes: the order of *patards* (journeymen, day labourers, poor peasants), the order of the *écu* and the *pistole* (well-off craftsmen, ploughmen, advocates, small business owner), and, finally, the order of the *marc* (large scale landowners, capitalists, manufacturers and nobles)⁷⁸⁷. Here, classes correspond to the different degree of political participation that had been established by the *Constituante*. In Autumn 1789, Sieyès proposes the distinction between passive and active citizens⁷⁸⁸. Passive citizens are those who have the right to the protection of their person, property and freedom but cannot take part in the formation of public power. These correspond to the class of *patards*. Among the active citizens, *i.e.*, the members of the *pistole* (those who are able to pay three working days), the hundred richest (the members of the *écu*) were designated to elect the deputies (members of the *marc d'argent*) who had to pay the equivalent of a *marc d'argent* (52 *livres*) – hence their name⁷⁸⁹. According to Babeuf, the conflict which structures the social field is not the conflict between active and passive citizen but between the member of the *marc d'argent* and the others. Acting like a cunning strategist, Babeuf intends to rally the members of the *pistole* and the *écu* with the *patards*: “*Nous voulons que l'ordre des patards, celui de l'écu et celui du pistole n'en soient qu'un, et nous joignons nos déclaration et protestation à celle du premier*”⁷⁹⁰. Addressing the members of the *écu*, he argues that the *Constituante* had lured them, giving them a semblance of the right of participation. The right to elect those who will vote for the laws (the deputies) is not really a right to participate in the formation of the law since participation remains indirect. Only the right of being elected as a deputy really means full and true participation, a right which is denied to the members of the *écu* and the *pistole*⁷⁹¹. Babeuf does not fail to point out that this exclusion enters into contradiction with

786GEUNA Marco, “Machiavelli e il ruolo dei conflitti nella vita politica”, in *op. cit.*, pp. 25-26.

787BABEUF François-Noël, *Ecrits*, *op. cit.*, p. 234.

788ROSANVALLON Pierre, *Le Sacre du Citoyen*, Gallimard, Folio/Histoire, 1992, p. 87.

789BABEUF François-Noël, *Ecrits*, *op. cit.*, note 204, p. 235.

790BABEUF François-Noël, Le Correspondant Picard, Novembre 1790, in BABEUF François-Noël, *Ecrits*, *op. cit.*, p. 239

791“Dire que celui qui n'aura pas le droit d'être élu, ayant néanmoins celui d'élire, concourra par l'organe de celui qu'il aura choisi, à la formation de la loi, nous voyons bien que c'est proférer une monstrueuse contradiction; aucun homme ne peut ni ne doit

article 6 of the *Declaration of the Right of Man and of Citizen* of 1789, which stipulates that “*tous les citoyens étant égaux aux yeux de la loi sont également admissibles à toutes les dignités, places et emplois publics, selon leur capacité, et sans autre distinction que celle de leurs vertus et de leurs talents*”⁷⁹². Consequently, the members of the *écu* and the *pistole* are in a similar situation to that of the members of the *patards* (those citizens whose will is not active): both could be considered slaves. Indeed, if liberty is the right to obey the law that one has given to oneself, the one who obeys the law chosen by another has alienated his will, and thus is in chains. *A contrario*, the maker of the law is similar to a despot because he makes laws that the others did not choose by themselves, in other words, laws to which they are submitted without their own consent. Therefore, the centre of gravity of the conflict which opposes the *marc d'argent* to the other classes is a friction between the will of those who want to alienate the other wills, and those who do not want to see their will subordinated to the first.

Now a closer look reveals that another grammar of conflict lies under this grammar of action. Babeuf knows perfectly well that property had a central role in the debate which took place within the *Assemblée Constituante*. In Autumn 1789, the Assembly decided that the “eligibles” - those who were authorised to be elected as deputies – must pay a *marc d'argent* and have the obligation to own a property⁷⁹³. This concept of citizenship looks very much like the figure of the “owner citizen”, a model of citizenship established by the physiocrats during the second half of the 18th century. According to this model political participation originated due to the question of the tax system. Indeed, because representative assemblies were held to discuss taxes, only those who paid taxes were concerned. Now, land being the foundation of wealth, taxes were based on land ownership. Consequently, only the land owners were concerned by tax and thus has a right to participate in this assembly⁷⁹⁴. It is this model that will inspire Sieyès when he writes that only the “true shareholder of the great social enterprise” has a right to vote⁷⁹⁵. Babeuf highlights how decisive property is in the distribution of political rights:

“Le principe de toute souveraineté, art. 3 réside essentiellement dans la nation. Or, quiconque est membre de la nation a le droit imprescriptible de coopérer à la formation de la loi. Ôter ce droit à tous ceux qui ne sont pas propriétaires de biens-fonds, qui ne paient pas un marc d'argent d'impôt direct, c'est les retrancher du nombre des membres de la nation. Désormais, il faudra dire: Le principe de la souveraineté réside essentiellement dans l'ensemble des propriétaires des biens territoriaux et qui paient un marc d'argent d'impôt direct; à eux seuls appartient le droit de faire des lois. N'est-ce pas établir la plus affreuse aristocratie, et donner pour constitution la plus

être représenté, là où il n'a pas le droit d'être en personne.” BABEUF François-Noël, *Le Correspondant Picard*, Novembre 1790, in BABEUF François-Noël, *Ecrits*, op. cit., p. 238.

792 *Déclaration des Droits de l'Homme et du Citoyen*, art. 6, <https://gallica.bnf.fr/essentiels/anthologie/declaration-droits-homme-citoyen>.

793 ROSANVALLON Pierre, *Le Sacre du Citoyen*, op. cit., p. 107-108.

794 *Ibid.*, p. 57.

795 *Ibid.*, p. 66.

extrême absurdité! C'est vouloir faire naître une source éternelle de discorde entre les citoyens"⁷⁹⁶.

Babeuf strongly contests this principal of distribution related to political capacity, arguing that everyone, the owner and the non-owner, is interested by the happiness of society and thus participation in the common wealth (*chose publique*): "*Prétendre que celui qui n'a point de propriétés foncières n'a point d'intérêt à la chose politique, n'est-ce pas injurier le bon sens et insulter à la raison? Tout être humain qui vit au sein d'une société est intéressé à son bonheur. Le propriétaire et l'ouvrier sont l'un et l'autre réciproquement utile*"⁷⁹⁷.

Therefore, Babeuf reveals that at the very heart of the conflict for the political rights lies a more fundamental conflict between those who own the land and those who do not. In other words, the struggle for participation is reduced to a class conflict for appropriation. And Babeuf seems to suggest that it is this more fundamental conflict that should be resolved first. It is as if, *in fine*, the true struggle that has to be waged first is the struggle for the redistribution of land (or maybe, more fundamentally, for the annihilation of property). Babeuf had already considered the struggle for the redistribution of land in 1789 in a passage from the *Cadaastre perpétuel*:

"De quelle manière les Seigneurs sont-ils parvenus à se mettre en possession de toutes les richesses foncières? – Par usurpation, et au moyen de ce que, profitant de l'état d'inertie et d'ignorance crasse où ils avaient eu soin d'entretenir le peuple, ils l'aveuglèrent au point de lui faire croire, quoi qu'en nombre bien inférieur à lui, ils lui étoient beaucoup supérieurs en forces. – Aujourd'hui que les lumières sont répandues, que tout le monde fait que, suivant le droit naturel, les hommes, en naissant, doivent tous jouir des mêmes avantages; qu'il est reconnu que leurs droits ne se prescrivent point, pourquoi ne revient-on pas contre cette supercherie, cette usurpation? – A Rome, au tems de la République, toujours les Plébéiens demandoient le partage égal des terres, et toujours les Patriciens s'y opposoient. – Ceux-ci avoient donc également l'art d'insinuer aux Plébéiens l'idée invraisemblante d'une supériorité de force? – Peu de Nations se sont pénétrées de cette vérité, cependant infiniment simple à saisir: que la principale puissance réside indubitablement du côté où le nombre de bras est le plus considérable, et il ny a que peu de tems que l'on s'est avisé en France de reconnoître que vingt-cinq pouvoient avoir une valeur plus qu'égale à un. Quelques personnes soutiennent qu'en supposant une presque'uniformité de fortune dans tous les individus d'une Nation, la société ne pourroit subsister, par la raison qu'il ne s'en trouveroit plus qui voulussent rien faire pour les autres. – Comme il est impossible que chacun puisse se procurer tout ce qui lui est physiquement nécessaire, il faudroit toujours que les hommes s'entraïdassent; et, loin qu'un tel arrangement nuisît à la félicité commune, il est sensible que si toutes les fortunes trop excessives en biens fonciers, qui sont telles que presque dans chaque territoire, un particulier ou deux en dominant les deux tiers, et l'autre tiers, accablé, à peu près seul, du poids de toutes les charges, reste à la majorité des habitans de campagnes; si, ajoute-t-on, toutes ces fortunes excessives étoient distribuées entre tous ces habitans malheureux, quelque soit leur nombre, chacun d'eux vivroit dans une honnête aisance"⁷⁹⁸.

This long text has been cited because the idea of distributive conflict appears in all its purity here. Babeuf uses the Machiavellian model of the struggle between the plebs and the patrician to thematise the articulation between distribution and conflict. However, in contrast with the

796BABEUF François-Noël, Le Correspondant Picard, Novembre 1790, in BABEUF François-Noël, *Ecrits, op. cit.*, pp. 237-238.

797Ibid., p. 237.

798BABEUF François-Noël, *Cadaastre Perpétuel, op. cit.*, pp. 14-16.

beginning of the *Discorsi*, it is not the logic of action that occupies the centre of the conflictual dynamic here but the logic of having.

II.3.3.4) The Letters to Coupé: The Agrarian Law

The letters to Coupé are certainly the apogee of what was called the “distributive moment”, since it is in these two letters that Babeuf explicitly develops the idea of agrarian law. However, if these *Letters* may be regarded as an in-depth look (or at least as a resurgence) into the distributive ideal expressed in the *Cadaastre perpétuel*, as well as the crowning moment of Babeuf's participation in the agrarian movement, caution must nonetheless be exercised. Since, it would be unwise to insist on the continuity of his political and philosophical stance during this period, which goes from 1789 to 1792.

Indeed, between 1790 and 1791, Babeuf undertakes the writing of a text he will never publish. In this manuscript, which has been exhumed by Victora Daline⁷⁹⁹, Babeuf adopts political positions that are closed to liberalism. Indeed, the text starts by a eulogy of economic freedom and an indictment against state intervention⁸⁰⁰. Further in the text, he even comes to the defence of property rights defence when in 1786 he never stopped criticising every form of property. Indeed, he offers a history of humanity whose peak is said to be the raising of property. The motor of such history is the search of livelihood (*subsistance*): progressively detaching himself from the state of nature and raising himself to the level of civilisation, man acquires step by step the means of the subsistence. In the beginning men lived from hunting and recollection but quickly they realise that temporary occupation make the domestication of animals possible, a source of livelihood sufficient for a family. Then, they discover that the permanent occupation of the soil make cultivation possible and that it is better to acquire what is necessary to feed the population which, in the meantime, has grown. Finally, when an entire nation has to be fed, individual property appears as the best means to make the agriculture more productive. Property appears as the climax of this progressive detachment from nature: “*Il est évident que la propriété est le plus solide de tous les*

⁷⁹⁹DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, op. cit., pp. 324-330.

⁸⁰⁰“Rien ne doit .tre plus libre que le Commerce & la fabrication. Rien n'est donc plus absurde que de pr.tendre administrer le commerce. On a cependt. cette pr.tention, & il existe beaucoup de gens qui l'ont encore. Elle est absurde, parce qu'il ne faut qu'ouvrir les yeux pour voir que si un administrateur quelconque entreprend de gouverner les Armateurs, les N.gs. [négociants] les Mds. [marchands] dans leurs op.rations, il pourra les engourdir par des g.nes & des prohibitions syst.matiques 2, pourra les g.ner jusqu'au d.couragemt. & par l. nuira de fait . l'Etat, en limitant ou en d.truisant son commerce, aux N.gs. en d.rangeant leurs projets & en leur otant la lib. [liberté] et par cons.qt. l'.nergie de leurs sp.culations, lib. & .nergie sans laquelle point de commerce”. BABEUF François-Noël, *Les Lueurs Philosophiques*, op. cit., p. 228.

moyens d'assurer la subsistance”⁸⁰¹.

As Stéphanie Roza argues, this text cannot be suspected of a strategy of dissimulation since Babeuf wrote it for himself and never published the manuscript⁸⁰². It should be noted that Daline's claims that, in continuity with his first writings of 1786, the manuscript of *Les Lueurs Philosophiques* expresses a rejection of property are somewhat surprising⁸⁰³. Nevertheless, is it right to say that this manuscript is the expression of the influence of the *Assemblée Constituante*'s stances in favour of property and economic freedom⁸⁰⁴? Babeuf's commitment in the agrarian movement and the article on the social classes that we have just commented do not corroborate such a hypothesis. Indeed, as we argued, the uprising which broke out in 1790 was not only explicitly opposed to the measures adopted by the *Constituante*, but it was also opposed to the capitalist social relationship. Moreover, in the article of the *Correspondant Picard*, Babeuf openly accuses the Assembly of promoting the model of the citizen-owner. Consequently, there is a tension between Babeuf's public anti-liberal stances during 1790 and his surprising attitude in favour of property in *Les lueurs philosophiques*. Here, we do not claim to resolve this problem. Our point is more to highlight that Babeuf's political trajectory is not linear and that this sinuous evolution appears in the tension between the anti-liberal/liberal tension (and also in the tension between the equalitarian and communist stances). Therefore, the distributive moment should not be necessarily ascribed to political strategy. Mazauric and Dommanget, who support this assumption, suggest that Babeuf comes forward masked (“*larvatus prode*” said Descartes) and does not reveal immediately his objective (until the opportune times arrives) in order to not cut himself from the democratic and equalitarian movements, which were in favour of land redistribution but not of a disruption of the social order based on property⁸⁰⁵. For that reason, they say that Babeuf proposes an equalitarian program whereas a communist program is his real objective. According to us, this period, during which Babeuf proposes various contradictory models, reflects more a hesitation regarding redistribution and collective appropriation⁸⁰⁶. What we are now going to establish is that, during this period, Babeuf makes a compromise between these two options.

In the letters to Coupé, the distributive option takes the form of an apology of the agrarian

801BABEUF François-Noël, *Les Lueurs Philosophiques*, op. cit., p. 246. Below, he will even claim that: “*C'est pour le maintien de la p[ro]priété que les sociétés humaines se sont formées, leur réunion n'a point d'autre motif, & pour but que la conservation des propriétés; il est donc faux qu'elles aient le droit de statuer en faveur de la spoliation des propriétés.*” BABEUF François-Noël, *Les Lueurs Philosophiques*, op. cit., p. 298.

802ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit., p. 150

803DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, op. cit., p. 308.

804ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit., p. 156.

805BABEUF François-Noël, *Ecrits*, op. cit., p. 53 and note 225 p. 248. DOMMANGET Maurice, *Pages Choisies de Babeuf*, p. 96. For this interpretation, cf also ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit., p. 160 who is much more cautious on that point.

806Here, we use one of the interpretative options of this moment proposed by S. Roza. Cf, ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit., p. 164.

law:

“Je vous le dis tout haut à vous, mon frère, et ce ne sera pas encore si tôt que j'oserai le dire bas à d'autres: cette loi agraire, cette loi que redoutent et que sentent bien venir les riches, et à laquelle ne pensent nullement encore le grand nombre de malheureux, c'est-à-dire les quarante-neuf cinquantièmes du genre humain, (...) cette loi, qui ne reparaît jamais sur l'horizon des siècles que dans des circonstances comme celles où nous nous trouvons; c'est-à-dire quand les extrêmes se touchent absolument; quand les propriétés foncières, seules vraies richesses, ne sont plus que dans quelques mains, et que l'impossibilité universelle de pouvoir assouvir la terrible faim, détermine le plus grand nombre à revendiquer le grand domaine du monde où le Créateur a voulu que chaque être possédât le rayon de circonférence nécessaire pour produire sa subsistance; cette loi, dis-je, est le corollaire de toutes les lois; c'est là où se repose toujours un peuple lorsqu'il est parvenu à améliorer sa constitution sous tous les autres rapports... que dis-je? C'est alors qu'il simplifie étonnamment cette constitution”⁸⁰⁷.

Two sorts of problems are raised by the concept of agrarian law as it is presented by Babeuf. The first problem is moral, and it is explicitly exposed by Babeuf in the second letter: land redistribution presupposes that a part of the owner's large property must be seized to be redistributed to the poorest. Consequently, does this seizure consist in an unjust expropriation, which satisfies the private interests of a particular faction? Or are these expropriations justified in that they give to everyone the part which is due to them and, thus, ensure their right to live? This is the moral issue raised by agrarian justice. The other problem concerns the interpretation Babeuf gives to the agrarian law: does he reduce agrarian law to this traditional system of redistribution that distributes land in the form of private property? Or does Babeuf give an original interpretation of this system? This is the problem of the interpretation of the agrarian law. Here we will address these two issues successively.

In the text we quoted above, Babeuf mentions the long history of agrarian law which resurges every time the contradiction between the poor and rich is such that the former cannot ensure they own subsistence, hence their demand for a new distribution – the vocabulary of class conflict appears throughout the two letters to Coupé⁸⁰⁸. An outline of this history – which is the history of the “apostles of the agrarian law (*“Lycurgue chez les Grecs et à Rome, Camille, les Gracchus, Cassius, Brutus, etc.”*⁸⁰⁹) – is useful in understanding the problem raised by Babeuf in his second Letter to Coupé. The reform undertaken by the Gracchi is an episode of this history that is of a great importance since these historical figures are a key reference for Babeuf⁸¹⁰.

The laws they promulgated were a response to the agrarian crisis that shook the middle of the 2nd century B.C. Following the Punic Wars and the Roman conquests, the number of citizens sufficiently rich to be involved in the army decreased considerably because of the pauperisation of a

807Babeuf, Lettre to Coupé, 10 September 1791, in DOMMANGET Maurice, *Pages Choisies de Babeuf*, p. 122.

808Cf DOMMANGET Maurice, *Pages Choisies de Babeuf*, p. 96.

809Babeuf, Letter to Coupé, 10 September 1791, in DOMMANGET Maurice, *Pages Choisies de Babeuf*, p. 129.

810On Babeuf choice of his own name, see BABEUF François-Noël, *Le Tribun du peuple*, n°232, 14 vendémiaire an III (5 October 1794), in BABEUF François-Noël, *Ecrits, op. cit.*, p. 274-277.

part of the population of the Republic of Rome. This was problematic concerning the maintenance of the Roman power over such a large territory acquired during the Roman conquests⁸¹¹. This process of proletarianisation was partly a result of the land concentration within the *Ager Publicus*, i.e., a part of the vanquished's territory confiscated by Rome during the Italian conquest and finally declared property of the Roman people (which means that the totality of conquered lands was not subordinated under the public domain)⁸¹². From the beginning of the 2nd century, the State used these lands to reimburse the considerable debt it had contracted during the wars with senators and knights⁸¹³. All of them had quickly monopolised lands of the *ager publicus* and had formed huge domains. While the number of rich people and slaves increased, the number of free citizens decreased⁸¹⁴. Tiberius Sempronius Gracchus' new law proposed to remedy to this crisis. The *Lex Sempronia*, which was centred on the *ager publicus*, intended to limit the occupied lands to 500 *iugera*⁸¹⁵, to purchase the surplus of lands and to redistribute them to poor people by a college of three elected individuals (the *agrarian triumvirat*)⁸¹⁶. Some authors of Antiquity (such as Appian and Plutarch) argued that Tiberius Sempronius Gracchus's project of redistribution aimed to increase the population of Roman citizen in order to conquer the rest of the world and to protect territories already conquered⁸¹⁷. The tribune of the plebs was even accused to be the spokesperson of a faction in search of supporters⁸¹⁸. Now, Nicolet take the opposite view. He claims that Gracchus' project cannot be reduced to a Machiavellian and utilitarian enterprise, nor to a form of cronyism; it was motivated by moral and political intentions. The moral content of this reform appears in the debates it raised. A text from the Roman historian Florus, which synthesises of the *pro* and *contra* arguments, gives an idea of the discussions held on the agrarian law. In a way, as Florus writes, the idea of redistributing the lands of the *ager publicus* seems to be *just* since it consists in giving to the plebs the means of subsistence they need to survive⁸¹⁹. Moreover, these redistributed

811NICOLET Claude, *Les Gracques ou Crise Agraire et Révolution à Rome*, Paris, René Julliard, 1967, p. 62.

812The *ager publicus* must be distinguished from the *ager romanus* (see "Ager Romanus" in Darember MM. CH. and Saglio EDM. (eds.), *Dictionnaire des Antiquités Grecques et Romaines*, T. I, First Part A-B, Paris, Hachette, 1881, pp. 138-140), that is the territory of Rome, which had been for a long time the only place in which civil property (*dominium ex jure quiritum*) was possible (MARTIN Jean-Pierre, CHAUVOT Alain and CÉBEILLAC-GERVASONI Mireille, *Histoire romaine*, Armand Colin, U, 2019, pp. 141-142). Under the Royalty, the *ager romanus* was divided into three parts : 1° one was reserved for the king and the temples (*ager regius*) 2° another for common pasture (*pascua publica*) 3° and the final one, the *ager privatus* was a potential object of appropriation for the head of the family (*dominium*). See the article "Ager Publicus" in Darember MM. CH. and Saglio EDM. (eds.), *Dictionnaire des Antiquités Grecques et Romaines*, T. I, First Part A-B, Paris, Hachette, 1881, pp. 133-138. On the relation Ager Romanus/Dominium and Ager Publicus/ Possessio, see also NICOLET Claude, *Les Gracques*, op. cit., pp. 89-99.

813NICOLET Claude, *Les Gracques*, op. cit., p. 89.

814Ibid., p. 61.

815Ibid., p. 124.

816Ibid., p. 127.

817Ibid., pp. 65-66 and pp. 136-137.

818Ibid., p. 131.

819Ibid., 1967, p. 150.

lands were taken from *ager publicus*, i.e., the result of the military expedition to which poor citizens had participated. It thus seemed correct that they had a right to a part of the wealth. Here, justice, a concept inherited from the Greek philosophy, is at the centre of the argumentation.

However, this form of redistribution means taking a part of the property previously owned by the wealthy and distributing it to the plebs. Now, the wealthy, the senators and the knights had worked on these lands. They argued that their fathers were buried in these lands, and that they had taken on a debt to become the owners⁸²⁰: “how could the common people be restored to the land without dispossessing those who were in occupation of it, and who were themselves a part of the people and held estates bequeathed to them by their forefathers under the quasi-legal title of prescriptive right?”⁸²¹. In this sense, the struggle waged by the Gracchi and the plebs could appear as a simplified civil war motivated by private interests, rather than by the idea of justice. In the case that they won, their victory could be interpreted as robbery and as the redistribution of the booty gained by war to their partisans, rather than the implementation of a just distribution⁸²². As Cicero argues, this amounts “(...) to rob one man of what belongs to him and to give to another what does not belong to him (...)”⁸²³. Redistribution would benefit one faction, but not everyone, hence it would not be just at all.

One could even argue that behind the claim for redistribution, there is a political form of *pleonexia*, which is denounced by Aristotle in Book two of the *Politics*, when he criticises Phaleas of Chalcedon's constitution⁸²⁴. According to the Stagyrte, his program for the redistribution of land cannot stop civil discord (*stasis*). One of the reasons for this inefficiency is that the lower classes are characterised by an excessive desire of receiving more (*pleonexia*)⁸²⁵: indeed, “two obols is enough

820Ibid., p. 64.

821FLORUS Lucius Annaeus, *Epitome of Roman History*, Cambridge-Massachusetts-London, Harvard University-William Heinemann Ltd, 1947, II, 1, p. 223. Quoted by Nicolet in NICOLET Claude, *Les Gracques*, op. cit., pp. 150-151. Cicero asks a similar question in the *De Officiis*: “And how is it faire that a man who never had any property should take possession of lands that had been occupied for many years or even generations, and that he who had them before should lose possession of them?”. CICERO, *De Officiis*, with an english translation by Walter Miller, London-New York, William Heinemann LTD-G.P. Putnam's Sons, 1913, II, 22, p. 255. Quoted in french by NICOLET Claude, *Les Gracques*, op. cit., p. 161.

822NICOLET Claude, *Les Gracques*, op. cit., p. 155.

823CICERO, *De Officiis*, op. cit., II, 23, p. 261. Quoted in french by NICOLET Claude, *Les Gracques*, op. cit., p. 163.

824Aristotle is the only source we have on Phaleas of Chalcedon. According to him, Phaleas would be the first to propose that “the property of the citizens should be equal”. ARISTOTLE, *Politics*, trans. C.D.C. Reeve, Indianapolis-Cambridge, Hackett Publishing Company, 1998, 1266a40, p. 41. On Phaleas of Chalcedon, see LANA Italo, “Le teorie egualitarie di Falea di Calcedone”, in *Rivista Critica di Storia della Filosofia*, 1950, Vol. 5, n° 4 1950, pp. 265-276; OSSÉ Claude, “Les origines antiques du socialisme”, in DROZ Jacques, *Histoire générale du socialisme (I). Des origines à 1875*, Paris, PUF, Hors Collection, 1979, pp. 53-92. For philosophical commentaries of the chapter 7 of the Book II of Aristotle's *Politics*, see BALOT Ryan, “Aristotle's Critique of Phaleas: Justice, Equality, and Pleonexia”, in *Hermes*, 2001, 129. Bd., H. 1, 2001, pp. 32-44; ARISTOTLE, *Politics. Books I and II*, Translated with a commentary by Trevor J. Saunders, Oxford-New York, Clarendon Press-Oxford University Press, 1995, pp. 135-140.

825On *pleonexia* in Plato and Aristotle, see GUEGUEN Haud, “article”, in S. ALEXANDRE et E. ROGAN (eds.), *Avoir plus : une figure de l'excès ?*, Zetesis – Actes des colloques de l'association [Online], n° 3, 2013, URL : <http://www.zetesis.fr>.

at first, but once that has become traditional, they go on always asking for more, until they go beyond all limits. For there is no natural limit to desires and satisfying them is what the many spend their lives trying to do”⁸²⁶. Aristotle is not really arguing that Phaleas’ program is motivated by greed, but the idea that redistribution is a claim of a lower group motivated by the fury of *pleonexia* is an objection which haunts every project of distributive justice. If the struggle for the redistribution of lands is grounded in the infinite desire of getting more than one's share, then, it is unjust (and thus the claim to distributive justice disappears). Indeed, as Aristotle writes in the *Nicomachean Ethics*, the unjust person is the one who “grasps for more”⁸²⁷. When I take more land than I deserve, I necessarily take this surplus from the other⁸²⁸. In other words, to have more, I have to steal the other's share. *Pleonexia* leads to the robbery already mentioned.

It is precisely this immoderate desire that, according to Machiavelli, that caused a bloody conflict between the plebs and the senate concerning Gracchi's agrarian law and finally led to the destruction of Roman freedom. This statement enters in contradiction with what was already said about the first chapters of the *Discorsi*, to wit, that the *desunione* between the plebs and the senate was the cause of freedom in Rome. However, at the end of the chapter XXXVII Machiavelli, sheds some light on this apparent contradiction. The solution to this problem lies in the difference between two sorts of conflict: those by which freedom is safeguarded and those which are pathological and which endanger the freedom. Machiavelli generally uses the terms of *disunioni* or *tumulti* for the first ones, but he uses the terms *guerre civili* or *civili discordie* for those conflicts which degenerate into a clash between factions (*fazioni*)⁸²⁹. *Disunioni* turns into *guerre civili* when the conflict becomes private and when it is motivated by private interest and by the acquisition of *roba*, a word which is difficult to translate and which means “goods” or “possessions”⁸³⁰. In the chapter on Gracchi's agrarian law, the opposition between these two sorts of conflict is explained by the opposition between necessity (*necessità*) and ambition (*ambizione*). As long as the plebs struggle against the senate through necessity, the conflictual dynamic will produce freedom. Indeed,

826ARISTOTLE, *Politics*, *op. cit.*, 1267b 1-5, p. 44.

827Here we use Robert C. Bartlett and Susan D. Collins' translation because “grasps for more” (p. 91) seems to express better the meaning of the term *pleonektès* than “greedy” (ARISTOTLE, *Nicomachean Ethics*, trans. Roger Crisp, Cambridge, Cambridge University Press, Cambridge Texts in the History of Philosophy, 2004, p. 82) or “the grasping” do (ARISTOTLE, *The Nicomachean Ethics of Aristotle*, trans. David Ross, London, Oxford University Press, 1925, p. 107). In a note Bartlett and Collins specify that *pleonektès* literally means “the having of more” and by extension, “desiring of more than one is due”. ARISTOTLE, *Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D. Collins, *op. cit.*, 2011, note 5, p. 91.

828ROGAN Esther, “Les formes politiques de la *pleonexia* chez Aristote”, in S. ALEXANDRE et E. ROGAN (eds.), *Avoir plus : une figure de l'excès ?*, Zetesis – Actes des colloques de l'association [Online], n° 3, 2013, URL : <http://www.zetesis.fr>, pp. 2-3.

829GEUNA Marco, “Machiavelli e il ruolo dei conflitti nella vita politica”, *op. cit.*, p. 20.

830On this term see the footnote 714 p. 181 of Fontana and Tabet's French translation. MACHIAVEL Nicolas, *Discours sur la Première Décade de Tite-Live*, trans. Alessandro Fontana and Xavier Tabet, Paris, Gallimard, Bibliothèque de Philosophie, 2004.

it is the necessity of securing itself against the nobles' ambition that led the Roman plebs to create the tribunes, institutions which maintained an equilibrium of forces. Now, everything changed when ambition led the plebs to claim for more:

“Questo discorso ho fatto, perché alla Plebe romana non bastò assicurarsi de' nobili per la creazione de' Tribuni, al quale desiderio fu costretta per necessità; ché lei, subito, ottenuto quello, cominciò a combattere per ambizione, e volere con la Nobilità dividere gli onori e le sostanze, come cosa stimata più dagli uomini. Da questo nacque il morbo che partorì la contenzione della legge agraria, che infine fu causa della distruzione della Repubblica”⁸³¹.

As is commonplace, Machiavelli identifies ambition with the lure of profit (*appât du gain*) and the desire of domination⁸³². This notion is often associated with the term *avarizia*⁸³³. In chapter 37 of the *Discorsi*, ambition is associated with the desire of acquiring more *roba* (that is, more land, in the context of the agrarian law). This unlimited desire of getting more recalls Aristotle's *pleonexia* and also, in this context, Sumner's concept of earth hunger. Indeed, this good, that the plebs' desire to get more and more of, is land. According to Machiavelli, it is this infinite desire of acquisition that turns the conflict between the plebs and the senate into a conflict between factions⁸³⁴. However, it is to be noted that Machiavelli's criticism of the plebs is not one-sided. Admittedly, at the beginning of the text Machiavelli seems to accuse unilaterally the plebs, and he will do the same in the *Istorie Fiorentine* regarding the *catasto*, a tax implemented in Florence to restore the equality between the citizens⁸³⁵. However, it seems that there is an ambiguity regarding those who are responsible for the conflict.

In the text, the idea of land redistribution is presented as a spectre which haunts the history of Rome and resurges periodically in the course of time. Admittedly, when the Gracchi aroused this law (which was laying dormant at the time), it was the members of the plebs who were apparently responsible for starting the conflict, using private remedies, *i.e.*, choosing ahead of the conflict to defend themselves against the senate. Nevertheless, during the period before the adoption of Gracchi's law, it would seem that the nobles were those responsible for initiating the troubles. Machiavelli mentions the fact that the previous agrarian laws forbade citizens to possess more than a

831 MACHIAVELLI Niccolò, *Discorsi*, *op. cit.*, I, 37, p. 119.

832 On this point see MACHIAVEL Nicolas, *Discours sur la Première Décade de Tite-Live*, *op. cit.*, footnote 760 p. 188.

833 See the Dedicatory of the *Discorsi*, in MACHIAVELLI Niccolò, *Discorsi*, *op. cit.*, p. 75 and also the poem entitled *Dell'Ambizione*. MACHIAVELLI Niccolò, *Dell'Ambizione*, in MACHIAVELLI Niccolò, *Tutte le Opere*, *op. cit.*, pp. 983-987.

834 Once again, we follow the interpretation of Fontana and Tabet in MACHIAVEL Nicolas, *Discours sur la Première Décade de Tite-Live*, *op. cit.*, note 712, p. 181.

835 “Era adunque questa gravezza dall’universale accettata e da’ potenti con dispiacere grandissimo ricevuta. Ma come accade che mai gli uomini non si sodisfanno, e avuta una cosa, non vi si contentando dentro, ne desiderano un’altra, il popolo, non contento alla uguaglianza della gravezza che dalla legge nasceva, domandava che si riandassero i tempi passati, e che si vedesse quello che i potenti, secondo il catasto, avevano pagato meno, e si facessero pagare tanto che gli andassero a ragguglio di coloro che, per pagare quello che non dovevano, avevano vendute le loro possessioni. Questa domanda, molto più che il catasto, spaventò gli uomini grandi (...)”. MACHIAVELLI Niccolò, *Istorie Fiorentine*, IV, 14, in MACHIAVELLI Niccolò, *Tutte le Opere*, *op. cit.*, [1532] p. 723.

jugera of land, the surplus being redistributed to the poor. This measure refrained the nobles' desire to get rich, in other terms, their desire for acquiring more. Because they were prevented from giving free rein to their desire, they provoked turmoil in the city and did all their best to delay the adoption of the law⁸³⁶. This seems to be corroborated by a general law identified by Machiavelli in the end of chapter 5 of the *Discorsi*: the appetite of those who want to maintain their possessions (the nobles, the owners) caused more tumults than the appetite of those who wanted to acquire a possession *tout court* (i.e., the plebs). Indeed, “*la paura del perdere genera in loro le medesime voghe che sono in quelli che desiderano acquistare; perché non pare agli uomini possedere sicuramente quello che l'uomo ha, se non si acquista di nuovo dell'altro*”⁸³⁷. This passage is interesting because the desire for more is caused by the fear of losing something which is already possessed. By acquiring more, I ensure that the loss will be compensated in case someone steals a part of my possession. In the case we have just mentioned (the period before the promulgation of Gracchi's law), it is those who want to maintain what they already possess (the nobles), who start the conflict, not the plebs, who do not possess anything: the patricians do not want to see their lands reduced by the law and enter into conflict when they feel that their possessions are threatened. At the end of chapter XXXVII, Machiavelli reverses the point of view that he had previously adopted at the beginning, i.e., the one-sided criticism of the plebs:

*“(...) gli è tanta l'ambizione de' grandi, che, se per varie vie ed in vari modi ella non è in una città sbattuta, tosto riduce quella città alla rovina sua. In modo che, se la contenzione della legge agraria penò trecento anni a fare Roma serva, si sarebbe condotta, per avventura, molto più tosto in servitù, quando la plebe, e con questa legge e con altri suoi appetiti, non avesse sempre frenato l'ambizione de' nobili”*⁸³⁸.

Therefore, it would seem that in this text, Machiavelli switches between the anti-populist and the anti-noble point of view. But perhaps no choice needs to be made between these two points of view.

At the end of chapter 5, Machiavelli adds that the plebs' ambition is sometimes generated by the wealthy. Indeed, “*Ed ancora vi è di più, che gli loro scorretti e ambiziosi portamenti accendano, ne' petti di chi non possiede, voglia di possedere, o per vendicarsi contro di loro spogliandoli, o per potere ancora loro entrare in quelle ricchezze e in quelli onori che veggono essere male usati dagli altri*”⁸³⁹. In other words, the ambition of the wealthy causes the envy of the plebs, in other words, the plebs' ambition is aroused. Once again, this passage of chapter V seems to be corroborated by chapter XXXVII. Indeed, the plebs' envy is caused by what is easily within reach, i.e., the lands of Rome, which are concentrated in the hand of a few nobles. But when the

⁸³⁶MACHIAVELLI Niccolò, *Discorsi, op. cit.*, p. 119.

⁸³⁷MACHIAVELLI Niccolò, *Discorsi, op. cit.*, I, 5, p. 84.

⁸³⁸*Ibid.*, I, 37, p. 120.

⁸³⁹*Ibid.*, I, 5, p. 84.

lands are remote (as those acquired during the Roman conquest), the plebs desire them less, their ambition decreases and thus the intensity of the conflict decreases. In short, it is as if everyone's ambition (the plebs' and the noblemen's) which mutually incites them: “(...) *la Nobilità romana sempre negli onori cedé senza scandoli straordinari alla plebe; ma come si venne alla roba, fu tanta la ostinazione sua nel difenderla, che la plebe ricorse, per isfogare l'appetito suo, a quegli straordinari che di sopra si discorrono*”⁸⁴⁰. In fine, the problem is not from which side ambition arises but ambition itself, *i.e.*, ambition becomes an element which animates both parties involved in the conflictual interaction and thus structures the whole dynamic. In this sense, the anti-nobles/anti-populist alternative is a false alternative: neither the noble nor the plebs are really responsible of the shift from the *disunione* to the *civile discordia*; it is the dynamic of *pleonexia* which leads to this catastrophe. In other words, the conflictual dynamic becomes out of control when the desire for more becomes the structuring element of the interaction, when having supplants action. This is perhaps one of the great differences between Babeuf and Machiavelli. Babeuf reduces the grammar of action to the grammar of having whereas Machiavelli defines struggle for freedom as normal conflict and struggles of appropriation as the pathological evolution of conflictuality.

Now, despite these interpretative issues, our point is that Machiavelli claims that the dispute about the agrarian law was entirely structured by the dynamic of *pleonexia*. Thereby, he identifies the risk to which all redistributive projects are exposed: that those who support such a project are nothing more than a faction which intends to acquire more instead of establishing real equality.

According to Nicolet, this is precisely the pitfalls that Gracchi's agrarian law avoids. He argues that an ideal of justice motivated this struggle for redistribution, an historical thesis which seems to be confirmed by the following passage of Appian's *Civil Wars*: “*Giunto il momento della votazione, dopo aver presentato molti altri ed ampi argomenti persuasivi, chiese alla folla se non fosse giusto che I beni comuni fossero divisi in commune (...)*”⁸⁴¹. Although it seems hard to reconstruct the entire argumentation of the Gracchi (a problem which is recurrent among historians of antiquity), Nicolet shows convincingly that justice has a central place in the justification of their political action. Be that as it may, this episode of Roman history reveals something we have already highlighted about the grammar of distribution: the struggle for distributive justice is irreducible to

840*Ibid.*, I, 37, p. 120.

841APPIANO, *La Storia Romana, Libri XIII-XVII, Le Guerre Civili*, A cura di Emilio Gabba e Domenico Magnino, Torino, Unione Tipografico-Editrice Torinese, 2001, I, 11, 43, p. 73. We gave the Italian translation because it is recommended by Nicolet in his bibliography (NICOLET Claude, *Les Gracques*, *op. cit.*, p. 233). See the English translation: “When the time for voting was imminent, he put forward many other attractive arguments at considerable length and finally asked whether it was no right for common property to be divided amongst all (...)”. APPIAN, *The Civil Wars*, trans. John Carter, London, Penguin Books, 1996, p. 7.

conflicts of acquisition which were detailed in the part dedicated to “primitive war”. Indeed, these conflicts are not motivated by the desire of acquiring more nor by sectorial interest. People involved in these conflictual dynamics seek to satisfy everyone interested so that everyone will receive no more than his due.

Of course, perhaps this program of redistribution did not aim for the limitation of property. In this sense, the project would be more comparable to national properties (*biens nationaux*) than to Saint-Just's or Babeuf's utopias⁸⁴². However, as was said, this reference to the agrarian reforms was central during the revolution, especially for Babeuf. The tribune of the people was probably aware of philosophical problem that the agrarian law raised in Rome given the formulation Babeuf gives of this problem:

“Il n'est presque personne qui ne rejette fort loin la loi agraire; le préjugé est bien pis encore que pour la royauté et l'on a toujours pendu ceux qui se sont avisés d'ouvrir la bouche sur ce grand sujet. Est-il bien certain que M. J. Coupé lui-même sera d'accord avec moi sur cet article? Ne m'objectera-t-il pas aussi avec tout le monde que de là résulterait la défection de la société; qu'il serait injuste de dépouiller tous ceux qui ont légitimement acquis, que l'on ne ferait plus rien les uns pour les autres, et que dans la supposition de possibilité de la chose les mutations postérieures auraient bientôt rétabli le premier ordre?”⁸⁴³”

For one moment let us put to one side the problem of the transfer of land. The problem present in this passage is the same as that which was raised in antiquity: given that agrarian law implies the expropriation of those who possess more, is this redistribution fair? Given that this law principally benefits the poorest, does it have a universal scope? The problem of partiality will be reformulated by Father Pierre Dolivier⁸⁴⁴ one year later in his *Essai sur la justice primitive*, and it is perhaps useful to dwell on this formulation, since it gives some precision on the tension between agrarian justice and other particular interests:

“Chaque classe de citoyens ne voit que d'après le prisme de son intérêt particulier, et soutient que ce qu'il voit est essentiellement la justice. Les riches possesseurs la font consister dans ce qu'ils appellent leurs propriétés; les pauvres, dans un partage agraire qu'ils convoitent ; les uns et les autres ont tort. La justice est tout autre chose”⁸⁴⁵.

The aim of a just distribution of land is not to satisfy sectorial interests, neither the poor's nor the those of the wealthy. This is very different from the “agrarian law”, Dolivier writes, who knows perfectly that the risk run by those who pronounce themselves in favour of this redistributive program that the Convention accuses of “undermine properties” (*subvertir les propriétés*)⁸⁴⁶: “la loi

842NICOLET Claude, *Les Gracques*, op. cit., p. 201.

843BABEUF François-Noël, Letter to Coupé, 10 September 1791, in BABEUF François-Noël, *Pages Choisies de Babeuf*, p. 124.

844On Dolivier, see SOBOUL Albert “Utopie et révolution française”, in DROZ Jacques, *Histoire générale du socialisme (I). Des origines à 1875*, Paris, PUF, Hors Collection, 1979, pp. 237-

845DOLIVIER Pierre, *Essai sur la Justice Primitive pour servir de Principe Générateur au seul Ordre Social qui peut assurer à l'Homme tous ses Droits et tous ses Moyens de Bonheur*, Milan, Galli Thierry & C, exemplaire n° 4405, 1967 [1793], <https://gallica.bnf.fr/ark:/12148/bpt6k65021.texteImage>, p. 8.

846Indeed, the 18 March 1793, the Convention will decree the death penalty for those who promote this law which

agraire, au contraire, loin d'établir quelque principe, ne fait que les renverser, les briser tous. C'est purement un partage des terres, brusquement provoqué par la convoitise de ceux qui n'ont rien, n'importe comment, et qui laisse subsister le même vice qui l'a amené"⁸⁴⁷.

To solve the problem raised by the agrarian law, Babeuf refers to the primitive equality of the state of nature already mentioned in the *Cadaastre perpétuel*. Land redistribution cannot be considered as a stealing from rich so as to benefit the private interest of the poor because, essentially, it rectifies an already present situation which is deeply unjust, and re-establishes the correct order of things: "*un nouveau partage ne ferait que remettre les choses à leur place...*"⁸⁴⁸. In other words, redistribution is justified because it amounts to a re-establishment of primitive equality: "*Vous reconnaissez sans doute comme moi, he says to Coupé, cette grande vérité que la perfection en législation tient au rétablissement de cette égalité primitive que vous avez si bien chantée dans vos poèmes patriotiques, et comme moi vous sentez sans doute encore que nous marchons à grands pas vers cette étonnante révolution*"⁸⁴⁹. Is this re-establishment a return to the state of nature? In light of Babeuf's previous reflections on the state of nature, it would seem not. Indeed, Babeuf repeated several times that the return to the state of nature was neither possible, nor desirable, especially in the letter to Dubois de Fosseux on the "*Avant-Coureur du changement du monde entier*" (Collignon) in which he wrongly criticised Rousseau for having promoted such a "primitivism"⁸⁵⁰. Moreover, the beginning of the second letter to Coupé mentions primitive equality as one of "*ces grands principes sur lesquels la société est établie*"⁸⁵¹, which means that we are within the frame of the civil state. Consequently, it seems that this re-establishment of primitive equality is not a regression from the social state to the state of nature but occurs within society itself. In this sense, it seems appropriate to speak about a "dialectical re-establishment"⁸⁵² of primitive equality. If we refer to what we said about the *Cadaastre perpétuel*, passing from state of nature to the civil state, equality is negated since a small part of humanity monopolises all the resources. Now, Revolution is supposed to negate this state of inequality and to re-establish primitive equality, but to a superior level. Indeed, meanwhile, equality has been enriched in its content by the benefits of civilisation, especially the benefits of cooperation, of the complementarity of skills and the material comfort which results from it. In a word, and paraphrasing the letter on Collignon, benefits of social life are added to the benefits of the state of

"undermine the properties" (*subvertit les propriétés*). GAUTHIER Florence, "Loi agraire", *op. cit.*,

847DOLIVIER Pierre, *Essai sur la Justice Primitive*, *op. cit.*, p. 35.

848Babeuf, Letter to Coupé, 10 September 1791, in BABEUF François-Noël, *Pages Choisies de Babeuf*, *op. cit.*, p. 124.

849*Ibid.*, p. 123.

850BABEUF François-Noël, Lettre to Dubois de Fosseux, 8 July 1787, in BABEUF François-Noël, *Ecrits*, *op. cit.*, p. 170.

851BABEUF François-Noël, Letter to Coupé, 10 September 1791, in BABEUF François-Noël, *Pages Choisies de Babeuf*, *op. cit.*, p. 121.

852ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, *op. cit.*, p. 353.

nature⁸⁵³. Therefore, there is no regression to a state previous to society. If Babeuf speaks about re-establishment, it is perhaps because the term is synonymous of radicality. This is the reason why he rejects this type of re-establishment in the *Cadastre perpétuel*: “*Nous ne pensons pas devoir prétendre à réformer le monde, au point de vouloir rétablir exactement la primitive égalité: mais nous nous tendons à démontrer que tous ceux qui sont tombés dans l'infortune, auroient le droit de redemander, si l'opulence persistoit à leur refuser des secours honorables, & tels qu'ils puissent être regardés comme devant convenir à des égaux (...)*”⁸⁵⁴. In 1789, to re-establish primitive equality meant to upset the established order. It is precisely what is at here here: re-establishment is not a reactionary step backward but a revolution one. Consequently, Babeuf seems to fully assume his intention of deeply transforming the order of things. It is possible to see this radicalisation as an effect of his growing participation in the revolutionary process, notably of his commitment within the agrarian movement.

However, his redistributive program remains quite similar even to 1789. Indeed, as said, the redistribution of land presupposes a sort of collective property: the whole terrain is the property of society which is given to individuals as a life estate. In that, Babeuf gives a very interesting reinterpretation of the agrarian law, which is not only a simple redistribution of private property. Indeed, his agrarian law articulates the distribution of individual properties with a system of collective property which prevents the regression to the state of inequality. Indeed, the risk of an agrarian law understood as a simple redistribution of land into private properties is that over time this equal repartition would gradually disappear. After redistribution, there is the risk that individuals would exchange their properties and that these transfers would lead to the concentration of land in the hands of few individuals. In this case, the mutation of property would lead to the restoration of the unequal order. This is precisely what the articulation with the system of collective property seeks to prevent. If the land redistributed is owned first by society, and if the individual who owns it as a life estate cannot sell it to another, thus the mutation which leads to the restoration of inequalities is blocked. In other words, inalienability prevents the “*rétablissement de l'inégalité par les mutations, après le nouveau partage (...)*”⁸⁵⁵. It should be noted however that, although Babeuf articulates national property with the distribution of land in the form of private properties, he abandons the idea of the collective work of land. In other words, in 1791, Babeuf advocates a communism of appropriation and a communism of distribution (which is identified with the agrarian law) but he leaves behind a communism of production.

853BABEUF François-Noël, Lettre to Dubois de Fosseux, 8 July 1787, in BABEUF François-Noël, *Ecrits, op. cit.*, p. 170.

854BABEUF François-Noël, *Cadastre Perpétuel, op. cit.*, p. xxxiv.

855Babeuf, Letter to Coupé, 10 September 1791, in BABEUF François-Noël, *Pages Choies de Babeuf, op. cit.*, p. 124.

II.3.4) Against the Agrarian law: A Community of Goods

II.3.4.1) The Manifesto of Plebeians

The idea that Babeuf had always articulated the three forms of communism should therefore be revised. Indeed, between the communism of collective farms of 1786 and the community of goods of 1795, his trajectory was crossed by a “distributive moment” in 1791, with his promotion of the agrarian law. It is in the *Manifeste des plébéiens* that his last rejection of this distributive moment appears most clearly.

In the *Manifeste*, Babeuf recalls that, although the social contract ensured the natural right of perfect equality, this primitive right became flouted by absurd conventions which were introduced into the state of society. In other words, resources have become monopolised by a few and the realm of inequality returned. The unprecedented economic and social crisis that occurred further to the liberal measures taken by the Thermidorian reaction and the return to the market laws – *i.e.* one year before the publication of the *Manifeste* (30 November 1795) – gives an image of this particular realm of inequity⁸⁵⁶. Revolution appears as the unique solution to these terrible contradictions:

“la paix, qui est naturelle quand tous sont heureux, devenait nécessairement troublée alors; (...) la masse ne pouvant plus exister, trouvant tout hors de sa possession, ne rencontrant que des coeurs impitoyables dans la caste qui a tout accaparé, ces effets déterminaient l’époque de ces grandes révolutions, fixaient ces périodes mémorables, prédites dans le livre des Temps et du Destin, où un bouleversement général dans le système des propriétés devient inévitable, où la révolte des pauvres contre les riches est d’une nécessité que rien ne peut convaincre”⁸⁵⁷.

This *Manifeste*, and the texts of the period of 1795, radicalise an idea which was already implicitly present in the texts of 1790 on the conflict between the plebs and the senate: there is an axiological asymmetry between the parts entering in conflict. By axiological asymmetry, we mean that in the dynamic of conflict, not every party has the same value. Here, the plebs and the senate are not equivalent from the point of view of values since the former struggles for perfect equality whereas the other seek to maintain the iniquitous system of properties. This asymmetry was already expressed with clarity in the n°29 of the *Tribun du Peuple* which developed the “theory of the two parties”:

856BABEUF François-Noël, *Ecrits, op. cit.*, pp. 263-267.

857BABEUF François-Noël, *Le Manifeste des Plébéiens*, Paris, Mille et Une Nuits, 2010, p. 70.

“Le premier parti veut dans la république le patriciat et la plèbe; il y veut un petit nombre de privilégiés et maîtres gorgés de superfluités et de délices, le grand nombre réduit à la situation des ilotes et des esclaves; le second parti veut pour tous, non seulement l'égalité de droits, l'égalité dans les livres, mais encore l'honnête aisance, la suffisance légalement garantie, de tous les besoins physiques, de tous les avantages sociaux, en rétribution juste et indispensable de la part de travail que chacun vient fournir à la tâche commune”⁸⁵⁸.

Some lines further, Babeuf adds that the party of the plebs is righteous and the “good party”, and for that reason, he takes their side. This leads Babeuf to progressively abandon the Machiavellian idea that conflict is a good thing *in se* since it produces an equilibrium of force – the reason why, according to Machiavelli the republican institutions should preserve the tensions and the oppositions between the different poles which structure the political space. In contrast with the Florentine, Babeuf will admit that the “good party” must be victorious in the war it wages against the “bad party”. In other words, the conflict is oriented toward the victory of the plebeians. However, it seems that in 1794, Babeuf was still hesitating between the model of an equilibrium of forces and what we call axiological asymmetry :

“Cette nécessité insurmontable de l'existence de deux partis dans une assemblée représentative est bien pour la nation représentée, et ce bien est puissant en raison de la force organisation à peu près égale des partis opposés. Quand ils sont l'un et l'autre bien distinctement prononcés, on peut s'attendre d'abord que les questions seront parfaitement débattues ; ensuite, que le bon parti l'emportera parce qu'il aura pour lui le grand appui de l'opinion du peuple, qui ne veut, qui ne peut jamais vouloir que ce qui lui est bon, jointe à l'ascendant puissant de la raison et de la vérité, en imposent à la perfidie, et lui font accorder, par crainte ou par un reste de pudeur, ce qu'elle n'accorderait point par vertu”⁸⁵⁹.

The beginning of the text highlights that, for the good of the nation, the assembly must necessarily be structured by the antagonism between the plebs and the Senate. Thereby, an equilibrium is maintained, which gives room for the representation of the people's interest. When the assembly has only one party, Babeuf writes, it is the so-called bad party that predominates. In other words, irenicism always masks class conflict and especially the victory of the bad party over the good one. Admittedly, Babeuf adds that he hopes the plebs, will defeat the senate. Nevertheless, what does the term victory in this text really mean? The plebs are victorious, says Babeuf, when a good law results from the antagonism between the plebs and the senate, *i.e.*, when the former has temporarily got the upper hand over the other. This means that even though the tension between the two parties has been temporarily released, the conflictual structure of the assembly is maintained and never destroyed as such. To put it another way, the “bad party” remains a part of the whole structure and is never eliminated. In a sense, Babeuf remains a prisoner of the Machiavellian scheme. A real victory would, on the contrary, amount to destroying the frame of the antagonism

858BABEUF François-Noël, *Le tribun du peuple*, n°29, 21th December 1794 – 8th January 1795, in BABEUF François-Noël, *Ecrits, op. cit.*, pp. 297-298.

859BABEUF François-Noël, *Le tribun du peuple*, n°29 (21th December 1794 – 8th January 1795), in BABEUF François-Noël, *Ecrits, op. cit.*, pp. 298-299.

and as such and destroying the party of the senate (which means obviously destroying its form of class, not eliminating the individuals which compose the group)⁸⁶⁰. In a word, a real victory would mean a revolution⁸⁶¹. It seems that it is this meaning of victory which prevails after 1795, notably in the *Manifeste*.

In the lines that follow the text of the *Manifeste* quoted above, Babeuf uses once again the model of the conflict between the plebs and the senate to speak about this conflict of class war oriented toward the victory of the plebeian party. He reviews the tribunes who fervently stood up for the agrarian law during the Roman Republic. Among them, the discourse of Siccus Dentatus quoted by Babeuf is of special interest from the point of view of a reflection on grammars of conflict:

*“Cependant, on a eu aucun égard à toutes ces marques honorables de mes services. Ni moi, ni tant de braves soldats qui, aux dépens de leur sang, ont acquis à la République la meilleure partie de son territoire, n'en possèdent point la moindre portion. Nos propres conquêtes sont devenues la proie de quelques patriciens, qui n'ont pour mérite que la prétendue noblesse de leur origine et la recommandation de leur nom. Il n'y en a aucun qui puisse justifier, par titres, la possession légitime de ces terres (...). Mais il est temps que ce peuple généreux se fasse justice à lui-même, et il doit faire voir, sur la place, en autorisant, sur-le-champ, la loi du partage des terres (...)”*⁸⁶².

All honours have been given to Siccus Dentatus for his participation in Roman conquest but finally, these rewards remained purely symbolic since he did not receive any of the lands he helped to conquer. Honours without lands are empty words and worth nothing. In other words, the logic of having prevails over the logic of recognition. For Babeuf, this grammar of appropriation should be applied to the revolutionary conflict: *“Les motifs sur lesquels s'appuie ce discours frappent étonnamment, par leur similitude avec les motifs que pourraient aussi faire valoir nos défenseurs”*⁸⁶³.

Nevertheless, although Babeuf claims his attachment to the Roman legacy, he rejects the reference to the agrarian law for its inefficiency against the transfer of properties once the distribution is made since it leads to the restoration of inequality. Given what we previously said about the distributive moment above, the object of Babeuf criticism seems to be the weak version of

⁸⁶⁰On that point, see ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit., pp. 525-534.

⁸⁶¹“Mais passons aux hommes qui voudraient révolutionner toujours. Révolutionner, nous avons déjà dit plusieurs fois ce que c'est. C'est conspirer contre un état de choses qui ne convient pas ; c'est tendre à le désorganiser et à mettre en place quelque chose qui vaille mieux. Or, tant que tout ce qui ne vaut rien n'est pas renversé et que ce qui serait bon n'est pas stabilisé, je ne reconnais point qu'on ait assez révolutionné pour le peuple. [...] Donc il faut la continuer, cette révolution, jusqu'à ce qu'elle soit devenue la révolution du peuple. Donc, ceux qui se plaindront des hommes qui veulent révolutionner toujours, ne devront être judicieusement appréciés que comme les ennemis du peuple.” BABEUF François-Noël, *Le Tribun du peuple*, n°36, 10th December 1795, in BABEUF François-Noël, *Ecrits*, op. cit., pp. 337-338. See also the n°34 of *Le Tribun du peuple*: “Qu'est-ce qu'une révolution politique en général? Qu'est-ce, en particulier, que la révolution Française? Une guerre déclarée entre les patriciens et les plébéiens, entre les riches et les pauvres”. BABEUF François-Noël, *Le Tribun du peuple*, n°34 (15 brumaire an IV), in BABEUF François-Noël, *Pages Choisies de Babeuf*, op. cit., p. 236.

⁸⁶²BABEUF François-Noël, *Le Manifeste des Plébéiens*, Paris, Mille et Une Nuits, 2010, p. 79-80.

⁸⁶³BABEUF François-Noël, *Le Manifeste des Plébéiens*, op. cit., p. 78.

the agrarian law (the distribution of lands in the form of private properties), not his own interpretation which, through inalienability, averts the mutation of properties. However, it is hard to find any trace of this strong version of the agrarian law in the *Manifeste*, which seems to mean that this mixed model has been abandoned. The reason for this absence has nothing to do with the problem of mutation since as we said the inalienability of the land redistributed solved it. According to us, this abandonment is more due to a loss of interest for the vocabulary of distribution, a loss of interest which probably relates to the fact that Babeuf found in collectivism a more radical program.

Indeed, the *Manifeste* is marked by a new vocabulary of collectivisation. This collectivisation begins with the collective appropriation of the land: “*Nous prouverons que le terroir n'est à personne, mais qu'il est à tous*”⁸⁶⁴. The opposition between collective and private appropriation, which remains implicit here, will be made explicit by Sylvain Maréchal in the *Manifeste des égaux*:

“*La loi agraire ou le partage des campagnes fut le vœu instantané de quelques soldats sans principes, de quelques peuplades mues par leur instinct plutôt que par la raison. Nous tendons à quelque chose de plus sublime et de plus équitable : Le bien commun ou la communauté des biens! Plus de propriété individuelle des terres, la terre n'est à personne. Nous réclamons, nous voulons la jouissance communale des fruits de la terre : les fruits sont à tout le monde*”⁸⁶⁵.

This community of goods does not only include the land but also the product of everyone's labour. This includes the proposition of a collective warehouse (*magasin commun*) which is mentioned at the end of the *Manifeste des Plébéiens* and was the object of a more important development in the letter to Charles Germain (28 July 1795). In this letter, he proposed the creation of warehouses to combat the pernicious effect of capitalism. The trade system (*le commerce*), he said, includes the operations of extraction, production and distribution of the products. The problem with capitalism is that the function of distribution is not fulfilled as it should be, since distribution always remains unequal. Indeed, the distributor, merchant and trader take the lion's share in this process of distribution whereas the producers are left with very little. The warehouse limits their function to the strict role of distribution (and consequently negates the necessity of merchants). The agents of production and fabrication leave their products to the collective warehouse, resources which are distributed afterwards. Because the agents of distribution no longer work for their own interest but for the nation, they distribute equally the whole social product. In this way, commerce ceases to be in the hands of speculators and benefits all. Thus, commerce is restored to its true function: to feed individuals. In fact, it seems that Babeuf thinks of abolishing the division between trade and industry. Indeed, each producer will be at the same time a trader: “*nous produisons tous*

⁸⁶⁴*Ibid.*, p. 102.

⁸⁶⁵MARÉCHAL Sylvain, *Manifeste des Egaux*, in DOMMANGET Maurice, *Babeuf et la Conjuration des Egaux. L'Origine même du Mouvement Prolétarien et Révolutionnaire Moderne. Chanson et Manifeste des Egaux*, Paris, Spartacus, 1969, p. 78.

*et nous participons tous aux échanges, nous sommes tous livrés à une industrie, soit agricole, soit manufacturière, soit gouvernementale, soit commerciale, nous sommes pareillement tous marchands ou commerçants*⁸⁶⁶. In this way, the interest of producers and traders are not separated and as such, there is no risk that the latter will take advantage of the former since there are the same. If the division of labour is maintained, the community supervises the whole of commerce (production, transport, distribution). In other words, what is outlined here a form of economic planning: *“l’association sera constamment au courant de ce que chacun fait afin qu’il ne se produise ni trop, ni trop peu de mêmes objets (...). tout sera approprié et proportionné aux besoins présents et aux besoins prévus selon l’accroissement probable et facilement supputable de la communauté*⁸⁶⁷. In other words, the administration has a control over the economy and ensures that there is no privative accumulation.

II.3.4.2) Marx, Lenin and the “black redistribution” (Tchorny peredel)⁸⁶⁸

As many commentators have noted, the *Manifeste* is somewhat disappointing from the point of view of its program – little details are given regarding the collective appropriation of land and the collective warehouses⁸⁶⁹ – but also from the point of view of the criticism of distribution. Indeed, only a few lines are dedicated to the agrarian law. However, this text inaugurates a long tradition of texts which criticise the equalitarian agrarian program for their lack of radicalism.

This is especially the case with *Circular against Kriege* written by Marx between 20 April and 11 May 1846. In this text, Marx attacks Hermann Kriege, a German member of the communist party who migrated to New York in 1845 and who created a newspaper named *The Volkstribun* (The People's Tribune), a name which was explicitly chosen in reference to Babeuf⁸⁷⁰. The creation of this newspaper has to be placed in the context of the creation of the worker movement, the National Reform Association, which, in 1845, stood against the unkept promises of the Independence Declaration of 1776. Like Jefferson before him, Kriege's starting point is the abundance of land in America. He argues that the surface area of the American land is sufficiently vast – 1, 400 million acres according to him – to be withdrawn from commerce and speculation and

866BABEUF François-Noël, Letter to Charles Germain, 10 thermidor an III (28th July 1795), in BABEUF François-Noël, *Ecrits, op. cit.*, p. 310.

867Ibid., p. 311.

868On the translation of this term, see RESENDE Hernâni, *Socialisme Utopique et Question Agraire*, op. cit., p. 62 note 105

869ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit.

870OBERMANN Karl, “Germano-Américains et presse ouvrière (1845-1854)”, in *Revue d'Histoire du XIXe siècle* – 1848, 23, 1966, pp. 68-87.

redistributed to those who need it, and he proposed to grant 160 acres to anyone who wanted to own a plot.

Marx addresses various criticisms to Kriege. First, he formulates a practical criticism. Kriege's starting point is very similar to Jefferson's who claimed in his First Address that the West offered "room enough for our descendants to the thousandth and thousandth generation"⁸⁷¹. Likewise, Kriege's program of redistribution is based on the postulate of abundance. But taking in account population growth and European immigration, indeed, how long would this perpetual abundance that Jefferson and Kriege refer to, really last, Marx asks in an ironic manner? However, the core of his indictment is not here:

"Kriege here imagines he can use the law to forbid the necessary consequences of this division, that is, concentration, industrial progress, etc. He considers 160 acres of land as an ever-constant measure, as if the value of such an area did not vary according to its quality. The "farmers" will have to exchange, if not their land itself, then at least the produce of their land, with each other and with third parties, and when this juncture has been reached, it will soon become apparent that one "farmer", even though he has no capital, will, simply by his work and the greater initial productivity of his 160 acres, reduce his neighbour to the status of his farm labourer. And is it not then immaterial whether "the land" or the produce of the land "falls into the hands of rapacious speculators"?"⁸⁷²

Kriege claims to save American land from the hands of the rapacious speculators and to avoid the formation of a land market and the transition to capitalism. However, Marx argues, that the division of land directly led to these transformations. Indeed, once the land is divided up, farmers will exchange them, a process which will inexorably lead to land concentration. And if by chance, lands are withdrawn from capitalist exchange, the products of land will not, since peasants will necessarily commercialise them. In both cases, through competition, some of these farmers will accumulate a certain number of resources (whether land or products of the land) and finally monopolise all of them, whereas others will end up with nothing. Henceforth, the latter will sell their force of labour to the former. The problem of land transfer raised by Babeuf is here reinterpreted in the terms of an analysis of the formation of capitalism.

Lenin, in his commentary of this text (1905), highlights that Marx, as a good materialist, makes an analysis of this movement for redistribution from the point of view of its historical content: "While mercilessly ridiculing the absurd ideological trappings of the movement, Marx strives in a sober, materialist manner to determine its real historical content, the consequences that must inevitably follow from it because of objective conditions, regardless of the will and the consciousness, the dreams and the theories, of the various individuals"⁸⁷³. From the point of view of

871 Jefferson Thomas, First Inaugural Address, March 4, 1801, https://avalon.law.yale.edu/19th_century/jefinaul.asp
Quoted by PURDY Jedediah, *After Nature*, *op. cit.*, p. 106.

872 MARX Karl, Circular Against Kriege, in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 6, 1845-1848, trans. Jack Cohen, *et. al.*, New York, International Publishers, 1976 [1845], pp. 42-43.

873 LENIN Vladimir I., "Marx on the American 'general redistribution'", in LENIN Vladimir I., *Collected Works*, V. 8, January-July 1905, trans. Bernard Isaacs and Isidor Lasker, Moscow, Progress Publishers, 1977, p. 328.

consciousness, these struggle for redistribution may be interpreted as being against capitalism. Ado perfectly demonstrates how, from what he calls the subjective point of view, the peasants who participated in the *jacqueries* during the French Revolution hated large scale farmers and owners and were very hostile to any form of agrarian capitalist⁸⁷⁴. However, from the point of view of the historical development of productive forces and the succession of the modes of production, these movements paved the way for capitalism.

To understand this, it is necessary to refer to the theory of the different paths to capitalism. Like Marx, Lenin considers in *The Agrarian Programme of Social-Democracy in the First Russian Revolution, 1905-1907* that the shift from traditional relations of agriculture to agrarian capitalism depended on a set of material conditions. The principal of these condition is what he calls the “clearing of estates”⁸⁷⁵, *i.e.*, the fashioning of the traditional conditions of production such a way that they become profitable for investment of capital⁸⁷⁶. The paradigmatically example of this clearing of the estate is certainly t enclosure movement in England, *i.e.*, the violent expropriation of English peasants by landlords during the 17th century. However, violent expropriations were not the only way of preparing the material conditions for agrarian capitalism. Indeed, in line with Marx, who considers that human history is a multilinear process⁸⁷⁷, Lenin seems to consider that the bourgeois revolution of the agrarian relations can take several possible paths in accordance with the region of the world which is taken as reference point. For that reason, he develops a differential geography of the transition to agrarian capitalism⁸⁷⁸. For example, the clearing of the estates proceeded in a reformative way, *i.e.* through an adaptation to the feudal estates, which were converted slowly into more modern forms of property. In the case of the United-States, the reshaping, he notes, took various paths inside the country itself. In contrast with the North where industry prevails over agriculture, the South and the West are predominantly agricultural⁸⁷⁹. In the

874ADO Anatoli, “Le mouvement paysan et le problème de l'égalité”, in SOBOUL Albert, (ed.), *Contributions à l'Histoire Paysanne de la Révolution Française*, Paris, Editions Sociales, 1977, p. 128.

875On this expression and its translation in various languages see COLAS Dominique, *Le Léninisme*, Paris, PUF, Quadrige, 1998, Footnote 1, p. 198.

876“The technical expression customary in the United Kingdom, the ‘clearing of estates’, does not occur in any continental country. But what does this ‘clearing of estates’ mean? It means that, without regard for the local population—which is driven away, for existing villages—which are levelled to the ground, for farm buildings—which are torn down, for the kind of agriculture—which is transformed at a stroke, being converted for example from tillage to pasture, all conditions of production, instead of being accepted as they are handed down by tradition, are historically fashioned in the form necessary under the circumstances for the most profitable investment of capital.” LENIN Vladimir I., *The Agrarian Program of Social-Democracy in the First Russian Revolution, 1905-1907*, in LENIN Vladimir I., *Collected Works*, vol. 13, Moscow, Progress Publishers, 1972, p. 274.

877Cf. Godelier's preface of CENTRE D'ETUDES ET DE RECHERCHES MARXISTES, *Sur les sociétés précapitalistes. Textes choisis de Marx, Engels, Lénine*, Preface by Maurice Godelier, Paris, Editions Sociales, 1973, p. 16.

878LENIN Vladimir I., *The Agrarian Program of Social-Democracy in the First Russian Revolution, 1905-1907*, *op. cit.*, p. 275.

879LENIN Vladimir I., *New Data on the Laws Governing the Development of Capitalism in Agriculture PART ONE—Capitalism and Agriculture in the United States of America*, (1915), in LENIN Vladimir I., *Collected Works*, vol. 22, December 1915-July 1916, Moscow, Progress Publishers, 1964, p. 23.

South, the Civil War of 1861-1865 and the abolition of slavery destroyed the Slave owning landlords' feudal estates and transformed them into small bourgeois farms. Now, in the West, the process was very different: we saw how the Homestead Act transformed wide “unappropriated” lands into a partitioned spaces made of small properties. It is precisely in this local context of the transition to capitalism, suggests Lenin, that Hermann Kriege's project of redistribution has to be replaced⁸⁸⁰. In short, his program will produce exactly the same as the conquest of the West: through the transformation of Americans into of small landowners, it will prepare the ground for capitalism.

Now, does it mean that the National Reform Association, and more generally, equalitarian movements should be rejected unilaterally? This is precisely the force of Marx's critique, which considers its object in the totality of its aspects. As Lenin points it out, this is what the dialectical standpoint makes possible: the consideration of every moment of the process, *i.e.*, the past, the present and the becoming of this movement⁸⁸¹. Here, this is the goal of such a movement and, thus its future effects, which are considered as something positive.

“We fully recognise that the American national Reformers’ movement is historically justified. We know that this movement has set its sights on a goal which, although for the moment it would further the industrialism of modern bourgeois society, nevertheless, as the product of a proletarian movement, as an attack on landed property in general and more particularly in the circumstances obtaining in America, will by its own inner logic inevitably press on to communism”⁸⁸².

If it is the present of the National Reform Association which is considered, it is clear that this movement leads to the formation of agrarian capitalism. However, from the point of view of its goal, this struggle for redistribution appears to be a springboard to communism since it the idea of a dividing up of lands and implies the expropriation of landowners and, thus, seems to be an attack on property.

In his commentary of Marx's text, Lenin goes even further: as it paves the way for capitalism, this movement is positive. Indeed, “the capitalist evil you are vainly hoping to avoid, retorts Lenin to Kriege, is a historical benefit, for it will accelerate social development tremendously and bring ever so much nearer new and higher forms of the communist movement”⁸⁸³. Lenin is referring to what he called six years before the “mission of capitalism”, *i.e.*, the

880LENIN Vladimir I., *The Agrarian Program of Social-Democracy in the First Russian Revolution, 1905-1907*, *op. cit.*, p. 276. See also the following text : “How land is being settled in the West is seen from the data on homesteads, which are parcels of land, mostly of 160 acres, *i.e.*, about 65 dessiatines, allocated by the government free of charge or at a nominal price. [...] This means that the West is a solid homestead area, *i.e.*, one where unoccupied land is given away practically free—somewhat similar to the squatter land tenure in the outlying districts of Russia, except that it is not regulated by a feudal state, but in a democratic manner (I very nearly said: in a Narodnik manner; the American Republic has implemented in a capitalist way the “Narodnik” idea of distributing unoccupied land to all applicants)”. LENIN Vladimir I., *New Data on the Laws Governing the Development of Capitalism in Agriculture ...*, *op. cit.*, p. 21.

881LENIN Vladimir I., “Marx on the American 'general redistribution'”, *op. cit.*, p. 328.

882MARX Karl, *Circular Against Kriege*, *op. cit.*, pp. 41-42.

883LENIN Vladimir I., “Marx on the American 'general redistribution'”, *op. cit.*, p. 328.

progressiveness of its historical role in the economic development of Russia⁸⁸⁴. This positive role, which is inseparable from its dark and negative side, consists in 1° the increase of productive forces of social labour and 2° the socialisation of labour. The increase of productive forces is a synonym of technical progress and the implementation of the large-scale machine industry: it is the passage from the wooden plough, the watermill and the hand loom to the iron plough, the threshing machine, the steam-mill and the power-loom. The development of the productive forces also means that the growth of the means of production is far superior to the growth of personal consumption. In other words, it is a regime of abundance. Now the socialisation of labour means the creation of an enormous national as well as world market, an unprecedented concentration of agriculture and industry, the elimination of personal dependent relations, the increased mobility of the population, the reduction of the population engaged in agriculture and the increase of the industrial centres, the increase of the population's need for association and the change of the mentality of the population, etc.

Therefore, the problem with Kriege is not that he lauds the National Reform Association but that the perspective he adopts regarding this movement. Instead of considering it as a simple moment of the dialectical process of history, he presents this struggle for redistribution as an end in itself, as “the supreme goal of all movement in general”⁸⁸⁵. In short, he confuses the part with the totality, the moment with the whole process. But when replaced in the historical process which leads to the edification of the communist society, the movement for the “black redistribution” takes its full meaning.

Here, Marx' text, which deals with immediate circumstances, has a more general meaning in the sense that it should be placed within his critique of distribution (especially, the critique of the Gotha program) but also because it has strategic implications. Indeed, Lenin claims that Marx's attitude regarding the American movement for land redistribution should serve as a model for those

884LENIN Vladimir I., *The Development of Capitalism in Russia*, in LENIN Vladimir I., *Collected Works*, vol. 3, Moscow, Progress Publishers, 1977, p. 596. Here, Lenin revisits an idea which was already present in Marx's text, especially in a famous passage of the *Grundrisse* where the author of *Capital* spoke about the “great civilizing influence of capital” : “Thus capital creates the bourgeois society, and the universal appropriation of nature as well as of the social bond itself by the members of society. Hence the great civilizing influence of capital; its production of a stage of society in comparison to which all earlier ones appear as mere *local developments* of humanity and as *nature-idolatry*. For the first time, nature becomes purely an object for humankind, purely a matter of utility; ceases to be recognized as a power for itself; and the theoretical discovery of its autonomous law appears merely as a ruse so as to subjugate it under human needs, whether as an object of consumption or as a means of production. In accordance with this tendency, capital drives beyond national barriers and prejudices as much as beyond nature worship, as well as all traditional, confined, complacent, encrusted satisfaction of present needs, and reproductions of old ways of life. It is destructive towards all of this, and constantly revolutionizes it, tearing down all the barriers which hem in the development of the force of production, the expansion of needs, the all-sided development of production, and the exploitation and exchange of natural and mental forces.” MARX Karl, *Grundrisse*, translated by Martin Nicolaus, New York, Penguin Books, 1973, pp. 409-410.

885MARX Karl, Circular Against Kriege, *op. cit.*, p. 43.

who deal with the agrarian question in Russia, *i.e.* himself and the Russian Social-Democrats⁸⁸⁶. The peasant movement is perhaps of a petty-bourgeois nature and efforts should be focused on the organisation of the proletariat into an independent party, it remains that the agrarian question cannot be neglected: “to turn away from the peasant movement for this reason would be sheer philistinism and pedantry. No, there is no doubt as to the revolutionary and democratic nature of this movement, and we must with all our might support it, develop it, make it a politically conscious and definitely class movement, advance it, and go hand in hand with it to the end – for we go much further than the end of any peasant movement; we go to the very end of the division of society into classes”⁸⁸⁷. The text ends up with the necessity that urban proletariats support the peasant movement⁸⁸⁸.

II.4) Conclusion

This second chapter has proved that the general grammar of having comprises a plurality of sub-grammars which are all centred around the appropriation of land. In the first section, we saw that the struggle for land distribution differs from the war for appropriation due to its lack of normative content. The rest of the sections dedicated to debates concerning the agrarian question during the French Revolution has led us to establish another distinction within the “normative” grammars of social conflicts. Indeed, since this period, and all throughout the 19th century the programs of land redistribution were strongly criticised for their lack of radicality. Distributing land to individuals in the form of private property may settle the problem of inequalities for a time, however, it will always be temporary since free exchange will necessarily lead to a new land concentrations, as those who denigrate distributive justice argue. In a word, programs of land redistribution are a reformist project, which will never enable the fall of the capitalist mode of production. This is why the collective appropriation of land is proposed as an alternative to what is considered a petty-bourgeois program.

As argued in this chapter, this tension between distribution and collective appropriation

886Lenin thinks that there is a geographic homology between Russia and North America: the West of United-States represents the oriental margins of Russia, the South of the former is similar to the centre of the latter. Finally, the industrial north of america is comparable to the Occidental Europe. See, RENAULT Matthieu, “Des colonies Russes à l'Amérique noire... et retour. Lénine et Langston Huges”, in *Actuel Marx, Lénine*, Puf, 2017/2 n° 62, pp. 65-80.

887LENIN Vladimir I., “Marx on the American 'general redistribution'”, *op. cit.*, p. 329.

888On Lenin and the agrarian question, see: GUHA Amalendu, “Lenin on the Agrarian Question”, in *Social Scientist*, Apr., 1977, Vol. 5, n° 9, Apr., 1977, pp. 61-80; LEW Roland, “Révolutionnaires et paysans. Le cas chinois et l'héritage du marxisme classique”, in LEW Roland, *Communisme chinois, socialisme réel et auto-émancipation*, L'Homme & la Société, Paris, L'Harmattan, n° 172-173, 2009/2-3, pp. 195-220; SZUREK Jean-Charles, “Les paysans “classe” ou “strate” ?”, in *L'Homme et la société*, n° 45-46, 1977, pp. 141-168; See also the Hacquemand's texts collection: HACQUEMAND Jocelyne, *La question agraire: les révolutionnaires et la question de la terre. Anthologie*, Montreuil, Le Temps des cerises, 2019, pp. 133-214.

structured Babeuf's intellectual and political career. Indeed, from 1786 to 1795, the tribune of the people alternated between the two poles. Schematically, it could be contended that his trajectory comprises of three steps: 1° in 1786 he rejected agrarian law and the division of farms, and promoted the collective work of the land against the system of private property 2° from 1789 onwards he proposed a specific interpretation of the agrarian law 3° in 1795 he finally adopts a stance which is similar to that of the first period: the community of goods. Of course, this polarity between distribution and collective appropriation remains too abstract and schematic. The debates on the agrarian question reveal a myriad of intermediaries between these two poles: the division of farms, the agrarian law, the perpetual cadaster, the communism of production, the communism of distribution and the community of goods give a few examples of all the grammars which can be placed between these two aforementioned abstract poles. Once again, Babeuf is a perfect illustration of the intertwinement of these different grammars. Even in his letter on collective farms, in which he advocated for the collective work of the land, Babeuf also reintroduced a form of redistribution at the level of the sharing out of land products, proof that the distributive element is difficult to eliminate. Likewise, the period we called the "distributive moment" included a moment of collective appropriation of the national territory. Indeed, Babeuf's interpretation of the agrarian law provided a mixed model which interwove the appropriation of the soil by the nation and its redistribution in the form of life estate to the members of this collectivity. This proves once again that those grammars of conflict are never pure models but that they are always a mix of several elements. Nevertheless, this does not contradict the possibility of distinguishing several grammars of conflict. Indeed, a grammar of conflict distinguishes itself from the others not because it is pure and thus comprises of only one component; it differentiates itself from the others because one of its components prevails over the others. The *Cadaastre perpétuel* and the letters to Coupé provide a perfect illustration of this point. Indeed, in these texts, Babeuf develops a grammar of distributive justice which contains some components of a grammar of collective appropriation, but land distribution remains at the centre. Consequently it becomes possible to contend that there is a difference and even a tension between the grammar of distribution and the grammar of collective appropriation. Indeed, the term "tension", rather the term "opposition", is preferred. There is no strong opposition between Babeuf's interpretation of the agrarian law present in the letters to Coupé or his communism of 1786 since both models intertwine components of distribution and collective appropriation. Nonetheless, it should be admitted that there is a tension between both grammars; It suffices to mention the critiques addressed to the agrarian law in the letters on collective farms. Therefore, we conclude that there is a tension between distribution and collective appropriation. Now, it would be pointless to recall that this tension takes place in the framework of the general

grammar of Having. Indeed, in both cases, appropriation is at the centre of the conflictuality: the objective of the struggle for land redistribution is the individual appropriation of the soil and struggles for the community of goods aim for the collective appropriation of a portion of nature.

Another aspect of these grammar unites them. Both put land at the centre of the conflictual dynamic: distributive conflicts are conflicts for the distribution of land and the struggle for the community of goods is a struggle for the collective appropriation of land. In both cases, the conflictual interactions between groups are mediated by a relation of men with land. We have seen that it is particularly the case in Babeuf's texts. Discussions on both collective appropriation of the soil and the redistribution of lands quasi-systematically includes considerations on the use of land. From this point of view, the draft of the letter addressed to Dubois de Fosseux dated from 1786 is paradigmatic. Indeed, in this text, the central argument put forward by Babeuf so as to defend collective farms is that such an organisation of work increases the productivity of agriculture. In this chapter, we fully examined the nature of the collective relationship with the earth that underlies the grammar of conflicts elaborated by Babeuf in his writings. After several pages dedicated to this topic, we believe that Babeuf's conception of the collective relationship with land is suffused with "modernism". For example, Babeuf shared some views with the promoters of agricultural modernisation, their recommendations of improvement and cultivation of the uncultivated lands and also the use of agricultural machines. Babeuf also recommends replacement of watermills by combustion engines in order to avoid floods, which made lands unsuitable for cultivation. The objective of this project of modernisation was to reach a certain abundance which would make it possible to feed everyone thus liberating men from the constraints of the natural world. Related to this, the least that can be said is that Babeuf did not go against the current of modernity, something that will come to destroy the natural environment of Europe and which, beginning in the 19th century, will lead European societies to the ecological world catastrophe we are experiencing today. In addition, as for many of his contemporaries who promoted similar programs, Babeuf's project of land redistribution is deeply bound up with a cadaster of the national territory, a partitioning of space (*quadrillage de l'espace*) and thus with the geometrisation of the world. The comparison with the non-modern forms of cadaster demonstrated how these projects of land redistribution were dependant of a very modern organisation of the world. Sometimes, this modern vision takes the form of a war against nature. North American pioneers, who received lands in the West, perceived the colonisation of these immense spaces as a struggle against the hostile environment they went into. This struggle against wilderness amounted to a progressive detachment (*arrachement*) from the natural world in which "inferior peoples" were still stuck.

Conclusion of part I

Here, we reach a point which allows us to draw some general conclusions regarding the first part of our thesis. Even if we must remain very cautious, it seems that the war against nature and detachment (*l'arrachement*) from the natural world are both patterns which can be recurrently found at the basis of the grammar of Having that was reviewed in this part. It is correct to say that these ways of understanding our relationship with the earth do not always appear explicit, as it is the case in the work of Babeuf. However, we argue that these patterns remain at least implicitly in the projects of modernisation which underlie the several grammars that have been presented in these two first chapters. Further, we argue that the war against nature and the detachment from it are one and the same relation with the natural world, and that they are the common matrix of a great part of the grammars of conflict elaborated since the end of the 18th century. Be that as it may, the grammars of Having (appropriative war, the distribution or collective appropriation of land) all match with a very modern vision of the collective relationship with nature which is somewhat antithetic to environmentalism. For instance, the redistribution of land or the collective reappropriation of natural spaces perfectly matches with the project of modernisation that is to say, the overexploitation of the soil. While it might be possible to remove these grammars from their modernist basis and to apply them to ecological struggles; it seems that their structure contains nothing *per se* which resembles environmentalism.

What is the common structure of these grammars? All of these grammars present two sorts of interaction: 1° conflictual interactions between men 2° interactions between men and the land. Each of the three grammars of conflict we reviewed in this part define this interaction with the material exteriority in terms of appropriation: the appropriation of a territory by an ethnic group (in the case of primitive wars), individual appropriation of the lands which have been distributed by the State (in the case of the grammar of redistribution), appropriation of the land by a group of workers (in the case of the grammar of collective appropriation). Consequently, the general structure of these grammars is a conflictual interaction between humans whose centre of gravity is the appropriation of land (whatever the form that this appropriation takes). To put it in another way, groups and individuals enter into a conflictual interaction in order to enter into this specific

interaction with the land which has taken the form of the appropriation of an object. We shall return to this problem when we move from the third part to the fourth part of this thesis. For the moment, it suffices to examine 1° the collective relationships which constitute the conceptual infrastructure of the grammars of conflict in order to determine their nature 2° the general structure of these grammars, structures which include inter-human interactions and interactions between humans and nature. Once we have done a systematic analysis of the conceptual infrastructure *and* the structure of the grammars of conflict, we will be able to evaluate the grammars that have been inherited from periods of intense conflict such as the French Revolution. In other words, we will be able to evaluate the claim that these conflicts can contribute to the formation of a real grammar of ecological conflict. For the moment, other grammars of conflict remain to be reviewed. That is, the grammar of Being.

Part II. The Grammar of Being: Land and Recognition

Introduction to Part II

This second part focuses on the grammar of being. Usually, it is common to oppose *Having* to *Being*. Indeed, a moral criticism of private property denounces the voracious desire of having which is so characteristic of the regime private property. Those who are beset by this desire of having believe that everything can be appropriated, even things usually considered as belonging to the being of person can be appropriated: beauty, physical force, intelligence, aesthetic and intellectual faculties, love, friendship, etc. By contrast, criticisms addressed to this thirst for having insist on the fact that the human faculties which are part of our being are irreducible to the cold and infinite desire of appropriation.

This tension between *Having* and *Being* is also found in the discussions about the social question which emerged at the beginning of the 19th century. The reduction of the social question to distributive issues and the question of appropriation of resources produced by labour has been strongly criticised by those who endeavoured to think about the social chaos caused by the emergence of industrial capitalism. Roughly speaking, the argument is that workers are not only dispossessed of the product of their labour, but it is also their *humanity* which is *degraded* by the living conditions resulting from the industrialisation of Europe. Polanyi, is one of those who, in *The Great Transformation*, argued that the countermovements which emerged to resist the expansion of self-regulating market were rather motivated by the protection of society against this dehumanisation than by the redistribution of wealth and income. This deterioration of human life is to be understood as an ontological diminishment. Indeed, the degradation of the worker's body, senses and mental faculties is a degradation of his being. For that reason, we have decided to use the expression “grammar of being”. As will be explained further, the statement that this grammar is opposed to the grammar of Having should be tempered. Nonetheless, we still content that a conceptual distinction should be made between grammars *centred* on appropriation and those which are centred on the degradation of individuals' being.

As with the other general grammars, we have chosen a very wide grammar so that it can include a great variety of sub-grammars. As is explained later, Polanyi provides a list of the ontological deteriorations caused by capitalism and against which workers protested throughout the

19th century, a list which proves the diversity of the grammars of being. Among those grammars, recognition is probably that which stands out the most. We have placed this grammar under the general grammar of being because we believe that the struggle for recognition is closely linked with the degradation of subjectivity. As will be proved in this part, the formation and thus the ontological constitution of the individual's consciousness closely depends on him being recognised by his peers. Consequently, the absence of recognition (in other words, misrecognition) provokes a psychic distortion of that consciousness. In other words, misrecognition cause the deterioration of the being of consciousness. In certain conditions, this deterioration of the self may lead those who suffer from the absence of recognition to rebel against this injustice. Because of the importance of recognition in the discussion about social conflicts, we have decided to dedicate the totality of this part to this category.

Another reason has led us to focus specifically on the grammar of recognition. It was argued in the general introduction of this thesis that our analysis of the grammar of conflict follows the thread of the question of land. This means that we chose to treat certain grammars, as well as certain corpus, because they give a significant place to that question. This is precisely why we chose to focus on recognition, and more especially on one of the seminal texts dedicated to this category, *i.e.*, Hegel's *Jena writings*. Indeed, in these texts which thematise the struggle for recognition, the question of land plays a significant role in the conflictual dynamic. Indeed, the conflict for recognition is not only an antagonistic interaction between two consciousnesses; it involves a relation with a third term – a “middle-term”, to use Hegel's terminology – which makes the intersubjective interaction possible. Now, Hegel argues that this middle by which consciousnesses enter into conflictual interaction cannot be an insult or any other symbolic form of disrespect. Because conflict for recognition is a practical interaction which has to take place in the material world, the middle cannot be a simple word; it must be something material rather than something symbolic. More precisely, this material thing is land. Indeed, land expropriation is the factor which triggers the conflict for recognition. Indeed, spoliation is experienced by the consciousness as form of misrecognition. The dispossessed individual experiences land dispossession as an offence to his honour rather than the simple deprivation of his means of subsistence. Indeed, the *possession* of the land is, for the possessor, its phenomenal-manifestation and thus, any physical attack against this good is experienced as a form of disrespect addressed to him. Consequently, land is on first glance an essential moment of the conflict. And yet, a careful reading of the *Jena Writings* reveals that the evolution of the conflictual dynamic leads to a suppression of this relation with land. Consciousnesses which fight together finally sacrifice the possession and detach themselves (*s'arrachent*) from it. Therefore, the role of the collective relationship with land remains in the

dynamic of the struggle for recognition very ambiguous. Is this relation central in the conflictual dynamic? Or is land a simple pretext which makes the conflictual interaction possible? Do the consciousnesses fight each other in defence of their attachment to the land or is this relationship that they have with the material exteriority a relation of detachment (*arrachement*)? Once again, in the frame of our research on the appropriate grammar of ecological conflicts, we have to examine the nature of collective relationships to the land which are at the basis of the conflictual and intersubjective interaction between consciousnesses that seek to be recognised. In addition, we also have to understand the place that this interaction with nature has within the interaction between consciousnesses. Is it central or peripheral? This will allow us to understand the whole structure of the grammar of recognition – which intertwines intersubjective interactions and interactions with the nature – and thus to evaluate its claim to become a real grammar of ecological struggles.

Two general problems will be treated in this part: 1° *problems regarding the concept of the grammar of Being*: is it justified to resort to such a grammar? Is it justified to put a multiplicity of conflicts under such a category? In other words, is this classification justified? Moreover, what is the relation between this grammar and the grammar of Having? Are they opposed or simply distinct? In addition, we will ask if this grammar is homogeneous or if it covers a multiplicity of sub-grammars (as is the case for the grammar of Having). Finally, does recognition really belong to the grammar of Being? 2° *problems regarding the collective relations with land which underlie the conflictual interactions*: what is their nature? Can we identify these relations with nature with a form of attachment? Or do these interactions with land amount to a form of detachment? In addition, what place do they occupy within the conflictual dynamic? Are they central or peripheral?

In the first chapter of this part, we deal with the first problem. The other chapters are dedicated to the place of the collective interaction with land in the conflictual dynamic. In the second chapter, we show that the possession of land is the third term by which the conflictual interaction between consciousnesses is made possible. In the third chapter, we endeavour to explain the statement that this possession is the phenomenal-manifestation of the consciousness. In other words, we explain what is possession is. We argue that possession involves a specific interaction with nature. Indeed, possession is the result of the transformation of the land by the consciousness. In the fourth chapter, we examine the nature of this relation to land. We show that the concept of detachment (*arrachement*) is appropriate to qualify such an interaction with the material exteriority.

I) Ontological Diminishment and Recognition

I.1) Towards A Grammar of Being

In the first part of the thesis, we reviewed a set of grammars of conflict, all of which place appropriation at the centre of the conflictual dynamic, that is, despite the different traditions they come from and the difference of their conceptual content. This is why, despite their diversity, we classified these categories under the more general grammar of *having*. We also demonstrated how these grammars of conflict share (with a few exceptions) a common socio-political, but also ecological, context of elaboration, that is to say, the emergence of capitalism and the social and environmental disorders generated by this new mode of production. More especially, the social question has been the general framework in which these grammars appeared. Indeed, the contradiction between the accumulation of wealth and the accumulation of poverty generates a conflict that was urgent to think about. . It is in this context that philosophers and economists of the 18th and the 19th centuries have forged grammars of conflict and critical categories – which does not mean that the conceptual level was directly and immediately produced in response to the material situation.

Now, the grammar of having is far from being the only one that has been used to think about conflicts or, more generally, to think about the situation of social disorder already mentioned. More precisely, the reduction of the social question and modern social conflicts, to a question of appropriation and dispossession have been put in doubt, or at least have been relativized. For instance, Polanyi argues that the concept of exploitation (that is, the *appropriation* of the fruits of the worker's labour) was insufficient to explain the chaos produced by the advent of market societies. In fact, his criticism goes further: he claims that if we stick to this economic explanation, we could even be led to the conclusion that the deep transformations experienced by the societies of the 19th century were in fact progressive – in the manner of liberalism, which totally misreads the history of the Industrial Revolution⁸⁸⁹. Thereby, he claims that the concept of exploitation is unable “to account for the fact that wages on the whole continued to rise for another century”⁸⁹⁰. According

889POLANYI Karl, *The Great Transformation. The Political and Economic Origins of Our Time*, Boston, Beacon Press, 2001 [1944], p. 35.

890POLANYI Karl, *The Great Transformation*, *op. cit.*, p. 42.

to Polanyi, to really understand the disastrous consequences of these social changes, a more general point of view has to be adopted. The birth of the market society not only produced a wave of dispossession but also, and above all, plunged Europe into a “veritable abyss of human degradation”⁸⁹¹ that a qualitative and literary description is maybe the most likely to account for, in the style of the first description of early capitalism:

“The industrial town of the Midlands and the North west was a cultural wasteland; its slums merely reflected its lack of tradition and civic self-respect. Dumped into this bleak slough of misery, the immigrant peasant, or even the former yeoman or copyholder, was soon transformed into a nondescript animal of the mire. It was not that he was paid too little, or even that he labored too long – though both happened often to excess – but that he was now existing under physical conditions which denied the human shape of life. Negroes of the African forest who found themselves caged, panting for air in the hull of a slave-trader might have felt as these people felt. Yet all this was not irremediable. As long as a man had a status to hold on to, a pattern set by his kin or fellows, he could fight for it, and regain his soul. But in the case of the laborer this could happen only in one way: by his constituting himself the member of a new class”⁸⁹².

Here the description of the social question in terms of dehumanisation also brings Polanyi to reconsider the thematic of class struggle and to decentre it from the question of appropriation. He reproaches “popular Marxism” for having defined classes and the interests of class in economic terms⁸⁹³. According to this outlook, a class is a group of individuals whose position in relation to the productive process is similar⁸⁹⁴, a position that determines the repartition of the product that results from the process of production⁸⁹⁵. Thus, this orthodox Marxism defines class interests as “the *effort of the classes to increase their share in the distribution of the total mass of products*”⁸⁹⁶. From here, if we consider that classes are moved by their class interests, class conflicts (that is the divergence of these interest) are motivated by the appropriation of a part of the total mass of production. Against this popular Marxism, Polanyi argues that it is impossible to understand the protective countermovement (and more generally, long-run movements in society) if we stick to the class interest explanation. His argument is that generally whole scale transformations of society

891 *Ibid.*, p. 41.

892 *Ibid.*, p. 103.

893 *Ibid.*, p. 158.

894 See for example BUKHARIN NIKOLAI, *Historical Materialism. A System of Sociology*, USA, International Publishers Co., 1928 [1925], p. 276: “A social class – we have seen – is the aggregate of persons *playing the same part in production, standing in the same relation toward other persons in the production process, these relations being also expressed in things* (instrument of labor). See also: ‘A class, as we have seen, is a category of persons united by a common role in the production process, a totality in which each member has about the same relative position with regard to the other functions in the production process’. BUKHARIN NIKOLAI, *Historical Materialism, op. cit.*, pp. 278-279.

895 “We have seen that classes are specific groups of persons, “real aggregates”, distinguished by their role in production, which role is expressed in the *property relations*. But these two phases in the production process also are accompanied by a third phase – the process of distribution of products in one way or another. Production is paralleled by distribution. The form of distribution correspond to the forms of production. The position of the classes in production determines their position in distribution. The antagonism between administrators and the administrated, between the class monopolizing the instruments of production and the class possessing no means of production, is expressed in an antagonism in income, in a contradiction between the shares held by each class in the product turned out.’ BUKHARIN NIKOLAI, *Historical Materialism, op. cit.*, p. 285.

896 BUKHARIN NIKOLAI, *Historical Materialism, op. cit.*, p. 285.

determine the becoming of class more than the needs of a class determines the whole scale becoming of the social edifice⁸⁹⁷. Moreover, to produce any social change, a class needs the support of the other and this cannot happen if it only defends sectional interests, that is, particular interests. Indeed, class interests does not contain any magical force that would secure for this class the support of others sectors of society⁸⁹⁸. In fact, a class is able to have a real influence on the becoming of society only if it is able to include in its actions the interests of the other, and then to defend more general interests as a result of this: “Class interest is a motive power in society only in so far as, in an objective historical situation, it represents the interests of the whole of society”⁸⁹⁹. Then these more general interests are *social interests*. This is another criticism that Polanyi addresses to popular Marxism: its concept of class interest is too restricted (since it is reduced to its economic dimension) whereas interests should be conceived in a broader sense. The structure of this criticism finds its roots in a philosophical anthropology (in the philosophical meaning of the term) that Polanyi builds from ethnographical material found in the ethnology of the 1930s.

“The outstanding discovery of recent historical and anthropological research is that man's economy as a rule, is submerged in his social relationships. *He does not act so as to safeguard his individual interest in the possession of material goods; he acts so as to safeguard his social standing, his social claims, his social assets.* He values material goods only in so far as they serve this end”⁹⁰⁰.

It is according to this anthropology that Polanyi redefines class interests as social interests. To give content to this revisited concept of class interest he proposes a list of motivations by which a class is determined: standing, rank, status, security, safety, social recognition, the stability of the social and natural environment. It is these social interests that the groups and classes followed when they took part in the “collectivist” countermovements after 1870⁹⁰¹ in order to stop the perverse effects of market society. The measures that were taken in this period perfectly reflect this idea that these struggles were not motivated by shortsighted economic interests: to take over neglected ornamental spaces, to clean bakehouses with hot water once in six months, the defence of education and transport, etc., aimed to protect the whole of society from the destruction engendered by the desembedness of the economy⁹⁰².

All along *The Great Transformation*, Polanyi emphasises the destruction of the material and

897POLANYI Karl, *The Great Transformation*, *op. cit.*, p. 159.

898*Ibid.*, p. 160.

899POLANYI Karl, “Marxism Re-Stated”, *New Britain*, July 4, 1934, p. 188.

900POLANYI Karl, *The Great Transformation*, *op. cit.*, p. 48 (we highlight).

901*Ibid.*, p. 191.

902*Ibid.*, p. 161.

natural substance of society to the point that degradation seems to be the core of the general grammar under which all these motivations fall. The contrast between the grammar of having and a grammar based on the question of degradation appears perfectly in a passage dedicated to Owen:

“The organization of the whole of society on the principle of gain and profit must have far-reaching effects. He formulated them in terms of human character. For the most obvious effect of the new institutional system was the destruction of the traditional character of settled populations and their transmutation into a new type of people, migratory, nomadic, lacking in self-respect and discipline – crude, callous beings of who both laborer and capitalist were an example (...). Doubtless, the condition of the labourers which he deplored was partly the effect of the “allowance system”. But essentially, what he observed was true of town and village laborers alike, namely, that “they are at present in a situation infinitely more degraded and miserable than they were before the introduction of those manufactories (...)”. Here again, he hit rock bottom, emphasizing not incomes but degradation and misery. (...) In economic terms the worker was certainly exploited: he did not get in exchange that which was his due. But important though this was, it was far from all. In spite of exploitation, he might have been financially better off than before. But a principle quite unfavorable to individual and general happiness was wreaking havoc with this social environment, his neighborhood, his standing in the community, his craft; in a word, with those relationships to nature and man in which his economic existence was formerly embedded”⁹⁰³.

Recognition, as a particular case of this new integrative grammar of conflict, provides a good illustration of the degradation that the labourer suffers. The destruction of his craft and the exercise of repetitive labour within manufactory meant for him the loss of the prestige he once enjoyed; since now he is no longer recognised by the community for his abilities. From there, this absence of recognition leads him to a lack of self-respect and then a degradation of the positive relation he had with himself. In other words, there is a deterioration of his being.

In fact, this idea is not totally new: despite his criticism of popular Marxism, Polanyi refers several times to the young Marx and his philosophy centred on the “noneconomic nature of man”⁹⁰⁴. After the publication of Marx's *Nationalökonomie und Philosophie* in 1932 (known as the *Economic and Philosophic Manuscripts of 1844*), he wrote two essays which remain unpublished and in which he states that the starting point for the German philosopher was “an anthropological concept of nature of man”⁹⁰⁵. According to this anthropology, man is identified by society, that is, “not the state, the political or economic institution”, but by the individual relationships that between human beings “which underlie these institutions”⁹⁰⁶. Relying on the Manuscripts of 1844, Polanyi already claimed that history was a process of the self-realization of man's nature, a process which was thwarted by capitalism. Indeed, in capitalist society, “the process of production does not link up the producers in a conscious common activity, but keeps them apart from one another. *Economic life is separated from the rest of life* – it is an autonomous part of social existence, governed by its

903Ibid., pp. 134-135.

904Ibid., p. 158.

905POLANYI Karl, “Christian Left Study Circle”, in BEAUDRY Lucille, DEBLOCK Christian and GISLAIN Jean-Jacques, *Un siècle de Marxisme. Avec deux textes inédits de Karl Polanyi*, Presses de l'Université du Québec, 1990, p. 123.

906POLANYI Karl, “Christian Left Study Circle”, *op. cit.*, p. 122.

own automatism”⁹⁰⁷. This form of separation (Polanyi uses the term of Self-estrangement), does not permit the fuller realization of community and the self-realization of human beings. Capitalism produces, then, diminished forms of life. Now, it is precisely with this concept of alienation that Marx analyses the contradictions of capitalist society in terms of degradation in 1844. His starting point is the problem of the interpretation of misery. According to Marx, these negative experiences experienced by the working class, and reported on by Engels in *The Condition of the Working Class in England*, are not reducible to dispossession but correspond to a distortion of human life itself⁹⁰⁸. This corruption of subjectivity appears through three dimensions of alienation: 1° the first dimension is the loss of the product of labour: the *normal* process of objectification (by which labour is embodied in the object) ends in an absence of object and then fails. The worker populates the world with alien objects, and the world, in turn, itself becomes alien to him: “the more the worker spends himself, the more powerful becomes the alien world of objects which he creates over and against himself, the poorer he himself – his inner world – becomes, the less belongs to him as his own”⁹⁰⁹. 2° The activity of production becomes itself a stranger for the worker: “in his work, therefore, he does not affirm himself but denies himself, does not feel content but unhappy, does not develop freely his physical and mental energy but mortifies his body and ruins his mind”⁹¹⁰. In other words, the activity loses its expressive power. 3° finally, man loses his own nature since his species-being is turned into a being alien to him. It is not the place to clarify the deep meaning of each of these aspects of alienation⁹¹¹. The point is that each of these three moments reveals the nature of misery: it is not only the privation of some goods (food, shelter, incomes, etc.) which should be redistributed according to a fair principle of distribution; it also means for the individual the impossibility of deploying its expressive potentialities (in other words, to increase its power of acting) and then the impossibility of any self-realisation⁹¹². If, to speak in Spinozist terms, my being consists in the development of all the consequences that are contained in my essence, the impossibility of such a deployment means a deterioration of my being. In other words, misery and alienation consist in an *ontological diminishment*.

One could argue that alienation is a critical category, not a category of conflict. Indeed, the concept of alienation provides an evaluation and a diagnosis of a specific social-historical situation

⁹⁰⁷*Ibid.*, p. 125.

⁹⁰⁸HABER Stéphane, *L'Homme Dépossédé. Une Tradition Critique. De Marx à Honneth*, Paris, CNRS Editions, 2009, p. 7.

⁹⁰⁹MARX Karl, *Economic and Philosophic Manuscripts of 1844*, *op. cit.*, p. 272.

⁹¹⁰*Ibid.*, p. 274.

⁹¹¹Concerning the concept of alienation in Marx's Manuscripts of 1844 see HABER Stéphane, *L'Homme Dépossédé*, *op. cit.*, pp. 73-91. See also “*Le naturalisme accompli de l'homme : travail aliéné et nature*”, Stéphane Haber Emmanuel Renault, Lire les Manuscrits de 1844 Presses Universitaires de France | “Actuel Marx Confrontations” 2008 | pages 129 à 145.

⁹¹²HABER Stéphane, *L'Homme Dépossédé*, *op. cit.*, p. 8.

(i.e. capitalism) and identifies its pathological evolutions; but according to this objection, such a concept does not expose the subjacent logic of social struggles and does not account for their deep motivations. In a sense, it is right that there is no such thing as a reflexion on class struggle in the texts on alienation, especially in the *Manuscripts of 1844*. However, we may find an echo of the ontological criticism formulated in 1844 by Marx in chapter X of the *Capital* entitled the “Working day”, in which Marx gives a very original vision of the concept of class struggle. Indeed, in this chapter, class struggle is not only a conflict for the appropriation of surplus value but also, and above all, a struggle for time, i.e., for something which is *a priori*, immaterial⁹¹³.

Marx's starting point is that the working day is divided into two parts. If we admit that, as all commodities, the value of labour power is determined by the working time necessary to its production, then the first part of the working day (a-----b) corresponds to the time the worker needs to reproduce its own labour power and then to reproduce the value he received when he sold it to the capitalist. Now, with (a-----b), the extent of the working day is not yet given. Indeed, the capitalist who paid the labour power at its value (which corresponds to the working time necessary to its reproduction) has this at his disposal and then has the right to use it: he has the right to use this labour power during the time (a-----b) so as to get back what he gave to the worker, but he is also allowed to do so during an additional period of time (b-----c): “the fact that half a day's labour is necessary to keep the labourer alive during 24 hours, does not in any way prevent him from working a whole day”⁹¹⁴. This part of the working day represents the length of the surplus labour and it is through this surplus labour-time that the capitalist extracts surplus value⁹¹⁵. This explains why:

“The working day is thus not a constant, but a variable quantity. One of its parts, certainly, is determined by the working time required for the production of the labour power of the labourer himself. But its total amount varies with the duration of the surplus labour. The working day is therefore, determinable, but is, *per se*, indeterminate”⁹¹⁶.

913On this chapter, see the chapter 2 of BESANCENOT Olivier and LÖWY Michael, *La Journée de travail et le “règne de la liberté” (K. Marx)*, Paris, Fayard, 2018; BIDET Jacques, *Marx et la Loi Travail. Le Corps Biopolitique du Capital*, Editions Sociales, Les Parallèles, 2016 ; see also HARVEY David, *A Companion to Marx's Capital*, London-New York, Verso, pp. 135-162. On the struggle for time under the capitalist economy, see THOMPSON Edward P., “Time, Work-Discipline and Industrial Capitalism”, in THOMPSON Edward P., *Customs in Common*, op. cit., pp. 352-403. On the question of time and its relation with space in Marx's *Capital* and *Grundrisse*, see FISCHBACH Frank, “Comment le capital capture le temps”, in FISCHBACH Franck (ed.), *Marx. Relire le Capital*, Puf, Débats Philosophiques, 2009, pp. 101-138.

914MARX Karl, *Capital*, vol. I, op. cit., p. 204.

915Further, Marx explains that this mechanism is not equivalent to a robbery: “The owner of the money has paid the value of a day's labour power; his, therefore, is the use of it for a day; a day's labour belongs to him. The circumstance, that on the one hand the daily sustenance of labour power costs only half a day's labour, while on the other hand the very same labour power can work during a whole day, that consequently the value which its use during one day creates, is double what he pays for that use, this circumstance is, without doubt, a piece of good luck for the buyer, but by no means an injury to the seller”. MARX Karl, *Capital*, vol. I, op. cit., p. 204.

916MARX Karl, *Capital*, vol. I, op. cit., p. 240.

If this second part of the working day is indeterminate but determinable, its determination lies in the result of a relation of power between the capitalist and the worker, in other words, in a conflict. For his part, the capitalist would extend unlimitedly b-----c if he could:

“The capitalist has bought the labour power at its day rate. To him its use value belongs during working day. He has thus acquired the right to make the labourer work for him during one day. But, what is a working day? At all events, less than a natural day. By how much? The capitalist has his own views of this *ultima Thule*, the necessary limit of the working day. As capitalist, he is only capital personified. His soul is the soul of capital. But capital has one single life impulse, the tendency to create value and surplus value, to make its constant factor, the means of production, absorb the greatest possible amount of surplus labour”⁹¹⁷.

And in order to create surplus value, capital has to extend the working day as long as he can. By contrast, the worker, who sees his labour power diminishing in substance, demands a normal working day (he wants the working time reduced to the sole necessary labour). In other words, the capitalist maintains his right of purchaser (since he bought the labour power for one day and has a right to use it as long as he wants during this day) whereas the worker maintains his right as seller. Given that there is no law, nor right or rules, only conflict can fix the duration of the working day:

“There is here, therefore, an antinomy, right against right, both equally bearing the seal of the law of exchanges. Between equal rights force decides. Hence is it that in the history of capitalist production, the determination of what is a working day, presents itself as the result of a struggle, a struggle between collective capital, *i.e.*, the class of capitalists, and collective labour, *i.e.*, the working class”⁹¹⁸.

In this conflict, the capitalist does everything he can to increase the duration of the surplus labour-time in order to increase the surplus value; but *quid* of the worker? Why does he want to reduce this part of the day? In other words, what is his motivation in the struggle against the capitalist? To put it another way, if, for the capitalist, the time he seeks to appropriate amounts to an increase of surplus value, to what exactly corresponds the time the worker seeks to save? For him, the time he wants to reduce corresponds to a slice of life that the capitalist has “stolen” from him. Then, the question becomes the following: what is a slice of life? What does it represent for the worker? These pieces of life that the capitalist stole from the worker are those during which the latter does not work for the former. We should even say that these periods of time are moments during which the worker does not work by necessity, which includes not only surplus labour time, but also the necessary labour-time. This time, free of necessity, is what Marx calls in a very famous passage of book III of *Capital*, the “realm of freedom”⁹¹⁹: it corresponds to a moment in which the development of human energies is an end in itself, a moment in which man dedicates himself both

917MARX Karl, *Capital*, vol. I, *op. cit.*, p. 241.

918*Ibid.*, p. 243.

919MARX Karl, *Capital*, vol. III, in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 37, New York, International Publishers, 1998, p. 807.

to leisure and higher activity⁹²⁰. This period of time is what Marx calls in the *Grundrisse* “free time”⁹²¹: “the saving of labour time is equivalent to the increase of free time, *i.e.*, time for the full development of the individual, which itself, as the greatest productive force, in turn reacts upon the productive power of labour”⁹²². Therefore, in the struggle against the capitalist, the worker seeks to save labour time in order to gain more free time and thus to develop himself, to reach a higher degree of self-realization. This identification of class struggle with a struggle for time as well as for self-realization appears in the following text taken from *Value, Price and Profit*:

“In their attempts at reducing the working day to its former rational dimensions, or, where they cannot enforce a legal fixation of a normal working day, at checking overwork by a rise of wages, a rise not only in proportion to the surplus-time exacted, but in a greater proportion, working men fulfil only a duty to themselves and their race. They only set limits to the tyrannical usurpations of capital. *Time is the room of human development*. A man who has no free time to dispose of, whose whole lifetime, apart from the mere physical interruptions by sleep, meals, and so forth, is absorbed by his labour for the capitalist, is less than a beast of burden. He is a mere machine for producing Foreign Wealth, broken in body and brutalised in mind. Yet the whole history of modern industry shows that capital, if not checked, will recklessly and ruthlessly work to cast down the whole working class to the utmost state of degradation”⁹²³.

This text reveals perfectly that the motivations of class struggle are to be found at an ontological level: workers seek to escape from the clutches of capitalist which captures his free-time and then degrades his body and his soul; he intends to reduce the working day in order to develop his faculties. As Michael Löwy says, there is a deep connection between these ulterior texts on the struggle for time and the *moral* opposition of the being and the having we find in the *Manuscripts of 1844*, and then, the problem of alienation⁹²⁴. Marx formulates a *moral criticism* of this “sense of having” – this “thirst of having”, as Moses Hess writes⁹²⁵ – which is characteristic of the system of private property. In this system – but also in the “crude and thoughtless communism”⁹²⁶ of neo-

920MARX Karl, *Economic Manuscripts of 1857-1858 (First Version of the Capital)*, in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 29, 1857-1861, Trans. Vicor Schnittke and Yuri Sdobnikov, New York, International Publishers, 1987 [1857-1858], p. 97.

921On the free time, and more especially on the dialectic of time labour/ free time see the chapter 7 of MANDEL Ernest, *La Formation de la Pensée Economique de Karl Marx*, Paris, La Découverte, Fondations, 1982, p. 99-114.

922MARX Karl, *Economic Manuscripts of 1857-1858 (First Version of the Capital)*, *op. cit.*, p. 97.

923MARX Karl, *Value, Price and Profit*, in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 20, 1864-1868, London, Lawrence and Wishart, 1985 [1865], p. 142.

924BESANCENOT Olivier and LÖWY Michael, *La Journée de travail et le “règne de la liberté” (K. Marx)*, *op. cit.*, p. 34. See also LÖWY Michael and SAYRE Robert, *Révolte et Mélancolie: le Romantisme à Contre-courant de la Modernité*, Paris, Payot, Critique de la politique, 1992, p. 134 and p. 84 We may admit with Thành Khôi Lê (Lê Thành Khôi, *Marx, Engels et l'Education*, Paris, PUF, 1991, p. 50) that the idea of free-time appears discreetly in the *Manuscripts of 1844* when Marx quote Wilhelm Schulz, but the thematic is not really developed: “But Political economy knows the worker only as a working animal – as a beast reduced to the strictest bodily needs. “To develop in greater spiritual freedom, a people must break their bondage to their bodily needs – they must ease to be the slaves of the body. They must, above all, have *time* at their disposal for spiritual creative activity and spiritual enjoyment. The developments in the labour organism gain this time. Indeed, with new motive forces and improved machinery, a single worker in the cotton mills now often to performs the work formerly requiring a hundred, or even 250 to 350 workers”. MARX Karl, *Economic and Philosophic Manuscripts of 1844*, *op. cit.*, p. 242.

925HESS Moses, *The Philosophy of the Act*, in FRIED Albert and SANDERS Ronald (ed.), *Socialist Thought. A Documentary History*, New York, Columbia University Press, 1992, p. 274.

926MARX Karl, *Economic and Philosophic Manuscripts of 1844*, *op. cit.*, p. 294.

babouvism, which is nothing more than the generalisation of the private property – “the sole purpose of life and existence is direct, physical *possession*”⁹²⁷. The relation with the world of things appears under the mode of possession to such an extent that even “object” which, normally cannot be appropriated, becomes appropriable. This is the case for women which, under of the system of private property, become the exclusive private property of her husband, or a piece of common property under the system of the “primitive communism”⁹²⁸. This system “has made us so stupid and one-sided that an object is only *ours* when we have it – when it exists for us as capital, or when it is directly possessed, eaten, drunk, worn, inhabited, etc., – in short, when it is *used* by us”⁹²⁹. As already mentioned, according to Marx, *having* is defined by this permanent desire for the physical possession of everything; he adds that this taking possession is also an “immediate, one-sided *enjoyment*”⁹³⁰ whose nature is purely egotistical⁹³¹. Moreover, it seems that this logic of having is also a logic of consumption and utilisation. This explains why even dimensions of human life that normally seem to pertain to the logic of being (and then to be unappropriable) may pass under the logic of having:

“Everything which the political economist takes from you in life and in humanity, he replaces for you in *money* and in *wealth*; and all the things which you cannot do, your money can do. It can eat and drink go to the dance hall and the theatre; it can travel, it can appropriate art, learning, the treasures of the past, political power – all this it *can* appropriate for you – it can buy all this: it is true *endowment*”⁹³².

In prey of this thirst of having the entire worlds appears to me under its sole one-sided utilitarian aspect⁹³³. Thereby, “the dealer in minerals sees only the commercial value but not the beauty and the specific character of the mineral: he has no mineralogical sense”⁹³⁴. Everything becomes consumable, even what is not consumable⁹³⁵. Marx opposes Being to this Having:

“The less you eat, drink and buy books; the less you go to the theatre, the dance hall, the public house; the less you think, love, theorise, sing, paint, fence, etc., the more you *save* – the *greater* becomes your treasure which neither moths nor rust will devour – your *capital*. The less you *are*, the less you express your own life, the more you *have*, *i.e.*, the greater is your *alienated* life, the greater is the store of your estranged being”⁹³⁶.

This passage implicitly depicts the grammar of being that Marx will reuse in the chapter of the working day in order to account for the real and deep motivations which animate the class struggle. By contrast with *Having*, *Being* refers to the development of human faculties – and as

927MARX Karl, *Economic and Philosophic Manuscripts of 1844*, *op. cit.*, p. 294.

928*Ibid.*, p. 294.

929*Ibid.*, p. 300.

930*Ibid.*, p. 299.

931*Ibid.*, p. 300.

932*Ibid.*, p. 309.

933*Ibid.*, p. 300.

934*Ibid.*, p. 302.

935On unbridled consumption, see MARX Karl, *Economic and Philosophic Manuscripts of 1844*, *op. cit.*, p. 315.

936MARX Karl, *Economic and Philosophic Manuscripts of 1844*, *op. cit.*, p. 309.

such, to human life, to the humanity of humans. In the text just quoted, Marx provides a very diverse list of activities by which man *deploys his being* and realises himself. As Löwy argues, this multiplicity can be organised under at least three categories: 1° the satisfaction of basic needs (to drink, to eat) 2° the satisfaction of cultural needs (to buy books, to go to the theatre) 3° auto-activation (to think, love, theorise, etc.)⁹³⁷. However, this wide enumeration seems to indicate that the list is not complete and that there are thousands of ways of developing our being, and that it is the multiplication of the activities and relation that I have with the world which enables this development. Here the proposition 38 of Spinoza's *Ethics* IV seems to apply: “Whatever so disposes the human body that it can be affected in a great many ways, or renders it capable of affecting external bodies in a great many ways, is useful to man”⁹³⁸. By multiplying the exchanges that I have with the world, I develop the aptitudes of my body and my soul and I increase my *power of being and acting*⁹³⁹.

In order to cultivate body and spirit – in the *Manuscripts of 1844*, Marx refers to the “*forming of the five senses*”⁹⁴⁰ – time is necessary. Thus, when workers struggle to reduce the working day, it is not only to appropriate this immaterial being that is time, but to liberate free time in order to develop their being; and that is precisely what the capitalist prevents when he intends to extend the working day: “Time for education, for intellectual development, for the fulfilling of

937BESANCENOT Olivier and LÖWY Michael, *La Journée de travail et le “règne de la liberté”* (K. Marx), op. cit., p. 36.

938SPINOZA Benedict de, *Ethics*, op. cit., IV, 38, p. 137.

939 All through the *German Ideology*, Marx emphasises the necessity of multiplying the activities in order to develop human faculties: “For as soon as the division of labour comes into being, each man has a particular, exclusive sphere of activity, which is forced upon him and from which he cannot escape. He is a hunter, a fisherman, a shepherd, or a critical critic, and must remain so if he does not want to lose his means of livelihood; whereas in communist society, where nobody has one exclusive sphere of activity but each can become accomplished in any branch he wishes, society regulates the general production and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticise after dinner, just as I have in mind, without ever becoming hunter, fisherman, shepherd or critic”. MARX Karl, *The German Ideology*, in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 5, 1845-1847, trans. Clemens Dutt, et al., New York, International Publishers, 1975 [1932], p. 47. See also the following passage: “The transformation, through the division of labour, of personal powers (relations) into material powers, cannot be dispelled by dismissing the general idea of it from one's mind, but can only be abolished by the individuals again subjecting these material powers to themselves and abolishing the division of labour. This is not possible without the community. Only within the community has each individual the means of cultivating his gifts in all directions; hence personal freedom becomes possible only within the community.” MARX Karl, *The German Ideology*, op. cit., p. 77-78. Finally, see the following excerpt: “[In general], it is an [absurdity to assume], as Saint [Max does], that one could satisfy one [passion], apart from all others, that one could satisfy it without at the same time satisfying oneself, the entire living individual. If this passion assumes an abstract, isolated character, if it confronts me as an alien power, if, therefore, the satisfaction of the individual appears as the one-sided satisfaction of a single passion – this by no means depends on consciousness or “good will” and least of all on lack of reflection on the concept of this quality, as Saint Max imagines. It depends not on consciousness but on *being*, not on thought, but on life; it depends on the individual's empirical development and manifestation of life, which in turn depends on the conditions obtaining in the world. If the circumstances in which the individual lives allow him only the [one]-sided development of one quality at the expense of all the rest, [if] they give him the material and time to develop only that one quality, then this individual achieves only a one-sided, crippled development. No moral preaching avails here.” MARX Karl, *The German Ideology*, op. cit., p. 262.

940MARX Karl, *Economic and Philosophic Manuscripts of 1844*, op. cit., p. 302.

social functions and for social intercourse, for the free-play of his bodily and mental activity, even the rest time of Sunday (and that in a country of Sabbatarians!) – moonshine!”⁹⁴¹. Therefore, it seems as though there is a deep connection between the Manuscripts of 1844 and chapter X of *Capital*: the struggle for free-time is a struggle against the deterioration of my being by capital, this vampire who sucks me of my substance; and, most of all, it presents itself as a struggle that leads to the full manifestation of my potentialities and of my being.

In light of what has been said about Polanyi and Marx, it is possible to identify a second grammar of conflict, which is irreducible to the general grammar of having. We name “grammar of being” this grammar of conflict in which the constitution of the individual's or the group's being is at stake. This includes the question of deterioration (the reduction of the potentialities of the self) and self-realisation (the deployment of the potentialities of the self) but also, as will be shown in a moment, the question of ontogenesis (the formation of the self). This grammar differs from the grammar of having, however, the question remains whether they are opposed or not. Polanyi insists several times on the opposition (or at least on the clear distinction) between being and having. Indeed, as we saw, he recurrently claims that exploitation is secondary in comparison with the deterioration of human life which comes with the industrialisation of Europe. By contrast, Marx does not really separate the grammar of being from dispossession. If we refer to the first aspect of alienation, there is a form of dispossession at work: “so much does objectification appear as loss of the object that the worker is robbed of the objects most necessary not only for his life but for his work”⁹⁴². But at the same time, this loss of the object (*having*) is also a loss of a part of the self and hence causes a deformation of the self (*being*)⁹⁴³. Therefore, having and being must not be opposed too sharply. Nonetheless, it remains the case that the grammar of being often presents itself as an alternative to categories such as injustice and unfair distribution as well as to the grammar of having – we could, after all, recall the critique that Marx addressed to the distributive justice advocated by the workers of the German socio-democrats parties, whose “equal right” was “still in principle *bourgeois right*”⁹⁴⁴. Indeed, the grammar of having tends to reduce the conflict to a question of appropriations of goods; by contrast, even if it may include dispossession as a part of the conflictual dynamic, the grammar of being pretends to go further than this reduction in order to reach the ontological level. In fact, it is this level that really matters: dispossession and distortion of the self may be unified in one and the same concept (for example in the category of alienation), the element

941MARX Karl, *Capital*, vol. I, *op. cit.*, p. 270.

942MARX Karl, *Economic and Philosophic Manuscripts of 1844*, *op. cit.*, p. 272.

943HABER Stéphane, *L'Homme Dépossédé*, *op. cit.*, p. 16-17. That is why Haber claims that dispossession is the concept which underlies all historical uses of the category of alienation. HABER Stéphane, *L'Aliénation. Vie Sociale et Expérience de la Dépossession*, Paris, PUF, Actuel Marx Confrontation, 2007, p. 32-33.

944MARX Karl, *Economic and Philosophic Manuscripts of 1844*, *op. cit.*, p. 86.

of having remains peripheral and the real centre of the grammar of being is the ontological degradation of being. That is why we are allowed to admit a certain tension between these two models of conflictuality. *In fine*, motivations of conflict may be intertwined, nonetheless, there is always a motive which is more central than the other; and this is this central element which makes the specificity of each grammar – in short, when dispossession is the centre of the conflictual dynamic we have a grammar of Having, when the degradation of the self is central, we have a grammar of being.

The same is true when we consider the relation of being with action. As we have seen with Marx, the ultimate motivation of class struggle is intertwined with the concept of activity. The deployment of my potentialities, the deployment of my being is at the same time a deployment of my power to act. Moreover, the list of the different ways of affecting and being affected is a list of the human activities by which one deploys this power; and the class struggle for time is also a class struggle for the emancipation from the capitalist who captures one's time, a struggle for the freedom to develop all the activities one wishes. In addition, one should retort that Marx belongs to the modern tradition that, according to Fischbach, has understood being as activity⁹⁴⁵. It is quasi needless to remind that in the *Theses on Feuerbach* Marx criticised Feuerbach for having reduced materialism to the passive contemplation of being (*i.e.*, nature) and thus disqualified action, as well having credited idealism for having affirmed the primacy of activity⁹⁴⁶ – although it was not yet a real and sensuous activity – before, finally, overwhelming the opposition between the two sides by proposing a practical materialism. According to Marx, the real is defined as something which is the product of a material practice⁹⁴⁷. Therefore, Marx, as Fichte, defines the being of the beings as action. Therefore, what we are dealing with here is a grammar of action much more than grammar of being – we will dedicate the chapter III to the former.

Accordingly, we could answer to these objections only if keep in mind that grammars of social struggle, as having or being, are not pure categories in this sense that they always mix a multiplicity of motivation and causes of conflicts. However, if everything is totally mixed up, if having, being and action are always intertwined together to the point that they become indiscernible, then, everything remains confused and no typology of conflict is possible. In order to classify the different logics of conflict it is then necessary to find out which of these general motivations stand out the most. As we have seen with Maurice Davie, primitive war was the result

945On this tradition see FISCHBACH Frank, *L'Etre et l'Acte. Enquête sur les Fondements de l'Ontologie Moderne de l'Agir*, Paris, Vrin, Bibliothèque d'Histoire de la Philosophie, 2002.

946MARX Karl, *Theses on Feuerbach*, *op. cit.*, p. 3.

947“Est réel ce qui résulte, ce qui est le produit d'une “pratique matérielle””. FISCHBACH Frank, *L'Etre et l'Acte*, *op. cit.*, p. 147.

of four motivations but only one was said to really dominant in the conflictual dynamic. However, sometimes the principal motivation is not always visible and it is sometimes hard to determine on which of those motivations the emphasis lies. This is clearly the case with Marx; since for him, the deployment of my being is a deployment of my activity. Consequently, it seems that the grammar of being is mixed with the grammar of activity and it becomes impossible to identify which category is really central. In these cases, a good way to proceed consists in using comparison. Comparing the diverse theories of conflict and basing the comparison not on the similitudes but the differences, it is possible to bring to light the principal motive of the conflict. This seems to work in the present case: if we compare the struggle for time-labour (which is found in *Capital*) with the land-use conflict in Fichte (we will come back to this theory in the part III of this work), then it appears that the first falls more under a grammar of being than under a grammar of action. Indeed, in the second case, conflict results from the different uses of the same piece of land. Here, the centre of gravity of the practical dynamic is action. By contrast, the worker who intends to reduce the time-labour seeks to get more free-time to develop his self, even if this development is a development of their acting power. The object of class struggle is not the incompatibility between different actions performed on the same object but the development of my being. In fact, if we focus on the definition of the *Selbstbetätigung*, these dimensions appear with more clarity: self-formation or self-activity is a *formation of my being* through the multiplication of activities and the relation I have with the world. That the being of beings is acting seems particularly relevant regarding Marx's philosophy; however, even if my being is a becoming-being, a being acting, the conflict is centred on the constitution of myself, whereas in the case of a land-use conflict, it results from the clash between different activities on the same object. Now, it is not useless to also compare the similitudes. As we saw, there is a greater similarity between Polanyi's theory of countermovement and Marx's theory of struggle for time-labour than with Fichte's theory of land-use conflicts. Now, it is clear that Polanyi emphasises the ontological aspect of class struggle since the principal motivation of countermovements is the defence of both the human and natural substance of society, which is degraded by the market economy:

“Our thesis is that the idea of a self-adjusting market implies a stark utopia. Such an institution could not exist for any length of time without annihilating the human and natural substance of society; it would have physically destroyed man and transformed his surroundings into a wilderness. Inevitably, society took measures to protect itself, but whatever measures it took impaired the self-regulation of the market, disorganized industrial life, and thus endangered society in yet another way”⁹⁴⁸.

What is at stake here is the protection of the being of society. The struggle for time in *Capital* has thus more in common with Polanyi's counter-movements that it has with the land-use

948POLANYI Karl, *The Great Transformation*, op. cit., p. 3-4.

conflicts we will speak about in the chapter 3.

In fact, in this thesis, having and being are not understood as metaphysical categories (as is the case in Fischbach's book just quoted); instead, they should be understood as categories of conflict. As such, grammars of conflict are not subordinated to the metaphysical level. For instance, while Marx may have developed a philosophy of activity, action is not always the centre of gravity of the conflict. As we will see in the chapter 3, in the conflict for the use of forest, the emphasis is put on the activity; but in the struggle for free-time, it seems that the seat of the conflict remains the ontological destruction provoked by industrial capitalism.

The category of being could appear highly abstract and hence too wide. However, this category was chosen because it is inclusive. What was true regarding the grammar of having is true regarding the grammar of being: as a general grammar of conflict, it contains diverse categories which have their own logic. Indeed, we have seen that Polanyi regroups under the same grammar a set of heterogeneous motivations that all have in common the fact that they deal with the ontological constitution of subjectivity and the collective. This enumeration of motivations, found across several passages of *The Great Transformation*, seems to indicate that this list is still to be completed and that the enquiry into the categories of being remains open. The diversity of the categories (all of which have in common the fact that they are centred around the ontological level), as well as the unfinished nature of the list, necessitate the regrouping of them under this general grammar of conflict. The idea is thus to find a grammar sufficiently wider enough to integrate this multiplicity into it and also the potential categories that, after having more broader investigation, may come to complete the list. Indeed, it should be reminded that our goal is not to provide an exhaustive panorama of the categories of conflicts but to give an outline of the general grammars (and the subcategories they articulate) in order to show that these conceptual edifices integrated the question of land into their logic. Consequently, our enquiry is not about the problem of the grammars of conflict itself – such an investigation would probably require a full-fledged work. To look for a grammar of ecological struggles, we have first reviewed the general grammar of conflict in which the relation with land is subjacent to the antagonistic interactions between humans. That is why, starting from a very general grammar of conflict such as Having or Being, we allow the possibility for further philosophical enquiry into the subcategories that come under these general grammars.

Now, if, as the grammar of having, the general grammar of being is permeated by the question of land (according to one of the general hypotheses of this work), it does not mean that this occurs in a uniform manner. Some of the subcategories have little to do with the problem of collective interactions with land: that is the case with the struggle for time-labour which takes place

in modern industry. That is why we chose to focus in this chapter on a category within which land has played an important role in the dynamic of struggle: we refer here to the grammar of recognition. Our choice has also been oriented by the fact that recognition has been the subject of many discussions since the publication of Honneth's *The Struggle for Recognition*. In this sense, we consider that it is inevitable, if not necessary, to dedicate an entire part to this topic. While, at first sight, it may seem surprising that recognition is to be treated under the grammar of being, this choice of classification might appear a little less strange if we remind ourselves that recognition was also included in Polanyi's list of motivations that come under this grammar of conflict. Furthermore, we will see that the struggle for recognition implies a process of formation of the subject in which consciousness ends up becoming self-consciousness. A process of ontogenesis is therefore at the core of the conflict for recognition between two consciousnesses. It would hence not be too bold to argue that the struggle for recognition is motivated by the desire for the achievement of the ontological constitution of oneself. Since then, what Honneth calls the dynamic of disrespect, may appear as a diminishing of the self⁹⁴⁹. Consequently, the struggle for recognition must come under the grammar of being.

We will now focus on the struggle for recognition in order to examine the role that collective relationship with the earth plays in this dynamic.

I.2 Interpretations of the Struggle for Recognition

Initially, the grammar of recognition was built on a renewed interpretation of Hegel's *Jena Writings*⁹⁵⁰. Honneth is the most representative of this tradition. Based on the studies of Ludwig Siep, he sees in the young Hegel a way of challenging Hobbes' and Machiavel's understanding of social life. According to Honneth, the latter have opened political modernity describing the social in terms of struggles for existence and individual conservation and self-interest – when the previous epochs, dominated by Aristotelianism, defined the ethical community as the principal destination of every human life. By contrast with this atomism, Hegel is supposed to have replaced the moral motives at the centre of the social field. More precisely, Honneth says that the German philosopher does not come back to the previous period dominated by Aristotelianism and instead, agrees with Hobbes, taking for granted the *conflictual essence of the social*; but doing so, he reintroduces an

⁹⁴⁹HABER Stéphane, *L'Homme Dépossédé*, op. cit., pp. 181-187.

⁹⁵⁰On the readings of Hegel in the framework of recognition, see HABER Stéphane, "Hegel vu depuis la reconnaissance", Paris, La Découverte, Revue du MAUSS, n° 23, 2004/1, pp. 70-87.

ethical element into the dynamic of social reality. The desire for mutual recognition plays the role of a normative principle by which, through the negativity of struggle to death, social life goes beyond itself, transforms itself and finally continuously progresses towards more and more liberty. Hegel, comments Honneth, provides:

“a reinterpretation of the mode of an original struggle of all against all, with which Thomas Hobbes (drawing on Machiavelli) had opened the history of modern social philosophy. If the reason why subjects have to move out of ethical relationships in which they find themselves is that they believe their particular identity to be insufficiently recognized, then the resulting struggle cannot be a confrontation purely over self-preservation. Rather, the conflict that breaks out between subjects represents, from the outset, something ethical, insofar as it is directed towards the intersubjective recognition of dimensions of human individuality. It is not the case, therefore, that a contract among individuals puts an end to the precarious state of a struggle for survival of all against all. Rather, inversely, this struggle leads, as a moral medium, from a, underdeveloped state of ethical life to a more mature level of ethical relations. With this reinterpretation of the Hobbesian model, Hegel introduces a virtually epoch-making new version of the conception of social struggle, according to which practical conflict between subjects can be understood as an ethical moment in a movement occurring within a collective social life. This newly created conception of the social thereby includes, from the start, not only a field of moral tensions but also the social medium by which they are settled through conflict”⁹⁵¹.

The framework of Hobbes' analysis of conflictuality is not moral. He himself specifies that “neither of us accuse man's nature in it. The desires and other passions of man, are in themselves no sin. No more are the actions, that proceed from those passions, till they know a law that forbids them (...)”⁹⁵². Then if these motivation are not immoral, there are not moral either. Individual who, in prey to their passions (desire of appropriation, diffidence and glory) fight each other only seek their own self-preservation. By contrast, Hegel's model of struggle is moral because the conflict is directed toward *an end which transcends the simple biological survival*: intersubjective recognition. Furthermore, whereas struggle for self-preservation is by no means a factor of progress (since it leads to the destruction and the impossibility of a decent life) whereas struggle for recognition leads to an enrichment of intersubjective interactions.

Notwithstanding these precisions, it should be noted that this reading of Honneth has tended to disconnect the intersubjective interaction from the collective relationship with land (or at least it does not really insist on this point). Indeed, the relation with nature barely appear in *The Struggle for recognition*, and when it does, Honneth does not really get the measure of this reference in Hegel's text. This dichotomy can be explained by the interpretative line chosen by Honneth among those proposed by Habermas in a famous article untitled “Labor and Interaction: Remarks on Hegel's Jena *Philosophy of Mind*”⁹⁵³.

951HONNETH Axel, *The Struggle for Recognition*, op. cit., pp. 17-18.

952HOBBS Thomas, *Leviathan*, I, 13, 10, p. 85.

953HABERMAS Jürgen, “Labor and Interaction: Remarks on Hegel's Jena *Philosophy of Mind*”, in HABERMAS Jürgen, *Theory and Practice*, Boston, Beacon Press, 1973, pp. 142-170. For a commentary of this article, see FERRY Jean-Marc, *Habermas. L'Éthique de la Communication*, Paris, PUF, Recherches politiques, 1987, pp. 337-350.

It is necessary to return to this seminal writing in order to clarify the orientation Honneth gave to his reading. Habermas starts with Hegel's opposition to Kant's theory of the "I". Under the name of the "original synthetic unity of apperception", Kant understands the identity of the "I" as the experience that the knowing subject has of itself independently from the totality of the external objects of the world. Against this solipsism and this empty identity of the "I", Hegel argues that the relation with exteriority is fundamental for the formation of the self. From there, Habermas identifies three forms of dialectical relation (that he also calls "media") between the subject and the object by which consciousness individuates itself: interaction, language and labor. The first model of formation consists in a connection between two subjects: the individual reaches self-consciousness through the recognition of himself by another. I know myself as a consciousness only if the other recognises me as such. In other words, one knows oneself in the other and *vice versa*. The subject's identity is dependent on the relation with the other individual and then on a process of socialisation. This process proceeds from communication because subjects would not exist as consciousnesses if they did not encounter each other in a medium (as, for example, the family) but also because this relation consists in an inter-comprehension between individuals. Needless to say that this communication can take the form of a conflict called "struggle for recognition". The second medium, language, is the relation between a solitary individual and nature structured through the use of symbols and names that he gives to things. Here, consciousness that was mired in animality and was asleep in the nocturnal world of images does not deal with the chaos of sensations anymore but organises it with symbols. In this awakening, the spirit who has himself produced the symbols, experiences himself as a subject. The subject becomes the name-giving consciousness. Finally, labor is a practical relation with nature in which consciousness goes beyond its naturalness and refrains the urges that direct it towards the consumption of the object. Through technical action on the world, consciousness subjects itself to the causality of nature and at the same time, turns this causal process against itself, uses it and diverts it to make it fulfil an end which is its own. Doing so, consciousness becomes a cunning consciousness. According to Habermas, the principal commentators of the *Jena Writings* – that is, Cassirer, Lukács and Litt – have seized on one of these three heterogeneous models and made it the principle of their own interpretation. The problem is that they did not manage to articulate all three models together.

At the first glance, Honneth seems to adopt the first approach, since he centres his whole interpretation of Hegel on interaction. According to Honneth, Hegel criticises the Hobbesian atomistic social ontology that identifies the social with an aggregation of isolated individuals which are externally and afterwards articulated. In his article entitled "The Scientific Way of Treating

Natural Law”, Hegel proposes to understand society as an ethical totality, that is, a community in which individuals are not connected to each other afterwards but “already and always”⁹⁵⁴ organically and internally unified and whose model is the city-state – ethical means here, “conducive to community”⁹⁵⁵. As for Aristotle, human nature is intrinsically communitarian, since there is a natural basis for socialization which consists in an elementary forms of intersubjective coexistence. The problem remains here the one of the concrete content of this natural ethical life, and the one of the transition from these primitive forms of intersubjectivity to a more expanded and encompassing relation of social interaction (in short, to the universalization of these moral potentials)⁹⁵⁶. In the *System of the Ethical Life*, the notion of recognition that he borrows from Fichte, allows Hegel to answer the first question since it characterizes the nature of these intersubjective relations. The first degree of this embryonic socialization is the relation between parents and their child, interaction in which, through love, each individual is recognized. The second form of natural intersubjectivity is the mutual recognition of the other's claim to property. Because both of these primitive interactions are limited and particular, it is necessary to go beyond them and to reach toward a superior level of ethicicity. Here, the conflictual aspect of interaction steps in and serves to resolve the second problem: conflicts stemming from the three forms of crime (natural annihilation, theft and the struggle for honor) provoke a rupture in these communicational relations, rupture that leads to absolute ethical life⁹⁵⁷ in which the individual “intuits him as himself in every other individual”⁹⁵⁸. Solidarity is the name of the third degree of social interaction in which the individual is, within the State, recognized as a socialized and unique subject (outside of the framework of solidarity, he was only recognized as an abstract and juridic person, isolated from the others). This process produces a higher degree of social integration and is a vector of social transformation. It is also a condition of possibility for consciousness' individuation. Indeed, the individual is able to identify positively with himself and his peculiarities only if it receives an approbation from the other about these same traits; complex psychological process that Hegel, after Hobbes, precisely calls “honour” in the *System der Sittlichkeit* – which proves in passing that the

954Deranty insists on the importance of this expression. DERANTY Jean-Philippe, *Beyond Communication: A Critical Study of Axel Honneth's Social Philosophy*, Social and Critical Theory, vol. 7, Leiden-Boston, Brill, 2009, p. 193.

955HONNETH Axel, *The Struggle for Recognition*, *op. cit.*, p. 12.

956*Ibid.*, p. 23.

957“Taken together, the various different conflicts seem (...) to comprise (...) the process that prepares the way for the transition from natural to absolute ethical life by equipping individuals with the necessary characteristics and insights”, *Ibid.*, p. 23.

958HEGEL Georg Wilhelm Friedrich, *System of the Ethical Life*, in Hegel Georg Wilhelm Friedrich, *System of Ethical life (1802/3) and First Philosophy of Spirit (Part III of the System of Speculative Philosophy 1803/4)*, Edited and translated by H. S. Harris and T. M. Knox, Albany, State University of New York Press, 1979, p. 144. From now, the *System of the Ethical Life* will be referred as HEGEL, *System of the Ethical Life (1802/3)* and the *First Philosophy of Spirit* as HEGEL, *First Philosophy of Spirit (1803/4)*.

opposition between the two philosopher is not total⁹⁵⁹. Recognition is then the means by which one knows himself in the other and reciprocally.

Honneth's interpretation of Hegel clearly privileges the subjective interaction over the other dialectical relations. Jean-Philippe Deranty even says that Honneth impoverishes the concept of interaction, reducing it to intersubjectivity and forgets that labour and language are also forms of interaction with nature⁹⁶⁰. However, it could be argued that the peculiarity of Honneth's work is that he reintegrates labour into the intersubjective interaction of recognition when he elaborates his concept of social esteem, whereas Habermas had clearly separated it⁹⁶¹. Indeed, the degree of social esteem someone enjoys depends on his contribution to society, contribution which is understood in terms of labour socially organised (which explains mental pathologies linked with unemployment)⁹⁶². In this sense, relations of recognition work inside of the relations of labour, and the dualism does not obtain anymore. This articulation is already present in the passages he dedicates to Hegel's concept of abstract labour, texts in which the activity of producing the others' needs leads to a form of recognition. He shows that for Hegel, if the exchange of the product of labour is the paradigm of reciprocal actions, the contract by which this interaction acquires an institutional form, implies a recognition of the other as a contractual partner. Nevertheless, it seems to us that in both cases, this articulation of labour with recognition does not really integrate the relation with land inside the dialectic of recognition. Indeed, the concept of labour that he uses here has little to do with a relation with nature since it is understood above all as a social interaction in which workers exchange the product of their work and meet their social partners' needs. Deranty wisely underlines that in his commentary of Hegel's texts dedicated to the tool, Honneth disqualified the experience of labour in which spirit only knows itself as an active thing. The

959Honneth had already identified this thesis in the *System der Sittlichkeit*: "The two opposing parties in the emerging conflict both have the same goal, namely, to provide evidence for the 'integrity' of his or her own person. Following the usage of his day, Hegel traces this mutually pursued intention back to a need for 'honour'. This is initially to be understood as a type of attitude towards oneself, as it is phrased in the text, through which 'the singular detail becomes something personal and whole'. 'Honour', then, is the stance I take towards myself when I identify positively with all my traits and peculiarities. Apparently, then, the only reason that a struggle for 'honour' would occur is because the possibility of such an affirmative relation-to-self is dependent, for its part, on the confirming recognition of other subjects. Individuals can only identify completely with themselves to the degree to which their peculiarities and traits meet with the approval and support of their partners to interaction. 'Honour' is thus used to characterize an affirmative relation-to-self that is structurally tied to the presupposition that each individual particularity receives intersubjective recognition". HONNETH Axel, *The Struggle for Recognition*, *op. cit.*, pp. 22-23

960DERANTY Jean-Philippe, *Beyond Communication*, *op. cit.*, p. 4 and p. 222 sq.

961See FISCHBACH Frank, "De la théorie critique aux luttes sociales", Fond. G. Péri, Nouvelles Fondations, 2006/2, n° 2, p. 97.

962HONNETH, Axel, "La dynamique social du mépris", in BOUCHINDHOMME Christian and ROCHLITZ Rainer (ed.), *Habermas: la raison, la critique*, Paris, Cerf, 1996, pp. 232-236. See also, HONNETH Axel, *The Struggle for Recognition*, *op. cit.*, p. 122: "it turns out that with their concepts of 'ethical life' and a democratic division of labour, Hegel and Mead each sought to single out only one type – and, in normative terms, a particularly demanding type – of value-community, into which every form of esteem-granting recognition necessarily must be admitted".

process of formation would then be too narrow and should be enlarged by a real intersubjective interaction. Given that it is precisely in these passages that labour is understood as a relation with nature, claiming that this moment is incomplete amounts to ruling it out. Therefore, in his commentary, Honneth clearly separates the struggle for recognition from the collective relationship with nature.

It is interesting to note that Lukács' book entitled *The Young Hegel*, which deals with same period, does the exact opposite operation. While Honneth insists on recognition at the expense of the interaction with land, Lukács uses labour as the guiding principle of his marxist interpretation without really paying attention to the struggle for recognition. Indeed, as the young Marx before him, Lukács glorifies Hegel for having found the man autoproduction in concrete labour – process that puts consciousness in contact with nature – while he highlights the very limits of the Hegelian conception of economy⁹⁶³. By contrast, Lukács underestimates the conflict for recognition and dedicates just a few pages to it⁹⁶⁴. In this passage, he even seems to contend that the cause of historical evolution is to be found in labour much more than in the antagonism that opposes the slave and the master. This is maybe due to the fact that he reduces the concept of struggle to that of class struggle, which he cannot straight forwardly find in the *Jena Writings*, without seeing the originality of Hegel's conception of conflictuality⁹⁶⁵. Finally, it is well known that he accuses Hegel for having detached the awakening of man's intellectual faculties from his action on material exteriority, which means that the spiritual process of recognition is also disconnected from this material process.

Now, we would like to show that this implicit dichotomy, due to the theoretical orientations Lukács gave to his exegetic work, is absent from Hegel's text. Indeed, on the one hand, contrary to the posterior writings (especially the chapter IV of the *Phenomenology of Spirit*), the struggle for recognition is not only an interaction between two consciousnesses, but it also involves a third term which is not really endowed with consciousness: material exteriority. This materiality appears in the text through the form of a possession, that is, a having which is not already mediated by juridic forms such as ownership and is most of the time *land* – we will return at length to this point in the

963 LUKÁCS Georges, *Le Jeune Hegel. Sur les Rapports de la Dialectique et de l'Economie*, T. II, trans. Guy Haarscher and Robert Legros, Gallimard, Bibliothèque de Philosophie, 1981 p. 52 sq.

964 LUKÁCS Georges, *Le Jeune Hegel*, T. II, *op. cit.*, p. 61 sq.

965 “The decisive factor which prevented Hegel from making a concrete and accurate application of his philosophically correct view of freedom and necessity, contingency and necessity to the actual course of history is to be found in his ignorance of the class struggle as a motive force in society. Hegel's knowledge was undoubtedly vast and he was sufficiently critical and unprejudiced to be able to see isolated instances of class antagonisms in society. (...) But his general view of history and society prevented him from grasping the importance of class antagonisms as a motive force, to say nothing of making any general inferences from their observed laws of motion.” LUKÁCS Georg, *The Young Hegel. Studies in the relation Between Dialectics and Economics*, trans. Rodney Livingstone, London, Merlon Press, 1975, p. 358.

third chapter of this part. More precisely, possession constitutes the middle term in the syllogism of recognition: the struggle for recognition is possible only if someone dispossesses me of my land and I experience despoliation as a form of misrecognition. Therefore, as in the grammars of appropriation, the dispossession of land is the cause of conflict, but at the same time, its centre of gravity seems to be the disrespect linked with this act of violence.

On the other hand, possession is not an institutionalised relation with land, it results from a complex process of appropriation in which labour occupies a central position. Indeed, possession is not a simple seizure of the possessed thing, but it is a result of communitarian work in which the members of a family have put all their love into this material thing. This process of exteriorisation does not only concern the affectivity between the members of the group but also the identity of consciousness itself who, transforming the exteriority, is able to contemplate itself in it and then to reach a knowing of itself. But, through the process of labour, the individual does not only form itself but also experiences the resistance of nature, which is not totally inert. Indeed, the natural things that consciousness is in relation with are not totally inert since they are, at differing degrees, individualities. Hegel provides here a rich and meticulous description of the diverse relations that consciousness has with land in the process of labour – the nature of the relation varying and depending on whether the object that the action is directed toward is an inert thing, a plant, an animal or other non-human beings of this kind. Therefore, we consider that the conflictual interaction between consciousnesses is, as per the grammar of appropriation, redoubled by a specific relation to land. Our hypothesis is that the possession of land is precisely the operator of this articulation between the two sorts of interaction: the individual considers that the expropriation of his land is a form of misrecognition since, it is as if his possession was a part of himself (and its destruction was experienced as an attack to his dignity). This close relation could be explained by the fact that through the process of labour one almost literally enters into the thing.

Does this mean that the relation to land is an essential element of the struggle for recognition, and that its absence in the commentaries is an omission? Or, is the place given by Hegel to this materiality so inessential that it is unnecessary to put it at the centre of one's interpretation? We affirm that it is, in effect, important to read the text on recognition from the perspective of the question of land. Indeed, it is important to separate the problem of the place that collective relationship with the earth occupies in Hegel's texts, from the place that it should be dedicated to them in a commentary of the *Jena Writings* in function of its importance (or to put it in another way, the question of the omission in commentaries or unimportance of that topic for commentators). Only the first question will retain our attention: it is precisely because land is

inessential (or at least contains something inessential) in the struggle for recognition that we are interested in this specific grammar. If we devote an entire chapter to the question of land in Hegel's early writings, it is because we would like to evaluate its significance in the texts concerning the struggle for recognition and also the conceptual reasons that led Hegel to give it this place. More precisely, it is due to the fact that Hegel clearly put land at the periphery of the conflictual dynamic that it is so necessary to use it as a guide for our commentary. Indeed, by doing so it becomes possible to analyse the conceptual secondarisation of the collective relationship with the earth in the struggle for recognition. What we would like to show in the following pages is that the peripherisation of land is in fact due to the internal structure of the grammar of recognition itself which prevents its complete integration. Indeed, on the one hand, the chiasmus between two consciousnesses that desperately intend to be recognised is so exclusive and closed that it leaves no room for a real inclusion of the third term, material exteriority; however, on the other hand, the relation with land that underlies the intersubjective interaction is such that it is paradoxically a quasi non-relation: as we will see, it corresponds more to a relation of detachment than a form of attachment. If, then, and contrary to Honneth's ulterior commentary, Hegel integrated the interaction with nature into the intersubjective interaction, he did it to get rid of this relation with the earth, or more precisely, to go beyond it.

II) The Struggle for Recognition: the Necessity of a Third Term

II.1) Recognition as an interaction between consciousnesses

To begin our analysis, it should be remarked upon that the inclusion of land into the conflictual dynamic is not totally obvious. At first sight, the struggle for recognition has its own logic which, at first sight, could do without the intervention of land in its deployment. This logic is based on the relation between only two terms, that is, two consciousnesses. More precisely, the interaction is not really between two individualities but between two families, which are for Hegel two totalities.

Family, the “supreme totality of which nature is capable”⁹⁶⁶ says Hegel in the *System of the Ethical Life*, is the unification of individuals that sublimate their differences. Indeed, in this first form of group, “the individual intuitively himself in the other”⁹⁶⁷ and does not see in the other consciousness something opposed to him. There is here the first form of recognition. Nevertheless, this totality remains natural. Family is not yet the absolute ethical life itself – in which, “the individual intuitively himself as himself in every other individual”⁹⁶⁸ – but the “natural ethical life” or the “ethical life on the basis of relation”⁹⁶⁹. This means that unification remains imperfect and is characterized by a certain inequality. Indeed, “nature itself is but the subsumption of intuition under the concept, with the result therefore that intuition, the unity, remains the inner, while the multiplicity of the concept and the concept's absolute movement rises to the surface”⁹⁷⁰. To say that unity “remains inner” and multiplicity external simply means that the former is hidden and the latter visible⁹⁷¹. In other words, in natural ethical life, multiplicity (the concept) prevails over unicity (intuition). Hegel specifies this

⁹⁶⁶HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 128.

⁹⁶⁷HEGEL, *First Philosophy of Spirit* (1803/4), p. 235.

⁹⁶⁸HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 144.

⁹⁶⁹*Ibid.*, p. 102.

⁹⁷⁰*Ibid.*, p. 101.

⁹⁷¹“Thus this ethical nature is also an unveiling, an emergence of the universal in face of the particular, but in such a way that this emergence is itself wholly something particular – *the identical, absolute quantity remains entirely hidden*”. HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 103. We highlight.

preeminence of the concept: he says that unity hovers over singularity (namely, multiplicity), which means that both terms are separated, a separation which can be perfectly observed in the succession of generations by which the family reproduces itself. Admittedly, children ensure the continuity and the durability of the familial totality. However, it remains that, as his parents before him, the child qua simple singularity is condemned to die. Therefore, the family survives only thanks to a singularity which is destined to disappear and to be replaced by another one which, in turn will know the same fate. It means that totality depends on a chain of finite individuals. That is, it relies on a multiplicity, and as such, on the concept⁹⁷².

Thus the first recognition is insufficient and the natural totality must be overcome to reach absolute ethical life. This is perhaps why Hegel, one year later, claims that “it is absolutely necessary that the totality which consciousness has reached in the family recognises itself as the totality it is in another such totality of consciousness”⁹⁷³. The recognition by which individuals form a totality is still internal, that is, private. Then the intuition of the other must be exteriorised and the family has to expose itself to the sunlight. To reach real ethical life, individuals have to move beyond the intimacy of the household and be recognised by another group⁹⁷⁴. Now, the totality faces another totality: “The family, as a totality, has confronted another self-enclosed totality, comprising individuals who are complete, free individualities for one another”⁹⁷⁵. This face to face reveals the nature of family: it is a singular totality but not *the* totality, *i.e.*, absolute ethical life. For if there is another totality, it means that I am not the absolute totality, just a singular one. Through the struggle for recognition the singular totality will discover this truth; suppressing itself as a totality, the singular totality will become aware that it is not the absolute totality. But for now, the singular thinks itself as being the whole; and it wants the other to recognize it as such, that is, as a totality. This leads to the conflict for recognition.

In fact, there would be no problem if consciousness only wanted to be recognized as a singular totality. We could imagine a situation in which each consciousness would be recognized as a particular totality, each of them attending its own business separately. The recognition of the other as a totality would not lead to a conflict because it would be recognized as a self-enclosed totality,

972HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 129. For an excellent commentary of this passage, see GÉRARD Gilbert, *Critique et Dialectique: l'itinéraire de Hegel à Iéna: 1801-1805*, Bruxelles, Facultés Universitaires Saint-Louis, 1982, pp. 226-228.

973HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 236.

974HEGEL Georg Wilhelm Friedrich, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, translated and presented by Guy Planty-Bonjour, Paris, PUF, Epiméthée, 1969 [1803-1804], note 2, p. 106. From now quoted as HEGEL, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour.

975HEGEL Georg Wilhelm Friedrich, *Hegel and the Human Spirit*, A translation of the Jena Lectures on the Philosophy of Spirit (1805-6) with commentary by Leo Rauch, Detroit, Wayne State University Press, 1983 [1804-1805], p. 110. From now, this text is quoted as follows: HEGEL, *Jena Lectures on the Philosophy of Spirit* (1805-6).

as a totality which enjoys its own sphere of activity, a sphere in which the same totality could be deployed without causing harm to anyone – in other words, there would be no encroachment on the territory of the other. It is as if consciousnesses were states and that each state recognized the totality of the other, in other words, its own frontiers and its own jurisdiction on its territory. If each state does not pretend to extend its jurisdiction beyond its own border and is recognized as such, then, there is no risk of encroachment and, as such, of conflict. The expression “self-enclosed totality” may express this idea: a totality which is turned on itself and does not seek to expand itself beyond itself. In that, the recognition of such a totality is not a problem.

And in fact, there would be no problem regarding this demand of recognition if this totality was not an exclusive totality and did not want to be recognized as such: “each posits himself as exclusive totality in the singularity of his existence”⁹⁷⁶. Consciousness does not only want to be recognized as a totality but also inasmuch as this same totality includes the exclusion of the other. What does it mean for a totality to be exclusive? And what does it mean for a consciousness to demand to be recognised as an exclusive totality? The term “exclusive totality” can be explained as follows: consciousness does not only want to be recognised as *a* totality, but it also wants to be recognised as *the* totality. To the extent that it sees itself as a totality, the singular pretends to be *the* whole, which means that its being extends itself to all beings and all singularities. As Siep puts it perfectly, this whole in perpetual extension is “limitless in its demand upon the other”⁹⁷⁷. The individual, who wants everything, takes up all the space, leaving therefore no room for the other. In other words, it excludes it. As a consequence, there is no place for the other in the recognition of itself as a totality (if I am recognised as *the* totality, the other cannot be even recognised as *a* totality, even less as *the* totality). To put it another way, the fact that the totality of the particular wants to be recognised as a totality is contradictory with the recognition of the other as another totality. And since the same applies to the other, since the desire of being recognised comes with the exclusion of the recognition of the other, then both are necessarily conducted to enter into conflict with the other. In short, the recognition of my totality also means the *negation* of the other's.

Therefore, it seems to us that, as in the Hobbesian explanation of war qua the impassioned complex, there is a logic of conflictuality which is at first sight internal to the “human sphere”. Indeed, conflict for recognition is a necessary moment from the point of view of its end (conflict leads to absolute ethical life) and also from the point of view of the internal structure of the family. Teleologically speaking, that is, from the point of view of the result, the struggle for recognition is

⁹⁷⁶HEGEL, *First Philosophy of Spirit (1803/4)*, op. cit., p. 238.

⁹⁷⁷SIEP Ludwig, “The Struggle for Recognition. Hegel's dispute with Hobbes in the Jena Writings”, in O'NEILL John (ed.) *Hegel's Dialectic of Desire and Recognition. Texts and Commentary*, Albany, State University of New York Press, 1996, p. 280.

necessary in order to reach absolute ethical life. Indeed, it is thanks to the fight to death that the singularity suppresses itself as a totality, stops to consider itself as the whole, and ends up being integrated into the “real” totality. From the structural point of view, conflict is necessary to the extent that the totality includes in its desire for recognition the exclusion of the recognition of the other. In any case, the reason that leads individuals to enter into a conflictual dynamic are internal to the human collective.

II.2) Symbolic Recognition and Speech

The only way to include land into this dynamic would be to break the duality of the interactional game between the two consciousnesses and involve a third term into it. This possibility is clearly opened up by the concept of the *Mitte* (the middle-term) that Hegel introduces in 1803 to explain the lesser or greater degree of articulation between the subject and the object for each power of consciousness⁹⁷⁸, that is, for each level of the consciousness. In its development, consciousness passes through a succession of steps in which its adequacy with the object becomes more and more perfect. The middle-term is then the active mediation by which the extremes, that were only separated (and thus indifferent) at the beginning, become opposed and are finally unified actively⁹⁷⁹.

“their unity thus appears *as a middle* between them, as the *work* of both, as the third whereby they are related, in which they are one but [as] that wherein they likewise distinguish themselves”⁹⁸⁰

Concretely, at the level of the first power (*potenz*), speech acts as the mediation between theoretical consciousness and what is known. At the second level, the tool functions as the means by which the laborer works and transforms the natural world. Finally, the child is the culmination of the love that parents feel for each other, and thus at the same time, the point of their articulation. Speech, tool and child “are the middles, or as it is called, the means whereby, *through which*,” the agent “is active against something else”⁹⁸¹. In the case of the struggle for recognition, the ‘thing’ that consciousness acts on is another consciousness from which it reclaims recognition. Therefore, in the struggle for recognition, the conflicting consciousnesses do not escape the rule of the *Mitte* and have to be mediated by a third term which opens the human sphere of conflict to its exteriority.

Nonetheless, one could ask why should this third term be non-human? After all, why should it not be a third consciousness? The third term could be, for example, a sort of mediator that would

978 On the concept of power see HEGEL Georg Wilhelm Friedrich, *Système de la Vie Ethique*, presented by Jacques Taminiaux, Paris, Payot, Critique de la Politique, 1976 [1802-1803], p. 39 and HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, footnote 6 p. 103.

979 On this concept see Planty's introduction HEGEL, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour, *op. cit.*, pp. 12-18.

980 HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 214.

981 *Ibid.*, p. 216.

moderate the belligerents' ardor and lead them to recognize each other. However, it would mean that the middle-term would play its role at the end of the conflict and would only have the function of reconciliation. According to this hypothesis, the middle would follow the moment of combat, which raises the problem of how the previous connection between the two consciousness is possible. Indeed, the struggle takes the form of relation between two terms, and as such, has to be implemented by the middle-term itself. The moment previous to the conflict is a moment of *indifference*, and it is the role of the *Mitte* to oppose these extremes, to relate them in their opposition, and finally to sublate this tension. Therefore, the third term cannot be an arbitrator that intervenes to close the conflict but, instead, has to be the trigger element of the conflict itself. Furthermore, the mediator would situated the unification of the two opposites at the symbolic level: indeed, they would use language to calm the opponents and reconcile with them. As we are going to see, the middle-term cannot be symbolic.

In order to demonstrate that Hegel invalidates the assumption of the symbolic nature of the middle-term, let us admit this hypothesis for a while. Let us admit that, instead of a third consciousness, the middle-term by which consciousnesses enter into a conflictual relation could be in the form of speech. Indeed, insult and other symbolic forms of disrespect seem to be good candidates for the role of the middle-term. Fights for recognition often begin with such symbolic offences. Nevertheless, the problem with this hypothesis is that Hegel never stops claiming that speech cannot be the third term of intersubjectivity. Indeed, Hegel claims that the conflictual dynamic can be triggered if and only if the exclusion of another is made *actual*. This means that the offense by which the head of the family shows the disrespect he feels for the other, and which inexorably leads to a situation of conflict, cannot be simply verbal: he cannot “prove this to the other through words, assurances, threats, or promises; for language is only the ideal existence of consciousness”⁹⁸². Hegel adds that the same is true for recognition: “speech, declarations, promising are not this recognition, for speech is only an ideal middle”⁹⁸³. If we think about it, this statement is quite strange. We are accustomed to the idea that language is sufficient to communicate disrespect and recognition. Indeed, it is something we experience every day: people do not need to be stolen from or to be assaulted to enter in conflicts; a simple reproach, an insult or any sign of contempt is enough. Why does Hegel, against the most common experience, refuse language the status of being the mediation in the relation of recognition? Common sense seems to be confirmed by philosophical reason: let us remember that, according to Hobbes, disrespect (the first cause of war) was expressed by trifle, namely, words or gestures and other things that seem not to have any

⁹⁸²*Ibid.*, p. 237.

⁹⁸³*Ibid.*, p. 237.

importance. One could say that disrespect is to be mediated by some other act or incarnated in some material thing; but at the same time, these mediations are accidental and not necessary. Finally, Hegel's argument that neither contempt nor recognition take place by verbal expression alone due to the fact that language pertains to the ideal consciousness, on first glance appears a bit weak. Why could an ideality not engender real effects or a conflict for recognition? *A fortiori*, given that recognition and disrespect come under the symbolic world, it seems more than logical to argue that words should be their principal vectors.

Here, it appears important to get the full measure of what it really means for language to be understood as the ideal existence of consciousness. To this end, it is important to understand that this ideal existence corresponds to the level of theoretical consciousness, which is opposed to practical consciousness, whose existence is *real*. This opposition appears with clarity when Hegel switches from the first existence to the other:

“The theoretical process passes over into the *practical* process in which consciousness likewise makes itself into totality [and] thus gains here a real (*reale*) existence opposed to the previous ideal (*idealen*) one; for in labor I becomes the middle as the tool”⁹⁸⁴.

Here, terminological remarks have to be made. It seems that in 1803, Hegel does not really distinguish *Ideal* from *Ideel* nor *Reel* from *Real*. On the one hand, *Ideal* and *Ideel* refer to the negative power of consciousness which comes under the realm of spirit; on the other hand, *Reel* and *Real* refer generally to the immediate, natural and brutal determinity of the natural thing. But, even if Hegel had not yet clarified the difference between *Realität* and *Wirklichkeit*, (that is, the effectuation of the idea or reason into existent reality⁹⁸⁵), it seems that the meaning he gives to the

⁹⁸⁴HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 211. See the original text: “Der theoretische Prozeß geht in den praktischen Prozeß über, in welchem sich das Bewußtsein ebenso zur Totalität macht), eine der vorigen idealen entgegengesetzte reale Existenz erhält, indem es in der Arbeit zur Mitte des Werkzeugs wird“. HEGEL Georg Wilhelm Friedrich, *Jenenser Realphilosophie (Natur-und Geistesphilosophie) I, die Vorlesungen von 1803-04*, in HEGEL Georg Wilhelm Friedrich, *Sämtliche Werke*, Band XIX, Leipzig, edited by Felix Meiner, 1932 [1803-1804], p. 197. From now, this text will be abbreviated as follows: HEGEL, *Jenenser Realphilosophie I (1803-04)*, *op. cit.*

⁹⁸⁵“Il importe alors de connaître, dans l'apparence de ce qui est temporel et passager, la substance qui est immanente et l'éternel qui est présent. Car le rationnel, qui est synonyme de l'idée, en pénétrant en même temps, en son effectivité, dans l'existence externe, s'avance au milieu d'une richesse infinie de formes, de phénomènes et de configurations, et habille son noyau de l'écorce colorée dans laquelle la conscience loge d'abord [:] cette écorce, seul le concept la perce pour trouver la pulsation interne et sentir encore son battement même dans les configurations externes. Mais les rapports infiniment divers qui se forment dans cette extériorité de par le paraître en elle de l'essence, ce matériau infini et sa réglementation, tel n'est pas l'objet de la philosophie. Elle se mêlerait ainsi de choses qui ne la regardent pas; elle peut s'épargner d'accorder de bons conseils à ce propos; Platon pouvait s'abstenir de recommander aux nourrices de ne jamais rester au repos avec les enfants, de toujours les bercer dans les bras [:] de même, Fichte pouvait s'abstenir de construire, comme on nomma cela, le perfectionnement de la police des passeports jusqu'au point où l'on devait non seulement inscrire sur le passeport le signalement des suspects, mais aussi y peindre leur portrait”. HEGEL Georg Wilhelm Friedrich, *Principes de la Philosophie du Droit*, Edited by Jean-François Kervégan, Paris, Puf, Quadrige, 2013 [1820], p. 130-131. See also the §6 of HEGEL Georg Wilhelm Friedrich, *Encyclopédie des Sciences Philosophiques I, La Science de la Logique*, edited by Bernard Bourgeois, Paris, Vrin, Bibliothèques des Textes Philosophiques, 1986 [1817-1830], p. 168. Finally, see HEGEL Georg Wilhelm Friedrich, *La Science de la Logique. Premier tome – la Logique Objective. Deuxième Livre. La Doctrine de l'Essence*, trans. Gwendoline Jarczyk and Pierre-Jean Labarrière, Paris, Editions

former is sometimes very close to the meaning he gives to latter. In other words, *Real*, *Reel* and *Realität* are not always reducible to the immediacy of the sensible thing but also designate an effective and mediated reality⁹⁸⁶.

In the text quoted above, the ideal existence of the consciousness seems to refer to the negative power of the consciousness, especially when this theoretical consciousness takes the form of language. Indeed, as we will see latter, language negates the immediacy of the realities that the “sensible intuition” takes for its object, that is, the “empirical being”⁹⁸⁷: it is the “*anéantissement idéal de l’immédiateté sensible extérieure*”⁹⁸⁸. Here, this nullification of exteriority means that consciousness turns the objects of the world into ideal things and transforms them into names. As such, the thing enters into the subject and becomes ideal. It is as if consciousness brings the external world into itself, internalising it entirely. In a sense, the opposition between consciousness and the world is overcome since the world is henceforth internal to the subject. However, as Planty-Bonjour notes in the introduction to his French translation, this opposition is only suppressed in thoughts. Therefore, in this context, compared to consciousness' real existence, the ideality of the theoretical consciousness has something negative or at least incomplete; it gets rid of immediacy, but does not really reach reality since it still guards something unreal.

On the contrary, with practical consciousness, the subject penetrates into reality and enriches its content. As we will see, especially in the labour process, consciousness expresses itself and projects itself in the external world. Doing so, the subject and the object are unified – “it has superseded the antithesis on the external side”⁹⁸⁹ – but this time, not only in thought but inside reality itself. As a consequence the real is not only the simple and immediate being-there, since it has already been negated by language. Furthermore, it has been inhabited by the consciousness who has transformed it through the labour process. Here, it is important to note, therefore, that the real is not understood as raw matter deprived of intelligence since it is something animated by the consciousness that enters into it. Thus, to be a practical consciousness consists in generating real modifications in the world via real acts and not ineffective intellectual mediations; it means that

Kimé, 2010 [1813], p. 199. On the concept of *Wirklichkeit*, see also the following articles : LONGUENESSE Béatrice, “L’effectivité dans la *Logique de Hegel*, *Revue de Métaphysique et de Morale*, Year 87, n° 4, October-December 1982, pp. 495-503 ; VIEILLARD-BARON Jean-Louis, “La “*Wirklichkeit*” ou réalité effective dans les “*Principes de la philosophie du droit*” de Hegel”, *Revue Philosophique de Louvain*, Quatrième série, T. 103, n° 3, 2005, pp. 347-363.

986 On this problem see the Planty-Bonjour's very clear footnote: HEGEL, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour, *op. cit.*, footnote 1 p. 53.

987 HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 221.

988 HEGEL, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour, *op. cit.*, p. 123. We cited the french translation because, the idea of the immediacy of the sensible do not appear in the english translation. Indeed, Hegel writes that “speech [...] is the ideal nullification of the external”. HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 245.

989 *Ibid.*, p. 211.

consciousness incarnates itself in the material exteriority. In a word, the real existence of consciousness is a durable inscription of subjectivity in reality, an incarnation which is perfectly exemplified by how the family raises up “inorganic nature into a family holding, as the singularly enduring outward means for the family”⁹⁹⁰.

Once this distinction between the real and the ideal existence of consciousness is explained, it becomes easier to understand why speech is not able to articulate consciousness in the struggle for recognition. Indeed, because speech corresponds to the theoretical and ideal existence of consciousness – because it is not an act by which the world is substantially modified – it is powerless to trigger the conflictual dynamic or the recognition by which the opposition is overcome and to implement the practical relation between the two opposed individuals. As in the example used by Hegel to demonstrate the powerlessness of language, what effect could a promise have if it was only made with words? To inspire confidence in the other (and then to establish a relation of reciprocity), the promise has to be supported by some act or other by which I prove my desire to honor it. If the promise I made is not written in a blood letter, they are just empty words, nothing but “hot air” (*“des paroles en l'air”*). Likewise, the love, the friendship or the admiration I feel for another, cannot be proved, if I just express it by words; the sincerity of this form of recognition has to be testified by acts that engage my entire being. Otherwise, I run the risk of being seen as something of a smooth talker or a hypocrite. The same is true with the multiple forms of disrespect by which consciousness comes into conflict with another: no one really believes a threat if they do not expect an act to follow. If I do not feel that the other is ready to attack me, I am not afraid by the blusterer who does nothing but bluff. Similarly, I can easily ignore the other who insults me; if he tries not to injure me physically – I can control myself and let him talk without being affected by his words. A conflict cannot consist in verbal jousting where the opposition remains only theoretical and the conflictual exchange only symbolic.

On the contrary, as we have already said, Hegel never stopped stating that conflict is real, that it is a practical relation: “(...) here, there are actual [consciousnesses], *i.e.*, they are absolutely opposed absolute beings for themselves in opposition; and their relation is strictly a practical one, it is itself actual (...)”⁹⁹¹. According to what we have already said, this means that the conflictual interaction has to take place in the material world: if the struggle for recognition falls under practical consciousness it must be incarnated and embodied in real people that perform real acts on real things, in real places. Consciousness cannot just send words to the other, it has to act on it and to do so; it has to modify the world. Then, if the interaction between the two extremes has to be

⁹⁹⁰*Ibid.*, p. 211.

⁹⁹¹*Ibid.*, p. 238.

real, if it has to be implemented in the external reality, the middle-term by which this interaction is made possible cannot be ideal but has to be real itself and to be part of this objective exteriority: “the middle of their recognition must itself be actual. *Hence they must injure one another*. The fact that each posits himself as exclusive totality in the singularity of his existence must become actual; the offense is necessary”⁹⁹². One cannot conclude from this statement that speech is totally excluded: since it admittedly can accompany the material mediation of the interaction and, thus, reinforce its power of unification. Nonetheless, speech remains inessential. Whereas Hobbes insists on the role that speech has in the dynamic of misrecognition, for Hegel, the fundamental vector of the intersubjective interaction remains something material and words can only be a sort of contingent and accidental auxiliary. This does not mean that Hegel should be accused of reducing the interaction to a pure materiality and thus of adopting a vulgar materialistic position. It is not because intersubjectivity comes down from heaven to the earth, that it ceases to be spiritual or symbolic. The interaction remains between two consciousness that are looking for the recognition of their value; but at the same time this spiritual exchange is only possible in the world and thus has to be mediated by real and material means.

Now, Hegel is led to minimize the role played by language in conflictuality for another reason, one which is closely linked with the first. We have just seen that speech cannot be the middle-term of the syllogism of recognition because it pertains to theoretical consciousness whereas the communicative action corresponds to practical consciousness; the intrinsic nature of language itself is, thus, problematic. According to Hegel “speech (...) vanishes as soon as it appears”⁹⁹³. Firstly, this fleeting nature could be explained by its ideal dimension since the characteristic trait of idealities is their volatility: contrary to practical consciousness which stabilizes itself by sinking down into the earth, the theoretical consciousness, says Hegel “exists as [something] ideal, *as something not stable but evanescent* in its appearance, in *the element of air*”⁹⁹⁴. Thus, just as ideas pass and repass in the mind without ever stopping, words flow back and forth in the discussion⁹⁹⁵. Nevertheless, one could also retort that speech has a physical dimension that gives it a certain fixity. Hegel himself pays close attention to the sound aspect of the *logos*, particularly to the way consonants interrupt vowels (which are the “pure sounding of the voice” produced by the “organ of voice”⁹⁹⁶), negation by which the tone acquires a meaning. Thereby, he claims that “speech as

992 *Ibid.*, p. 238.

993 *Ibid.*, footnote p. 236-237.

994 *Ibid.*, p. 215.

995 Hume said that “the mind is a kind of theatre, where several perceptions successively make their appearance; pass, re-pass, glide away, and mingle in an infinite variety of postures and situations”. HUME David, *A Treatise of Human Nature*, *op. cit.*, p. 253.

996 HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 222.

articulated sounding is the voice of consciousness, because every tone within it has meaning, *i.e.*, because there exists in it a name, the ideality of an existing thing; [in other words] the immediate non existence of the thing”⁹⁹⁷. But, it is precisely this material existence of speech that gives it its evanescent feature: because language “exists in the element of air, as an externality, (*i.e.*, manifestation] of the formless free fluidity [of the aether]”, “it does not fixate itself, but immediately ceases to be, when it is”⁹⁹⁸. Therefore, the vanishing materiality of speech is not strong enough to fix or to stabilize the fluidity of the idea relayed by these sounds. As a consequence, speech cannot give any permanency to the interaction: “it is not an abiding, real recognition”⁹⁹⁹. For example, an insult can be forgiven; obviously it can hurt me at the moment it is pronounced, but it rapidly vanishes in the air and, as such, I can forget what have be said. On the contrary, if you destroy my life's work, if your act is irreversible, your disrespect is real because you maintain it over time.

II.3) The materiality of the middle

We have demonstrated why speech cannot be the middle-term of the syllogism of recognition; we have also explained that this third term has to be real since the struggle itself is real. Now, it remains that this mediation by which a consciousness acts on the other is still quite undetermined in its content. What could it be concretely if it is not a series of contemptuous words? We have already seen with the figure of the arbitrator that it one cannot simply designate another consciousness to the role of the middle-term. This hypothesis was rejected because it amounted to reintroducing speech as the principal vector of the communicative action. However, the introduction of another consciousness does not necessarily lead to the reduction of the conflict to a linguistic interaction. Let us takes the two following cases: a beloved is desired by the two consciousness could be a convincing incarnation of the third term. The fact that one of them seduces the object of their love could be seen by the other as a form of disrespect. Indeed, when one steals the woman or man I love, one does not care about the love I feel for him or her, and thus my love is not recognised. Indeed, maybe it is this feeling that lead Menelaus to wage war against the trojans when he discovers that Paris has kidnaped Helen. Now, since the struggle for recognition is situated at the level of the third power, that is family, the third term could also be a child. Indeed, as we are going to see further, the middle is a part of the familial totality to the point that if it is threatened, the

⁹⁹⁷HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 222.

⁹⁹⁸*Ibid.*, p. 222.

⁹⁹⁹*Ibid.*, p. 237.

whole is too. Then, if you attack my child, you attack immediately my own entire being and you prove the disrespect you feel for me and my family. The threatening of one of the family members is experienced by the other as a dishonor which has to be revenged. In both cases, the medium by which the disrespect is relayed to the other is not verbal; it is real because it consists in an action by the third consciousness that modifies the situation. We could even get rid of the third consciousness and keep only the act which would then become the medium of intersubjectivity. Indeed, physical injury would be sufficient as proof of contempt. It is interesting to note that, in his typology of disrespect, Honneth will take the violation of physical integrity as the first form of misrecognition¹⁰⁰⁰.

All of these candidates could play the role of the middle-term, but surprisingly Hegel does not choose them, nor does he consider any other similar possibilities. Despite their validity from the point of view of practical consciousness's demands, he prefers to eliminate these options by choosing a non-human to mediate the interaction. Accordingly, this choice demonstrates the extent to which Hegel wants to root the struggle for recognition in the external world. There is something of a deliberate, and maybe excessive, intention to reach *terra ferma*.

Now, even if it constitutes the first way by which consciousness really penetrates the earth¹⁰⁰¹, the tool cannot be the *Mitte* we are looking for since it does not pertain to the third power of consciousness but to the second one. After having eliminated all the possibilities, the only remaining candidate is possession, and more especially, as we will see in a moment, the possession of land. Indeed, possession is also a family good which belongs to the third level of consciousness. We will give a more detailed explanation of this crucial point, but Hegel declares that this possession is not something external to singular totality but is a part of its own being. Indeed, without providing further explanations, Hegel claims that:

“The single [family head] is one consciousness, only in as much as every singular aspect of his possessions (*Besitzes*), and of his being, appears bound up with his whole essence, it is taken up into his indifference; [in other words,] in so far as he posits every moment as himself, for this ideal being of the world is what consciousness is”.¹⁰⁰²

We have already mentioned that the familial totality constitutes a concretion of the individuals through a middle-term: the child. And here, it is as if the collective was not composed only of humans but also of non-humans, as if possession was a full member of the family. In any case, possession is part of my being. The relation I have with my possession is the same as the part has with the whole: the individual “posits every single detail of his possessions and his being in the

1000 HONNETH Axel, *The Struggle for Recognition*, op. cit., p. 132.

1001 HEGEL, *First Philosophy of Spirit (1803/4)*, op. cit., pp. 115-116.

1002 *Ibid.*, pp. 236.

collision, [and] connects himself with it as a whole [*i.e.*, he is rationally indifferent to the distinction between the integrity of his inner and that of his outer personality]”¹⁰⁰³. Nevertheless, these hypotheses have to be tempered since if possession *appears* bound up with the totality's whole essence, it is not essence in itself but its appearance. Indeed, it seems that in the struggle for recognition, the individual does not manifest himself to the other immediately but he *appears* to the him through the mediation of his possession: “the appearance (*Die Erscheinung*) of the single [consciousness] against the other, is a manifold holding, his [family] goods, the external middle”¹⁰⁰⁴. Obviously, this does not mean that the individual takes the appearance of its possession as if metamorphosed into his belongings; it just means that in combat, what the other targets, its principal preoccupation, are the family's goods. In other words, what he acts on, what appears to him when he acts, are these goods and not the individual itself. Nevertheless, even if the object on which he acts manifests itself through the form of a family good, the real object of the act is the individual who possess this good. In other words, acting on the possession, he acts on the individual.

That is precisely why both extremities come to quarrel; because possession is a part of my whole essence, because possession is not only what I have but also what I am, any attack on it is a blow against my entire being: “The injuring of any one of his single aspects is therefore infinite, it is an absolute offense, an offense against his integrity an offence to his honour”¹⁰⁰⁵. Insofar as the middle is a part of the singular totality, it operates as the transmission belt through which the other can communicate its disrespect and trigger the conflict. The negative action the other exerts on this part of my own being makes possible the action on me and thus makes possible the conflictual interaction by which the final recognition will be consecrated.

II.4) The deployment of the conflictual logic

Now, while the real nature of the middle is quite clear, it remains to determine nature of this negative action performed on this medium. Inasmuch as it is a negative action, it is an annihilation of what the middle is, that is, a part of my whole essence. Thus, this negation means that the good must cease to be a part of myself; in other world, it must be detached from the singular totality that I am. Here, two options are possible: destruction and dispossession. These are the first two powers of negativity described in the second part of the *System of the Ethical Life*. Apparently for Hegel, the

¹⁰⁰³*Ibid.*, p. 236.

¹⁰⁰⁴“Die Erscheinung des Einzelnen gegen den Andern ist ein mannigfaltiges Haben, das Gut, die äußerliche Mitte (...)”. HEGEL, *Jenenser Realphilosophie I (1803-04)*, *op. cit.*, footnote, p. 226.

¹⁰⁰⁵HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 136.

third power, the offense against honor, does not consist in an act perpetrated on a material good.

In 1802-1803, the first option – destruction – is considered by Hegel in a paragraph dedicated to what he calls “*natural annihilation* or purposeless destruction and havoc”¹⁰⁰⁶. This first form of crime (or transgression) constitutes the pure negation and destruction of culture enacted by the resurgence of nature. It is a pure moment of negativity, illustrated by the “great invasion”, already mentioned by Malthus:

“The culture alternates with destruction in human history. When culture has demolished inorganic nature long enough and has given determinacy in every respect to its formlessness, then the crushed indeterminacy burst loose, and the barbarism of destruction falls on culture, carries it away, and makes everything level, free, and equal. In its greatest magnificence, havoc occurs in the East, and a Genghiz Khan and a Tamerlane, as the brooms of God, sweep whole regions of the world completely clean”¹⁰⁰⁷.

It is not easy to guess what these acts of barbarity exactly consist of: are they a territorial conquest? Are plundering and dispossession the centre of this violent movement? This seems unlikely since this second, more specific, form of negativity will be considered in the following paragraph (b) that is dedicated to deprivation and theft. Moreover, from a conceptual point of view, dispossession is not the negation of the object itself since the “object stolen remains what it is”¹⁰⁰⁸. By contrast, havoc is an annihilation of civilisation, which implies the destruction of all signs of culture, human or not. When Genghiz Kahn enters in Pekin in 1215, Mongols slaughtered inhabitants and set their houses on fire. Havoc is not only the destruction of the living beings in which culture is embodied but also of its material signs, edifices, monuments or even lands worked on by farmers.

In the *System of The Ethical Life*, the second power of negativity consists in “the cutting of the tie between the specific thing and the individual subject”, not the destruction of the object¹⁰⁰⁹. This is the relation between the possessor and his possession that has already been recognised by recognition, before the negative moment of the crime. Indeed, contrary to the later writings, in 1802-1803, the interaction of recognition comes first and the struggle of all against all comes

1006HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 133.

1007HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 133. In the *Lectures on the Philosophy of World History*, Hegel will write the following lines about Genghis-Khan and Tamerlane : “The Mongols live on mare’s milk, so that their horses are both a means of sustenance and instruments of war. Although their patriarchal existence usually assumes the form outlined above, it also frequently happens that they congregate together in large numbers and are led by some impulse to move outwards from their homeland. Although formerly of a peaceful disposition, they now fall like a raging torrent upon the civilised countries, and the ensuing revolution produces only destruction and devastation. National upheavals of this kind occurred under Genghis-Khan and Tamerlane ; the invaders trampled down everything before them and then finally disappeared just as an overflowing forest stream must eventually subside, since it has no inner principle vitality”. HEGEL George Wilhelm Friedrich, *Lectures on the Philosophy of World History. Introduction: Reason in History*, translated by H. B. Nisbet, Cambridge, Cambridge University Press, 1984 [1822], p. 158.

1008HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 135.

1009*Ibid.*, p. 135.

after¹⁰¹⁰. Therefore, deprivation is not only the annihilation of an empirical relation that the subject has with the object, but it is also the annihilation of the recognition of such a relation. Now, recognition raises the individual to “indifference”, *i.e.*, the universality of the person. Consequently, the negation of this relation of recognition is equivalent to a negation of the person itself: “since the indifference of specific characteristics is the *person* and this personality is injured here, the diminution of his property is a personal injury”¹⁰¹¹. Theft is thus a form of disrespect.

As mentioned earlier, the third power of negativity does not involve any material elements. Indeed, with the injury to honour, the negation of a detail (something particular) becomes the negation of the whole person which leads to the “battle of one whole person against another whole person”¹⁰¹². Here, the act of negation is not specified and, in fact, its content is of little importance: “The occasion, *i.e.*, the specific point which is posited as taken up into indifference and as personal, is strictly nothing in itself, precisely because it is only a personal matter”¹⁰¹³. Hegel is probably thinking about those trifles already mentioned: an insult, a look, or a slap, as in Corneille's *Le Cid*. These apparently insignificant acts are finally so powerful that they affect the whole person. However, they do not involve a material third term, as was the case in the first two powers of negativity. Because this third case does not involve any material element, it has nothing to do with the question of which act is performed on the material third term. Consequently, only two possibilities remain: havoc and theft (the two first power presented above).

In the *First philosophy of Spirit (1803-1804)* and in the *Philosophy of Spirit (1805-1806)*, Hegel remains quite imprecise at the beginning of the text and uses vague terms as “to be disturbed” (*gestört werden*)¹⁰¹⁴ or “spoils” (*verletzt*)¹⁰¹⁵. In fact, it seems that from 1803, the difference between dispossession and destruction is no longer relevant. As we will see soon, one could even say that Hegel synthesises these two possibilities: dispossession comes to imply a form of annihilation of the object.

Be that as it may, the meaning given to the exclusion of the other by the individual totality becomes much more concrete. As we have seen the family that claimed to be the whole, and was in this sense limitless desiring the integration and absorption of more and more goods within its

1010 HONNETH Axel, *The Struggle for Recognition*, *op. cit.*, p. 18.

1011 HEGEL, *System of the Ethical Life (1802/3)*, *op. cit.*, p. 135.

1012 *Ibid.*, pp. 137-138.

1013 *Ibid.*, p. 138.

1014 HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 238 ; HEGEL, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour, *op. cit.*, p. 111 ; HEGEL, *Jenenser Realphilosophie I (1803-04)*, *op. cit.*, p. 227.

1015 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 115. HEGEL, *Jenenser Realphilosophie I (1803-04)*, *op. cit.*, p. 201.

totality, like the peasant who always wants more and more land. This limitless extension is tantamount to an exclusion of the other's possibility to possess anything at all. If I take land, I exclude you from the possibility of appropriating it.

Here, we enter in the situation of a generalised conflict that philosophers of natural law call 'the state of nature':

“Each must be disturbed (*gestört werden*) in his possession, for in possession there lies the contradiction that something external, a thing, a universal [moment] of the earth, should be under the control of a single [man], which is contrary to the nature of the thing as an outward universal, for it is the universal as against the immediate singularity of consciousness”¹⁰¹⁶.

Universality, here, refers to the primitive communion of goods, a concept which derives from the Christian comunautarian tradition, and which will be revisited by the jusnaturalists of the 16th and 17th century: God gave the world to men and then, in the state of nature, everything (especially the earth) belonged to everyone, a hypothesis which has been much discussed precisely because the problem raised by the theory of property depended on it¹⁰¹⁷. Usually, the distinction is made between the positive and the negative community. The *positive community* is the idea that men own positively the world together (more precisely, each individual possesses the totality of everything). By contrast, with the *negative community* the primitive domain remains undivided and the earth belongs to no one.

At first sight, it seems that Hegel's “universal moment of the earth” seems to correspond to the first sort of communion which appears in Grotius' *Mare Liberum*:

“By reason whereof there was a certain dominion, but universal and indefinite. For God gave all things not to this man or that but to mankind and after that manner many may be wholly lords of the same thing; but if we take dominion in that signification which it hath at this day it is against all reason, for this includeth a propriety which then no man had”¹⁰¹⁸.

Appropriation is by contrast defined as the singular moment since *dominium* “properly signifieth that which so appertaineth unto one that after the same manner it cannot be another's”¹⁰¹⁹. Theodore Schmalz, a German jurist and disciple of Kant, claims that there is an apparent

1016HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 238 ; HEGEL, *La Première Philosophie de l'Esprit* (Iéna, 1803-1804), *trans. Guy Planty-Bonjour, op. cit.*, p. 109.

1017RENOUX-ZAGAMÉ Marie-France, *Origines Théologiques du Concept Moderne de Propriété*, Genève, Librairie Droz, Travaux de Sciences Sociales, 1987, p. 336 *sqq.* ; ROCHFELD Judith, “Communauté positive/ négative/ diffuse”, in CORNU Marie, ORSI Fabienne, and ROCHFELD Judith (eds.), *Dictionnaire des Biens Communs*, Paris, PUF, Quadrige, 2017, pp. 241-246.

1018GROTIUS Hugo, *The Free Sea*, *trans. Richard Hakluyt with William Welwod's Critique and Grotius's Reply*, Edited by David Armitage, Indianapolis, Liberty Fund, Natural Law and Enlightenment Classics, 2004, p. 22

1019GROTIUS Hugo, *The Free Sea*, *op. cit.*, p. 20. The French translation insists on idea that *dominium* is equivalent of the proper, that is something which appertain “to any that it cannot also be another's” (GROTIUS Hugo, *The Free Sea*, *op. cit.*, p. 22): “Car aujourd'hui *dominium* signifie quelque chose de propre, c'est-à-dire, qui est tellement à quelqu'un, qu'il ne puisse être à un autre de la même manière”. GROTIUS Hugo, *Dissertation de Grotius sur la Liberté des Mers*, *trans. A. Guichon de Grandpont*, excerpt from the *Annales Maritimes et Coloniales* published by MM. Bajot and Poirré, April-May, 1845, p. 33.

contradiction between the universality of the earth and property since the appropriation of a land by a single person excludes the others who pretend to have the same right on it¹⁰²⁰. This exclusion of the other, then, goes against the universal right of everybody on all things.

However, this interpretation does not work since for Hegel the state of nature is precisely defined as a total absence of right: contrary to Locke and others theorists of natural rights who seek to determine “what rights and obligation the individuals have toward one another according to this relation”, Hegel claims that, in the interrelation which characterises the state of nature, individuals “have no rights, nor obligations towards one another, but acquire them only in leaving that situation”¹⁰²¹. Indeed, the state of nature cannot be defined by the exclusion of the other and at the same time as a state in which individuals have rights towards the others. In fact, against the theorists of natural rights, Hegel makes a clear distinction between the state of nature and the state of right. In the first, the individual is immersed in his being-there whereas in the second, they are considered as a person. Indeed, he defines 'right' as follows: “Right is the relation of persons, in their behavior, to others. It is the universal element of their free being – the determination, the limitation of their empty freedom”¹⁰²². The person becomes the individual after having been recognized by the other. In recognition, the individual ceases to be a singular being and leaves behind its immediate being-there to become something universal and free. Only this person is able to be the bearer of rights and obligations. Thus, right implies a relation of recognition which does not exist in the state of nature. Therefore, jusnaturalists enter in contradiction with themselves when they look for some natural rights in the state of nature. They conflate the individual immersed in its being-there and the individual who is in its own concept, that is, the person recognised¹⁰²³. Indeed, when the question is asked regarding “what is right and obligation for the individual in the state of nature?”¹⁰²⁴, they project the individual as it is in its own concept (that is, the person who is recognised in the situation of right) on the individual which is immersed in its actual existence (that is, the individual living in the state of nature). Consequently, Hegel cannot define the primitive community as a right of all men on all things, precisely because this primitive state is characterised by an absence of right. That is why Hegel seems to opt for the hypothesis of a negative communion of goods, an idea which appears implicitly in the following quotation: “yet in that I take possession of something

1020MERLE Jean-Christophe, *Justice et Progrès: Contribution à une Doctrine du Droit Economique et Social*, Paris, PUF, 1997, p. 94.

1021HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, op. cit., pp. 110-111.

1022Ibid., p. 111.

1023“State of nature: there, “right,” as absolute, includes the pure [concept of] person, pure recognition. Yet man is not in the (theoretical) state of nature but immersed in [actual] existence, a human being in his own concept. But in the state of nature he is not (living) in his concept, but as a natural entity in his existence. The question contradicts itself immediately: to consider man in the light of his concept means that I do not consider him as in the state of nature.”

HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, op. cit., p. 110 note 1.

1024HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, op. cit., p. 111.

immediately – i.e., as something belonging to no one – I exclude him, in himself”¹⁰²⁵. Some pages later, he will use the expression “unowned thing” to refer to the earth in the state of nature¹⁰²⁶. It seems clear that the earth belongs to no one. The universality of the earth is thus negative: nobody owns it, everybody is a non-possessor of the world.

However, one could retort that Hegel declares individuals have the right to appropriate everything:

“Man has the right [in the state of nature] to take possession of as much as he can, as an individual. He has the right – this is implicit in his concept of what it is to be a Self, by which he is the power over all things. But his taking possession also acquires the significance of excluding a third party”¹⁰²⁷.

When Hegel claims that the concept of the self implies in itself a power over all things, he probably refers to the singular totality, this self-enclosed totality whose essence is to be “limitless in its demand upon the other”, which is in a perpetual extension and seeks to appropriate everything. If this unlimited movement of appropriation defines the concept of the self, then the totality has a right over the totality of the world.

But in fact, this right is not really a right. As Hobbes argues, if we postulate that everyone has a right on everything, this multiplicity of rights on the same thing leads to an absence of right. If everyone has a right on the whole world, every time I take possession of a piece of land, the other who has the same right on it can prevent me from appropriating it and then my right on the thing is not ensured. There is no real right of property and my possession is always uncertain¹⁰²⁸. Here, Hegel's reasoning is similar to Hobbes' objection to the positive community, but the German philosopher recodes it in the framework of recognition. According to him, this appropriation is not a right because, once again, it would lead to a contradiction. Indeed, taking possession is “not justified merely by virtue of its having occurred. [It is as an] *in-himself* that the immediate person takes possession. There is contradiction, that the immediate comprises the content, the subject, whose predicate is [presumably] to be its right”¹⁰²⁹. The philosophers of natural right admit implicitly a sentence in which the subject and the predicate enters into contradiction: “the taking possession by men is a right (or is legitimate)”. Here the subject is the taking possession by men” and the predicate is “right (or legitimate)”. Now, the subject is immediate whereas the predicate is not: indeed, we have seen that the individual immersed in its being-there was immediate and hence not a person recognised by the other nor a bearer of rights. It is the same with the object the

1025HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, op. cit., p. 112. Author's highlight.

1026Ibid., p. 116.

1027Ibid., p. 112.

1028RENOUX-ZAGAMÉ Marie-France, *Origines Théologiques du Concept Moderne de Propriété*, op. cit., p. 347.

1029HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, op. cit., p. 112.

individual takes possession of: the possession is immediate and, as such, it is contradictory to apply to it the predicate “legitimate” which, by contrast, requires the mediation of recognition. The appropriation can be legitimated only if it has been recognised by the other and then ceases to exclude him. Now, since the possession is immediate, the mediation of recognition did not raised it to the level of property, hence it cannot be a right. In other words, Hegel contests that immediate appropriation could ground the legitimacy of the possession. Consequently, the right of infinite appropriation is not a right, hence there is no such thing as a positive communion of goods that would give real rights to every man to everything. The universality of the earth is, therefore, only a negative universality.

As the text of 1803 already quoted above states, appropriation enters into contradiction with this universality. This contradiction would have been much more understandable if the universal element had been positive: there would be a clear contradiction in the fact that an individual appropriates something which belongs to everyone. But here, the universal element, the earth, is only negative. There is, therefore, no real reason why there would be a contradiction in the appropriation of something that belongs to no one. Admittedly, there is a clear difference between the universality of the earth which “nobody owns” and the singularity of the consciousness but, at first sight, there is no contradiction between those terms. Where does the contradiction exactly lie then?

If we reformulate the relation that the singularity of a consciousness has with the universality of the earth, then a contradiction appears. Let us say that “the earth” is the subject of a proposition and that “belongs to no one” and “belongs to an individual” are the predicates of this proposition. Now, it is impossible without contradiction to attribute these two same predicates to the same subject (the earth) at the same time and in the same respect. In other words, it is impossible to say that the earth belongs to no one and belongs to the individual who appropriates it, at the same time and in the same respect. Therefore, the taking possession of the earth comes in contradiction with the fact that it belongs to nobody.

Now, this contradiction between the universality of the earth and the singularity of consciousness is not only logical but also concerns the nature of the terms that come into contradiction. When Hegel presents this contradiction, he insists on the importance of the “nature of the thing”, that is, the nature of the earth. The nature of the earth is to be something universal and outward. As an exteriority, the earth has no acquaintances with consciousness since it is, on the contrary, an interiority. In this sense, the nature of the earth differs from the nature of consciousness. It is as if the earth were not “made for” the consciousness, and thus, as if the earth

were not made to be appropriated by individuality. The earth existed prior to humans, it did not wait for them before existing and thus the earth is not destined to be appropriated by them. This brute and external materiality seems to be resistant to any form of appropriation to the point that it would not be wrong to say that Hegel is tempted by the hypothesis of the “inappropriability of the earth”. Therefore, when he claims that the earth belongs to no one, it does not mean that, in the state of nature, no one actually possess it, but that this exteriority is, in a sense, opposed to its privative appropriation. The first appropriation by a singular consciousness goes, then, against the nature of this universal and exterior materiality and breaks something: its inappropriable essence. Naturally, this does not mean that it is impossible to appropriate the earth (since it has been), just that this materiality does not have this end in itself and is, thus, not made for that purpose.

The nature of the consciousness is also at stake. The text of 1803 mentions the immediacy of the consciousness which, according to Hegel, has absolutely no right to take possession of this universal. Indeed, because the individual is *immediate* and not a person raised to the universal through the process of recognition, nobody has recognised this consciousness' possession and thus authorised it to appropriate something which is by nature inappropriable or at least, not destined to be taken possession of. Why should I have the right to take this piece of land when the earth has not in itself this end and when nobody has authorised me to do so? Nothing in the nature of the earth, nor in my nature gives me the right to appropriate this or that piece of land. Therefore, the immediacy of the consciousness is also opposed to the appropriation of this universal materiality.

Here we reach the point in which the contradiction between individuality and the earth becomes a contradiction between two consciousnesses, that is, a conflict. From this point of view, of what we called a “logical contradiction”, nothing really leads to the struggle for recognition, neither from the point of view of the contradiction between the nature of the opposite terms. To trigger the conflictual dynamic, another element, already mentioned, is necessary: exclusivity. This dimension of the contradiction is not really mentioned in the text of 1802-1803 but appears in 1805:

“At the same time they are related to one another and are in a state of tension in regard to one another. Their immediate existence is exclusive. One [family member] has, say, taken possession of a piece of land – not of a particular thing, e.g., a tool, but [a part of the permanent general existence [freely available]. Through his labor he has designated it [as his], giving to the sign his own content as existent: a negative and exclusive significance. Another party is thereby excluded from something which *he is*. Thus the existence is no longer “general” [*i.e.*, things are now defined as “belonging” to individuals]”¹⁰³⁰.

In this text, the contradiction is not mentioned as such but the two last sentences allow for another dimension to appear, one concerning the opposition between the universality of the earth and its singularisation through taking possession: exclusion.

1030HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 110.

According to what we already said, this exclusion cannot be an expulsion from the positive communion of goods, because it would imply that individuals have rights as a state of nature. In fact, the text insists more on the fact that the individual is “excluded from something which *he is*” than from something which *he has*. Here, this “something” is obviously the earth which is appropriated by the other. Then, it is as if, in the state of nature, before the first appropriation, individuals had their being in the universality of the earth. Earth is not what individuals *have* but what they *are*. In other words, it would mean that, instead of possessing the earth, they belong to it. While the text is not very explicit, if this hypothesis is right, the consequence would be that the primitive community is not totally negative since we belong positively to the earth. Indeed, a difference could be made here between the *general primitive community*, the *primitive communion of goods*, and the *community of belonging*. The second is a community of having: we *have* the world in common. The third is a community of being: we all belong to the earth. Finally, the first is a more general category which includes the primitive communion of goods and the primitive community of belonging: we *have* in common the earth we *are*. According to the hypothesis that the idea of a community of belonging can be found in the Hegel's *Jena Writings* (at least implicitly), in the state of nature, the primitive community could be said to be negative from the point of view of Having (the earth belongs to no one) but is positive from the point of view of Being (we belong to the earth). In other words, Hegel's primitive community includes a negative communion of goods and a positive community of belonging. Nevertheless, these affirmations on a community of being remain pure speculation, deduced from Hegel's text: if, as the text states, individuals *are* the earth, then, it means that they form a community of being. Now, it remains to be seen whether this ontological relation that the individual has with the earth in the state of nature is to be grounded on this text alone.

We will see further that this relation to being also appears in the process of labour (the individual, which transforms the land, “becomes the land itself”); but in the text quoted above, the “relation of belonging” is presented as being an anterior moment of the development of consciousness. Indeed, the process of labour comes after this moment of identification with the earth. Therefore, if we want to explain this ontological relation with the earth, it is perhaps necessary to refer to the whole development of consciousness and, more generally, to the entire development of spirit.

Now, from the point of view of the “system”, this identification appears to be strange since consciousness, as it is a concept of spirit, is opposed to the earth. This difference appears in the beginning of the 1803 manuscript:

“In the spirit the absolutely simple Aether has returned to itself by way of the infinity of the earth; in the earth as such this union of the absolute simplicity of aether and infinity exists; it spreads into the universal fluidity, but its spreading fixates [*i.e.*, fragments] itself as singular things; and the numerical unit of singularity, which is the essential characteristic [*Bestimmtheit*] for the animal becomes itself an ideal factor, a moment. The concept of Spirit, as thus determined, is *Consciousness*, the concept of the union of the simple with infinity (...)”¹⁰³¹.

Here, the spirit has already passed through nature and returned back to itself to become a consciousness. The text insists on the difference between the earth and consciousness. Admittedly, as is consciousness, the earth constitutes the union of the simple (“the absolute simplicity of aether”) and infinity. To understand this point, it should be recalled that, according to Hegel's terminology, the *simple* is understood as the unity, the self-identity, of being at rest whereas *infinity* is the multiplicity, difference, the movement, becoming. Now, the difference between the earth and consciousness does not lie in the union of the simple with the infinite but in the fact that with the earth, this union is “inner” and “buried”, that is hidden. In nature, the union of simplicity and infinity (“the union of the absolute simplicity of aether and infinity”) ends up falling to pieces, scattered into fixed singularities. By contrast, Hegel indicates that in consciousness, infinity exists for itself: as if it is characterised by infinity, and then, difference; consciousness is the opposition between the subject (the active side) and the object (the passive side). This difference with the earth is even more apparent in the fact that consciousness has a negative relation to nature¹⁰³². However, as Gilbert Gérard argues, to the extent that consciousness negates nature, it depends on material exteriority. Indeed, if consciousness constitutes itself in this negation of nature, without the object negated (*i.e.*, nature), it will never negate anything and thus it would never constitute itself. Thus, in each of its moments, consciousness exists as an element of nature and emancipates itself progressively from this exteriority¹⁰³³. This point appears implicitly in the following text where Hegel summarises the three powers or moments of consciousness:

“Thus the first three moments of the existence of consciousness are [I] that it exists as [something] ideal, *as something not stable*, but *evanescent* in its appearance, in *the element of air*. Next, [ii] that it sinks down from the air into the earth itself as a singular individuality; [a] changeable external element, and there stabilizes itself, becoming a middle for itself, as it moves out of its concept, the form of its simplicity, to become practical – a middle in which the opposite [aspects] of consciousness are really connected; and [III] this mode of its existence as earth singularized, *overcome* (*geworden*), or subdued, comes forth as an earth which is posited like a *third element*, a universal earth [risen] out of its natural singularization. But as consciousness is absolutely free on its own account, it tears itself away from this [mode of] its existence in the determinate elements, and its elements is just the absolute element of *the Aether*. That first existence of consciousness as middle in bonds, is its being as *speech* [in the air], as *tool* [in the earth], and as [family] goods]. Or as simple union [of the opposites, rather than middle between them, it is] *memory*, *labor*, and

1031HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 206; HEGEL, *La Première Philosophie de l'Esprit* (Iéna, 1803-1804), *trans. Guy Planty-Bonjour*, *op. cit.*, p. 52. To comment this complex text we will follow the Gérard's brilliant commentary: GÉRARD Gilbert, *Critique et Dialectique*, *op. cit.*, pp. 186-194.

1032HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 211 ; HEGEL, *La Première Philosophie de l'Esprit* (Iéna, 1803-1804), *trans. Guy Planty-Bonjour*, *op. cit.*, p. 68.

1033GÉRARD Gilbert, *Critique et Dialectique*, *op. cit.*, p. 192.

family”¹⁰³⁴.

In this text, the first moment of consciousness refers implicitly to speech which, because of its specific materiality, is evanescent. Here, consciousness is opposed to the earth since as we have seen, it negates the empirical being. In the second moment, consciousness sinks down from this ideal existence to the earth and acquires a practical and real existence. Consciousness becomes the labouring consciousness which, with the tool, transforms the earth and singularises it. The earth, once universal (because it belonged precisely to no one) becomes the “earth singularized”. This moment clearly appears in the texts on the state of nature (those of both 1803-1804 and 1804-1805): through labor, consciousness designates this piece of land as his. This functions as the inaugural act which leads to the struggle for recognition. This conflict does not really appear explicitly in the text concerning the three moments of consciousness, and in this, Hegel passes directly to the third moment, family goods. It seems that this absence may be explained by the fact that *The First Philosophy of Spirit* (1803) is made of fragments within which there may be some discrepancies¹⁰³⁵. This difference seems to be even more important if we consider that here the earth appears as a singularity and becomes universal, whereas we have just seen that it was the contrary in the texts on the state of nature: the earth was universal and then singularised by the individual who first took possession of a piece of land. However, it must be noted that in the text we are now commenting, Hegel specifies that, in the second moment (labour), the earth is “singularised”, which implies that it was previously universal. If we are right, it means that 1° at the beginning, the earth is universal, 2° in a second moment it is singularised by the labouring consciousness, 3° and finally, it overcomes this singularity and become once again universal. What is this second universality? An element of an answer can be found if we consider that, at the end of the process of recognition, the singular individual becomes a person and then something universal. Thus, when the individual is recognised as a person, the others also recognise its possession; and with the legitimation of this possession, the piece of land becomes the individual's property and then something universal. This is how this second universality of the earth could be explained. We could even say that this second universality is the union between universality and singularity: the property of land is singular because it belongs to an individual but it is at the same time universal because it is recognised by the others.

Now, it remains to be explained why this text clarifies the problem raised by the text of 1805 in which Hegel states that the individual has an ontological relation with the earth in the sense it *is* the earth. The answer lies, however, in the first draft of the text of 1803 on the three moments of

1034HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 216.

1035DENIS Henri, *Hegel, Penseur du Politique*, Lausanne, l'Age d'Homme, Raison Dialectique, 1989, p. 53 and 55.

consciousness:

“The first form of its existence is that it exists as [something] ideal, as something not stable, but evanescent in its appearance, in the element of air, next, that it sinks down from the air into the earth, and comes forth from this as surpassed [*geworden*] earth. And these three forms of its existence constitute precisely the ideal potency of its existence, since it is itself submerged in externality, in nature, at this stage: it must free its existence from this [natural externality], and consciousness itself must also be the form of its existence, its externality”¹⁰³⁶.

According to this text, which has been preserved by Hegel¹⁰³⁷, the three moment of consciousness constitute three steps through which consciousness progressively *detaches* itself from the earth; now if consciousness frees itself from nature, it implies that it is still immersed in it during the whole process, and that it is only at the end that it will really be emancipated from material exteriority: “It steps forth from the earth as consciousness of the singular [being] [*Es tritt aus der Erde als Bewußtsein des Einzelnen*]”¹⁰³⁸. In a way, this is not surprising if we consider that, before returning to itself and becoming a consciousness, Spirit passed through Nature. Then when it returns to itself and becomes a consciousness, it is already immersed in nature and the whole process which leads him to its *absolute* existence consists in an emancipation from the earth.

Then, when Hegel says that the individual excluded by the first appropriation is excluded from what *he is* (the earth), he may be referring to the fact that, at this moment, consciousness is still immersed in the earth. If we are right, it means that the individual which is identified with the earth (in other words, the individual which *is* the earth) is in fact the consciousness which is not yet detached from nature and is still immersed in it. Consequently, even if the first appropriation by which the universal earth is singularised is lived as an exclusion by the other, it is also another step toward the emancipation from nature. If the other is excluded from the universal earth to which he belongs, he is also detached, and then freed, from this materiality.

Nonetheless, *for* the individual consciousness, which does not see the whole process, this first appropriation is probably lived as an uprooting (*déracinement*), as an expulsion from the earth it belongs to (in other words, the earth that the consciousness *is*). Contrary to the experience of detachment (*arrachement*), uprooting is a negative experience. Detachment is a separation which is experienced as an emancipation: the detachment from nature means that I become unchained from the material exteriority and that, though separating myself from this exteriority, I break my chains and free myself. If, however, I experience my separation from the earth as an uprooting, this

1036HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, note 21, p. 215.

1037See the commentary of the translator in HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, footnote 21.

1038HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, pp. 207-208. HEGEL, *Jenenser Realphilosophie I* (1803-04), *op. cit.*, p. 199. See the french translation: “La conscience sort de la terre en tant que conscience d'un singulier”. HEGEL, *La Première Philosophie de l'Esprit* (Iéna, 1803-1804), trans. Guy Planty-Bonjour, *op. cit.*, p. 61. See also the following excerpt : “(...) the mode of its existence is not a particular [or] a singular aspect of nature, but a universal [moment] of nature, an *element* of it”. HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 215.

presupposes that my connection with materiality was positive. As we have said, I was the earth, I belonged to it. In other words, I had my roots in it. The first appropriation thus means for the individual consciousness a loss of its roots, a loss of what it belonged to. It is at first a negative experience. This is sufficient then to understand why the contradiction between the universality of the earth and the singularity of appropriation lead to conflict: taking that land to which the other belongs, I exclude him from what has been called the “community of belonging”. Doing this, I uproot him, or at least, he experiences it as such. Indeed, as we have said, this detachment is perhaps positive from the point of view of the whole development of the consciousness, the individual experiences it first as a negative uprooting. If the first appropriation is an exclusion of the other from the community of belonging and this exclusion is itself experienced as a form of uprooting, the conditions are gathered to provoke a conflict.

However, while the uprooting may explain the struggle between individuals, does it explain why there is a struggle *for recognition*? In other words, if we understand why the uprooting leads to a struggle (the other suffers from his separation from the earth) it seems that this does not explain why this struggle is a struggle *for recognition*. What does recognition have to do with this separation from the earth and the conflict caused by this separation? Indeed, it seems as though there is no question of recognition in this uprooting. The other comes to fight because he suffers from this ontological separation from what he belongs to (the earth), but it seems that the reason for the conflict does not lie in any form of disrespect. The other seems to fight because he has been evicted from the earth he belonged to, not because he wants to be recognised. Put another way, why is the first appropriation lived as a form of misrecognition by the other who is party to this inaugural act and not only as an experience of uprooting? It is as if the uprooting and misrecognition were separate questions. This it is most probably not the case since if our hypothesis is right, the uprooting is an exclusion of the positive community of belonging. Now, the exclusion from a community is in a way a negation of the self, and thus a form of disrespect. Thus, according to this hypothesis, evicting the other from the community of belonging, I likewise disrespect him and trigger the struggle for recognition.

As we have seen, in the state of nature, there is a community of belonging and the first appropriation is that of a piece of nature (land) to which we all belong (which is nothing more than the contradiction between the individual appropriation and the universal earth). This means an exclusion from this primitive community and as such, this exclusion constitutes form of misrecognition. Likewise, we saw that the general primitive community is also a primitive (negative) communion of goods. In other words, the community of having accompanies the

community of being. Consequently, since the first appropriation within the community of being leads to a form of misrecognition and thus a struggle for recognition, we can likewise explain why this first appropriation should be identified as a form of disrespect if the primitive community is considered as a communion of goods. Theoretically, it seems that the explanation should be the same as in the case the community of belonging: the first appropriation of this portion of the communion of goods (the contradiction between the individual appropriation and the universal earth) should be considered as an exclusion from this communion, and hence a form of disrespect which leads to the struggle for recognition. If this communion was a positive communion of goods, this would make perfect sense: the first appropriation of the universal earth, leads to my exclusion from this community of possession and would thus constitute a negation of myself as a member of this community. This can be understood as form of misrecognition since the contradiction, here, would be between the common possession of the land and the individual appropriation of it which excludes the rest of the community from its possession. However, as mentioned above, for Hegel, the communion of goods is a negative community: the earth belongs to no one. How is it possible to speak of an exclusion from a such negative community? Can I really say that I have been excluded, when someone appropriates a piece of something (the earth) which belongs to no one? Exclusion presupposes a whole, an ensemble (a group, a community) from which I am rejected. I am excluded from the positive communion of goods because I am no longer a part of the group which collectively possesses the goods. But in the case of the negative community of goods this ensemble is *only* negative thus it is difficult to figure out in what exact sense the rejection from this group consists of. Maybe we could say that, by living on the earth which belongs to no one, the one who appropriates a part of this negative universality excludes the other from having this portion of nature.

Now, it remains to be seen exactly why this exclusion leads to conflict, and more especially, to a conflict of recognition. As we have already seen, for the author of the *Leviathan*, exclusion was one of the main reasons for conflict. Because such or such piece of land cannot be divided, it cannot be shared and thus the appropriation must necessarily be exclusive. Exclusion is here linked with the indivisible nature of the thing. However, the situation presented by Hegel is quite different from Hobbes' picture of the state of nature. For Hegel, exclusion has nothing to do with the nature of the thing, besides there is no mention of the indivisibility of land. The land which is appropriated by the first occupant is, therefore, not in itself unshareable. This means that, taking possession of this portion of the earth, the individual could, indeed, share it with others. There are multiple systems of collective use of the earth found in the history of the peasantry or in anthropology, understood as

the right of commonage or commons (we will come back to this point in part III). Now, the first possessor does not share anything and excludes the other from the possibility of using the land or taking possession of it. Now, Hegel does not say this but it is as if the exclusion functions as a free act. In the *Elements of Law* and the *Citizen*, because of the nature of the thing, the first possessor had no choice but to exclude the other; in the *Jena Writings*, it seems that the first possessor has no reason to exclude the other but does it deliberately. In short he is not forced to exclude the other because he *cannot* share the land which is indivisible; the first possessor chooses deliberately to exclude the other from the land that could be shared.

What is more is, Hegel does not mention the situation of scarcity, an element which was a central piece in the dynamic of conflict described by Hobbes. This clearly suggests that struggle, for Hegel, has nothing to do with the question of livelihood, nor with the more general question of appropriation. Indeed, if it was just a question of needs, the problem could be solved as it is in the already mentioned passage of *Genesis* where Abram and Lot's shepherds desire the same land: the one who had been excluded from the first appropriation would go elsewhere to take possession of another piece of land. Therefore, this means that even if conflict is triggered by the taking possession of land, such an appropriation would not constitute the deep motivation for the conflict. In other words, the essential of the conflict does not lie in the fact that the other does not let me appropriate this land since, as there is no scarcity of other lands, I could easily take possession of another one. *In short, exclusion does not entail a deprivation of the means of subsistence, nor the impossibility for the other to appropriate land.*

The problem lies more fundamentally in the exclusion itself rather than the fact that I am excluded from this or that land. In other words, the *casus belli* lie in the fact that exclusion is a form of misrecognition. We said that the first possessor could have shared his possession with me. To put it in another way, he who first possessed the land did not include me in taking possession of it, which also means that he did not think of me and thus he forgot me in his actions. Now, if he forgot me this means that he *ignored* me¹⁰³⁹; and if he ignored me, it is that he negated my 'for-itself'. As such, he disrespects me. Here, we come back to what we said at the beginning of this chapter: we saw that, as a totality enclosed in itself, family included the exclusion as well as the negation of the other. Now, we see that this exclusion takes the concrete form of the exclusive appropriation of a land in which the other is forgotten, ignored and then negated.

Here, it is necessary to be precise in order to avoid misunderstanding: 1° since the struggle

¹⁰³⁹Here, Honneth's interpretation seems to be particularly relevant : "Unlike in Hobbes's depiction, the individual here reacts to the seizure of property not with the fear of having his survival subsequently threatened but rather with the feeling of being ignored by this social counterpart". HONNETH Axel, *The Struggle for Recognition*, *op. cit.*, p. 44.

for recognition opposes real adversaries and is itself a practical and actual relationship, misrecognition cannot be only symbolic and must take the concrete form of an excluding appropriation. This is what was concluded in the section on speech. 2° But at the same time, appropriation is not the real motivation of the conflictual dynamic since, as we have just seen, if it was just a question of appropriation, there would be no conflict. Thus, if the exclusive appropriation of land is the concrete form of misrecognition and if at the same time it is not the real cause of conflict, it can be defined as the vector of disrespect by which the struggle for recognition is triggered. This material vector is essential, since it makes possible the inscription of the conflictual interaction in the real world; and at the same time, it is not really essential since it is not the object of conflict. As we will see, this ambiguity will appear with more clarity at the end of the struggle, when one of the consciousnesses will have to sacrifice his own person and its material extension (possession) in order to allow the appearance of his “for-himself”. It is at this moment that the inessentiality of this vector will manifest itself.

For the moment, let us just follow the deployment of the mechanic of conflict which begins with this inaugural form of misrecognition we just described above. This first appropriation generates an inequality, an asymmetry between the excluded and the possessor. For that reason, the excluded intends to reestablish the equality. To do so “he ruins something” in the possession, “annihilating [*i.e.*, negating] it as desire, in order to give himself his self-feeling”¹⁰⁴⁰. The “counter-attack” aims toward the destruction of the object or at least a partial annihilation of it. At first glance, because of the comparison with desire, we may have the impression that this annihilation is a form of consumption of the object: the excluded would dispossess the object of the other to satisfy his need.

However, that is not the case since, as Hegel specifies, annihilation differs from the negation which comes with desire. Indeed, Hegel claims that, here, the excluded, who annihilates the object, posits his own Self in the knowing of the other. By contrast, with desire, the individual only reaches an empty self-feeling. In order to understand precisely this difference, it should be first noted that the animal desire already implies a form of self-feeling. As Kojève writes, if, in contemplation, I lose and forget myself in the thing, with desire I become aware of myself¹⁰⁴¹. Indeed, when I pass from contemplation to desire, I cease to be absorbed by the thing which now appears to me as an object, an external reality which is not me. Consequently, if there is something which is not me, a non-I (that is the object), then, there is something which, separate from the object, is not the object:

¹⁰⁴⁰HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 115.

¹⁰⁴¹KOJÈVE Alexandre, *Introduction à la Lecture de Hegel. Leçons sur la Phénoménologie de l'Esprit professées de 1933 à 1939 à l'Ecole des Hautes Etudes réunies et publiées par Raymond Queneau*, Paris, Gallimard, Tel, 2014 [1947], pp. 13-15 and pp. 193-195.

myself. As a desiring consciousness, I discover that, apart from the object, there is myself, desiring an external object. This is how I reach the self-feeling. Now, this self-feeling is not a real self-consciousness, since it is empty (here, Hegel will use two different terms, the *Selbst-gefühl* and the *Selbst-bewusstsein*¹⁰⁴²). Indeed the “simple feeling of the Self” is “lost in desire and restored in its satisfaction”. In other words, satisfaction causes a self-enjoyment and then a self-feeling; but very quickly, the satisfaction becomes an “empty satiety”, desire comes back and the self-feeling becomes lost. This simple feeling of the Self is a “pure disappearance” which disappears as soon as it appeared: it “is lost in desire and restored in its satisfaction”¹⁰⁴³. This sentiment is so fleeting that it cannot be identified as a form of self-consciousness.

Hence, in this sense, the destruction of the possession perpetrated by the excluded is not similar to the annihilation resulting from the satisfaction of desire, *i.e.*, the consumption of the object. This act does not consist in taking possession of the object to satisfy needs and the annihilation has nothing to do with the ephemerality of the self-feeling. The conflict is clearly not a conflict of appropriation. Annihilating the object, he hopes to posit his Self (or is for-himself) in the knowing of the other. In other words, he wants the other to know his Self, as it is a for-himself; in short, he wants to be recognised as a for-himself. As such, we could be led to the conclusion that this act of destruction, far from being interested by the satisfaction of biological needs, is a free act by which the excluded intends to provoke the possessor, to get his attention. It is as if the excluded, who has not been included in the first taking possession (and had felt injured as a result), burnt freely the land of the other in order to hail the other, in order to signal his existence to him. It is as if he hails to the other: “listen, you, I exist too! I am a Self, I am for-himself”. We may see in this pure act of destruction a resurgence of the thematic of havoc, except that destruction here is motivated by the desire for recognition.

Although the idea of such destruction is attracting the attention of the other, such annihilation is not really a free destruction of the object: “what the insulter annihilated was not the intrinsic form of the thing, but the form of the other's labor or activity”¹⁰⁴⁴. Consequently, contrary

1042 KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, *op. cit.*, p. 196.

1043 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 101.

1044 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 115. In the passage from which the excerpt is taken the English translation poses a problem: “Thus angered, the two parties stand opposed to one another – the one as the insulter (*Beleidiger*), the other as the insulted (*Beleidigte*). *The insulter did not intend insult to the other in taking possession, but the insulted did relate himself to the insulter*: what the insulter annihilated was not the intrinsic form of the thing, but the form of the other's labor or activity. Thus the fact that the excluded party has restored himself does not produce the equality of the two, but rather a new inequality.” In the sentence highlighted inverts the English translator has inverted the insulter (*Beleidiger*) and the insulted (*Beleidigte*). This error changes the meaning of the passage quite a bit. The German text reads: “*So erregt stehen beide gegeneinander, - und zwar der zweite als Beleidiger, der erste als der Beleidigte; denn dieser meinte nicht jenen in seiner Besitznehmung – dieser aber beleidigte, er meinte ihn, was er vernichtete, war nicht die eigene Form des Dinges, sondern die Form der Arbeit oder das Tun des Anderen. Daß also der Ausgeschlossene sich wiederherschelte, bringt nicht die*

to what appears at first glance, the insulter does not totally destroy the thing; he only annihilates the form of the object. More precisely, he negates the form that the insulted gave to the thing through his labour when he first took possession of it. As we will see later, because the subject gives a form to the thing, this thing can be considered as a part of him (his phenomenal-manifestation), which means that the negation of this form is a negation of his self (and thus an act of misrecognition). But let us just note for the moment that when Hegel says that the insulter annihilates the form that the insulted has given to the object when he first took possession of it, he clearly suggests that this annihilation corresponds to a second process of labour. To sum up the whole process from the beginning, the insulted takes possession of the thing trans-forming the thing; then, the insulter destroys the form of the other's labour and this annihilation is nothing more than a new transformation operating on the same object. In other words, the insulter does exactly what the first possessor did in the inaugural act of taking possession: through his labour, he transforms the thing, giving it a sign, and then appropriates it – except that, this time, the thing already belongs to someone. Thus, the act by which the insulter tries to reestablish equality is also a taking possession. But given that he takes possession of something which already belongs to the other, this new taking possession takes the form of a dispossession. Once again, the goal is not to appropriate the object in itself, but to get the attention of the other and to be recognised. Whereas the insulted does not intend to disrespect the insulter when he appropriated a land which belonged to no one (even if in fact he did, it was not intentional), the insulted offends with intention the insulted in order to be recognised.

Instead of reestablishing equality, this dispossession leads to a higher inequality. Indeed, at

Gleichheit beider, sonder vielmehr eine neue Ungleichheit” .HEGEL Georg Wilhelm Friedrich, *Jenaer Systementwürfe. III, Naturphilosophie und Philosophie des Geistes*, Hamburg, Edited by Felix Meiner, 1987 [1804-1805], p. 201 (this text will now be abbreviated as follows: HEGEL, *Jenaer Systementwürfe. III, Philosophie des Geistes*, *op. cit.*) The sentence we highlighted in the German text corresponds to the sentence we highlighted in the english translation. In German, *deiser* should be translated by the word “this” (in french “*celui-ci*”) and “*jenen*” should be translated by “that” (“*celui-là*”). In German (as in english), *deiser* (this) refers to the closest element whereas *jener* refers to the farthest element. In the former sentence, the closest element is the word “insulted” (*Beleidigte*) and the farthest is the word “insulter” (*Beleidiger*). Consequently, *deiser* refers to insulted” (*Beleidigte*) whereas *jenen* refers to “insulter” (*Beleidigte*). Consequently, we should modify the english translation has follows: “The insulted did not intend to insult the other in taking possession, but the insulter did relate himself to the insulted”. French translations decide to translate *deiser* literally by “*celui-ci*” and *jenen* by “*celui-là*”. Here is Planty-Bonjour's translation: “*Ainsi irrités, les deux se tiennent l'un en face de l'autre: le deuxième comme l'offenseur et le premier comme l'offensé; en effet, ce dernier ne visait pas l'offenseur dans sa prise de possession; mais celui-ci offensait, il le visait; ce qu'il anéantissait ce n'était pas la propre forme de la chose, mais la forme du travail ou le faire l'autre. Donc que l'exclu se rétablisse n'apporte pas l'égalité des deux, mais plutôt une nouvelle inégalité*”. (HEGEL Georg Wilhelm Friedrich, *La Philosophie de l'Esprit: de la Realphilosophie*, 1805, trans. Guy Planty-Bonjour, Paris, PUF, Epiméthée, 1982 [1805], p. 47). Taminiaux translated the same passage as follows: “*–Ainsi provoqués tous deux se tiennent l'un face à l'autre, – à savoir le deuxième en tant que celui-là dans sa prise de possession – mais l'offenseur commentait l'offense, il visait l'offensé; ce qu'il annihilait n'était pas la forme propre de la chose, mais la forme du travail ou de l'agir de l'autre. Que dès lors l'exclu se soit rétabli, cela n'amène pas l'égalité des deux mais bien plutôt une nouvelle inégalité*” (HEGEL Georg Wilhelm Friedrich, *Naissance de la Philosophie Hégélienne de l'Etat, Commentaire et Traduction de la Realphilosophie d'Iéna (1805-1806)*, trans. Jacques Taminiaux, Paris, Payot, Critique de la Politique, 1984, p. 225). Consequently, in what follows, we will take into account the french translations.

the time of the first appropriation, the first possessor posited himself in a land that belonged to no one, an act which produced a division between the owner of the land and the non-owner, or, more precisely, an asymmetry between the excluder and the excluded. Now, the new inequality is worse since the insulter does not posit itself in a unowned thing but he posits himself in the being-for-himself of the insulted. As we have said, the insulted had posited his being-for-himself in the thing unowned; consequently, when he dispossesses the other from his land, he transforms it and then, posits himself in it, the insulter thus posits himself in the insulted's being-for-himself.

This new inequality must be overcome, but at least, now, there is something for a progression since the first inequality (which opposes the excluder and the excluded) has already been overcome. Indeed, “both parties are outside themselves”¹⁰⁴⁵. To be outside from himself means for each of them to be in the other (if I am in the other, I am outside myself), and more precisely, to take themselves as an object in the other. In other words, they know themselves in the other. This is progress since we reach the point of knowing: both of them constitute knowledge. Nevertheless, this knowledge is not positive since they are conscious of themselves only in the other “as one who is negated”¹⁰⁴⁶ (by the same other). However, this situation is not a dead end since the positive aspect is already present in each of them: “each one wants to count as something for the other” and to look upon himself in the other¹⁰⁴⁷. Each individual is here a syllogism. The first extreme of this syllogism (*i.e.*, the individual) is outside of itself, that is, in the other (even if being negated in the other). The second extreme of this syllogism is in the individual itself. In other words, the same individual is at the same time 1° outside of itself (negated in the other) 2° in itself. In other words, I am at the same time in myself and outside of myself: “both egos, the one in me and the one superseded in the other party, are the same”¹⁰⁴⁸. The problem is that there is an asymmetry between these two versions of myself: in myself, I have a positive relation to myself (“I am positive to myself”), but outside from myself, in the other, I am negated (by the other). Consequently, my positive aspect (my positive relation to myself) is enclosed in myself and is not outside of myself, in the other. In other words, my positive relation to myself is only for me and is not for the other who negates me. As Kojève writes, it is a subjective truth but not an objective truth (since it is just for me and not for the other). Consequently, the purpose of the struggle for recognition is that what is for myself (my positive relation to myself) becomes for the other (who recognise me). In other words, I have to be in the other as I am in myself (that is, I have to have a positive relation to myself in the other as I have a positive relation to myself in myself). The other must regard me as I regard

1045 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 116.

1046 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 116.

1047 *Ibid.*, p. 116.

1048 *Ibid.*, p. 116.

myself (*i.e.* positively). This tension between the two extremes of the same individual has to be resolved by the transformation of the struggle into a struggle to death.

We will come back to the subsumption of this second inequality at the end of this part because this moment is necessary for our demonstration. However, for the moment, in order to better understand the conflictual dynamic, we need to focus on an element of the struggle whose certain aspects remains unclear: possession. We know that possession is the material middle of the syllogism of recognition, but the relation that consciousness has with it needs to be clarified. Indeed, it is as if this piece of the material world was a part of my being, as if I *was* what I *have*. This clarification of the relation that consciousness has with this *having* is of the highest importance since it will reveal the relationships with the earth that underly the agonistic relation between consciousnesses. As such, the elucidation of the concept of possession will reveal the real nature of the collective relationship that we have with the earth, those which underly the conflict for recognition.

III) What is a possession ?

That consciousness has a deep relation with its possessions – to the extent that they can be considered as a moment of individual totality – is quite clear.

“The single [family head] is one consciousness, only in as much as every singular aspect of his possessions (*Besitzes*), and of his being, appears bound up with his whole essence, it is taken up into his indifference; [in other words,] in so far as he posits every moment as himself, for this ideal being of the world is what consciousness is”.¹⁰⁴⁹

The problem lies in the nature of this relation: in which sense are they bound up with the whole of essence? Why does Hegel seem to claim that the constitution of consciousness itself is dependent of this possession? It should be admitted that Hegel says little on this subject. This relation is all the more enigmatic since it seems to mix having with being. How could I be something that I have? In which sense is what I have bound up with the whole of essence? Why does Hegel seem to claim that the constitution of consciousness itself is dependant on what one possesses ? In other words, what does the identification of the consciousness's being with its own havings mean? The hypothesis is that labor, possession and consciousness are inextricably linked.

III.1) Possession as a Family Good

The text of 1805 gives some precisions about this relation: possession (*besitz*) is in fact a “familial good” (*familienbesitz*), that comes as the result of common labor carried out within the family. By this means, lovers satisfy their respective basic needs and ensure their natural existence: “The desire is satisfied in shared labor”¹⁰⁵⁰. At the same time, it seems that this good is much more than a means of satisfying natural needs: as an operation of producing goods, labor does not satisfy an individual desire but a general one in the sense that individuals do not work for themselves but for a group and, more specifically, for the other consciousnesses to which his love is directed (with whom he forms a community). Labour is thus a “mutual service” through which lovers unite together.

Indeed, lovers are two *extremes* of the syllogism of love and as such they are opposed and

¹⁰⁴⁹HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, pp. 236-327.

¹⁰⁵⁰HEGEL, *Jena Lectures on the Philosophy of Spirit* (1805-6), *op. cit.*, p. 108.

must be unified: at this moment (after the drive and labor), the will has split into two “characters”¹⁰⁵¹: one of them is the male, who is motivated by the drive; the other is the female who, as a drive, desires to be object of the male's drive and excites it as the toreador does when he shakes the cape in front of the bull – in this sense she is the cunning¹⁰⁵². The male, this “blind power” (here, the “will”), plays the role of the singular term and the female, as an instance of reflexion (here, the “intelligence”)¹⁰⁵³, play the role of the universal term. As two distinct independent consciousnesses, these terms are opposites. Though love, these two opposite terms are united in a totality, that is, family: everyone knows that he is for the other that which he is for himself. It is for this reason, that Honneth designates this experience as the first sphere of recognition¹⁰⁵⁴. With love, lovers are opposite and unified in their differences, differences which remain in this unity: “each is identical to the other in that wherein it has opposed itself to the other. The self-differentiation of each from the other is therefore a self-positing of each as the other's equal”¹⁰⁵⁵. And this union is materially accomplished in the constitution of a familial stock which plays the role of the means of love. To use the terminology employed by Hegel in 1803, the familial good is a middle (*mitte*)¹⁰⁵⁶. That is, it functions as an active mediation by which the opposite terms

1051 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, op. cit., p. 105.

1052 Here, contrary to the *Phenomenology of Spirit*, it seems that only, the female desires the desire of the other, the male aiming her as a simple object.

1053 HONNETH Axel, *The Struggle for Recognition*, op. cit., p. 105.

1054 *Ibid.*, pp. 49-53.

1055 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, op. cit., p. 106. In one of his early writings Hegel already wrote that: “La verdadera unificación, el amor propiamente dicho, se da sólo entre vivientes que igualan en poder y que, en consecuencia, con enteramente vivientes uno para el otro, sin que tengan aspectos recíprocamente muertos. El amor excluye todas las oposiciones (...) En el amor lo separado subsiste todavía, pero ya no como separado, sino como unido; y lo viviente siente a lo viviente”. HEGEL Georg Wilhelm Friedrich, *El Amor y la Propiedad (otoño-invierno 1798/99)*, in HEGEL Georg Wilhelm Friedrich, *Escritos de Juventud*, trans. Zoltan Szankay and José María Ripalda, Mexico-Madrid-Buenos Aires, Fondo de Cultura Económica, 1978, pp. 262-262. However, the materiality was more an obstacle than an mediation of this union : “el amor se indigna antes lo que continua separado, ante una propiedad” (HEGEL Georg Wilhelm Friedrich, *El Amor y la Propiedad (otoño-invierno 1798/99)*, p. 263). Indeed, if love is a sentiment of the living being, the only thing whereby they can be separated is their own death, that is this possibility of separation : “Afirmar que los amantes tienen [cada cual] su independencia, sus principios propios de vida significa afirmar únicamente que pueden morir” (HEGEL Georg Wilhelm Friedrich, *El Amor y la Propiedad (otoño-invierno 1798/99)*, p. 263) Now, a material things are synonym of death since matter and body are always promised to die. Therefore, possession means death for the lovers : “lo muerto, lo que se encuentra bajo el dominio de uno de los amantes, esta opuesto a los dos ; y la unica unificación que pareceria ser posible es el acto, por intermedio del cual el [lo muerto] llegaria a caer bajo el dominio de ambos [amantes]. Un amante que ve al otro en la posesion de una propiedad tiene que sentir esta particularidad del otro que este ha querido establecer”. HEGEL Georg Wilhelm Friedrich, *El Amor y la Propiedad (otoño-invierno 1798/99)*, p. 266. Hegel calls “shame” this sentiment lovers feels toward the body: “shame enters only through the recollection of the body, through the presence of an [exclusive] personality or the sensing of an [exclusive] individuality”. For a good commentary of this text, see WAHL Jean, *Le Malheur de la Conscience dans la Philosophie de Hegel*, Brionne, Gérard Monfort, 1951, p. 174-178.

1056 “it [consciousness] falls apart within itself and realises itself in mutually differentiating moments, each of which is itself a consciousness, in the difference of the sexes, in which it likewise supersedes the singular desire of nature, and makes it an *abiding* inclination, having come to the totality of singularity in the family, and raised up inorganic nature into a family holding, as the singularly enduring outward means for the family (*Mitte derselben*); and from here it passes over to its absolute existence, to *ethical life*”. HEGEL, *First Philosophy of Spirit (1803/4)*, op. cit., p. 211.

of the syllogism are at the same time made non-indifferent (and thus opposed), unified and maintained in their difference¹⁰⁵⁷. Indeed, love cannot only remain internal to consciousnesses; it must be concretised, exteriorised, objectified and thus accomplished in a material thing:

“The satisfied love at first becomes so objective for itself that this third is something other than the two poles [*i.e.*, other than the two individuals involved] ; this is the love that is a being-other [*Andersseyn*], immediate thinghood, wherein the love does not know itself immediately, but rather exists for the sake of an other (...)”¹⁰⁵⁸.

More precisely, love is the middle between two opposite poles for at least three reasons. First, as we have already argued it is a product of communitarian labor: 1° lovers produce *together* and in common production, labor becomes thus a *common act* which solidifies the solidarity of the two terms. In the common effort effectuated to build a home (household) and work their land, lovers are in unison. 2° Secondly, the reason of the synthesis can not only be found in a common act but also, and above all, in the result of this act which is an *object possessed in common*. The two poles gather around the same object that they possess. This gathering persists over time: indeed, Hegel specifies that the family holding is something that endures – it is “the singularly *enduring* outward means of the family”¹⁰⁵⁹ – and as such it is something stable around which an enduring relation is made possible. The object is something like a permanent common ground on which a natural community finds its condition of possibility in space and time, much like the table for the knights of the round table¹⁰⁶⁰. In addition to this, the product of common labor is the condition of possibility of love: in a farm the one who produces such or such a thing does not consume it immediately (and thus he restrains his desire) but puts it in a common pot so that the other will draw upon it to conserve their existence. Therefore, as a permanent possession, the object ensures the permanence of the lovers' collective existence and thus of their love (they have to be alive to love themselves together). 3° Finally, Hegel uses the word *gemeinsamen Schatz*¹⁰⁶¹ to designate 'the good' and thus seems to say that the importance of the good is beyond the simple economic reproduction of life. While the English translator translates Hegel's *Schatz* by “store”¹⁰⁶², giving the term an economic sense; both of the French translators render this as *treasure (trésor)*¹⁰⁶³, which

1057 On the concept of *Mitte*, see Guy Planty-Bonjour introduction of the French translation of the *First Philosophy of Spirit* HEGEL, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour, *op. cit.*, pp. 12-18.

1058 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 108.

1059 HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 211. Here, we highlighted the term “enduring”.

1060 One century later, Arendt will compare the permanence of the world to a table: “To live together in the world means essentially that a world of things is between those who have it in common, as a table is located between those who sit around it; the world, like every in-between, relates and separates men at the same time”. ARENDT Hannah, *The Human Condition*, Chicago and London, The University of Chicago Press, 1998 [1958], p. 52.

1061 HEGEL, *Jenaer Systementwürfe. III, Philosophie des Geistes*, *op. cit.*, p. 195.

1062 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 108.

1063 HEGEL Georg Wilhelm Friedrich, *Naissance de la Philosophie Hégélienne de l'Etat*, *op. cit.*, p. 218 ; HEGEL Georg Wilhelm Friedrich, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour, *op. cit.*, p. 39.

gives the idea that an affective value is assigned to the product of lover's labor – my treasure is what I take care of because it is dear to me. Therefore, the good is cherished and generates a synthesis of the opposites since it is the product of a common act wherein lovers have invested their love – it is their family patrimony. In other words, they put all the love they have for each other in this material thing. The object becomes an exteriorisation of their love and this becoming-thing of love is precisely the means whereby they express their love for each other. If love remains purely internal to both consciousnesses, it is never really known as such; on the contrary, the other demands proof of love. By working for the other, I give them proof of my love. Words pronounced to the other are insufficient, they need me to actualise in flesh the deep sentiment I feel for them in a concrete object: the “middle stands against them as an abstract being, wherein each presents his love for the other (but thereby makes) himself into a being-other, a thing.”¹⁰⁶⁴

In this regard, the good of the family is similar to the child, who constitutes another product of love and a second middle by which the lovers are unified. The good of the family is placed in an intermediary position, between the tool and the child. The tool has in it an element of activity since it is the middle by which the active pole (consciousness) acts on the passive pole (the object), transforming it: “the *tool* is the existing rational middle, the existing universality, of the practical process; it appears on the side of the active against the passive”: “it is itself (...) active against what is worked on”¹⁰⁶⁵. At the same time, from the point of view of the labourer who uses it to negate the form of the object, it is clearly passive¹⁰⁶⁶. With the good of the family, activity becomes superior because the passive pole is suppressed: it is the middle of two self-consciousnesses and thus, it connects two active poles. In a sense, this assertion is quite counterintuitive: the good being a product of consciousness and as such passive. Nevertheless, we could argue that this “side of the labourer” – from whose point of view the good seems passive – has been suppressed because the contrary pole (the object transformed) does not exist anymore and is substituted to another consciousness. Therefore, this common patrimony is not a passive tool used by a consciousness but an object invested by love and saturated with affective value. Nonetheless, if “the thing [...] acquires the signification of love”¹⁰⁶⁷, it “does not yet have the element of love in it” as it is the case with the child¹⁰⁶⁸. In this latter case, the middle is not an object anymore but an individual, a

1064HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, footnote 23, p. 108.

1065HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, pp. 230-231.

1066“But a tool does not yet have the activity within it. It is an inert thing ; it does not turn back into itself. I still must work with it. Between myself and the external [world of] thinghood, I have inserted my cunning – in order to spare myself, to hide my determinacy and allow it to be made use of. What I spare myself is merely quantitative ; I still get callouses. My being made a thing is yet a necessary element – [since] the drive's own activity is not yet in the thing. The tool's activity must be placed in the tool itself, so that it is made self-acting”. HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 103.

1067HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, footnote 23, p. 108.

1068*Ibid.*, p. 109.

consciousness: “the side of it [the middle] in which they recognize themselves as one, and as superseded, is necessarily a consciousness, for it is only as consciousness that they are one”¹⁰⁶⁹. The middle by which the extremes are synthesised is no longer an extraneous object but is something similar, another me which is an active pole just like the others. Consequently, the child is able to receive the love of his parents in himself (that is why Hegel can say his parents have love in him) and to give it back, which is not the case with possession; and through this love directed to the child, the lovers love each other¹⁰⁷⁰.

This idea of love being objectified in possession could give us a first explanation to why Hegel understands possession as an essential moment of the familial totality (at least in 1804-1805). Here, possession is indeed the element by which love and thus the unity of the extremes is made possible and, consequently, the material thing appears to be central to the interindividual relationship. It would, therefore, not be totally incorrect to assert that possession is a masterpiece created through the constitution of the group formed by the family – the term group is to be taken here in the strongest sense of the term; the familial sphere announces the *sittlichkeit* although it is to close from the naturality¹⁰⁷¹. We could even say that as a condition of possibility of this intersubjective interaction, possession is a part of this interaction. This would mean that, even if it constitutes a non-human thing, the family good is part of this small collective we call the family. In other words, we would have, here, a figure of attachment (if the good is part of the group, it means that the family is attached to it). In these passages dedicated to the question of love, Hegel goes on to say that possessions are like a multiplicity of selves exteriorised in matter, assertions that obviously recall extracts from the *First philosophy of spirit*, wherein love is described as a manifestation of consciousness¹⁰⁷². However, in 1803-1804 the middle term whereby lovers become unified was exclusively the child, possession being that which corresponds to the struggle for recognition¹⁰⁷³. Consequently, it is difficult to explain the quite mysterious role it plays within the

1069HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, pp. 232-233.

1070 This difference is the addition to the § 181 of HEGEL Georg Wilhelm Friedrich, *Elements of the Philosophy of Right*, trans. H. B. Nisbet, Cambridge, Cambridge University Press, 2003 [1820].

1071“Puisque dans le mariage, chacun existe mutuellement dans la conscience de l'autre, chacun existe donc mutuellement dans l'autre selon son entière singularité. Et les époux < se > donnent une existence entièrement commune dans laquelle ils sont un, non par référence à une quelconque singularité et à un but particulier, mais en tant qu'individu selon la totalité dans laquelle ils appartiennent à la nature”. HEGEL Georg Wilhelm Friedrich, *La Première Philosophie de l'Esprit* (Iéna, 1803-1804), trans. Guy Planty-Bonjour, *op. cit.*, p. 101. In the *System of the Ethical life*, Hegel already said that family is the “supreme totality of which nature is capable”. HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 128.

1072“Possession means that a thing is mine, the I is universal, with many egos involved”. HEGEL, *Jena Lectures on the Philosophy of Spirit* (1805-6), *op. cit.*, footnote 24, p. 108.

1073In fact, in 1803-1804, there is a problem of coherence between different fragments. As Henri Denis writes: “Il n'est pas aisé de déterminer la signification exacte de ce moyen terme de la Première Philosophie de l'Esprit, en raison, notamment, du fait que le texte se présente à nous sous la forme de nombreux fragments entre lesquels il existe peut-être des divergences. (...) Dans le fragment qui comporte la définition du moyen terme, Hege annnce que, pour les trois niveaux de l'esprit que sont la mémoire, le travail et la famille, les moyens termes seront le

sylogism of love. Having said that, these passages reflect an idea which is consistently present in Hegel from 1802 onwards and that could put us on the right track: possession is understood as the result of labour¹⁰⁷⁴.

III.2) Possession as a Result of Labour

The concept of labour is central to the Jena period to the point that some commentators say that in during this period, Hegel's philosophy of spirit should be understood as essentially a philosophy of labour¹⁰⁷⁵. Our hypothesis is that Hegel's philosophy of labour functions as the key to the understanding the concept of possession. In the *System of Ethical Life*, the notion of appropriation has to be understood within the frame of the process of labour – which is at the same time one of the three moments of possession.

First, possession begins with the “taking possession” (*Besitzergreifung*) of the object which, is not yet possession in itself. To use the words employed in 1805, it is an appropriation (*Bemächtigung*) that is an empirical act of seizure (*besitzergreifung*)¹⁰⁷⁶ – or, in the terms used in the *Elements of Philosophy of Right*, an immediate physical seizure (*unmittelbare körperliche Ergreifung*)¹⁰⁷⁷. The seizure of the object by the hand acts as the paradigm for the physical contact by which the subject appropriates the thing. The search and collection of pearls from the seaside, the physical capture of hunted game and the occupation of land are some examples of this “hold-in-the-hand”. The roman legal term detention (*detentio*) could, indeed, be used to designate this physical and immediate relation with the object – which lasts just as long as I have it in the hand –

langage, l'outil et le bien possédé. En fait, dans le fragment qui traite de la famille, ce n'est pas le bien de famille, mais l'enfant, qui apparaît comme moyen terme, ainsi qu'il en était dans le Système de la Vie Ethique. Le bien de famille ne se manifestera, dans son rôle de moyen terme, que lorsqu'on parlera de la lutte pour la reconnaissance”.
DENIS Henri, *Hegel, Penseur du Politique*, op. cit., p. 53.

1074 This is hypothesis is confirmed in many passage of the *Jena Writings* : “Cette activité du travail et du besoin en tant qu'elle est le mouvement de cette vie autonome a, de même, son côté immobile dans la possession”. HEGEL Georg Wilhelm Friedrich, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour, op. cit., p. 129. Moreover, labour and possession are on many occasions associated by Hegel: “B) *Le travail* et C) *la possession* se changent, de même, dans le peuple immédiatement en un autre que ce qu'ils sont dans leur concept”. HEGEL Georg Wilhelm Friedrich, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour, op. cit., p. 124.

1075 FISCHEBACH Franck, “La “philosophie du travail” dans les esquisses de système à Iéna (1802-1806)”, in BUÉE Jean-Michel and RENAULT Emmanuel (eds.), *Hegel à Iéna*, Lyon, ENS Editions, La croisée des chemins, 2015, pp. 189-194. BOURGEOIS Bernard, *Hegel. Les Actes de l'Esprit*, Paris, Vrin, Bibliothèque d'Histoire de la Philosophie, 2001, pp. 67-79.

1076 HEGEL, *Jenaer Systementwürfe. III, Philosophie des Geistes*, op. Cit., p. 198. Hegel, *Philosophie de l'esprit*, 1805, p. 43.

1077 HEGEL Georg Wilhelm Friedrich, *Elements of the Philosophy of Right*, op. cit., § 54.

that is, if it was not a term that was traditionally opposed to *possessio* by the jurists¹⁰⁷⁸. Maybe the term which fits best to this act is *occupatio*, the modality of acquisition whereby a person takes possession of something which is not possessed by anyone else and acquires it¹⁰⁷⁹. Philosophers generally refer to the right of the first occupant – according to which treading on certain piece of land first is sufficient to acquire it. Here, one could cite Cicero's text, in which he compares the world to a theatre whose seats can be occupied by anyone who first comes across them¹⁰⁸⁰.

In this first moment, the object is ideally (*ideale*) determined by the subject, which means that the former is subsumed under the latter¹⁰⁸¹. This preeminence of the subject over the object

1078“On distingue en cette matière, précisément selon qu'ils ont ou non les interdits, les possesseurs proprement dits (dont la condition est désignée dans les textes par les mots *possessio*, *possessio ad interdicta*, parfois *possessio civilis*, et chez les modernes, par les noms de possession proprement dite, de possession juridique) et les détenteurs (pour lesquels les textes emploient les expressions *possessio naturalis*, *detinere*, *in possessione esse*, d'où les expressions modernes : possession naturelle, possession corporelle, détention) (...) Or, (...) la première catégorie ne comprend pas seulement celui qui se comporte en maître sur une chose et qui l'est en effet, le propriétaire en possession de la chose. Elle comprend en outre celui qui se comporte en maître sur une chose en s'en croyant propriétaire, le possesseur de bonne foi, et même celui qui se comporte en maître sur une chose en sachant qu'il n'en est pas propriétaire, le possesseur de mauvaise foi, fût-il un voleur”. GIRARD, Frédéric, *Manuel Élémentaire de Droit Romain*, Paris, Librairie Nouvelle de Droit et de Jurisprudence, Arthur Rousseau, Editeur, 1906, p. 265. The difference between *detentio* and *possessio* is that the latter is protected by an possessorial interdicts (*interdicta possessoria*) whereas the former is not – a *interdictum* being, in roman law is an order formulated by a praetor or a proconsul who, exerting his authority for the termination of a dispute, forbids something to be done. “L'effet de la possession est de donner au possesseur les interdits possessoires. C'est là la différence essentielle entre la possession et la détention. Les détenteurs ne sont pas, quoi qu'on en ait dit parfois, dépourvus de protection. Les détenteurs ont tous, en réalité, le moyen qui réprime toutes les atteintes à la personnalité, l'action d'injures. (...) Mais aucun détenteur n'a les interdits possessoires. Les interdits possessoires sont, comme tous les interdits, des ordres du magistrat; sous la procédure formulaire, des ordres conditionnels rendus par le magistrat sans vérification des faits et après la prononciation desquels on plaide précisément pour savoir si on est ou non dans le cas visé par eux”. GIRARD, Frédéric, *Manuel Élémentaire de Droit Romain*, pp. 274-276. On the *interdictum*, see LONG Georg, “Interdictum”, in SMITH William (ed.), *A Dictionary of Greek and Roman Antiquities*, London, John Murray, 1875, pp. 642-644.

1079See the article entitled “occupation” in GIRARD, Frédéric, *Manuel Élémentaire de Droit Romain*, op. cit., pp. 314-126. According to J-M Trigeaud, *possessio's corpus* is constituted by *occupatio* or by contract : “Le corpus serait acquis ou constitué (pour se maintenir comme simple pouvoir) de deux manières : soit par l'occupation matérielle de la chose, c'est-à-dire son appréhension concrète, soit par un contrat translatif de propriété de son auteur ; le pouvoir cesse d'être directement lié à un acte effectif fût-il symbolique, et n'existe que fictivement : il tient à l'accord de volonté des parties”. TRIGEAUD Jean-Marc, “Possession”, in AUROUX Sylvain (ed.), *Encyclopédie Philosophique Universelle. Les Notions Philosophiques. Dictionnaire*, T. II, *Philosophie Occidentale (M-Z)*, Paris, PUF, 1990, p. 2004. On the question of *occupatio* in the roman law, see also CHOUQUER Gérard, *La Terre dans le Monde Romain*, op. cit., pp. 155-161.

1080“Now although a theatre is communal, it can still rightly be said that the seat which one occupies is one's own. So, too, in city or universe, though these are communal, there is no breach of law in an individual owning property”. CICERO, *On Moral Ends*, trans. Raphael Woolf, Cambridge, Cambridge University Press, 2004 [2001], III, 67, p. 86. On the right of the first occupant, see also GROTIUS Hugo, *The Rights of War and Peace*, op. cit., II, 12; HUME David, *A Treatise of Human Nature*, op. cit., III, 2, 3, p. 505. For a commentary of this passage, see GOLDSCHMIDT Victor, *Anthropologie et Politique. Les Principes du Système de Rousseau*, Paris, Vrin, 1983, pp. 516-521 ; KANT Immanuel, *The Metaphysics of Morals*, Cambridge, Cambridge University Press, Cambridge Texts German Philosophy, 1991 [1797], §14. For a commentary of this text, see GOYARD-FABRE Simone, *La Philosophie du Droit de Kant*, Paris, Vrin, Histoire des Idées et des Doctrines, 1996, pp. 122-125.

1081 On the difference between ideal and real, see the brilliant explanation of Jacques Taminiaux in a note of his french translation of the *System of the Ethical life*. HEGEL, *Système de la Vie Ethique*, presented by Jacques Taminiaux, op. cit., pp. 114-115. See also Planty-Bonjour's footnote 3 in his french translation of the *First Philosophy of Spirit*: HEGEL, *La Première Philosophie de l'Esprit (Iéna, 1803-1804)*, trans. Guy Planty-Bonjour, op. cit., footnote 3, p. 52

recalls the first moment of the first power (*potenz*), that is, need. This moment begins with a differentiation of the subject who feels the natural need for its object. The thing is only valuable in relation to a the current state of the subject (it is edible when the consciousness is hungry and drinkable when it is thirsty). The suppression of the separation and, thus, the coming back to identity, is enjoyment; it consists in the pure and simple annihilation of the object. This subsumption of the object under subjectivity would be similar with taking possession if, in this latter case, the enjoyment was not stopped. Indeed, the second moment of the process of possession, that is, labor, restricts the process of equalization of the two poles (that is consumption). This is why instead of being in need the subject desires, that which is characterised by its separation from enjoyment (whereas need was immediately accompanied by the restoration of identity). Instead of the satisfaction of the need (which is inhibited) and thus, consumption¹⁰⁸², desire leads to a taking possession¹⁰⁸³. However it must be noted that this does not mean that the object is not suppressed in a certain way.

This consideration leads us to the second moment of possession. Once the object is in the hands of the consciousness, instead of destroying it immediately, the consciousness chooses to annihilate its sole form and not the object in itself which does not disappear in the stomach of the subjectivity¹⁰⁸⁴. In terms of roman law, this moment corresponds to the *specificatio*, that is, this mode of acquisition by which a person takes an object and, giving a new form to this substance, creates a *nova species*. Nonetheless, Hegel insists less on the hylemorphic aspect of this action than on the resistance of the object. If the process begins with a difference between the subject and the object, the interior and the exterior, there is no such thing like a pure reduction of the object to the identity of consciousness and thus a destruction; in other word, there is no consumption since the differences of the object subsist. It remains in its independence faced with the transformative subject. The nullification is not a total suppression but a creation: “The object is not nullified as object altogether but rather in such a way that another object is put in its place”¹⁰⁸⁵. A new object has been created through that which had been nullified. This is why Hegel says this nullified element is real (*reelle*). Contrary to the ideal moment, the reality of the *res* persists and the preeminence which was given to the subject is now granted to the opposite term, the object.

1082 That is exactly what Hegel will write in the *Phenomenology of Spirit* : “le travail est par contre un Désir refoulé, un évanouissement arrêté; ou en d'autres termes, il forme-et-éduque”. KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, *op. cit.*, p. 29.

1083 On this difference between desire and need, see FISCHBACH Franck, “La “philosophie du travail” dans les esquisses de système à Iéna (1802-1806)”, *op. cit.*, pp. 181-182.

1084 Note that in taking possession, the subject was related to the matter (“through a connection of the first kind (...) with respect to its matter”), whereas here it is connected with the form. HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 106.

1085 HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 106.

This consistency of the *res* by which it is free and independent from the subject, is especially notable when Hegel deals with “living labor” – also called “real labor”. Until now, labor was understood as mechanic in the sense that the pure causality of the subject was indifferently and externally applied to the inert object. With real labor the objective pole is no longer subsumed under the subjective, but the former becomes subsuming. The object was the subsumed, now it is the subject which has been subsumed under the object. Consequently, the active pole has to fit well the nature of the object while transforming it and nullifying its form; indeed, the object constitutes a living thing as a result possesses an individuality proper to it, one that consciousness cannot bend to its will¹⁰⁸⁶. As such, the object is itself an activity and is able to produce itself by its own accord: “the essential thing was the identity, activity as such, and so as something inner and so as not emerging” and now, “it must emerge on the object”¹⁰⁸⁷. The worker let himself be guided by the living thing he is acting on.

Now, the first power of this living labor is precisely concerned with land, because the object of the activity is the plant whose nature is characterised by a weak individuality. Hegel expresses this idea through the characteristic language of this period: intuition is subsumed under the concept. In other words, multiplicity, difference, opposition, abstraction (and thus separation), *i.e.*, the inert (or non-organic), prevails over unity, totality, spontaneity, and activity, *i.e.*, the living. It means that the plant is characterized by a certain splitting up of itself, a scattering of its components. Indeed, if this being is “only slightly organic and individualized”, it is first because it is comprised of a multiplicity of individualities, which do not form together any organic unity. This myriad of individuals is undifferentiated and do not correspond to fully differentiated members, which are not linked to one another in a systematic totality. There is no such thing as an organ, that which would fulfil a particular vital function; just a sum of independent individuals. Moreover, and above all, the plant is “bound up with the element or the pure quantity of the earth and producing itself towards the element of air in the production, infinitely varied (by the concept), of its own entire individuality and totality.”¹⁰⁸⁸ Thus, it is highly dependent on inorganic nature, which means that it owes its organicity and its individuality to something which is neither one nor the other, something which is a pure quantity and whose elements do not form an organic totality but just a pure aggregate; in a word, it is organized from the exterior. Certainly, the plant assimilates and

1086On the question of life in Hegel's Jena Writings, see HYPPOLITE Jean, “Vie et prise de conscience de la vie dans la philosophie hégélienne d'Iéna”, in *Revue de Métaphysique et de Morale*, Paris, Vol. 45, Jan 1, 1938, pp. 45-61; DALUZ Christine, “L'élaboration d'une conception naturphilosophique de la vie dans les esquisses d'Iéna”, in BUÉE Jean-Michel and RENAULT Emmanuel (eds.), *Hegel à Iéna*, Lyon, ENS Editions, La croisée des chemins, 2015, pp. 101-123. See especially the passage dedicated to the plant and the animal.

1087HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 107.

1088HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 108.

transforms the non-organic nature through the extraction of inorganic elements (earth, water, air, light, etc.); but the fact remains that this “nullification (...) is itself a weak one”; moreover, this semblance of individuality is incapable of any proper movement – the term “impotent outgoing” expresses this particular action by which the plant grows up without really moving itself actively – and of any sensibility – “weak irritability”¹⁰⁸⁹. Because of these three weaknesses, the picking up of external elements is more a passive reception than a real appropriation of its own environment¹⁰⁹⁰. That the reason why horticulture is an activity which takes for object the inorganic element and not the organism in itself ; through this action on the earth, it acts indirectly on the plant and it is left to the element to compel this organism to produce. In this process of nullification, the active consciousness imposes its own form to the soil. Nonetheless, only the exterior form is annihilated, the *matter* (i.e., chemical elements) are not destroyed by the forming activity.

The animal is the object of the second power of living labor. Contrary, to the vegetal, the concept is here subsumed under the intuition, which means that unity and vitality prevail over separation and the inorganic. The animal is, here, the highest form of an organism; it is capable of moving and endowed with sensibility. The animal is not passively affected by its milieu but appropriate the exteriority, modifies and transforms it in according to its own interiority. Here, the organism literally digests its own environment¹⁰⁹¹. Given the primacy of this activity, the action of the consciousness is thus not anymore directed toward the inorganic world, such as the plant depended on, but on organic nature itself. Labor takes the form here of taming (*Bändigen*). The question remains, in what sense could this action be considered a form-ing? Even if Hegel says little on the problem, it is not too drastic a hypothesis to argue that trans-formation concerns the activity in itself. Indeed, what is taming if not giving shape to the movement of the animal? Through this operation, I destroy the concatenation by which sequences of behaviour were previously articulated, and I produce another articulation. This amounts to saying that I replace the former form of its movement by another one, one which I choose to fulfil my own purposes. And yet, this nullification is always “appropriate to its nature”, because it respects the reality of the living being which is taken for the object in the process of labor. For example, the rider, who makes the horse perform a pirouette, does not break the animal's leg but makes it perform a series of unnatural movements and give them an order of succession. It would appear that there are three modalities to this action on the horse. First, there is the “constraint” (for example, the snaffle bit which acts on the horse's mouth, the horsewhip which claps under its nose). Secondly, comes “trust”, which is to say, I let the animal move on its own accord while at the same time using this

1089 *Ibid.*, p. 109.

1090 DALUZ Christine, “L’élaboration d’une conception naturphilosophique de la vie dans les esquisses d’Iéna”, *op. cit.*

1091 *Ibid.*

movement to serve my own purposes. A modality of trust that is similar to the shepherd who lets his dog run freely in vast areas of land so as to gather his herd. Finally, there is “taming”, which can be summarised as the reproduction of animals wherein the farmer lets “nature take its course”, as is the case with the “breeding” and “rearing”.

Finally, the process ends up with the “possession of the product” in which the two first moments are synthesised, the hold-in-the-hand and the activity. Here, Hegel gathers two foundations of appropriation which are generally opposed, that is, the right of the first occupant and labour (the specificatio)¹⁰⁹². Indeed, whereas the first just requires the primitive possession of the thing, this condition is not sufficient in the second case since it requires the transformation of the object. In other words, the first mode of acquisition is passive, the second, active. This opposition does not really work here, since, as we have already said, in the first moment (*occupatio*) the active pole (the subject) prevails over the passive pole (the object) whereas, in the second moment (labour), the active pole is subsumed under the passive pole, which becomes active (the consistency of the *res*). The originality of Hegel's concept of possession is that it unifies these two moments in a dynamic (dialectic, should we say) process. One may even say that this dialectic unification in fact follows common sense – indeed, to plough a land, it is first necessary to occupy it.¹⁰⁹³

Now, it seems that this synthesis implies more than the simple addition of the two first moments: it is the “of annihilating the product as something possibility real for-itself (*für sich Reelles*)”¹⁰⁹⁴. The relation to the object becomes, at the same time real (in the sense that the object persists despite the annihilation) and “for-itself” because the thing exists only in relation with the subject who possesses it. Here, the two operations of negation contained in possession signal a repetition of the two first but in another way: where ‘taking possession’ and ‘activity’ were actual at the beginning, here they should be understood as just possible. This seems to suggest that in the third moment, that which has been taken possession of is no longer the first act of seizure but the possibility of holding the thing in the hand as I please, without necessarily actualising this virtuality. For example, I can occupy a land, abandon it for a time and, when I come back, to reoccupy it, it is still considered as mine: the fact that it is my possession implies a possibility of a reiteration of the material act of seizure even when I do not have the object in my hand. My relation with the object is that of a constant virtual seizure of it. In short, I have this object at my disposal

1092 PROUDHON Pierre-Joseph, *Qu'est-ce que la Propriété ?*, Edited by Robert Damien, Paris, Livre de Poche, Classiques de la Philosophie, 2009, p. 176 ; GOLDSCHMIDT Victor, *Anthropologique et Politique*, *op. cit.*, p. 498 ; MERLE Jean-Christophe, *Justice et Progrès*, *op. cit.*, p. 89.

1093 MERLE Jean-Christophe, *Justice et Progrès*, *op. cit.*, p. 91.

1094 HEGEL, *System of the Ethical Life (1802/3)*, *op. cit.*, p. 106 ; HEGEL Georg Wilhelm Friedrich, *System der Sittlichkeit [Critik des Fichteschen Naturrechts]*, Hamburg, Felix Meiner, 2002 [1802-1803], p. 8. It seems to us that the translation of *für sich* by the term “explicitly” is incorrect. Hence why we allow ourselves modify it.

even if this relation is not juridically sanctioned. Hegel claims that this relation is a negation in the sense that the object exists only through this relation of potential seizure. The same applies to the second moment that is integrated into the synthesis of possession: the first operation of forming was already taking place and thus can only be included in the third moment as a repetition of the same act through another form. Here, the fact that I have the thing at my disposal allows me to transform it as I wish: I can *use* the thing which is proper to me as I want. Here, I do not take possession of the thing by transforming it but I work on it as it is my possession. This second negation (a point so clear that it is perhaps not necessary to dwell on too much) is redoubled by a final one: enjoyment. As we have said, the process of labour restrains the desire of consumption. Nevertheless, it does not suppress it, it just delays it. Once I possess the thing, I then either have the possibility to consume it as I wish or to put it away, storing it, for future consumption.

III.3) An objection: “there can be no question at all here of the legal basis or aspect of possession”

Now, Hegel declares, in relation to this process of taking possession-activity-possession, that “there can be no question at all here of the legal basis or aspect of possession”¹⁰⁹⁵, a statement that could weaken our hypothesis (according to which labour is central to understand the concept of possession, which is the third term of the conflict). Indeed, our argument relies on a comparison between the text which concerns the triadic process of appropriation that opens the *System of the Ethical Life* and the texts in which possession plays the role of the middle in the syllogism of recognition. The idea is to show that the dialectical process of appropriation clarifies the different moments of the concept of possession. Doing so, we are able to prove that possession and labour are intimately connected since the latter is central to the triad, and the triad describes the moments of the former. Now, if the triadic process of appropriation had nothing to do with the possession disputed by different consciousnesses who struggle to be recognised, our reasoning would fall flat. However, it does not, and we maintain that this triad “taking possession-activity-possession” explains the concept of possession which is at stake in the struggle for recognition. As further proof of this, the fact that in the ulterior texts, in which Hegel refers to the possession, we find the same triad (or at least something which is similar to this process of appropriation and which contains the moment of labour).

For instance, in the §54-58 of the *Elements of the Philosophy of Right*, which are dedicated to the concept of possession (the §54 is entitled “taking possession”), Hegel reproduces the triadic

¹⁰⁹⁵HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 107.

dialectic of the *System of the Ethical Life*: “taking possession consists partly in the immediate *physical seizure* of something, partly in giving it form, and partly in merely *designating* its ownership”¹⁰⁹⁶. We see here that, labour is once against the second moment of the process of taking possession. Moreover, in this text we note that the triad “taking possession-activity-possession” serves to define the concept of possession. Consequently, the parallel between the text of 1802 and the texts on the identification of possession with the middle of recognition remains relevant.

Moreover (and maybe, more interesting), if in *The First Philosophy of Spirit*, Hegel says little on the articulation between possession and labour, he approaches the topic in 1805, in the passage dedicated to the struggle for recognition, a conflict in which possession is apparently central. In this passage we find the process of appropriation to be binary, but it is very similar to the triad described in the *System of the Ethical Life*. Indeed, as in 1802-1803, possession begins with a hold-in-the-hand: “Taking possession (*Die Besitzergreifung*) is the empirical [act of] seizure (*Bemächtigung*), and this is to be justified through recognition. It is not justified merely by virtue of its having occurred”¹⁰⁹⁷. But in fact, a second moment is necessary to achieve possession. Indeed, what would it be if it were reduced to a simple immediate seizure? Would not the extension of what is mine be too bit narrow if it did not go beyond this? Hegel asks himself: “What do I possess, however? (a) My body; (b) the thing I already have, in my mouth or in my hand.”¹⁰⁹⁸ Obviously, such a definition of possession is insufficient and incomplete because things I leave behind me, things I do not have in my hand anymore do not fall under its extension. In this case, the fallow land I leave to rest is not mine, neither the tool I leave on the floor after having stopped using it. It is, therefore, necessary to extend the notion of possession beyond physical apprehension and to say that my possession is also what I mark with my desire and my regard. Here a similar problem arises: the risk is that when I have my back turned, someone may take what I had seized empirically a few minutes ago. Therefore, the hold-in-the-hand moment has to be doubled by a second one, in which labour plays a role: “Besides my having grasped something immediately, however, an existent thing is shown to be mine by means of some *sign*, e.g., my very working on it”¹⁰⁹⁹. The sign serves to announce publicly that such or such piece of land is mine, and that I exclude the others from it. It helps me to warn the others that what I had in hand (and I left for a while in order to go about my business) is mine and no one else's. Therefore, even if language is never reducible to an instrument by which a message is given to another and if it is to be constitutive of the thought itself, it is not false to say that it also has a “universally communicative existence”. Here, the material sign

1096HEGEL Georg Wilhelm Friedrich, *Elements of the Philosophy of Right*, *op. cit.*, § 54, p. 84.

1097HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 112.

1098*Ibid.*, p. 113.

1099HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 113.

fulfils this communicative function of language¹¹⁰⁰: it communicates to the other its own exclusion. However, as we will see below, it does not mean at all that this possession is legitimized or juridically funded by this operation of marking.

In 1803-1804 and 1805-1806, *sign* had already been described by Hegel as a form of the appropriation of things, a form of domination of the natural world: “Adam gave a name to all things. This is the sovereign right [of Spirit], its primal taking-possession of all nature – or the creation of nature out of Spirit [itself].”¹¹⁰¹. Indeed, language is another form of annihilation: it is a memory, which transforms the object of intuition into a “memory-thing”, nullifies the connection to the outside (what is remembered is not anymore present but it is interiorised in the consciousness as a thought content) and produces names. Names are thus the suppression of the empirical being, which has been made it into an ideal entity, *i.e.*, a spiritual reality. In this sense, names make things reborn and gives them a second existence, which is “in thought”¹¹⁰². For instance, there is no intuition of a such yellow thing having feet in the word “lion”; there is no intuition of the animal neither any image of it and there is no independent and empirical entities; there is just the sound made by my voice, a spiritual being¹¹⁰³ – it does not mean however that language is a pure internalisation of the sensible world because names are at the same times an exteriorisation of this internalisation, since words, as sound and thus material and sensible things, are something exterior¹¹⁰⁴. Therefore, the production of signs as work, is understood as an appropriation of the natural world – Hegel himself defines the production of names as the “the first work of the awakened spirit qua spirit”¹¹⁰⁵. However, it seems that the parallelism is not total: “whereas in the first potency [*i.e.*, memory and speech] it proved its ideal lordship over nature, here it proves its real lordship and thereby constitutes itself as spirit for itself withdrawn from nature and

1100BIENENSTOCK Myriam, *Politique du Jeune Hegel. Iéna 1801-1806*, Paris, PUF, Questions, 1992, pp. 125-174

1101HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 89. See also HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 221: “in the name its empirical being as a concrete internally manifold living entity is cancelled, it is made into a strictly *ideal*, internally simple, [factor]. The first act, by which Adam established his lordship over the animals, is this, that he gave them a name, *i.e.*, he nullified them as being on their own account, and made them into ideal [entities]”.

1102“By means of the name, however, the object has been born out of the I [and has emerged] as being”. HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 89.

1103HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 89; HEGEL Georg Wilhelm Friedrich, *Encyclopaedia of the Philosophical Sciences. Part III, The Philosophy of Mind*, translated from the 1830 Edition by W. Wallace & A. V. Miller, Oxford, Clarendon Press, 2010 [1830], §460, p. 198. HEGEL Georg Wilhelm Friedrich, *Encyclopédie des Sciences Philosophiques III, Philosophie de l'Esprit*, trans. Bernard Bourgeois, Paris, Vrin, 2006, §460, p. 260. From now on this text will be abbreviated as follows: HEGEL, *Encyclopédie des Sciences Philosophiques III, Philosophie de l'Esprit*, *op. cit.*

1104HEGEL Georg Wilhelm Friedrich, *Encyclopaedia of the Philosophical Sciences. Part III*, *op. cit.*, §460, p. 199; HEGEL, *Encyclopédie des Sciences Philosophiques III, Philosophie de l'Esprit*, *op. cit.*, add. § 462. On Hegel's understanding during the period of Jena, see TAMINIAUX Jacques, “Le langage selon les Ecrits d'Iéna”, in *Tijdschrift voor Filosofie*, 31ste Jaarg., n° 2, JUNI 1969, pp. 363-377. On language, see also, Hyppolite, *Logique et existence*, pp. 27-46.

1105HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 92.

independently self-shaped (...)”¹¹⁰⁶. In this sense, Lukács is probably right when he accuses Hegel of being an idealist: he separates the awakening of intellectual faculties from the activity, and thus thinks the ideal appropriation of the world, *i.e.*, the production of signs as to be separate from material appropriation¹¹⁰⁷.

Nonetheless, it could be argued that the text of 1805, which we are commenting on, modifies this opinion slightly. Indeed, it seems that here, the material appropriation becomes itself an appropriative production of signs: labour, by which possession is achieved, transforms matter itself into a sign. For instance, I draw a furrow around a piece of land. Thus the appropriation by work is at the same time an appropriation by signs, work being itself a production of signs. It would be not false to claim that Hegel had already considered this mix of ideal and material in the *System of the Ethical life* when he treated the question of corporeal signs¹¹⁰⁸. Here, the body, *qua* material thing, is the bearer of the ideal nature, *i.e.*, the sign. The corporeal sign is a double being because it is at the same time something dead which does not possess in itself any inner meaning and something ideal because this meaning is given by subjective thinking from the outside. Now, Hegel says (without further precisions) that this “objective speech” expresses a relation of possession to the object, a statement that seems to confirm our hypothesis¹¹⁰⁹. Here, the corporeal sign serves to announce publicly that such or such piece of land is mine and that I exclude the others from it. However, it does not mean that this sign juridically funds this possession.

We have to conclude that when, in the beginning of the *System of Ethical Life*, Hegel wrote that “possession is not present at all at the first stage of practical feeling” and that the triadic process of appropriation does not refer to a juridical foundation of possession, he does not mean that *possessio* is not the matter at hand. In fact, this statement can be interpreted in three ways.

III.4) A philosophical concept of *possessio*

First, Hegel's terminology is not totally fixed and when he speaks about the “legal basis or aspect of possession” he could, quite likely, mean property. Indeed, there are many times when he

1106HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 211.

1107“Les considérations qui introduisent aux leçons de 1805-1806 traitent amplement de ce devenir-humain de l'homme. Les préjugés idéalistes de Hegel se manifestent dans le fait qu'il présente l'éveil de la faculté purement intellectuelle de l'homme, la transition de l'état de rêve de la “nuit” de la nature à la première formation conceptuelle, à la capacité de nommer, au langage, comme étant en soi indépendants du travail; il traite en réalité de celui-ci en le rapportant à une étape ultérieure, où les capacités sont déjà formées en l'homme.” LUKÁCS Georges, *Le Jeune Hegel*, T. II, *op. cit.*, p. 60.

1108HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 114-115.

1109Ibid., p. 115.

designates the notion of property by terms like “legal (...) possession”¹¹¹⁰. What he possibly means is that the triadic process does not lead to the constitution of property but to simple possession. This interpretation would be in accordance with the distinction that Hegel makes between possession and property: the former is an appropriation in fact, whereas the latter is an appropriation in right which is obtained through the recognition of the possession by other individuals.

Secondly, the term “legal basis” may be referring to Locke, for whom labour is the founding principle of the appropriation of an object, especially land. A criticism could be addressed immediately to this hypothesis: Hegel does not mention the question of property but of possession and thus Locke would not necessarily be present to mind when he specifies that his theory of labour has nothing to do with a “legal concern”. Indeed, Locke's mixing labour argument is known as a theory of property, not a theory of possession. However, the word “appropriation” and not “property” has been carefully chosen when referring to Locke's argument in order to highlight the distinction he makes between these two concepts. Indeed, some commentators speak about the “theory of appropriation” to designate the argument by which the appropriation of something is legitimated, a process that nevertheless does not occur in the context of civil society, in contrast with the “theory of property” (which defines the substance of the right of property and the “bundles of rights” attached to the context of a political sphere already constituted)¹¹¹¹. The right of appropriation that Locke refers to, takes place inside the state of nature, not in civil society. Likewise, it is within the framework of a similar natural condition that Hegel establishes his reflections on possession (even if, as we will see below, he does not use the term “state of nature” without reservation). In this sense, if Hegel uses the term ‘possession’ where Locke uses that of ‘property’, it is not absurd to affirm that both philosophers conceive of a process that occurs in a precivil state. This would permit the hypothesis that the former wants to distance himself from what is common to call the “mixing labour argument”. Now, if it is really Locke's *Second Treatise of Government* that Hegel has in mind, it would mean that Hegel rejects the idea that mixing my labour with the land could legitimate its appropriation (since, as an owner of my person, I own the work of my hands and thus the work I put into this exteriority). Nevertheless it does not mean that our hypothesis – that possession is intrinsically linked with labour – is false. One thing is to say, here, that labour founds the legitimacy of possession, another is to assert that possession needs more than a simple hold-in-the-hand and that a material operation on the object is required. In the first case, we consider a right, in the second a complex material act by which a consciousness

¹¹¹⁰HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 120.

¹¹¹¹FABRI Eric, “De l’appropriation à la propriété: John Locke et la fécondité d’un malentendu devenu classique”, in *Philosophiques*, vol. 43, n°2, Automn 2016, pp. 343-369.

considers something as theirs, even if it does not actually have it in its hands. Indeed, it is totally possible to describe how I perform this process so that the object might be mine without this appropriation being legitimated. In the first case, what is at stake is just the fact, in the second one it is the right – as we will see later, Hegel is much more interested by the ontological dimension of the “*appropriating labour*” than by its foundational aspect. Therefore, Hegel may reject the mixing labour argument as the foundation of legitimate possession, while considering labour as a fundamental moment of the process of appropriation.

This seems to be confirmed by the text of 1805 on the material sign. Here, Hegel claims that the marking of the object by work is not sufficient to transform it into a legitimate possession. The sign is doubly contingent: de-signation is made by accident. I have firstly drawn a furrow around this field, and I appropriated it. However, someone else could have done this before me. I could have also done the same operation in another part of the world that is not here. Additionally, the contingency is due to the nature of the sign itself. First the sign is the result of the application of form to matter. Hegel quite explicitly states this in the margin of the text: “Form, hollowing out of a formed thing – the thing qua thing – belongs to me; my will attaches to it in its Self”¹¹¹². For instance, carving out a block of stone I give a form to it: “a stony piece of ground is worked on, on some of its sides – but where it has not been worked on I can dig...”¹¹¹³. The problem is that the result of the application of form, the sign, is quite often unlimited: “the sign has an unlimited range”¹¹¹⁴. Here, that which is unlimited is not a positive power, something superior to finite beings. The Greeks defined it negatively as something un-limited, that is, *lacking* limits, that is, being in want of limits. Something which does not have any limit is something imperfect, unfinished, lacking finish (*finitio*)¹¹¹⁵. A bloc of marble is unlimited because the sculptor has not yet sculpted the statue: he has not given limits to the matter; he has not yet, drawn, for example, the curve of a body in the matter. Here, the unlimited takes a similar negative meaning: the extension of the sign is unlimited because it does not manage to restrict the perimeter of what is mine within specific limits. Therefore, the sign is unlimited because it does not possess clear limits.

Obviously one could object with the following examples: when I plant a stake on an island, my possession is clearly delimited; the sign refers implicitly to natural delimitations, *i.e.*, the shore.

1112HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, footnote 33, p. 113. See also the french translation of this note left by Hegel in the margins: “*Forme; creusement d'une masse formée – la chose en tant que chose m'appartient, ma volonté l'inclut dans son Soi*”. HEGEL Georg Wilhelm Friedrich, *Naissance de la Philosophie Hégélienne de l'Etat*, *op. cit.*, p. 222.

1113HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, footnote 35, p. 113.

1114HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, footnote 33, p. 113. See also the french translation of this note left by Hegel in the margin: “*Le signe a une extension illimitée*”. HEGEL Georg Wilhelm Friedrich, *Naissance de la Philosophie Hégélienne de l'Etat*, *op. cit.*, p. 222.

1115BIRAULT Henri, “Heidegger et la pensée de la finitude”, *Revue Internationale de Philosophie*, Vol. 14, n° 52 (2), 1960, pp. 135-162.

Idem, for the metal I transform into a cup: working on the matter, I give it a form and thus I delimit what is unlimited. Here, the form is an ideal model which has limits imposed to the matter. In the process of labour, these limits are transferred to the matter. At the end of this process, there is no difference between the ideal limits of the ideal form and the frontiers of those of the object. Then the form (and its limits) by which I signify that the cup is mine is consubstantial of the elaborated object itself (and its own limits): “in working on a metal cup I cannot separate from it the form I have given it”¹¹¹⁶. It means that the limits imposed by the form to the object corresponds with the frontier between the object and the non-object (that is, with the end of the object in space). The delimiting form and the object own's limits are identical; there is no ambiguity about what is mine.

But, what if the stake is planted on a new continent? Here the extension of the sign is vague and imprecise: it does not delimit the clear perimeter of my possession. The case of a cultivated field is particularly interesting. Admittedly, fences and furrows draw lines in the soil by which the field seems to be clearly delimited. Doing so, I give a form to this field by my work on it; but at the same time, where does this form begin and where does it end? In other words, where does my possession begin, where does it end? Indeed, when I cultivate it the underside is not touched by the activity of transformation: does it mean that it is not mine? Likewise, “the inner side of each clod of earth” is not necessarily removed by my work: does it mean that I have to exclude it from what I possess? It would be strange if I did not possess what is inside of my own field, but at the same time, I did not really transform the inner part of this land. With this example, no clear delimitation of the sign and thus of what is mine presents itself. This failure of the form to give *clear limits* could be explained by the fact that the extension of *action* produced by work is not clearly localisable and identifiable: when I plough a field, I cannot really identify which part of the soil is touched by the swing plough, and which part is not. In other words, the action of my work is not homogeneously distributed within the matter.

However, does this mean that the sign is not a limit? Does it mean that furrows and fences are not a sort of delimitation of the field? This would be contradictory with what was said about the sign by which the family chief, involved in the struggle for recognition, *delimits* his area and warns the others that they will be sentenced to death if they penetrate his territory. There would, therefore, be a contradiction between the two statements: on the one hand, Hegel claims that the sign is unlimited because it does not give clear limits to the possession; on the other hand, when consciousness is in conflict, it uses the sign to delimit its possession and to communicate to the other where its realm begins and where it ends. This ambiguity of the sign appears in the following

¹¹¹⁶HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 113. See also the french translation: “*dans l'élaboration, je ne peux séparer d'une coupe métallique la forme*”. HEGEL Georg Wilhelm Friedrich, *Naissance de la Philosophie Hégélienne de l'Etat*, *op. cit.*, p. 223.

quotation: “an enclosed plot of ground with, [as] a boundary, nothing more than a furrow drawn around it, is designated as mine – and yet not”¹¹¹⁷. Nonetheless, this problem and contradiction may be solved by changing the point of view.

Indeed, if the question is that of the “legal basis” of appropriation, then the sign is both unlimited and contingent. Indeed, the limit produced by the sign is not sufficiently clear to provide any legal ground to the appropriation. If I put fences around a field, does the tree which lies at its centre also belong to me? From the point of view of the ‘mixing labour argument’, the answer would be no, since it was not I that plant it nor have I modified it: the “tree, [was] not planted by him...” writes Hegel in the margin of 1805 text¹¹¹⁸. Notwithstanding this, the tree is within the area I previously delimited. The sign is, thus, too ambiguous to give rise to real legal and legitimate appropriation.

Now, if we leave the legal argument to one side, it remains the fact that the factual appropriation of said land still relies on the delimitation of a sign, such as fences or furrows. When I draw a line in the soil with a swing plough, I give form to the soil, altering it so that it becomes rectangular, square, or even circular. If the un-formed matter is un-limited (precisely because it has not no form and thus no limit), then the material ground which has been formed by my labour is in a way limited, even if this limit is confused and contingent. Moreover, the lines drawn in the soil enclose the field and hence plays the role of delimitation, even if they are imperfect. Through these signs, I *designate* this land as mine, I communicate to others that this land is mine (and in this sense the sign is an appropriative operation), even if, in fact, for the eyes of the other this land remains unrecognised as my possession or as real property. In other words, through giving limits to the field, I appropriate the land and communicate to others that this land is mine, even if it is not from the legal point of view. The sign is thus an un-limited limitation, or a confused limit. I use it to limit and then to appropriate the field even if such a sign is confused and too un-limited to provide the legal basis to this appropriation.

Here, Hegel reactivates an image which was common in the 19th century: the image of the *agrimensores* (the roman surveyors, who are also called *gromatici*) who draws furrows in the soil to delimit the land. This image identifies the work of delimitation with the process of appropriation. We find this idea in the juridical and historical research of the 19th century on what is called the “gromatic treatise”. According to Chouquer, what these studies have generally in common is their attempt to convey the general opinion that *limitatio*, appropriation and origin are all three equivalents¹¹¹⁹. For instance, in a series of articles entitled “*La limitation des fonds de terre dans*

1117HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, footnote 35 p. 113.

1118*Ibid.*, footnote 35 p. 113.

1119For a critic of this equivalence, see CHOUQUER Gérard, *La Terre dans le Monde Romain*, *op. cit.*, pp. 172-173.

ses rapports avec le droit de propriété”, Edouard Beaudouin, historian and jurist of the second half of the 19th century (and professor at the Faculty of law of Grenoble), makes the following comments:

*“La tradition de l'antiquité est ici incontestable. Pour les anciens, la limitation des terres est contemporaines de l'établissement même de la propriété; et l'établissement de la propriété suit immédiatement la fin de l'âge d'or, c'est-à-dire qu'elle accompagne la fondation même des cités et du droit, et l'entrée dans la vie civilisée. Dès que l'on sort de l'âge d'or, et que les cités et le droit commencent à naître, on limite immédiatement les terres, et la propriété privée apparaît. Les deux choses, la limitation des terres et la propriété privée, sont nécessairement contemporaines: plus exactement, il y a là deux façons de dire la même chose. Ainsi quand Virgile veut dire qu'au temps de l'âge d'or, la propriété privée de la terre n'était pas connue encore, il dit que les terres n'étaient pas encore limitées”*¹¹²⁰.

All begins with the lines drawn in the soil by the *agrimensores* so as to distribute lands. In fact, their work carried different functions: the assignation of lands under the command of *imperatores* or the Senate, the registration of lands for the tax level (a task which requires boundary marking and delimitations), the expertise in conflicts of land (especially regarding conflict about limits), and the intervention as judge in agrarian affairs¹¹²¹. Whatever the variety of the tasks the roman *agrimensor* was assigned to, they are best known for the lines they drew in the soil to delimit the land allocated to citizens:

*“Les procédés employés pour la limitation des terres, et donc nous trouvons la description dans les livres des Gromatici veteres, sont de plusieurs sortes. Les Gromatici nous décrivent de préférence, la considérant comme la forme la plus parfaite, la plus vénérable et la plus ancienne, la limitation per decumanos et kardines, autrement dit centuriatio, qui consiste, comme je vais le montrer tout à l'heure, à tracer sur le sol une série de carrés égaux”*¹¹²².

Centuriatio is the method of division and repartition of land using a wide grid of orthogonal axise¹¹²³ and whose history is, according to Gérard Chouquer, intrinsically tied up to the domain and its history¹¹²⁴. A “century” (*centuria*) is a square space which contains one hundred fundamental units named *heredium*, which correspond to the smaller plots of land given which may be left in heritage to the heir¹¹²⁵. The *heredium* is itself composed of two *jugera*¹¹²⁶ – according to

¹¹²⁰BEAUDOUIN Edouard, “La limitation des fonds de terre dans ses rapports avec le droit de propriété. Etude sur l'histoire du droit romain de la propriété (1er article)”, in *Nouvelle Revue Historique de Droit Français et Etranger*, vol. 17, 1893, p. 409-410. A part of this passage is quoted by Chouquer in CHOUQUER Gérard, *La Terre dans le Monde Romain*, op. cit., p. 172.

¹¹²¹CHOUQUER Gérard, “Le “foncier” à l'époque romaine. 3. Les solutions des arpenteurs”, <http://www.formesdufoncier.org/pdfs/Foncier3.pdf>.

¹¹²²BEAUDOUIN Edouard, “La limitation des fonds de terre dans ses rapports avec le droit de propriété... (1er article)” op. cit., p. 400.

¹¹²³*Ibid.*, p. 407.

¹¹²⁴CHOUQUER Gérard and FAVORY François, “De arte mensoria, “Du métier d'arpenteur”. Arpentage et arpenteurs au service de Rome”, in *Histoire & Mesure, La mesure de la terre*, Vol. 8, n°3-4, 1993, pp. 249-284.

¹¹²⁵*Kardines* and *decumani* are the orthogonal axis on which the *limitatio* is grounded. These two sorts of axes are called *limes* (the singular is *limites*) which should not be confused with the term of *limitatio*, the operation of delimitation.

¹¹²⁶BEAUDOUIN Edouard, “La limitation des fonds de terre dans ses rapports avec le droit de propriété... (1er article)” op. cit., p. 407.

Varron, one *centuria* amounts to 200 *jugera*¹¹²⁷. A *jugerum* is the surface area that a team of harnessed oxen is able to plough. It is the projection of the labour-time undertaken in the space¹¹²⁸. Finally, a *jugerum* is formed by two *actus*, the sides of the square which correspond to the length that oxen are able to stride along with their swinging plough after the first impulsion to rush forward in their painful race. In other words, time is used to measure land. Therefore, units of measurement are rooted in the form and the dimension of the field as well as the furrow dug by the swinging plough. The straight lines drawn in the soil by the oxen, the orthogonality of fences deeply determine the agrarian metric and the *agrimensores*' technics of land delimitation.

Here, the point is that for Beaudouin, *limitatio* and private property are equivalent. To delimit a land amount to appropriating it. Since the beginning of this practice, the *agrimensores* drew furrows in the soil and these delimited lands were distributed to citizens who would become their owners. Private lands are always limited, by contrast with public lands which are not. According to Beaudouin, *limitatio* and property are so identified that the limitation can be considered as a principle of differentiation between private land and the public land of the State: the former is limited, the latter not¹¹²⁹. The first lands would correspond to the *dominium ex jure Quiritum* whereas the *agri publici* could only be allocated as a *possessio* to a *possessor*, a *possessio* which could be taken back by the State at any time. Therefore, claiming that *limitatio* gets lost in the night of time¹¹³⁰, Beaudouin sets out to prove that there is no such thing as an original commune property which would be at the origin of all societies¹¹³¹, a topic which is discussed widely at the end of the 19th century¹¹³². Chouquer contests, however, this thesis and argues that in Archaic Rome, there is neither something as the *dominium* (and then the *centuriatio*) nor some form of *possessio*. In fact, these terms appear in the second half of the 5th century BC, not at the “origin”. In

1127CHOUQUER Gérard, *La Terre dans le Monde Romain*, *op. cit.*, p. 101.

1128CHOUQUER Gérard and FAVORY François, “De arte mensoria ...”, *op. cit.*

1129“*Il résulte de ces observations que, si nous nous plaçons à l'époque originaire du droit romain et même dans les premiers siècles de la République, la terre limitée est la terre qui est l'objet de la propriété privée, et la terre non limitée est la terre qui appartient à l'Etat ; (le particulier qui, le plus souvent, il est vrai, occupe cette terre, indûment ou non, n'est plus propriétaire, mais un simple possesseur à qui l'Etat peut toujours reprendre sa terre dès qu'il le veut, à qui, en fait l'Etat l'a reprise toutes les fois qu'a été votée une loi agraire décidant une assignatio viritana ou une deductio de colonie)*”. BEAUDOUIN Edouard, “La limitation des fonds de terre dans ses rapports avec le droit de propriété. Etude sur l'histoire du droit romain de la propriété (4e et dernier article)”, in *Nouvelle revue historique de droit français et étranger*, Vol. 18, 1894, p. 311.

1130“*La limitation des terres est une institution primitive. Elle se lie aux origines mêmes de la cité, de la religion et du droit romain. Elle se perd même dans la nuit des temps, et vraisemblablement doit être plus ancienne que la cité romaine elle-même*”. BEAUDOUIN Edouard, “La limitation des fonds de terre dans ses rapports avec le droit de propriété... (4e et dernier article)”, *op. cit.*, p. 310.

1131“*Il est impossible en d'autres termes d'apercevoir ni même de comprendre une époque quelconque dans l'histoire du droit romain, si ancienne qu'elle soit, où la terre ait été commune, (laissant de côté, bien entendu, les agri publici qui ont existé à toute époque), où elle n'ait pas été au contraire l'objet de la propriété privée*”. BEAUDOUIN Edouard, “La limitation des fonds de terre dans ses rapports avec le droit de propriété... (4e et dernier article)”, *op. cit.*, p. 313.

1132For a good summary of this debate, see CHOUQUER Gérard, *La Terre dans le Monde Romain*, *op. cit.*, p. 174.

other words, the category of the absolute property proper to the 19th century must not be projected on the roman world in which there is no such thing as a unified vision of property¹¹³³.

Our point is obviously not to state that the criticism of communal property is the problem that Hegel's text deals with when discussing the sign; it is rather to point out that when he considers that the delimitation of a field with furrows as an operation of appropriation (which is factual and not legitimate), he probably has in mind the common image of surveyors drawing lines in the soil with a swinging plough and the identification of the *limitatio* with taking possession. One could retort that Hegel refers to *possessio* whereas, for Beaudouin, limitation is identified with legal private property. However, our point is not to show that Hegel's understanding of limits is similar to the jurists of the 19th century, we just want to demonstrate how among the many philosophers who have discussed the problem of land conflicts, Hegel considers the delimitation of land, whose model is the *agrimensores*, as a characteristic feature of the process of factual appropriation, an identification which is not obvious. In a word, limit is here “appropriating” (*appropriante*) since it encloses a piece of the world on which the individual claims a right against the other.

This conception of the limit is not self-evident. Why should limits necessarily be identified with an enclosure? A limit is not necessarily closed and hermetic; it can be porous and open and may be conceived of as a simple zone of transit. It may also be a means to separate two spaces considered qualitatively different. In this case, the limit produces a spatial differentiation – the classical example is the separation between the profane and the sacred by a line. Both operations of delimitation have nothing to do with the delimitation by which I enclose a domain that I consider to be mine.

As already said in the first part of this thesis, this vision of the lines drawn by *agrimensores* in the soil – which was spread by jurists of the 19th century – do not really corresponds to the practices of roman land surveyors. Especially, we saw that roman *agrimensores* did not reduced their activity of drawing furrows to a pure act of appropriation of the land; as explained by Chouquer, they belonged to an analogical world and their lines drawn in the soil connected disparate beings dispersed in the immensity of the universe. By contrast, in the manner of Beaudouin, Hegel reduces the delimitation of land to the question of appropriation. However, within this conceptual framework, he demonstrates originality since he provides a rich reflexion on signs and the delimitation of land in which language, labour and recognition are interlaced. Against Locke, he shows that labour is not sufficient to provide the legal ground for possession because the

¹¹³³CHOUQUER Gérard, *La Terre dans le Monde Romain*, op. cit., pp. 178-182; see also CHOUQUER Gérard, *Etude juridique et historique du dominium et de la propriété foncière dans le monde romain (Ier s. av. - Ier s. ap. J.-C.)*, Livre électronique proposé par l'Observatoire des formes du foncier dans le monde, FIEF, Paris, August, 2014, pp. 10-11.

sign produced by the subject's activity is too unlimited and confused and, as such, too contingent. But at the same time, the sign is the signal by which the individual delimits a land and appropriates it factually. Thus, when Hegel claims that the dialectic process of taking possession has nothing to do with any legal basis or aspect of possession, he is probably criticising the mixing labour argument whilst providing a deep philosophical reflexion on the process of appropriation.

Now, Hegel's statement can be interpreted in another way that is not necessarily in contradiction with the other interpretations. Indeed, he may be referring to the specific meaning that Roman law gives to the term *possessio*. In Roman law, this notion designates an institution which differs from property¹¹³⁴. Indeed, according to Gérard Chouquer, there are at least four modes of land appropriation in the Roman world¹¹³⁵: 1° the *dominium* (or civil “property”), which is situated in the *ager romanus*¹¹³⁶, gives full power over the thing (*plena in re potestas*) – but is not unlimited. It constitutes the privilege of a sole citizenship to take legal action through a *rei vindicatio* – 2° the *proprietas*, a form of possession which is territorially discontinuous, which implies the right of a person or a group over lands separated from their property 3° the *bonorum possessio* which is given to a possessor by the *Praetor*, who ensures the possessor that he will have *dominium* over the object in question after a certain period of time, via a procedure of *usucapio*. 4° “provincial possession” which is placed inside the limits of the *ager publicus*. In the public domain, there are two categories: a) there are lands such as forests, domains of temples, mines, etc., which cannot be appropriated privately b) there those which can be alienated without taking the form of a *dominium*. According to Chouquer, this sort of land is a mixed mode of appropriation in the sense that it is concomitantly private and public; hence why it is called *ager publicus privatusque*.

It is generally this ultimate form of appropriation (the “provincial possession”) that held jurists' and philosopher's attention and, as such, that most likely that which Hegel is targeting when he rejects the juridic interpretation of possession. There is no doubt that Hegel knew this juridic meaning from the period of Jena because German jurists and historians had written long studies about this topic during this same period. Indeed, Friedrich Carl von Savigny wrote his *Das Recht des Besitzes* in 1803 – a book in which he dedicates a part to the history of the possession in Roman antiquity. Furthermore, in his *Römische Geschichte*, published between 1811 and 1832 (one year after his death), Barthold Georg Niebuhr – a German historian whose history of Rome was considered seminal at the time – dedicated an entire part of the book to the *ager publicus*, evoking

1134 TRIGEAUD Jean-Marc, “Possession”, *op. cit.*; FAURE Edgar, “Possession et propriété dans le droit romain post-classique”, in *Revue belge de Philologie et d'Histoire*, T. 42-1, 1964, pp. 103-113.

1135 CHOUQUER Gérard, *La Terre dans le Monde Romain*, *op. cit.*, pp. 142-149.

1136 THÉVENIN Pierre, “Situer la possession. Du droit romain de l'appartenance aux nouveaux modèles propriétaires”, in *Clio@Thémis. Revue électronique d'histoire du droit*, Association Clio et Thémis, 2018, p. 5-6.

the question of the *possessio*¹¹³⁷. In the paragraph he dedicates to the history of *possessio* in Ancient Rome, Savigny simplifies the quadripartite division of Roman territory mentioned above and places the emphasis on the opposition between the *ager publicus* with the *ager privatus*. Whereas, only the latter could be the object of private appropriation, the former could be attributed by the Republic, which might reclaim the property at any moment. What Savigny wants to demonstrate in this work is that even if it seems difficult to find any legal form whereby possession would have been determined, it is certain that such a form of possession had been in existence, and that specific modes of appropriation were protected by some juridical means.

Whatever the strict meaning of the term (a meaning of which varies noticeably depending on the epoch and the authors), it is certain that for Roman law and for the Roman world, *possessio* is not just an informal way of appropriating something which would previously have been property, that is, awaiting its juridic foundation. *Possessio* is already a juridic form which differs from *dominium* (the problem of the degree of their distinction and whether they are simply different or if there is any irreconcilable opposition between both shall be left to one side)¹¹³⁸. Generally, it is well known that possession must be composed by two inseparable elements. First, it is a power of action (*corpus*) related to a real estate and which can take the form of a material occupation or a translative contract; secondly, this material action must be accompanied by an intention to possess the object, something that is commonly called *animus domini*¹¹³⁹. The articulation between the *corpus* and the *animus* generates a protection of the possessor and his possession through the form of *interdictum*. Here lies the difference between *detentio* and *possessio* and thus the specific difference of the latter. It does not mean, however, that *detentio* is deprived of any form of protection. Indeed, the *detentor* has at his disposal every legal means generally used against infringements of personality. It would seem that in certain cases, he may also have a certain form of *interdictum*. The difference is that the possessor has some specific *interdicta* to defend his possession, a defence named “possessorial interdicts”. An *interdictum* is a set of *formulae* and terms that a praetor uses to exercise his authority for the termination of disputes. When he orders something to be done, the terms take the form of a *decretum* and “when he forbids something to be done, as when he orders that force shall not be used against a person who is in possession rightfully (*sine vitio*), or that nothing shall be done on a piece of sacred ground”¹¹⁴⁰. There are two sorts of possessorial interdicts: *interdicta retinendae possessionis*, which serves to maintain a possession

1137 HEGEL Georg Wilhelm Friedrich, *Leçons sur la Philosophie de l'Histoire*, trans. J. Gibelin, Paris, Vrin, Bibliothèque des Textes Philosophiques, 1987 [1822], p. 233; SERENI Paul, *La Personne et la Chose*, Paris, l'Harmattan, L'Ouverture philosophique, 2007, p. 152 sq.

1138 On this problem, see THÉVENIN Pierre, “Situer la possession...”, *op. cit.*

1139 TRIGEAUD Jean-Marc, “Possession”, *op. cit.*

1140 LONG Georg, “Interdictum”, *op. cit.*

which is under attack, and *interdicta recuperandae possessionis*, which serves to recover something that the possessor was dispossessed of. Here, using the technical terminology of the Roman law, it is possible to demonstrate how possession is far from being an informal form of appropriation of a fictional state of nature but instead corresponds to an authentic juridic institution, which cannot be reduced to property.

Accordingly, it is not absurd to argue that Hegel opposes this juridical and historical understanding of *possessio* by introducing a philosophical concept of possession¹¹⁴¹. Actually, even if the two levels are never entirely hermetic, it seems that philosophers developed autonomously a proper philosophical view on this question, tackling it from an ontological, noetic or axiological perspective¹¹⁴². On the one hand, philosopher regarded possession as a limitation of property, and thus as an alternative mode of appropriating nature (it seems to be the case different philosophical points of view as varied as Marx's, Proudhon's, personalism's or even that of phenomenology)¹¹⁴³. On the other hand, it has been considered as a premiss of property, *i.e.*, an appropriation that will be transformed into an appropriation that is sanctioned by the law as well as being institutionalised. This ultimate point of view is more or less the same as Grotius's and Kant's, and, according to us, it is also the same as Hegel's during the Jena period. Actually, he claims himself explicitly that possession “is not yet property”¹¹⁴⁴, which means that one is always attempting to become the other.

In order to summarize, it could be said that Hegel defines possession by opposing it to two other ways of understanding it: the *juridico-historical* and the *foundational* definitions. The first corresponds to roman law and defines possession as a specific juridical form of appropriation that was protected by *interdicta*. To this definition, Hegel opposes the philosophical point of view according to which *possessio* is in continuity with property in the sense that it is its premiss. Additionally, the foundational point of view searches, in the concept of work, a way of legitimizing the appropriation of lands. Against this definition according to which the question is the right of the appropriation, it could be said that Hegel prefers a more “ontological” one whereby it is more a matter of the description of the process by which a subject makes something his.

III.5) Possession as Phenomenal-Manifestation

A deep analysis of this latter point of view (which is inextricably linked with the philosophical one) will give the key to the problem we previously wanted to answer: why could

1141 TRIGEAUD Jean-Marc, *La Possession des Biens Immobiliers: Nature et fondement*, Paris, Economica, 1981, p. 482.

1142 *Ibid.*, p. 482

1143 TRIGEAUD Jean-Marc, “Possession”, *op. cit.*, p. 2006.

1144 HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 112.

possessio be considered as a phenomenal-manifestation (*Erscheinung*) of individuality? Now that enough elements have been gathered to prove the centrality of labour in the process of appropriation, we can conclude and give an answer to this question. It seems that the text about the triad infers something that Hegel will explicitly assume after the Jena period: “labor [the second moment] is the reality or movement, the entry of the subsuming subject into the reality of the object”¹¹⁴⁵. Few years later he will write even more explicitly that “labor is one's making oneself into a thing (*sich zum Dinge machen*). The division of the I beset by drives is this very same self-objectification (*sich zum Gegenstande machen*)”¹¹⁴⁶ – in a margin note Hegel uses the following terms to qualify the marking of the thing with a sign through the material activity on it: “extension of the objective I – through its signification”¹¹⁴⁷. Through the imposition of a form (which is its own) on the object by the *form-ation*, consciousness project itself in this exteriority. Indeed, the form by which matter is informed is the consciousness itself (the being-for-itself) which goes out of itself and imprints itself on materiality. As Hegel will say in the *Phenomenology of spirit*:

“In the lord, the being-for-self is an “other” for the bondsman, or is only *for* him [*i.e.*, is not his own]; in fear, the being-for-self is present in the bondsman himself; in fashioning the thing, he becomes aware that being-for-self belongs to *him*, that he himself exists essentially and actually in his own right. The shape does not become something other than himself through being made external to him; for it is precisely this shape that is his pure being-for-self, which in this externality is seen by him to be the truth”¹¹⁴⁸.

Consciousness passed from the interior to the material exteriority and is thus objectified. Therefore, by this objectification of the consciousness, the object becomes another I. That is why Hegel can declare in another margin note that “possession means that a thing is mine, the I is universal, with many egos involved”¹¹⁴⁹. If possession is the result of a process of appropriation in which labour is central, if through this same transformation of the matter the I objectifies himself in it and if the formed object become this same I, then possession is another I. Consequently, if each possession is another I, there is a multiplicity of Is which are nothing more than an extension of myself. Each I, which is part of the multiplicity of “I-in-the-external-possession”; it is a particular instantiation of the “I-internal-consciousness”, hence the reason why Hegel says it is universal. This explains partially the initial assertion under explanation: the single family head, as a consciousness, posits every aspect of his possession as being himself, as being bound up with his whole essence. In other words, with possession, being and having are mixed up:

“Contradiction between *having* and *being-for-self*. In having, I am *immediately* existent. The

1145HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 107.

1146HEGEL, *Jena Lectures on the Philosophy of Spirit* (1805-6), *op. cit.*, p. 103.

1147Ibid., p. 113.

1148KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, *op. cit.*, p. 31.

1149HEGEL, *Jena Lectures on the Philosophy of Spirit* (1805-6), *op. cit.*, p. 108.

former as immediate being, the latter as being-for-self. Immediate contradiction: [this is] *my* thing insofar as it is *mine*, not insofar as it is a thing – distinction.”¹¹⁵⁰

In the first sentence of this extract, the having is here the possession and the being-for-myself is the consciousness. Then, the having becomes a being because, through the process of exteriorisation, a possession in which consciousness has been objectified becomes a second being-for-myself. In short, through labour exerted on the object I possess, I *am* what I *have*, or more precisely I *become* what I *appropriate*.

At the same time, it seems that this “having-being” turns immediately into a negation of my own being: “(a) In labouring, I make myself immediately into the thing, a form which is Being”¹¹⁵¹. Actually, the objective pole is the subjectivity's opposite – consciousness being defined by this dualistic opposition between the subject and the object: “it exists in as much as it is that wherein both terms, the self-conscious being, and that of which he is self-conscious, are posited as one, and also oppose themselves to it”¹¹⁵². The first is the passive pole whereas the second is the active one inasmuch as it is characterized by the negation: “consciousness arises as a self-conscious being from itself as consciousness, [*i.e.*,] as the actively negating identity which, from its becoming conscious to itself of something other than it is, returns into itself, and supersedes this other, by the expedient of passing on to yet another”¹¹⁵³. Its activity lies in its capacity of abolishing any determinacy¹¹⁵⁴ and going beyond the given, annihilation which makes it free. On the contrary, the objective pole is what is negated and as such it receives quite passively this annihilation: it is characterised by the lack of this capacity of free negation. The active consciousness is, therefore, opposed to the inert. Consequently, when the active consciousness enters into the passive object by the process of exteriorisation, it becomes other-than-itself, that is, something it is not. The active (consciousness) become the passive (object). As a subject, I lose myself in the object, that is to say something which is not me but my contrary. This becoming-thing is a negation of myself because my subjectivity becomes an object, a being-there, thus, something it is not. Indeed, if there is a strong opposition between the being there (or for-itself) and the being-for-itself, when consciousness *takes the form of the being* (“a form which is *Being*”) in the process of transformation, it takes the form of the other and thus negates itself. The transplantation of my consciousness in the object is thus a loss of myself in an other. In other word, it is an externalization (*Entäusserung*) and an alienation (*Entfremdung*), which are both respectively

¹¹⁵⁰*Ibid.*, p. 112.

¹¹⁵¹HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 123.

¹¹⁵²HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 214.

¹¹⁵³*Ibid.*, p. 212.

¹¹⁵⁴“it abolishes all determinacy, [and] is purely self-identical.” HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 227.

defined as a becoming-other (or a being-in-an-other) and the fact of becoming alien to itself¹¹⁵⁵. I become the object (then an other) and thus I am necessarily alien to myself (since, as an object, I am not anymore a subject).

As often pointed out, alienation has a positive side. To that end, a second negation is necessary, a negation by which the first will be negated¹¹⁵⁶: “(b) At the same time I externalize this existence of mine, making it something alien to myself, and preserve myself therein.”¹¹⁵⁷ The object is my production and at the same time it is external to me. As with the baby who was initially inside their mother and then cries when having been separated from her body, the product is first a result of my labor but once finished, it finally detaches itself from my individuality. The object is now standing in front of me as something which is not me anymore, as an alien. It is independent and free, it has an independent life. In other words, I have lost it. Now, and this constitutes the positive moment, since it was precisely in this object that I had lost myself, this means that I lose the object in which I lost myself, I lose the loss of myself, negating the negation of myself in the object lost. In other words, the loss of the object is a loss of my own alienation in it.

That is why, in a third moment, the negation of my negation becomes an affirmation, it becomes a coming back to myself. And yet, this recuperation of myself is not anymore an immediate access to myself, a knowledge of myself that would not go through exteriority and would only happen in myself, inside the consciousness; it occurs in relation with the object that is external to me. Indeed, if I projected my consciousness in the thing and then lost it, the loss of this loss (via the loss of this product) would constitute a recovering of myself in the same object. Paradoxically, the loss of the product is a recovery of myself in it. It can be explained by the fact that I lost the object inasmuch it is my production, but I find it again as the material support of my consciousness. The fact is that from the moment of the exteriorisation to the moment of the recovery I have maintained myself in the object wherein my consciousness had been objectified.

From then on, we are in a situation in which consciousness is at the same time inside itself (as a consciousness directed against the object) and in the object (as a subject objectified). In this sense, consciousness is facing itself and can observe itself in the object. Now we are truly allowed to say that “*I am what I have*” – even if we will see that this sentence has a specific meaning when it is applied to Hegel. If the subject is also in the object, it can intuit itself and recognise itself in the object. In other words, it contemplates itself in its own work. Therefore, as a result of labour, the

1155On this double mouvement of exteriorisation-alienation, see RICŒUR Paul, “Aliénation”, *Encyclopædia Universalis* [online], connection the 26th October 2021,

URL : <http://www.universalis-edu.com/janus.bis-sorbonne.fr/encyclopedie/alienation/>

1156We follow Franck Fischbach interpretation here FISCHBACH Franck, “Transformations du concept d’aliénation. Hegel, Feuerbach, Marx”, *Revue germanique internationale*, 8, 2008, pp. 93-112.

1157HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 123.

becoming-other of the consciousness is the condition of possibility of self-consciousness. In short, consciousness is in itself (in the object) and for itself (in the self-consciousness). Maybe Hegel is the best commentator regarding himself when he writes few years later in the *Phenomenology of Spirit* that:

“The negative relation to the object becomes the *form* of the object; it becomes something that *endures* because it is just for the laborer himself that the object has self-sufficiency. This *negative* mediating middle, this formative *doing*, is at the same time *singularity*, or the pure being-for-itself of consciousness, which in the work external to it now enters into the element of lasting. Thus, by those means, the working consciousness comes to an intuition of self-sufficient being *as its own self*. However, what the formative activity means is not only that the serving consciousness as pure *being-for-itself* becomes, to itself, an *existing being* within that formative activity. It also has the negative meaning of the first moment, that of fear. For in forming the thing, his own negativity, or his *being-for-itself*, only as a result becomes an object to himself in that he sublates the opposed existing *form*. However, this objective *negative* is precisely the alien essence before which he trembled, but now he destroys this alien negative and posits *himself* as such a negative within the element of continuance. He thereby becomes *for himself* an *existing being-for-itself*. Being-for-itself in the master is to the servant an *other*, or it is only *for him*. In fear, being-for-itself is *in its own self*. In culturally formative activity, being-for-itself becomes for him *his own* being-for-itself, and he attains the consciousness that he himself is in and for himself. As a result, the form, by being *posited as external*, becomes to him not something other than himself, for his pure being-for-itself is that very form, which to him therein becomes the truth. Therefore, through this retrieval, he comes to acquire through himself a *mind of his own*, and he does this precisely in the work in which there had seemed to be only some *outsider's mind*”¹¹⁵⁸.

That could explain why Hegel says that possession, is a phenomenal-manifestation: through the transformation of exteriority, my own self appears to me, it manifests itself in an external object. As something in which the individual objectified itself and preserved itself, it is a manifestation of itself. More concretely, it means that the consciousness which transforms the world has created its *own* world. The working consciousness crushes the natural world to build a cultural historical and human world on top of it¹¹⁵⁹. Doing so, it creates a place in which it feels at home and in which it recognizes itself in it. It is in this world it produced that consciousness is able to contemplate its own subjective reality¹¹⁶⁰.

1158HEGEL Georg Wilhelm Friedrich, *The Phenomenology of Spirit*, trans. Terry Pinkard, Cambridge, Cambridge University Press, 2018 [1807], p. 115-116.

1159As Kojève said, “*ce travail crée un Monde réel objectif, qui est un Monde non-naturel, un Monde culturel, historique, humain. Et c'est dans ce Monde seulement que l'homme vit une vie essentiellement différente de celle que vit l'animal (et l'homme “primitif”) au sein de la nature*”. KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 37.

1160 Hegel develops the same idea at the beginning of the passage of the *First philosophy of Spirit* that he dedicates to the Spirit of the people: “This becoming other than itself consists in its connecting *itself as passive* with *itself as active* ; as active people it is generally conscious of itself, and passes over into the product or to the self-identical; and since this common work of all is their work as conscious beings in principle, they come to be themselves outside of themselves in it, but this outward [being] is their deed, it is only what they have made it, it is themselves as active but superseded; and in this outwardness of themselves, in their being as superseded, as middle, they intuit themselves as one people; and this their work is their own spirit itself because it is theirs. They beget it, but they reverence it as something that is on its own account; and it is for itself, since the activity through which they beget it is the cancelling of themselves, [and] this cancelling of themselves at which they aim, is the universal spirit in being for itself”. HEGEL, *First Philosophy of Spirit (1803/4)*, op. cit., p. 243. Nevertheless, it must be noticed that this thesis appears at the moment of the Spirit of people, whereas texts we are analysing concern anterior moments (especially the moment of the consciousness).

To end this section, let us just say that the concept of expression seems quite adequate to account for the process of appropriation through labour that we have just described. Indeed, through labour, the subject express itself in nature. Passing from interiority into the exteriority, the subject express and manifest its interiority. Thus, the subject's relationship with land can be understood according to an *expressive model*. In a way, and despite all the differences which separates the two philosophers, this expressive model is revisited by Marx in the Manuscripts of 1844, when he will consider the process of labour as an objectification: man, he says, objectifies and expresses himself in objects he produces. Indeed, man is an objective being, *i.e.*, a being which cannot deploy himself and his vital activity without external objects that lies in nature. By contrast, he defines alienation as this loss of the object and then a loss of expression¹¹⁶¹. We should recall this point when we consider the notion of expression in *Deleuze's* writings on territory in order to grasp the distance which separates him from the german philosophers.

1161 On the concept of expression in Marx (and more general in german philosophy) and its difference with Hegel's own concept, see Fischbach's introduction to the french translation of Marx's Manuscripts of 1844 MARX Karl, *Manuscripts Economico-philosophiques de 1844*, trans. Franck Fischbach, Paris, Vrin, Textes & commentaires, 2007 [1844], p. 29-33 and pp. 52-59 ; see also FISCHBACH Franck, ““Possession” versus “expression”: Marx, Hess et Fichte, in RENAULT Emmanuel, *Lire les Manuscrits de 1844*, Paris, PUF, Actuel Marx Confrontations, 2008, pp. 74-75 ; FISCHBACH Franck, “De la propriété possessive à la propriété expressive: Fichte, Hess, Marx”, in GODDARD Jean-Christophe and RIVERA DE ROSALES Jacinto, *Fichte et la politique*, Monza, Polimetrica Publisher, 2008, pp. 285-302.

IV) The hidden abode of appropriation

Considering that consciousness becomes itself only through its action on external materiality, the relation with land could be seen as a relation of dependency. If the constitution of my consciousness depends on land, then this is not just something I possess, but something I am attached to. And this attachment is not sentimental but ontological: my being depends on this exteriority. Notwithstanding, this figure of attachment is still imbued with domination and, as we are going to see, by a figure of detachment. In this chapter, we demonstrate that the relation that the consciousness has with land is a relation of domination and detachment. Doing so, we give precision on the nature of the collective relationships with the earth that underlies the conflictual interactions between men. First, we focus on the relation of domination involved in the interaction with the land, second, we consider this relation as a form of detachment.

IV.1) Possession, production and hylemorphism

Through labour, consciousness destroys the object, imposing its own form onto it and becomes its master. In other terms, the working-consciousness becomes the master of nature. Admittedly, the relation with the object is much more complex than a simple imposition of a form to matter. As we have already seen, the process of labour is made of a *real*-moment in which consciousness annihilates the singular form of the object, a object which resists the negation. This could suggest that the working-consciousness feels a kind of *respect* for the object which is transformed by its power of negation¹¹⁶². According to this hypothesis, a part of the object (the content) is left independent by the consciousness and thus this relation should not be identified with a form of domination. Nevertheless, this resistance of the object has to be understood in contrast with the figure of desire: whereas desire leads to the consumption of the object (the total

¹¹⁶² See for example the interpretation of Lukács: “the object of labour, which only becomes a real object for man in and through labour, retains the character which it possesses in itself. In the Hegelian view of labour one of the crucial dialectical moments is that the active principle (in German idealism : the idea, concept) must learn to respect reality just as it is. In the object of labour immutable laws are at work, labour can only be fruitful if these are known and recognized. On the other hand, the object becomes another through labour. In Hegel's terminology the form of its thinghood is annihilated and labour furnishes it with a new one. This formal transformation is the result of labour acting on material alien to it yet existing by its own laws.” LUKÁCS Georg, *The Young Hegel*, *op. cit.*, p. 324-325. See also FISCHBACH Franck, “La “philosophie du travail” dans les esquisses de système à Iéna (1802-1806)”, *op. cit.*

annihilation), labour restrains this sort of assimilation. Therefore, the resistance of the thing just means that it is not consumed immediately, not that it is an object of respect. Incidentally, this restriction does not mean that the object will *not* be finally absorbed by the subject: as we already said, consumption is just postponed – animals “are destined to be annihilated in being eaten”¹¹⁶³. Moreover, during this interval between the seizure of the object by the desire and its assimilation, this thing is transformed and thus there is still a negation. More importantly, the fact that the object is not totally negated does not prove any respect for the *res*; contrarily, it confirms that labour is a form of subjection: indeed, if I destroy something entirely, I cannot subjugate it. As I cannot enslave someone if I let him die, domination is not a total annihilation but it is made possible by a certain independence of the thing. I have to let the thing exist to subjugate it. That is the difference between extermination and domination. And the imposition of a form to matter corresponds to this second mode of relation with nature. The way Hegel understands taming illustrates to perfection this point: even if the tamer grants a certain autonomy to the horse, he annihilates the form of its behaviours and imposes another (his own).

Production seems to be an adequate word to designate this form of domination of nature. If *production* is defined as a process by which a subjective agent transforms and dominates inert matter, giving it a form (which is the expression of the interiority of subjectivity)¹¹⁶⁴, then this term seems to be quite appropriate to designate the way Hegel understands the relationship with nature¹¹⁶⁵. The concept of production contains the articulation of three ideas: 1° hylemorphism is the right scheme to think about the relation between the producer and the product 2° there is a radical difference in the ontological status between the producer and that which is produced 3° production is identified with the movement of a conquering subjectivity directed against an inert object. According to what we previously said, this articulation cannot be applied without any nuance to Hegel's understanding of the process of labour.

Indeed, as we have seen, Hegel does not support a pure and strong hylemorphism. Hegel explains the process of work by the substitution of a form (the one of the object which is transformed) by another one which destroys the first, but the *hylé* (that is the second pole of the scheme) seems to be absent. This can be explained by the fact that the thing which is transformed is not something inert but something which has a certain degree of reality by which it resists the forming: the object does not receive the form passively but impose its own rules to the transformer pole. Nevertheless, this nuance is erased if it is compared with other ways of

1163HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 109.

1164 For a complete definition of this concept see DESCOLA Philippe, *Par-delà Nature et Culture*, *op. cit.*, pp. 439-441.

1165HENRY Michel, “Le concept de l'être comme production”, *Revue Philosophique de Louvain*, Quatrième série, T. 73, n° 17, 1975, pp. 79-107.

understanding the action on the environment. Anthropology has shown that there are other ways of schematising the relation we have with non-human beings. In a non-modern context, horticulture is sometimes considered as a communication between two subjective poles and the fabrication of artefacts as the actualisation of a virtual prototype, but never as the imposition of a form to an object¹¹⁶⁶. But in fact, there is no need to refer to a context radically exterior to modernity: for instance, Simondon defines the technical operation as an operation of communication and not as the forming of a purely undetermined matter. To demonstrate it, the example which is commonly given, and is considered as the paradigm of hylemorphism, is the fabrication of a brick with a mould and a mass of clay. During this operation, the clay is not an inert and unformed matter: it is not yet colloidal and it is necessary to prepare it before the operation itself by precise technical processes. Moreover, the mould is not a pure scheme. Indeed, the pure geometrical form, the rectangular parallelepiped has to be materialised in a such specific mould which is made of a such specific matter and is at the same time deformable. Moreover, the sole external union of a form with a matter would not be sufficient to produce a brick: “*que l'on prenne du sable fin, qu'on le mouille et qu'on le mette dans un moule à briques: au démoulage, on obtiendra un tas de sable, et non une brique*”¹¹⁶⁷. In fact, the mould and the clay are two different orders of magnitude which at the first sight have nothing in common. Thus the question is how to create a mediation between the macro-physical (the mould) and the micro-physical (the clay) levels. Two technical chains of transformation are implemented by the technical operation in order to elaborate these two incommensurable poles and finally to make them converge on the same point: on the one hand the progression from the geometrical form to the material mould, on the other hand, the progression from the raw material extracted in the marsh to the homogeneous matter (without space or grain of sand between the molecules) which have been dried out, ground into powder, sieved and immersed in water. Then during the firing phase, the clay (“*qui n'a pas une forme définie, mais toutes les formes indéfiniment, dynamiquement*”¹¹⁶⁸) actualises the potential which is in it. Then, the inner walls of the mould apply an opposite but passive force to the matter in expansion. *In fine*, the technical operation is the mediation between two forces. In contrast, the Hegelian *forming* appears closer to hylemorphism: even if the opposite pole is not an inert thing and has a certain individuality resisting the technical action, a form is still imposed to something which could be named “matter”, even if it is never mentioned as such.

This hypothesis is reinforced by the fact that Hegel strives to apply this “model of

1166DESCOLA Philippe, *Par-delà Nature et Culture*, op. cit., pp. 441-445.

1167SIMONDON Gilbert, *L'Individuation à la Lumière des Notions de Forme et d'Information*, Grenoble, Millon, 2013 [2005], p. 40. From now, this text will be referred as SIMONDON Gilbert, ILFI.

1168SIMONDON Gilbert, ILFI, p. 42.

formation” to human activities despite the fact that most of them (horticulture, taming, etc.) do not correspond to such a conceptuality. This tension can be perfectly illustrated in a passage from the *Elements of the Philosophy of Right*:

“To give form to something *die (Formieren)* is the mode of taking possession most in keeping with the Idea, inasmuch as it combines the subjective and the objective. Otherwise, it varies infinitely according to the qualitative nature of the objects [*Gegenstände*] and the variety of subjective ends. – We must also include here the giving of form to the organic. The effects which I have on the latter do not remain merely external, but are assimilated by it, as in the tilling of the soil, the cultivation of plants, and the domestication (*Bezähmen*), feeding, and conservation of animals; further examples are the measures we employ in order to utilize raw materials or the forces of nature, or the influence which we cause one substance [*Stoff*] to exert upon another, and so on.

Addition (H). In empirical contexts, this giving of form may assume the most varied shapes. The field which I cultivate is thereby given form. As far as the inorganic realm is concerned, I do not always give it form directly. If, for example, I build a windmill, I have not given form to the air, but I have constructed a form in order to utilize the air, which cannot be taken away from me just because I have not myself formed it [*i.e.* the air]. Even the fact that I conserve game may be regarded as a way of imparting form, for it is a mode of conduct calculated to preserve the object in question. The training of animals is, of course, a more direct way of giving them form, and I play a greater role in this process”¹¹⁶⁹.

In the text, the operative forming unites the subjective and the objective because, as we have already seen, the interiority of the subject is projected in an objective nature. This application of the model of “forming” to so diverse activities (as the cultivation of plants, tilling the soil, the training of animal, hunting, etc.) is quite surprising. If the notion of formation seems to be well suited to the fabrication of artisanal objects (in which a form is apparently imposed into the matter), it should be admitted that there is nothing obvious concerning other sorts of human activity: is it realistic to define horticulture as an act of forming the soil in which the plant grows up? Likewise, is it not preferable to think of taming and training animals as a form of communication with the animal than as a forming of the animal behaviour? Likewise, it is quite strange to speak of hunting in such terms: capture would better befit the cynegetic activities. Hegel goes even so far as to describe this hunting practice as consisting in sparing the animal's life in order to regulate the animal population: by this he suggests that the hunter gives a shape to the herd, even if it is indirectly. The German philosopher himself seems to be aware of the limits of this model when he applies it to the case of the mill. It is indeed difficult to say that the mill forms the air. This obstinate (and quite obsessional) will to consider every human action on nature as an activity of forming (even if, most of the time, this model is not appropriate to the diversity of human *praxis*) proves the importance that Hegel gives to form in the process of labour and thus, to one of the conceptual poles of hylemorphism.

¹¹⁶⁹HEGEL Georg Wilhelm Friedrich, *Elements of the Philosophy of Right*, op. cit., §56 and Addition, pp. 85-86. HEGEL Georg Wilhelm Friedrich, *Grundlinien der Philosophie der Rechts oder Naturrecht und Staatswissenschaft im Grundrisse*, in HEGEL Georg Wilhelm Friedrich, *Werke 07*, Frankfurt am Main, Suhrkamp, 1986 [1820], pp. 121-122.

Admittedly, we have already seen that forming depends on the proper nature of the object: if the thing formed is something inert, labour consists in a pure causality which is applied mechanically to the object from the exterior¹¹⁷⁰; if it is a living being, there is no such external causality¹¹⁷¹ and the act of forming is as-similated to the object. In other words, the form “is made similar to” the object in the sense that the subjectivity adapts its form to the nature of the thing. Nevertheless, it does not mean that form does not dominate the object. Domination does not necessarily fatten the other with an external and rigid form that the thing should bow to. One is able to dominate an other by relying on the other's own dynamics. In other words, domination is not reduced to violence. Violence acts on things, *i.e.*, on something inert or dead *or considered as such*¹¹⁷². And because the action is directed against a passive pole, the only means to make it obey is to bend it (or even to break it), as the master does when he cracks the whip on his slave's back. However, domination can also act on something alive and active. In this case, the relation of domination does not consist in bending the other to my will but in actions of inducement and incitement. The action is not directed against a thing but against another action. As we have seen, taming is the application of a form to the movement of the beast by which the sequences of actions of the animal are disarticulated and recomposed in another way. We have also seen that this relation presupposes that the beast is an individuality and that it is active. Nevertheless, it does not mean

1170 “Le travail est aa) est totalement mécanique, car la singularité, l'abstraction, la causalité pure sont dans la forme de l'indifférence, sont ce qui domine, donc un extérieur pour l'objet ; car par là, c'est en vérité la causalité qui est posée, car ce sujet [est] un sujet singulier, étant absolument pour soi, donc séparation et différence absolues”. HEGEL, *Système de la Vie Ethique*, presented by Jacques Taminiaux, *op. cit.*, p. 117.

1171 “Là où par contre l'objet et l'universel sont en tant que subsumant, il n'y a pas causalité, car ils sont en soi l'indifférence du particulier, et forment une unité avec celui-ci, pour lequel la particularité par le fait même est pure forme extérieure, et non l'essence intérieure, l'être-sujet”. HEGEL, *Système de la Vie Ethique*, presented by Jacques Taminiaux, *op. cit.*, p. 118.

1172 “Est-ce que cela veut dire qu'il faille chercher le caractère propre aux relations de pouvoir du côté d'une violence qui en serait la forme primitive, le secret permanent et le recours dernier - ce qui apparaît en dernier lieu comme sa vérité, lorsqu'il est contraint de jeter le masque et de se montrer tel qu'il est ? En fait, ce qui définit une relation de pouvoir, c'est un mode d'action qui n'agit pas directement et immédiatement sur les autres, mais qui agit sur leur action propre. Une action sur l'action, sur des actions éventuelles, ou actuelles, futures ou présentes. Une relation de violence agit sur un corps, sur des choses : elle force, elle plie, elle brise, elle détruit : elle referme toutes les possibilités ; elle n'a donc auprès d'elle d'autre pôle que celui de la passivité ; et si elle rencontre une résistance, elle n'a d'autre choix que d'entreprendre de la réduire. Une relation de pouvoir, en revanche, s'articule sur deux éléments qui lui sont indispensables pour être justement une relation de pouvoir que “l'autre” (celui sur lequel elle s'exerce) soit bien reconnu et maintenu jusqu'au bout comme sujet d'action ; et que s'ouvre, devant la relation de pouvoir, tout un champ de réponses, réactions, effets, inventions possibles. La mise en jeu de relations de pouvoir n'est évidemment pas plus exclusive de l'usage de la violence que de l'acquisition des consentements ; aucun exercice de pouvoir ne peut, sans doute, se passer de l'un ou de l'autre, souvent des deux à la fois. Mais, s'ils en sont les instruments ou les effets, ils n'en constituent pas le principe ou la nature. L'exercice du pouvoir peut bien susciter autant d'acceptation qu'on voudra : il peut accumuler les morts et s'abriter derrière toutes les menaces qu'il peut imaginer. Il n'est pas en lui-même une violence qui saurait parfois se cacher, ou un consentement qui, implicitement, se reconduirait. Il est un ensemble d'actions sur des actions possibles : il opère sur le champ de possibilité où vient s'inscrire le comportement de sujets agissants : il incite, il induit, il détourne, il facilite ou rend plus difficile, il élargit ou il limite, il rend plus ou moins probable ; à la limite, il contraint ou empêche absolument ; mais il est bien toujours une manière d'agir sur un ou sur des sujets agissants, et ce tant qu'ils agissent ou qu'ils sont susceptibles d'agir. Une action sur des actions”. FOUCAULT Michel, “Le sujet et le pouvoir, in *Dits et Ecrits. II*, Paris, Gallimard, Quarto, 2001, pp. 1055-1056.

that there is no domination: if the two poles of the relation are active there is still an asymmetry between the one who commands (the subjectivity applying a form) and the other which obeys. Therefore, passivity should not be opposed to activity. We have already seen that the tool can be active from the point of view of the object it transforms and passive in relation to the labourer who uses it. Likewise, in comparison with the dead object on which mechanical labour is applied, the living labour is directed against an activity (the living being) which is similar to it. Nevertheless, once replaced in the general conceptual framework of labour (a relation between a subject and an object transformed), the living being appears passive in comparison with the labouring consciousness. Labour is always an action of a subject on an object and not the contrary; then the first pole is necessarily more active than the second one. Even if the object is characterised by a form of activity, it always contains a form of passivity. As we have seen, according to Hegel, the plant is not really an individuality and the animal an “individuality without intelligence”¹¹⁷³. Then, even if the object of activity is not an inert matter, there remains a difference between the ontological status of the producer, which is a full individuality, and that of the pole receiving the form, which is not a complete individuality and which is a mix of activity and passivity. Consequently, the relation between the labourer and the thing should be considered as a domination of a subjective form on an active object containing a part of passivity, passivity which allows us to identify this objective pole to a sort of matter (even if the term never appears as such in the text, it is always implicit)¹¹⁷⁴. This relation of domination is in fact characteristic of the hylemorphic schema, whose origin is more social and political than technological: form dominates passive matter as the master when he gives orders to the slave¹¹⁷⁵.

Accordingly, we claim that the notion of production is also structured around the idea of a subjectivity conquering and appropriating the world, and thus on an asymmetry between a

¹¹⁷³HEGEL, *System of the Ethical Life* (1802/3), *op. cit.*, p. 108.

¹¹⁷⁴ Some of the Hegel's best commentators use the hylemorphic scheme without any problem when they refer to the process of work in the *Jena Writings*: “Le sujet affirme alors l'objet – comme matière – en s'y affirmant lui-même – comme forme – et pour s'affirmer lui-même en sa réalité véritablement humaine, car la réalité est d'abord objectivité”. BOURGEOIS Bernard, *Hegel. Les Actes de l'Esprit*, *op. cit.*, p. 70.

¹¹⁷⁵ “L'opération technique qui impose une forme à une matière passive et indéterminée n'est pas seulement une opération abstraitement considérée par le spectateur qui voit ce qui entre à l'atelier et ce qui en sort sans connaître l'élaboration proprement dite. C'est essentiellement l'opération commandée par l'homme libre et exécutée par l'esclave; l'homme libre choisit de la matière, indéterminée parce qu'il suffit de la désigner génériquement par le nom de substance, sans la voir, sans la manipuler, sans l'appréter: l'objet sera fait de bois, ou de fer, ou en terre. La véritable passivité de la matière est sa disponibilité abstraite derrière l'ordre donné que d'autres exécuteront. La passivité est celle de la médiation humaine qui se procurera la matière. La forme correspond à ce que l'homme qui commande a pensé en lui-même et qu'il doit exprimer de manière positive lorsqu'il donne ses ordres: la forme est donc de l'ordre de l'exprimable; elle est éminemment active parce qu'elle est ce que l'on impose à ceux qui manipuleront la matière; elle est le contenu même de l'ordre, ce par quoi il gouverne. Le caractère actif de la forme, le caractère passif de la matière, répondent aux conditions de la transmission de l'ordre qui suppose hiérarchie sociale: c'est dans le contenu de l'ordre que l'indication de la matière est un indéterminé alors que la forme est détermination, exprimable et logique”. SIMONDON Gilbert, *ILFI*, p. 51.

subjective and an objective pole (the first is superior to the other on both ontological and axiological levels). Once again, this idea should be tempered when applied to Hegel's understanding of labour: one could argue that, in general, the dichotomy of the subject and the object is more of a starting point which tends to be overcome by the process of work. This seems to be confirmed by what we previously said concerning the process of labour, which consists in the exteriorisation of subjectivity on the natural and objective world. This objectivation of the subject leads to the unity of the subject and the object. However, this equalisation is never complete: the object will never be a subject; at best it will be a “quasi-subject”. The object is, indeed, just the projected surface of the labouring subject and, as such, the asymmetry remains. The only case in which man works on a real subject is the one of education, which constitutes the third step of living labour. In the second degree of education, parents form the child and in the third (the “formative education of mankind”) there is a reciprocal action between individuals. Whatever it may be, we have already moved beyond the relations that we are interested by, that is, those which concern the use of the earth. If we come back to this more restricted frame, the equalisation between the subject and the object is always a reduction of the latter to the former. The becoming subject of the object is a reduction of the earth to humankind and is never a subjectivation of the natural world.

We may confirm, therefore, through comparison, that labour is for Hegel a dissymmetric relation between a conquering subjective pole and the natural world. As Jean-Pierre Vernant shows in a series of articles on labour in Ancient Greece, human praxis has not always been considered as the transformation of nature by a subjective agent¹¹⁷⁶. First, working the land is much more a form of participation in a superior and divine order than an action on nature by which it would be adapted to human ends. Agriculture is, indeed, the art of winning the favour of the Gods: each action on the soil has to be accomplished at the appointed time and in the right way (that is paying to Demeter or the Chthonian Zeus). It, thus, follows the form of ἀρετή more than a technical action on the earth. As such, the working agent is not a subject appropriating exteriority but a servant kneeling before the Gods. Secondly, he must not only submit to the divinities but also to the εἶδος of the thing he produces. This form is not something inherent to the mind, as it is the case for Hegel, it is an external and quasi transcendent model to which the worker has to conform. The labourer is thus the intermediary by which the form is implemented in the world; he is more an instrument than an all powerful subjective agent. In both cases, the working subjectivity must be replaced within a web of

¹¹⁷⁶See VERNANT Jean-Pierre, “Travail et nature dans la Grèce ancienne”, in VERNANT Jean-Pierre, *Mythe et Pensée chez les Grecs. Etudes de Psychologie Historique*, Paris, La Découverte, Poche, 1996 [1965], pp. 274-294 and “Aspects psychologiques du travail dans la Grèce ancienne”, in VERNANT Jean-Pierre, *Mythe et Pensée chez les Grecs*, op. cit., pp. 295-301. See also “Prométhée et la fonction technique”, in VERNANT Jean-Pierre, *Mythe et Pensée chez les Grecs*, op. cit., pp. 263-273 and “Remarques sur les formes et les limites de la pensée technique chez les Grecs”, VERNANT Jean-Pierre, *Mythe et Pensée chez les Grecs*, op. cit., pp. 302-322.

relations it is just a part of. Consequently, it is crushed under the weight of different non human instances (Gods, the εἶδος, etc.) and it is never the centre of the process of labour. By contrast, in the *Jena Writings*, an all powerful subjectivity is at the helm of this operation: it is never the instrument of the Gods or of the εἶδος, but of the principal actor of transformation. The subject goes out of himself to conquer the other facing him. Through the negation of the natural world, the subject builds a human realm in which he can develop an authentic human life. Thus, as a specific form of interaction with the earth, production is a *crushing*, that is a substitution of the natural world by a human world in which the first is crushed by the second. And this crushing is at the same a time a detachment (*arrachement*), a notion which is fully understandable when opposed to its negative double, that is rootedness.

IV.2) The Dyad of Rootedness and Detachment (*arrachement*)

IV.2.1) The General Concept of Detachment

This conceptual dyad corresponds to a general schema by which our relationship with the earth have been understood under modernity and that can be found in its purest form in Kojève's and Sartre's writings but also in Arendt's – texts which have been used by the despisers of ecology to heap imprecation on environmentalism, arguing that this tradition of thought is anti-humanistic since it does not admit the fundamental presupposition that man is an anti-natural being¹¹⁷⁷. We will especially focus on Kojève's commentary of the *Phenomenology of spirit* that will be considered as a piece of philosophical work in its own right, that is, other than a faithful commentary of Hegel's text¹¹⁷⁸. Next, we will conclude that the figure of detachment is partially present in Hegel's *Jena Writings*.

1177 FERRY Luc, *Le Nouvel Ordre Ecologique. L'Arbre, l'Animal et l'Homme*, Paris, Biblio Essais, Le Livre de Poche, 2014 [1992].

1178 As it is well known, Kojève declares by its own admission that he did not read Hegel as an historian of philosophy but as a philosopher: “Je voudrais signaler, toutefois, que mon oeuvre n'avait pas le caractère d'une étude historique; il m'importait relativement peu de savoir ce que Hegel lui-même a voulu dire dans son livre; j'ai fait un cours d'anthropologie phénoménologique en me servant des textes hégéliens, mais en ne disant que ce que je considérais être la vérité, et en laissant tomber ce qui me semblait être, chez Hegel, une erreur. Ainsi, en renonçant au monisme hégélien, je me suis consciemment écarté de ce grand philosophe. D'autre part, mon coeur était essentiellement une oeuvre de propagande destinée à frapper les esprits. C'est pourquoi j'ai consciemment renforcé le rôle de la dialectique du Maître et de l'Esclave et, d'une manière générale schématisé le contenu de la phénoménologie. (...) j'avais l'intention de faire, non pas un commentaire de la phénoménologie, mais une interprétation; autrement dit, j'ai essayé de retrouver les prémisses profondes de la doctrine hégélienne et de la construire en la déduisant logiquement de ces prémisses”. KOJÈVE Alexandre, Lettre de Kojève à Tran-Duc-Thao du 7 octobre 1948, in JARCZYK Gwendoline and LABARRIÈRE Pierre-Jean, *De Kojève à Hegel: cent cinquante ans de pensée hégélienne en France*, Paris, Albin Michel, Bibliothèque Albin Michel des idées, 1996, p. 64.

First of all, rootedness implies bonds that tie the individual to nature and deprive him of his liberty, as a chain would do. And this imprisonment takes at least three forms: the individual is bound to his *internal nature*, that is biological and innates codes and instincts by which his behaviour is determined¹¹⁷⁹; it is also dependent to the *external nature* from which he derives its livelihood: it is persecuted by this cruel mother which gives him poor provisions to survive, he is dominated by his natural environment he does not manage to emancipate from. These two first chains are synthesised by a third one: the eternal repetition of the same and identity. Nature is the realm of being and thus of identity¹¹⁸⁰. A natural thing always tends to be the same as itself (it is identical to itself); this form of being never seeks to be other than its nature commands it to be. If nature is always identical to itself then it never changes (otherwise, discourse would be incommunicable throughout the ages)¹¹⁸¹. Indeed, trees that grew up during the time of Pericles are the same as ours today. Considering the fact that nature is by essence movement, becoming and process, these statements may appear a bit odd. However, this movement is not a change since it is circular and does not end in the creation of something new; it reproduces the circularity of the circle of life which is unbreakable¹¹⁸². That is why nature has no history:

“L’histoire n’existe pas en dehors des individus qui la font, la Terre au contraire et les individus biologiques n’existent pas sur le même plan. La nature organique n’a donc pas d’histoire; elle tombe directement de l’universel dans le particulier: de la Vie en général à cette plante, cet animal”.¹¹⁸³

This is why the “ontology of identity” locks natural being into three circles of repetition, all three of which have been sketched by Kojève and perfectly systematised by Arendt. First, at the

1179 “L’être qui agit pour satisfaire ses propres instincts, qui — en tant que tels — sont toujours naturels, ne s’élève pas au-dessus de la Nature : il reste un être naturel, un animal. Mais en agissant pour satisfaire un instinct qui n’est pas mien, j’agis en fonction de ce qui n’est pas — pour moi — instinct. J’agis en fonction d’une idée, d’un but non biologique”. KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 199.

1180 According to Kojève the reduction of nature to identity would just apply to the *Phenomenology* of Spirit but not to the *Encyclopedia* in which every entity is dialectical and thus can negate its identity with itself and can become other than it is: “Dans l’Encyclopédie, Hegel dit que toute entité peut se “supprimer” elle-même et est par conséquent dialectique. Mais dans la PhG il affirme que c’est seulement la réalité humaine qui est dialectique, la Nature étant déterminée par la seule Identité (cf par exemple p. 145, l. 22-26, et p. 563, l. 11-47). Personnellement, je partage le point de vue de la PhG et je n’admets pas la dialectique de l’Être-naturel, du Sein”. KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 555. In fact, Kojève admits that he wants to dismiss the monism of Hegel’s *Naturphilosophie* which was inspired by Schelling and which contains a dialectic of nature (it would mean that nature would contain negativity): “Induit en erreur par la tradition ontologique moniste, Hegel étend parfois à la Nature son analyse de l’existence humaine ou historique. Il dit alors que tout ce qui est est, en dernière analyse, un néantissement du Néant (ce qui, visiblement, n’a aucun sens, et aboutit à une philosophie de la nature indéfendable). Il le dit par exemple dans les Conférences de 1805-1806: “Les ténèbres sont Néant; de même que l’espace et le temps ne sont pas; — de même qu’en général tout est Néant” (vol. XX, p. 80, l. 5-6)”. KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 675.

1181 KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 570.

1182 “L’être vivant est essentiellement mouvement, devenir, processus. Or Hegel dit la même chose du Geist. Mais le processus vital n’est pas créateur (parce qu’il n’est pas négateur); il aboutit là où il a commencé (de l’oeuf à l’oeuf). Circularité du processus biologique: pas de progrès, pas d’Histoire. La Vie culmine dans le Selbstgefühl, simple sentiment de soi, que Hegel coordonne à la Begierde (désir). L’animal n’a pas de Selbstbewusstsein”. KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 98.

1183 KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 99.

level of internal nature, instincts make man consume elements given by external nature¹¹⁸⁴. Once the drive is released, this state of enjoyment and quietness is of short duration and instincts of consumption come back immediately. Then, man is tied up into the repetition of desire. Thus this first repetition is the constant coming back to the object and its consumption¹¹⁸⁵. Secondly, the natural body (human or not) is made of internal cycles that are characteristic of a living being's metabolism. Finally, external nature is a universal cycle in which each being devours the other and is devoured by another in turn. This totality is thus defined by the generalised mutual consummation¹¹⁸⁶.

Now, detachment means a rupture with these three forms of servitude, a rupture which is the sole privilege of the human being. Indeed, according to Kojève, the world of men is no longer the realm of identity but of alterity¹¹⁸⁷. Man is what it is not and is not what it is¹¹⁸⁸. This capacity to be other than himself is due to his power of negativity. Inside the plenitude of Being (namely, nature) he is like a vacuum pocket that constantly negates the filled:

“L'homme doit être un vide, un néant, qui n'est pas un néant pur, reines Nichts, mais quelque chose qui est dans la mesure où il anéantit l'Etre, pour se réaliser à ses dépens et néantir dans l'être. L'Homme est l'Action négatrice, qui transforme l'Etre donné et qui se transforme elle-même en le transformant. L'Homme n'est ce qu'il est que dans la mesure où il le devient; son Etre (Sein) vrai est Devenir (Werden), Temps, Histoire, et il ne devient, il n'est Histoire que dans et par l'Action négatrice du donné, l'Action de la Lutte et du Travail, – du Travail qui produira finalement la table sur laquelle Hegel écrit sa PhG, et de la Lutte qui sera en fin de compte cette

1184 *Ibid.*, p. 35.

1185 “Considered in their worldliness, they are the least worldly and at the same time the most natural of all things. Although they are man-made, they come and go, are produced and consumed, in accordance with the ever-recurrent cyclical movement of nature”. ARENDT Hannah, *The Human Condition*, *op. cit.*, p. 96. On the perpetual return of the object, see Hegel, *Phénoménologie de l'Esprit*, p. 152: “*Mais dans cette satisfaction, la conscience de soi fait l'expérience de l'indépendance de son objet. Le désir et la certitude de soi atteinte dans la satisfaction du désir sont conditionnés par l'objet: en effet la satisfaction a lieu par la suppression de cet autre. Pour que cette suppression soit, cet autre aussi doit être. La conscience de soi ne peut donc pas supprimer l'objet par son rapport négatif à lui; par là elle le reproduit plutôt comme elle reproduit le désir.*” Kojève also considers the internal nature as a place of an eternal repetition but his argument is quite different since he based his argumentation on the fact that the characteristics of the body are fixed: “*Dans l'Homme “apparaissant” l'aspect (Seite) ou l'élément-constitutif (Moment) de l'Identité, du Sein ou de la Nature est son “corps” (Leib) ou sa “nature innée” (ursprüngliche Natur) en général. Par cet aspect de son corps, l'Homme est un être naturel aux caractères fixes, un animal “spécifiquement déterminé” qui vit au sein de la Nature en y ayant son “lien naturel” (topos).*” KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, *op. cit.*, p. 576.

1186 Hegel himself will say something similar: “*Dans la nature, les changements quelle qu'en soit la diversité infinie, montrent un cycle qui toujours se répète! Rien de nouveau sous le soleil, et en ce sens le jeu polymorphe des formes naturelles n'est pas exempt de monotonie. Il ne se produit du nouveau que dans les changements qui ont lieu dans le domaine spirituel. Ce qui apparaît dans le domaine spirituel manifeste chez l'homme une autre détermination que celle qui régit les choses simplement naturelles. Celles-ci sont soumises à une seule détermination ; elles présentent toujours le même caractère stable qui efface le changement et le réduit à quelque chose de subordonné. En revanche, la détermination qui apparaît chez l'homme, est une véritable aptitude au changement et plus précisément, comme il a été dit, une aptitude de devenir meilleur, plus parfait: une impulsion vers la perfectibilité*” . HEGEL Georg Wilhelm Friedrich, *La Raison dans l'Histoire. Introduction à la Philosophie dans l'Histoire*, trans. Kostas Papanaiouannou, Paris, Union Générale d'Editions, Le Monde en 10-18, 1965, p. 177.

1187 On identity and negativity as fundamental ontological categories, see KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, *op. cit.*, p. 555.

1188 KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, *op. cit.*, p. 556.

This text is very rich because it contains all the elements by which the concept of detachment is defined. First, detachment is a form of *emancipation* since it is the negation of the first two natures by which man's hands are tied. Labour and struggle are the operators of this double annihilation. First, by labour, man suppresses external nature and liberates himself from the pressure that the environment has exerted on him. Indeed, by building a human world that furnishes him with all that he needs, he is no longer subject to hunger. Secondly, internal nature is negated in the conflict between the two consciousness since it is by putting his life in danger or by the fear of death (facing death, his naturality is immediately wiped out) that man can rid himself of its given-being. Labour is also an annihilation of one's being-there since it is a way of retaining the drives: when I transform an object I postpone its consummation. It is thus a liberation of the tyranny of instincts. Transforming nature, I transform myself.

This is the second characteristic trait aligned to detachment and is what Kojève's names *anthropogenesis*. The natural being-there that I am becomes a man through contact with nature, a relation which is mediated by labour. Indeed, through the process of labour, I educate myself and become more than an animal governed by its instincts, instincts which are domesticated. It is also by the expression of myself in material exteriority that I elevate myself to self-consciousness, a formation of my interiority which is only complete through struggle for recognition¹¹⁹⁰.

Finally, detachment is considered as a power of *creation*: labour and conflict, as powers of nihilation located inside the plenitude of being, break the infinite circle of the repetition of the same and create something new. They catapult man into the sound and the fury of history: through labour man erects towns, temples, and empires; likewise, battles, wars and revolution (which by necessity are bloody¹¹⁹¹) are the motor of history.

One could argue that the dyad of rootedness and detachment is not a war machine turned against nature. One could even argue that the word "detachment" (*arrachement*) is problematic since the texts just referred to never mention the idea of a total emancipation from nature. At no time does Kojève say that the human realm could be built apart from nature, as if men could live outside and totally disconnected from the material world:

"L'anthropologie dialectique ne laisse pas de place pour une "survie" de l'Homme hors du Monde naturel. L'Homme n'est vraiment dialectique, c'est-à-dire humain, que dans la mesure où il est

¹¹⁸⁹*Ibid.*, p. 195.

¹¹⁹⁰ This idea can also be found in Lukács's interpretation of Hegel: "*Par le travail, quelque chose d'universel apparaît en l'homme même. En même temps, ce travail implique l'abandon de l'immédiateté, la rupture avec la simple naturalité, avec la vie instinctive de l'homme. (...) Ce n'est que dans la mesure où l'homme insère son travail entre son besoin et la satisfaction de celui-ci qu'il rompt avec l'immédiateté naturelle, qu'il devient, selon Hegel, un homme.*" LUKÁCS Georges, *Le Jeune Hegel*, T. II, *op. cit.*, p. 60.

¹¹⁹¹KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, *op. cit.*, p. 675.

Nature, entité spatiale ou matérielle "identique": il ne peut devenir et être vraiment humain qu'en étant et restant en même temps un animal, qui comme tout animal s'anéantit dans la mort."¹¹⁹²

There is no kingdom of heaven apart from the one in which we live. In fact, this has to do with the sort of negativity which is at stake. Negativity is not nothingness in the sense that it is not a pure destruction of being. This would be the case if it were separated from what is negated, that is Identity. Negation without content would then be an absolute liberty which could be applied to all contents and at the same time none. This absolute liberty would be an ability of standing above every content, a power of freeing ourselves totally from this world. It would be an external transcendence, that is. a going beyond that leaves what is transcended behind it, having nothing to do with it anymore: *"le non isolé est absolument indéterminé: il représente dans la liberté absolue, l'indépendance vis-à-vis de toute détermination donnée de toute "nature" fixée une fois pour toutes, de toute localisation dans un Cosmos ordonné."*¹¹⁹³ This power corresponds to what Bruno Latour recently called the *"hors-sol"*¹¹⁹⁴, that is, the unreasonable fantasy of a total exteriority to being: the ability to take leave of this world. The type of negation at stake here would tend to this absolute point of climax. This ideal would be then something like a negation to its paroxysm, a negation which would have become mad. Nevertheless, it remains the case that even if negation and nothingness are not totally opposed, the former cannot be reduced to the latter and the ideal of an absolute liberty is more a contemporary idea than a modern project¹¹⁹⁵. As is well known, negation

¹¹⁹²*Ibid.*, p. 576.

¹¹⁹³*Ibid.*, p. 559.

¹¹⁹⁴LATOUR Bruno, *Où atterrir ? Comment S'Orienter en Politique*, Paris, La découverte, Cahiers libres, 2017.

¹¹⁹⁵ This ideal appears very clearly in contemporary fictions whose narrative structure is approximately the following: man intends to give a solution to the environmental crisis inventing high technologies that will help him to escape from the world. See for example what Fressoz says about the movie *Interstellar*: *"Récemment, j'ai été frappé par l'opposition entre Interstellar et Gravity. Le premier, que je trouve assez mauvais en termes d'écologie politique, serait le parangon d'une certaine tendance de la science-fiction contemporaine à se focaliser en priorité sur la technique, au détriment de l'environnement. Face à la crise environnementale, la plupart des scénarios n'envisagent que des solutions techno-scientifiques, celle d'Interstellar représentant la tendance extrême puisque le plan est purement et simplement de se barrer de la Terre. À aucun moment du film il n'est question d'une possible solution biologique à la crise, d'un aménagement de l'écosystème – des rotations différentes pour les récoltes, d'autres variétés de semences –, ne serait-ce que comme hypothèse, et cette absence en dit long sur l'idéologie techniciste régissant la narration."*FRESSOZ Jean-Baptiste, "L'Anthropocène et le Cinéma", Interview with Jean-Baptiste Fressoz, in *Le Climat sous les Projecteurs. Regards Scientifiques et Cinématographiques sur les Changements Climatiques*, Pointculture, second edition, October 2015, <https://www.pointculture.be/magazine/articles/publication/le-climat-sous-les-projecteurs/>, p. 13. Even if Kojève does not speak about such an absolute and "pathological" negation of nature, he gives an image of what this "bad" negation could be when, in the frame of a reflection on history, he considers the annihilation of tradition by certain forms of revolutionaries who are too radical: *"C'est dans le manque de souvenir (ou de compréhension) historique que réside le danger mortel du Nihilisme ou du Scepticisme, qui voudraient tout nier sans rien conserver, même sous forme de souvenir. Une société qui passe son temps à écouter l'Intellectuel radicalement "non-conformiste", qui s'amuse à nier (verbalement!) n'importe quel donné (même le donné "sublimé" conservé dans le souvenir historique) uniquement parce que c'est un donné, finit par sombrer dans l'anarchie inactive et disparaître. De même, le Révolutionnaire qui rêve d'une "révolution permanente" niant toute espèce de tradition et ne tenant pas compte du passé concret, sinon pour le supprimer, aboutit nécessairement, soit au néant de l'anarchie sociale, soit à sa propre annulation, physique ou politique. Seul le Révolutionnaire qui parvient à maintenir ou à rétablir la tradition historique, en conservant dans un souvenir positif le présent donné qu'il a lui-même relégué dans le passé par sa négation, réussit à créer un nouveau Monde historique capable d'exister"*. KOJÈVE Alexandre, *Introduction à*

is always a negation of something, that is, in this case, the negation of being. The result of negation is not only negative but also positive since it is precisely the negation of a determined content; it is a negation of this tree and not of all trees or, broadly, something undetermined. Here, the content limits the liberty of annihilation and determinates it. Liberty is not anymore absolute (targeting any such content) but relative to a specific determination. If we apply this logic of negation to the relation of man with nature what we have been just said becomes even clearer:

“ [...] *l'Homme n'a jamais existé et ne peut pas exister sans la Nature et en dehors d'elle. [...] Etant donné que l'Homme ne s'est créé que dans et par, ou plus exactement encore, en tant que négation de la Nature, il s'ensuit qu'il présuppose la Nature. Ceci le distingue essentiellement de tout ce qui est divin. Etant donné qu'il est la négation de la nature, il est autre chose que le divin païen qui est la nature elle-même; et étant donné qu'il est la négation de la Nature, qui, comme toute négation, présuppose ce qui est nié, il est différent du Dieu chrétien qui, lui, est au contraire antérieur à la Nature et la crée par un acte positif de sa volonté.*”¹¹⁹⁶

Thus it would not be totally incorrect to object that the concept of detachment is not adequate to characterise the collective relation with the earth as conceptualised in the texts being commented on, especially in Kojève's commentary of *The Phenomenology of Spirit*. Man who negates nature in the process of labour is in fact dependant on the object of its negation (*i.e.*, nature). Consequently, he cannot leave the natural world behind him, he cannot go out of nature to live in a world beyond the sphere of being, a world apart from the natural world.

However, it should be noted first that although Kojève admits that man lives in nature, this confession does not lead to a radical immanence or a pure monism. Indeed, against Tran-Duc-Thao he claims for what he calls a “dialectical dualism” in which the *ontology of identity* differs from *dialectical ontology*. This dualism is not spatial but temporal and is perfectly represented by the image of a golden ring. Nature is the gold, man is the hole and Spirit is the ring. Thus, there is no such thing as two compartments spatially separated. If the human sphere differed spatially from nature, man would be the Christian God, who lived before nature and is thus independent from it.

Here, nature existed before man who is then produced by both labour and conflict insofar as they negate this preexistent being without being deduced *a priori* from it. Then, through this annihilation, nature becomes spirit, disappearing from its previously known form. Thus, the dualism is based on this temporal gap but also on the idea that, even if man appears and lives in nature, he is not a result of its evolution (as is the case for the dialectic of nature) and he is irreducible to it to the extent that he is a negative and creative reality inside the plenitude of being.

This comment on Kojève's dualism leads us to a solution concerning the use of the notion of detachment: if anthropogenesis is not a creative jump into another totally different world *from* the world of nature, it, nonetheless, remains a movement which is characterised by a deep

la Lecture de Hegel, op. cit., p. 591.

1196 KOJÈVE Alexandre, Lettre de Kojève à Tran-Duc-Thao du 7 octobre 1948, *op. cit.*, p. 65.

transcendence. In fact *transcendence* does not necessarily mean a spatial displacement: it is a *going-beyond* much more than a *being-beyond*. I can go beyond something without leaving it physically. When I transform an oak tree into a table made of oak, I do not go anywhere, but I do not leave the wood as it is¹¹⁹⁷. If I fill the world with objects made of this same wood, I do not take off in order to join another world, but I do not leave the natural world as it is either: I go beyond this natural world. Thus, to transcend nature means that I do not stick to the given, but it likewise does not mean a distinct separation either.

*“Tout en vivant dans la Nature, il [the man] ne subit pas ses lois (miracles!): dans la mesure où il s’y oppose et la nie, il est indépendant vis-à-vis d’elle; il est autonome ou libre. Et, en vivant dans le Monde naturel “en étranger”, en s’opposant à lui et à ses lois, il y crée un Monde nouveau qui lui est propre; un Monde historique, où l’homme peut se “convertir” et devenir un être radicalement autre qu’il n’est en tant qu’être naturel donné (Anderssein).”*¹¹⁹⁸

This text demonstrates clearly that a transcendent can be produced inside nature itself, that is, without the production of any spatial gap. In this sense, it would not be wrong to name this dissociation between nature and man an *internal transcendence* or a *transcendence from within*.

Moreover, even if negation presupposes nature, it nonetheless remains case that the moment which is properly human is this moment of transcendence, the moment whose importance cannot be relativised by the simple presupposition of what is suppressed (*i.e.*, nature). The fundamental moment is not nature but the movement of going-beyond and the result of such a transcendence, that is, the realm of spirit within the sphere of being¹¹⁹⁹.

Furthermore, it should be noted that, man cannot really extricate itself spatially from nature (understood as a totality) but he can transcend it inside this natural sphere itself. Indeed, contrary to the animal, man is able to leave his “natural place” (*lieu naturel*). The animal is attached to a natural place (water, the earth, air, etc.) without which he cannot live. Since he cannot negate the given, he is not able to leave his own milieu and liberate himself from it. On the contrary, through the creation of technical objects and artificial milieus, he is not obliged to restrict himself to the soil he was originally rooted in.

*“Aucun animal ne travaille, à proprement parler, car il ne transforme jamais le monde où il vit en fonction de “projets” qui ne s’expliquent pas par les conditions données de son existence réelle dans ce monde. Un animal terrestre ne construit jamais d’engins lui permettant de vivre dans un élément autre que son élément naturel: sous l’eau, par exemple, ou dans l’air. Or l’Homme a construit par son travail le sous-marin et l’avion. En fait, le Travail ne transforme essentiellement le Monde naturel donné et ne déloge le travailleur de son “lieu naturel” dans ce Monde en le changeant ainsi essentiellement lui-même, que dans la mesure où l’action en question est vraiment négatrice, c’est-à-dire dans la mesure où elle ne découle pas d’un “instinct” quelconque, ni d’une tendance donnée ou innée, mais nie un instinct héréditaire et supprime la “nature” innée, qui se “manifeste” alors en s’y opposant comme “paresse”.*¹²⁰⁰

1197KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., footnote 1, p. 555.

1198Ibid., p. 628.

1199 On this point see Luc Ferry's comments in FERRY Luc, *Le Nouvel Ordre Ecologique*, op. cit., pp. 46-47.

1200KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 584.

Therefore, inside nature itself there is a place for transcendence in the full meaning of the term, that is, a transcendence understood in its *quasi* spatial meaning¹²⁰¹. It implies the ability to move from one place to another without being retained physically or being dependant on our milieu of origin, the capacity to break from our biological and cultural bonds, the power of leaving our land without feeling any sentiment of loss or regret. Taken to its paroxysm, this logic of spatial transcendence means a total ubiquity: a conquest of the earth, a conquest of submarine worlds, a conquest of the air and finally a conquest of space. Here the term “dis-location” (which is equivalent to the notion of detachment) is more than relevant.

That is not all: the term detachment could appear insufficient if we were to reduce anthropogenesis to a movement of transcendence; it would lack an element of violence, which is inherent to any detachment. This idea is quite clearly expressed concerning the first operator of transcendence¹²⁰², that is, the struggle for recognition: “*la révolution est non pas seulement en fait, mais encore essentiellement et nécessairement – sanglante*”¹²⁰³. The transcendence of my given being is not possible if there is not a violent act by which I can be detached from it. Indeed, I am too stuck to my natural being because I am enchained to it. Therefore, liberation (here, the liquefaction of my being-there due to the risk of death that I felt during the struggle for recognition) must be an act by which I break the chains that tied me to my nature and thus it is necessarily violent. The same violence applies to the second operator of transcendence, that is labour: “*pour satisfaire ces désirs du Maître, l'Esclave a dû refouler ses propres instincts (préparer une nourriture qu'il ne mangera pas, tout en désirant la manger, etc.), il a dû faire violence à sa “nature”, se nier donc ou se “supprimer” en tant que donné, c'est-à-dire en tant qu'animal*”¹²⁰⁴. We have not found any text in which Kojève would have said the same thing concerning external nature; however, there is no reason to think that he would not apply a similar structure to it.¹²⁰⁵

To conclude what we have so far said about the dyad, detachment could be defined as an annihilation of nature that operates by a *violent transcendence* and by which *emancipation*, *creativity* and *anthropogenesis* are made possible. While Kojève's model contains a certain degree

1201 Such an idea should be compared with the pages Sartre dedicates to the concept of “my place” (*ma place*) in SARTRE Jean-Paul, *L'Etre et le Néant. Essai d'Ontologie Phénoménologique*, Gallimard, Tel, 2013 [1943], pp. 535-541.

1202 Kojève also use the expression “apparitions of negativity” to designate the mediations by which the given being is suppressed: “*Mais la Lutte et le Risque ne sont pas la seule “apparition” de la Négativité ou de la Liberté, c'est-à-dire de l'Humanité, dans le Monde naturel. Le Travail en est une autre*”. KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 584.

1203 KOJÈVE Alexandre, *Introduction à la Lecture de Hegel*, op. cit., p. 675.

1204 *Ibid.*, p. 585.

1205 Arendt will insist on this element of violence that is characteristic of the relation that *homo faber* has with nature. She will say that the process of fabrication consists in a brutal rupture of a life process. ARENDT Hannah, *The Human Condition*, op. cit., p. 139.

of purity, this is not always the case for Hegel, especially in Hegel's writings from the Jena period. We live here the debate on Hegel's monism to focus on more central elements of the dyad. We would like to show that despite some Hegelian ambiguous statements, the collective relationship with the earth, which are subjacent to the intersubjective interaction, are to be understood as relations of detachment in the *Jena Writings*.

IV.2.2) The Concept of Detachment in Hegel's Jena Writings

Hegel does not place violence at the forefront of the *Jena Writings*, and as we have seen, the man's collective and individual relationship with the earth is more described in terms of domination than in terms of violence. Nevertheless, while violence is not explicitly brought up for discussion, this does not mean that it is totally absent from Hegel's texts. Indeed, it is highly probable that Hegel sees the annihilation of the object in the process of labour as a sort of violent destruction of the form of the thing. This appears quite clear when Hegel comes to discuss the “labor of the people” in *First Philosophy of Spirit (1803-1804)* :

*“The tool as such holds off his material nullification from man; but there remains a formal nullification in its use; it is still his activity that is directed on a dead [material], and indeed his activity is essentially the putting [of the object] to death, ripping it out of its living context, and setting it up as something to be nullified as whatever it was before”*¹²⁰⁶.

Here the tool is equivalent to matter (it is made of iron or wood) and form is on the side of activity, that is, on the side of man. Consequently, it is not man who, with its own hands, produces the material nullification, but the tool. However, the *formal* nullification remains the power of man, who has the form to mind when he imposes on the object. This double nullification consists in the “execution” of the object, which is detached violently from its natural milieu. Through this violent process, “man subjects nature to himself” and frees himself “from his dependence on nature”¹²⁰⁷.

Moreover, one could argue that Hegel does not always insist on the emancipatory dimension of the negation of external nature. At the same time, the following paragraph (already quoted above) is quite explicit on this subject:

*“And this three forms of its existence constitute precisely the ideal potency of its existence, since it is itself submerged in externality, in nature, at this stage: it must free its existence from this [natural externality], and consciousness itself must also be the form of its existence, its externality”*¹²⁰⁸.

To be precise, in this text, Hegel refers to the three forms of the existence of consciousness.

¹²⁰⁶HEGEL, *First Philosophy of Spirit (1803/4)*, op. cit., p. 246-247.

¹²⁰⁷*Ibid.*, p. 248.

¹²⁰⁸*Ibid.*, p. 215.

Therefore, the becoming of consciousness, which passes through these three levels is understood as a progressive liberation from external nature in which it was once submerged. And this emancipation is obviously identified as a form of transcendence, a going-beyond. It should also be noted that one of these moments of transcendence, emancipation, is the process of labour, a process by which possession, the middle-term of the syllogism of recognition is constituted. It is through labour that the “singularised earth” is “overcome (*geworden*)” and “subdued”¹²⁰⁹. In other words, through the process of labour, consciousness emancipates itself from external nature. Now, concerning internal nature, Hegel clearly highlights the emancipatory character of labour, one that delays the consumption of the object (a point developed earlier in the thesis).¹²¹⁰

Regarding the question of the autoproduction of man, there is a similar ambiguity. That is, if we were to apply the notion of anthropogenesis to Hegel's *Jena Writings* we would fall into the same overinterpretation that Kojève was guilty of when reading the *Phenomenology*. Indeed, the use of this pattern when reading either the *Phenomenology* or the *Jena Writings* would be equally as abusive. Nevertheless, it can be said that the idea of anthropogenesis contains two moments: the idea of the apparition of man from the animal as well as the idea of the *formation* of the being-labouring which is highly dependent on its relation with an exteriority. Yet, it is impossible to deny that the transformation of the consciousness into a self-consciousness passes through such an activity in the *Phenomenology of Spirit* and that this idea already appears (although in draft form) in the Jena period. Indeed, as we have already seen, it is through the process of labour and the transformation of nature that the consciousness manages to contemplate itself in exteriority and thus reach the first level of self-consciousness. In this sense, the generation of consciousness through labor is not so far from the generation of man as being derived from his contact with both an external and an internal nature. As for creativity, the idea that history relies on the power of creative negation does not appear in the text.

Nonetheless, it seems that the whole process for the struggle for recognition contradicts the idea that the philosophy of the *Jena Writings* is a philosophy of detachment. Indeed, this process is punctuated by at least four figures of attachment. First, we saw that the inaugural act of the first appropriation was a form of uprooting, which implies a previous form of attachment to the earth. Indeed, we said in the state of nature, there is a negative communion of goods (the earth belonged to no one) but also a positive community of belonging, which implies that all men belong to the earth. In other words, at this level, individuals do not only *possess* the world in common but also *are* the

¹²⁰⁹ *Ibid.*, p. 216.

¹²¹⁰ Habermas insists on this double emancipation : “Hegel links together labor and interaction under the viewpoint of emancipation from the forces of external as well as internal nature”. HABERMAS Jürgen, “Labor and Interaction...”, *op. cit.*, p. 161.

earth they belong to. We tried to explain this strange and elliptic statement saying that, at the second level of the consciousness (what Hegel calls the second power), consciousness sinks down and, in this way, acquires a real existence. During all of its development, consciousness is immersed in the earth. We could say that this is, here, a figure of attachment: consciousness is attached to the earth because it is an element of the earth, because it belongs to the earth. The attachment as a form of *belonging*.

Second, we have seen that the moment of the first appropriation implies a sort of attachment. Indeed, in order to take possession of a piece of the earth, the first appropriator transforms it. This act of forming amounts to a process of projection: consciousness expresses itself in the land and contemplates itself in it. Transforming the world, consciousness enters in it and becomes it. In other words, consciousness *is* the land it transforms. Or to put it in another way, *I am* what *I have*. As there is something of me in the object and as this thing is identified to me, it could be said that the object is an extension of myself. Here, there is another dimension of attachment: I am attached to the thing because the thing is a part of myself. It is attachment as an *ontological expression*.

This identification between the subject and the object, this subjectification of the object makes possible self-consciousness. Indeed, through the contemplation of itself in the transformed matter, consciousness acquires the knowledge of itself. This means that the ontological constitution of the self-consciousness depends ontologically on material exteriority. Its ontological texture is dependent on the land. In short, consciousness is attached to the earth. Here, attachment is an *ontological forming of the self* (or an *ontological dependency* of the self in relation with the earth). Here, too, attachment as ontological expression and attachment understood as a dependency of the self are inextricably intertwined.

Finally, we saw that, as it is a family good, land is the middle by which the extremes of the syllogism of love (the lovers) are unified into the family. Land is thus the condition of possibility of the intersubjective interaction and in that, it is as if it were part of this totality, that is, the family. The family good is like a full member of the family. It is as if the group was not only a concretion of humans but also of non-human individuals, as if the group were a collective of humans and non-humans. Here, humans are attached to the land because both are part of the same collective. Here, we are allowed to speak about attachment as *connection within a collective*.

Concerning the first figure of attachment (understood as a form of *belonging*), we already saw that all along its development, consciousness intends progressively to free itself from the nature it was stuck with. Therefore, replaced within the whole process, the first appropriation appears as another step toward the emancipation of the consciousness. It is only for the individual consciousness, which is excluded from this first appropriation, that this exclusion from the land to

which the same consciousness belong, is a form of uprooting. Regarding the whole process, the exclusion of the individual from the universal earth is a detachment since consciousness separates itself from the earth it belonged to, and doing so, it transcends the nature and frees itself from this external materiality.

Now, what remains to be evaluated are the two sorts of attachment that are established with the matter during the process of labor. We saw earlier that this specific relation with nature takes the form of a relation of production and that it was tainted by domination. We should add that this form of attachment remains also a figure of having. Indeed, the individual which forms the matter takes possession of it. Through the process of labour, land becomes a possession. Admittedly, we said that through the process of labour, consciousness sinks down into matter and becomes the thing which is appropriated (*I am what I have*), a process which makes possible self-consciousness and thus is essential to its ontological constitution. We have here a form of attachment as expression and as ontological dependency. In this sense, the logic of Having accompanies the logic of being, and hence, with this, a logic of attachment.

Having said this, it seems that the logic of attachment is supplanted by the logic of Having. First, let us consider the moment when consciousness expresses itself in matter and becomes the thing. As we already suggested, this becoming-thing of consciousness should not be understood too literally. Matter never becomes a real subject, it is at best a quasi-subject. Indeed, the becoming-thing of consciousness simply means that matter becomes the surface of the expression of subjectivity. My works are the expression of my consciousness because they reflect something of my interiority. But, strictly speaking, the object which has been transformed never becomes a real consciousness. In other words, it does not become another I. If it is said to be a part of me, it is only in a metaphoric sense of the term: the object remains something external to me. In this sense, I am not really what I have. As we will see in the part IV dedicated to attachment, there is a great difference between this model of expression and the integration of exteriority in myself (what we could call an in-corporation). Here, the thing is just something which contains something of me, but it remains an object exterior to myself, which I appropriate. When I draw furrows in the soil to appropriate it, the soil does not really become a part of myself (and even less so another I). The land bears a mark of myself, but it *is* not myself. *In fine*, what we have here is a quite traditional model of appropriation of land. A consciousness leaves its mark on the land which becomes its possession. The land holds a trace of myself, but it does not really *become* myself (or if land becomes myself, it has to be understood in a metaphorical way). In a sense, we could say that I *possess* the thing more than I *am* the thing. The logic of having remains more important than the logic of being.

The same is true with the moment which follows this moment of expression, that is, the

moment of the self-forming of consciousness, the moment of ontological dependency. In fact, the result of forming is an ontological forming of the self-consciousness which knows itself through its own products. Nonetheless, the whole process remains a process of appropriation: the starting point is a consciousness which exteriorises itself in the object and takes possession of it. Admittedly, at the beginning, consciousness is not already a self-consciousness and for that reason we are allowed to say that the labouring subject is an incomplete consciousness. But, if the result of the process of appropriation is a self-consciousness, then, at the beginning, there is already a constituted consciousness which takes possession of the object. Therefore, to be more precise, we should say that the ontogenetic process consists more in an evolution and an enrichment of an already formed subject than a real ontological production of the subject. A real production of the subject or an individual would mean that there is no subject at all at the beginning and that the subject is a product of a relation with material exteriority. Or, to put it another way, a real individuation would mean that we start at a preindividual level. Here, we could say something similar to what Simondon says to the substantialist and the hylemorphist explanation of the individual: both pretend to explain the individual by a principle of individuation but this principle is itself an individual (an atom or a form), which amounts to explain the individual by another individual¹²¹¹. Likewise, it seems that Hegel pretends to account for subjectivity by returning to its ontogenesis but in fact he simply explains the formation of subjectivity by another form of subjectivity. Instead of starting with an asubjective activity, he explains the forming of self-consciousness by the consciousness which forms matter. Therefore, Hegel's starting point is an individual (the consciousness) which is already constituted (even if it may transform itself through the transformation of its exteriority) and which takes possession of nature through the forming of the object. The ontological achievement of the subject is just an effect and a moment of the whole process of appropriation. Thus, it is the logic of appropriation which prevails in this whole process, not the logic of being (in other words, the logic of attachment).

This statement could lead to confusion: at the beginning of this part, we said that in the Jena writings, Hegel developed a grammar of being (*i.e.* a grammar in which agents come in conflict due to their ontological constitution, which is at stake); however, now, we are arguing that the collective relationship to the earth, which are subjacent to the conflictual interaction, is ultimately determined by the relation of appropriation. Are these two statements contradictory? If they are, it is only in appearance. To prove that there is no contradiction, two levels have to be distinguished: the level of the conflictual interaction between consciousnesses and the level of the interaction with nature. If we take the first of these levels, then it is possible to argue that the centre of the conflict

¹²¹¹SIMONDON Gilbert, ILFI, p. 23.

constitutes the ontological texture of consciousness: I enter into conflict with the other because, having shown me disrespect, he prevents me from having a positive relation to myself (to be a true self-consciousness). As such, he destroys a part of myself. On the level of the interaction with nature, we demonstrated that the earth played a mediating role within the conflictual interaction since it serves as a third term that connects the consciousnesses together. Now, this relation to the earth is overall a relation of *having*, even if, as we have just showed, this relation of appropriation implies, in part, a relation of ontological dependence. It is right to say that it is this ontological component of the appropriation of nature which triggers the conflict: it is because possession is a part of my totality that, when the other negates this form of possession, I enter into conflict with him. However, as we will see, it is not because this relation to the thing is involved in the conflict that it constitutes the centre of gravity of the conflictual dynamic. Be that as it may, the relation to land is principally appropriative.

One could retort with Habermas that this confrontation of the subject and the object, which occurs in the process of appropriation, is valid only if we consider the determination of the abstract spirit by itself, the dialectic of labor remains a relation between an acting subject and an object: “the mediation between the two, passing through the medium of symbols or of tools is conceived as a process of externalization of the subject – a process of externalization (objectification) and appropriation”¹²¹². From that point of view, labor and language differ from the interaction since the firsts connect a subject and an object whereas the second connects two subjects and in that, it is an intersubjective relation. But, as says Habermas, if we replace the three dialectics (language, labour and recognition) within the framework of the identity between the spirit and nature (a thesis which is the starting point of the Jena writings), then this distinction is no longer valid. According to this thesis,

“the innermost part of nature [*das Innere*] is itself spirit, because nature only becomes comprehensible in its essence and “comes to itself” in man's confrontation with it: the interior nature is expressed only in the realm of its names and in the rules for working upon it. If, however, hidden subjectivity can always be found in what has been objectivized, if behind the masks of objects, nature can always be revealed as the concealed partner [*Gegenspieler*], then the basic dialectical patterns of representation and labor can also be reduced to *one* common denominator with the dialectics of moral action. For then, the relationship of the name-giving and the working subject to nature can also be brought within the configuration of reciprocal recognition”¹²¹³.

If we draw all the consequences of the thesis of this identity, then the process of labour by which the subject appropriates the object should be considered as an interaction between subjects. In other words, the labouring consciousness does not confront an object but deals with a partner.

1212 HABERMAS Jürgen, “Labor and Interaction...”, *op. cit.*, p. 163.

1213 HABERMAS Jürgen, “Labor and Interaction...”, *op. cit.*, p. 163. On this difficult passage of Habermas' article, see HABER Stéphane, *Critique de l'Antinaturalisme. Etudes sur Foucault, Butler, Habermas*, Butler, Paris, PUF, Pratiques Théoriques, 2006, pp. 169-171.

Habermas concludes that the writings from the Jena period, Hegel develops an intersubjective mode of the Spirit in which labor and language (and then all interactions with nature) are conceived as a relation of recognition, a model which will be abandoned for a more idealist model in the *Encyclopaedia of the Philosophical Sciences* (Nature will be then a mirror image in which Spirit recognises itself)¹²¹⁴.

Nonetheless, it must be admitted that such an idea of an intersubjective partnership between the labourer and nature does not really appear in the texts already commented on. One could retort that in the case of the labourer's interaction with an animal, there is a there occurs something similar to intersubjectivity since the animal itself is not a mere object but, as a living individuality, it is an active pole. However, for Hegel, the animal remains an “individuality without intelligence”, thus its ontological status is considered inferior to that of the labouring subject. Moreover, instead of thinking that the interaction with animals is a form of communication (or at least a reciprocal activity), one should think of the labour exerted on the animal as that of a transformation, in which a subject gives a form to something which, from the point of view of the labourer, remains passive. Both of these considerations leave no room for any sort of intersubjectivity. If the general thesis of the identity of nature and spirit is the framework in which the three dialectics already mentioned operate, it seems that this framework remains implicit and that the link between the two levels mentioned above is not sufficiently established.

In fact, more than a partner, it seems that the thing appropriated (for instance the animal) matters only to the extent that it is a reflect of myself: “the thing, the determinate [property], does not come into consideration as to its value, or as a thing at all; it is rather, wholly nullified, wholly ideal; the point is just this, that it is connected with me, that I am one consciousness [and it] has lost its antithetic status as against me”¹²¹⁵. The land I possess has no value in itself. Its value lays only in its connection with me. Thus, the *thing* is connected to me because it is the surface of the expression of my interiority, a surface in which I recognise myself. The thing has, therefore, a value only because it is an image mirror of my consciousness (what Habermas says of the Spirit in the *Encyclopaedia* seems to apply to the texts of the Jena writings, at least those concerned with the notion of possession). Facing its possession, consciousness does not really deal with a partner but only deals with itself. Instead of establishing a relation of communication and reciprocity, the subject establishes a dialogue with itself¹²¹⁶.

1214See also HABERMAS Jürgen, “From Kant to Hegel and Back Again: The Move toward Destranscendentalization”, in HABERMAS Jürgen, *Truth and Justification*, trans. Barbara Fultner, Cambridge-Massachusetts, The MIT Press, 2003, pp. 175-211.

1215HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 236-237.

1216For a good commentary of this passage, see BIENENSTOCK Myriam, *Politique du Jeune Hegel*, *op. cit.*, pp. 192-193: “Comment ne pas rappeler en effet les termes en lesquels, dans l'article sur la “Différence”, Hegel décrivait la

There is one last reason which explains why Hegel did not retain the notion of attachment in order to characterise the relation with nature, a reason which is subjacent to the struggle for recognition. Finally, attachment to the land is only a moment of the syllogism of recognition and this moment necessarily has to be subsumed, a subsumption which ends up with a suppression of the possession and thus a detachment (*arrachement*) from this natural exteriority. We reach here the final solution of the problem we are currently dealing with that is, the nature of the relation that consciousness has with their possession when in conflict. In other words, are they attached to their possession or not? The solution to this problem shall be found in the final resolution of the struggle for recognition. It is within death that the true nature of the relation to land appears.

Here, we shall return to the dialectic of recognition at the point of the 'second inequality', that is, where we last left it at the end of the chapter entitled "The Struggle for Recognition: the Necessity of a Third Term". The inaugural appropriation generated an initial inequality (between the possessor and the non-possessor). And after this then, the excluded tried to reestablish equality by dispossessing the other. But doing so, he causes a second and higher inequality, the inequality of the dispossessed and the expropriator. From the point of view of a grammar of conflict, the question is: why does this second inequality lead to a struggle to death? *A priori* there is no necessity that individuals fight to death; indeed, all quarrels for possession do not necessarily end in blood. How does the conflict snowball out of control to the point that the individuals involved in the conflict end up killing each other? An initial answer to this question could be given by considering the dynamic of the struggle itself, *i.e.*, considering the succession of actions, the interactions between agents and their motivations throughout the whole conflict, instead of the final purpose of the whole process. In other words, there comes a certain point, within the deployment of the struggle, when something occurs that produces a qualitative change in the nature of the conflict and plunges the fighting individuals into an infernal spiral which leads them to death. This element of the conflictual dynamic, the one which makes us switch from a struggle for possession to a struggle to death, appears very briefly (and even implicitly, should we say) in the text of 1803-1804, after

conception fichtéenne du droit et, plus particulièrement, la façon dont Fichte comprend l' "avoir" (Haben)? (...) Ce qui se manifestait alors, selon lui, dans le sens de l'avoir — donc dans la relation de possession telle que la définit Fichte—c'était "l'opposition absolue de la nature et de la raison, la domination de la réflexion dans toute sa dureté"; et c'était précisément cette opposition qu'il entendait critiquer. Maintenant, en 1803-1804, il la considère au contraire comme une étape nécessaire dans le processus par lequel l'homme atteint la liberté. Loin de simplement rejeter l'avoir, il en reconnaît donc maintenant la valeur — pour montrer cependant que ce qui en fait toute l'importance, c'est l'acte, le mouvement qui la constitue : l'homme n'a pas simplement la chose, la nature. Il n'en reste pas à l'opposition à la nature. Il se l'approprie ; et ceci veut dire qu'il l'identifie à soi, qu'il en fait son monde. Telle est bien la thèse fondamentale que Hegel pose dès cette époque : ce n'est pas dans la nature, c'est dans l'acte de prise de possession de la nature qu'il fonde la liberté humaine et, avec celle-ci, la conscience de soi. Mais, continue Hegel, il faut reconnaître que précisément parce que l'homme se voit lui-même dans la chose possédée, parce que celle-ci est pour lui son monde, ce qui importe dans la relation de possession n'est nullement la chose elle-même".

the moment of dispossession (the second inequality of 1805):

“(…) each must affirm what the other denies, as being in *his totality* not something external; and must be suspend it in the other; and as each affirms his totality as a single [consciousness] in this single [point of offense] strictly, it becomes apparent *that each negates the totality of the other*; the mutual recognition of the singular totality of either one becomes a negative relation of the totality, because this one is negated as it enters into relation; each [must] posit himself as totality in the consciousness of the other, in such a way that he puts his whole apparent totality, his life, at stake for the maintenance of any single detail, and each likewise must go for the death of the other”¹²¹⁷.

In this text, Hegel recalls that possession (here, “what the other denies” or “this single [point of offence]) is not something external to the individual. The thing is a part of the consciousness totality. Consequently, when the expropriator dispossesses the individual who appropriated first a piece of unoccupied land (during the first appropriation), he did not only steal from him, but he attacked the whole individual. When this insulter (the expropriator) negated the form of the other's possession (and appropriated it), he did not only negate a simple thing, but he also negated an essential part of the totality of the other and thus he negated the totality of the other too. As Hegel writes few pages earlier, “every single negation of property is a negation of the totality [of the one injured]”¹²¹⁸. Therefore, as Bienenstock writes, the collision on a singular thing becomes a struggle for the whole; the struggle for possession becomes the struggle for the totality of each of the protagonists and, as such, it becomes a struggle for life itself¹²¹⁹. Indeed, if the conflict involves the totality of my being, in other words, my entire being, it involves my life (this equivalence between totality and life appears in the text quoted above). If my life is what is at stake in the conflict, then it means that I can lose it in this conflict and thus die. The struggle for life becomes a struggle to death. Here, we could say that this qualitative transformation of the struggle is explained by an efficient cause. Indeed, in the succession of events, which occurs between the start of the conflict and its end, there is one element which causes the change of the nature of the conflict: the fact that the expropriation touches the totality of the dispossessed. But the terminology used by Hegel in the Introduction of the *Phenomenology of Spirit* is maybe more relevant: this explanation is situated at the level of the “für es” (“for it”), i.e., for the consciousness which is “comprehended in the experience” and see the series of the objects which pass before its eyes as a contingent series. Here, consciousness feels that the fight has to be a fight to death since expropriation affects it in its totality and thus its life. By contrast, the *für uns* (“for us”) is the point of view of the philosopher, who see the necessity of the succession of the objects, a necessity which proceeds “behind the back of the consciousness”¹²²⁰.

1217HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 239.

1218*Ibid.*, p. 236.

1219*Ibid.*, p. 193.

1220HEGEL Georg Wilhelm Friedrich, *The Phenomenology of Spirit*, *op. cit.*, p. 58; HEGEL Georg Wilhelm Friedrich, *Phänomenologie des Geistes*, in HEGEL Georg Wilhelm Friedrich, *Werke 03*, Frankfurt am Main, Suhrkamp, 1986 [1807], p. 80.

It would seem that it is this second point of view which prevails between 1803 and 1805. Indeed, the explanation of the switch to the struggle to death, which we have just outlined, is only briefly evoked in the text of 1803-1804, and it no longer appears in the text of 1805. For the philosopher who knows the whole process of consciousness there is a certain necessity in switching to the struggle to death: “each (...) *must* go for the death of the other”.. Why is this struggle to death a necessity? Because, writes Hegel, “I can only recognize [myself] as this singular totality in the consciousness of the other, so far as I posit myself in his consciousness as of such a kind that in my exclusiveness [I] am a totality of excluding, [*i.e.*, so far as] I go for his death”¹²²¹. Or to put it simply, “I can only recognize [myself] as this singular totality in the consciousness of the other (...) [so far as] I go for his death”. As noticed by Solange Mercier-Josa, this Hegelian reasoning is clearly teleologic: consciousnesses have to fight to death to reach recognition¹²²². Nonetheless, the nature of the connection between recognition and death remains to be clarified. Hegel explains that inasmuch as “I go for the death of the other”, I expose myself to death and, in doing so, risk my life. Hegel highlights that there is a contradiction here since, wanting to affirm the singularity of my being and my possession (which is a part of my being), this “affirmation passes over into its contrary”: I am prepared to sacrifice my life and my possession. Defending my land and my life (which is a particular expression of the former), I finally sacrifice both of them. As the text of 1805 concludes, this is a suicide. This contradiction is resolved if we consider the positive side of such a suicide: the destruction of my land and my body demonstrates to the other that I am not enchained to my being-there which, in the end, does not matter. I prove that my being is beyond my biological reality, that I am able to *transcend* it¹²²³. Indeed, I prove to him that beyond my land and my life, I am a being which counts as an absolute, which is endowed with reason: “In order to count as absolute, however, it [the consciousness] must present itself as absolute, as will, *i.e.*, as someone for who his existence (which he had as property) no longer counts, but rather this: as his known being-for-himself, that has the pure significance of self-knowledge, and in this way comes into existence”¹²²⁴. In other words, to appear to the other as an absolute, to be recognised by the other, I have to detach myself from my land and my body. I appear to the other as I see myself: as a being “absolutely for myself”, as a totality for myself. When commenting on the second form of inequality we said that there was an asymmetry between two aspects of myself: my ego as it was in myself (positive relation to myself) and my ego which is outside of myself (negated in the other).

1221HEGEL, *First Philosophy of Spirit* (1803/4), *op. cit.*, p. 239.

1222MERCIER-JOSA Solange, *La Lutte pour la Reconnaissance et la Notion de Peuple dans la Première Philosophie de l'Esprit*, Montaris, Centre de Sociologie Historique, Inclinaison, 2003, p. 13.

1223See Planty-Bonjour's introduction of the french translation of the *First Philosophy of Spirit*: HEGEL, *La Première Philosophie de l'Esprit* (Iéna, 1803-1804), *trans. Guy Planty-Bonjour, op. cit.*, p. 44.

1224HEGEL, *Jena Lectures on the Philosophy of Spirit* (1805-6), *op. cit.*, p. 117.

With recognition I become in the other as I am in myself: a total form of myself. I can see myself in the other as I am in myself. I contemplate myself positively in the other¹²²⁵. This is what we call recognition, and we immediately understand that this recognition makes self-consciousness possible. But, we also understand how the detachment from the land is also the necessary condition of possibility of such a recognition.

The figure of detachment definitively closes the debate on the nature of the collective relations with nature that are subjacent to the struggle for recognition. As above, there is a hesitation between the figure of attachment (the self depends on the relation to the land) and the figure of detachment. The nature of the relation to land is a question of the moment. By this, we mean that the nature of this relation changes in relation to the moment of the dialectical process we choose to refer to. At the beginning of the dialectic of recognition, when the conflict breaks out, the conflictual consciousnesses defend their land as if it was a part of their totality. Consciousness is attached to its possession since, through the process of labour, it becomes a part of themselves and in doing so, they reach a certain degree of self-consciousness. But, in order to reach recognition, and thus self-consciousness, I have to detach myself from my land and rid myself of my being-there, which hides what I really am: a for myself that counts as an absolute, a will. Here, the attachment to land becomes the chains that prevent consciousness from being recognised and hence to becoming a real self-consciousness. Because all attachments to land becomes the chains which chain the individual to the soil, consciousness has to free itself from these ties and detach itself from its possession. A precedent version of the text gives us an idea of what this detachment really is: the consciousness engaged in the struggle for recognition, says Hegel

“can only present himself as the whole, in as much as he cancels his being in the details, in as much as he [surrenders] his possessions to destruction in defending them < and life [too], as the simple appearance which comprehends all sides of the totality of singularity within itself; he can therefore only be a totality of singularity, in virtue of sacrificing himself as totality of singularity, and the other consciousness likewise, by which he wants to be recognized”¹²²⁶.

Detachment is thus a sort of destruction of possession. It is as if the individual had burnt his land in order to show to the other that his possession does not really count for him, that what really matters is beyond materiality. Consequently, attachment to land was just a moment. In itself, the possession of land is finally inessential: “The actual being-for-himself as such is to be posited, *not as a [mere] form of the thing (since this form has nothing permanent in it)*, nor by means of language (since the knowledge is [to be] actual)”¹²²⁷. Land has no durability since it will be destroyed by the end of the conflict, and for that reason, it is no longer essential.

1225“*This recognition* therefore, aims to prove to the other that one is a totality of singularity, it aims at the intuition of oneself in him and likewise of hi in oneself (...)”. HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, pp. 238-329.

1226HEGEL, *First Philosophy of Spirit (1803/4)*, *op. cit.*, p. 239.

1227HEGEL, *Jena Lectures on the Philosophy of Spirit (1805-6)*, *op. cit.*, p. 117.

Conclusion of Part II

In conclusion, the possession of land is a pretext for conflict. Admittedly, there is no conflict for recognition without the possession of land. We argued that the conflictual interaction between consciousnesses is made possible by a third term: without this third term, consciousnesses could act only on each other. This middle term is land since for the conflict to be real this must occur within the real world. More concretely, land makes possible the real conflictual interaction because it is the cause which leads consciousnesses to enter into conflict with each other. It is because the other annihilates the form of my possession and appropriate what I consider a part of my being that I come to fight. However, this expropriation is not the deep motivation which causes the conflict. Possession of things is simply the material vector of a symbolic relation, disrespect. I do not struggle against the other because he stole my family good; I do it because he disrespects me, he excluded me and negated myself, a negation which is made possible by the mediation of the material dispossession of my land (or, to be more precise, by the non inclusion of myself in the first appropriation). Here, dispossession is the means in service of the conflictual dynamic. In other words, it is a material means that triggers the conflict. And if there is a means, there is a purpose. The purpose is the ontological logic of recognition. Consciousnesses enters into a fight to the death because they wish to see themselves in the other as they see themselves in themselves. And the dispossession of land is just a means that will lead them to this purpose. That is why, once recognition is reached, these means become useless and can be discarded. Consequently, land is essential to anchor the conflictual interaction in material reality and thus to render the conflict possible. But from a global perspective, it is inessential since it is not the real motivation of the struggle and will be subsequently suppressed.

It is with this in mind that this particular grammar of conflict reveals itself as not totally adequate to the task of thinking through what we referred to as “ecological conflicts”. Whereas a true grammar of ecological conflicts should place the relationship with the earth at the centre of its structure, the grammar of recognition places this relation at its periphery. Indeed, from the point of view of the logic of conflict, land does not truly count due to the structure of the conflictual dynamic itself. Indeed, in this structure, what really counts, what is really essential, is the

interaction between consciousnesses, not the interaction with the earth, which remains secondary in comparison with this first relation. We could even say that the relation at the centre of this conflictual dynamic is the relation that the consciousness has with itself, a relation which becomes positive only when the other recognises this consciousness as a for itself, as a being which is beyond its being-there. The agents in such a conflict are not really motivated by the preservation of the interaction they have with nature, but by the development of their own consciousness, and land is just a means to achieve this final purpose.

It is precisely for that reason that such relationship with land takes the form of a detachment. What really matters in the conflict is the manifestation of the for itself of the consciousness in the other consciousness, and the interaction with nature must finally be expelled. Here, we touch on another reason for the inadequacy of the concept of recognition as the means to elaborate a grammar of ecological conflicts. Much like the grammar of having, the grammar of recognition fails to entirely topicalise the notion of attachment that should be at the centre of every true grammar of ecological conflict since the struggle for recognition is not a struggle for the attachment to land. It is true that this concept already exists inchoately in the *Jena Writings*: the ontological constitution depends on a certain interaction with the land (*i.e.*, the transformation of the matter). However, the development of such a concept is blocked by the fact that the relationship with land is, *in fine*, conceived in terms of detachment.

We saw that the full development of the concept of attachment is also blocked by another conceptual logic: the place given to having in the conceptualisation of the interactions with nature were subadjacent to the conflictual interaction with other consciousnesses. We said that the relation with land had some ontological effect (and thus contains some element of attachment) but was principally conceived as a relation of appropriation. The logic of appropriation remains overriding compared with the logic of attachment. As already argued, this does not mean that the grammar of recognition is finally a grammar of having. There is a difference between the grammar of conflict and the relations with nature that are involved in this grammar. The relation with nature is admittedly a relation of appropriation, because this interaction is peripheral within the conflictual dynamic: the conflict remains a conflict for the ontological constitution of the consciousness (likewise, it is not because the interaction with nature is a relation of detachment that the grammar of conflict ceases to be a grammar of being). In any case, this shows that in order to find a true grammar of ecological conflict worthy of the name, we should leave to one side the grammar of recognition.

Part III. The Grammar of Action: Land and Use

Introduction to Part III

At the beginning of the second part of this thesis, it was argued that struggles related to the social question cannot be reduced to distributive issues and that other factors have to be considered. Especially, it has been shown that people involved in these conflicts also protest against the degradation of their living conditions and the reduction of their possibilities of life. In other words, what is at stake is a deterioration of their physical and mental being. Hence, the idea of a grammar of conflict centred on the question of being. Social pathologies caused by misrecognition is one of the forms that this ontological diminishment can take.

Now, the reduction of social conflicts to the distributive paradigm can also be criticised from another perspective. We saw in the general introduction that Iris Marion Young reproaches this paradigm for obscuring the institutional context which determines the repartition of resources in the social field and that decision-making structures are some of the aspects of these “background conditions” for distribution. In fact, she addresses a second criticism to the distributive paradigm, to wit, the trend of overextending this category. Indeed, it is a fact that distributive theorists of justice have tended to extend the scope of the concept of distribution beyond material goods such as incomes and resources¹²²⁸. For instance, Rawls' list of primary goods (which are to be distributed according to the principles of justice) includes not only incomes and wealth but also rights, liberties, opportunities and even the social bases of self-respect: “all social values – liberty and opportunity, income and wealth, and the social bases of self-respect – are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone's advantage”¹²²⁹. Here, non-material goods as liberty, opportunities, rights or self-respect are treated as some things which can be distributed and finally appropriated by agents. This application of the logic of distribution to non-material social goods amounts to reify “aspects of social life that are better understood as function of rules and relations than as things”¹²³⁰. Here, the term of relation refers to the notion of doing or action. On first approximation, an action is not a thing which could be appropriated, but a relation between a subject and another subject (or even an object), a relation by which the former produces an effect on the latter. The problem of the implicit misleading social ontology promoted

1228YOUNG Iris Marion, *Justice and the Politics of Difference*, op. cit., p. 24.

1229RAWLS John, *A Theory of Justice*, op. cit., p. 54.

1230YOUNG Iris Marion, *Justice and the Politics of Difference*, op. cit., p. 25.

by distributive theorists of justice is that they extend the logic of having to those aspects of the social life that pertain to the order of action.

“But why should issues of social ontology matter for normative theorising about justice? Any normative claims about society make assumptions about the nature of society, often only implicitly. Normative judgments of justice are about something, and without a social ontology we do not know what they are about. The distributive paradigm implicitly assumes that social judgments are about what individual persons have, how much they have, and how that amount compares with what other persons have. This focus on possession tends to preclude thinking about what people are doing, according to what institutionalised rules, how their doings and havings are structured by institutionalised relations that constitute their positions, and how the combined effect of their doings has recursive effects on their life”¹²³¹.

In other words, the logic of action should not be confused with the logic of having. The problem is illustrated by the specific case of the application of the distributive paradigm to rights: is it possible to distribute rights? This hypothesis entails an ontological assumption about the nature of rights: rights are things which can be appropriated. Now, as noted by Young, this presupposition is very doubtful. Rights are “institutionally defined rules specifying what people can do in relation to one another”¹²³². In consequence, they refer to actions and doing more than things that can be appropriated.

Some theorists of justice have also intended to apply the distributive paradigm to power¹²³³. They claim that social justice concerns the distribution of power in society. Is it possible to talk about power in terms of distribution? Is power something which can be distributed like material goods? Such assumptions implicitly presuppose that power is something which can be appropriated and possessed. Is power something which can be appropriated as we appropriate a land or other material resources? To answer these questions it is necessary to ask what power is. Young defines it as a “relationship between the exerciser and others through which he or she communicates intentions and meets with their acquiescence”¹²³⁴. This definition is somewhat similar to the famous definition of *Herrschaft* (i.e., rulership or domination depending on the translation) given by Weber in *Economy and Society*: rulership, he writes, is “the chance that specific (or all) commands will be met with obedience on the part of a specifiable group of persons”¹²³⁵. Roughly speaking, it could be said that there is power when someone communicates his *will* to an individual or a group of persons through the form of a command and, doing so, tries to make them *do* something with their *consent*. Here, this person aims for the identity between his will and the actions of those who receive the command (obedience). In the light of these definitions, it clearly appears that power is not a

1231 *Ibid.*, p. 25.

1232 *Ibid.*, p. 25.

1233 *Ibid.*, p. 30.

1234 *Ibid.*, p. 31.

1235 WEBER Max, *Economy and Society*, Translated by Keith Tribe, *op. cit.*, p. 338; WEBER Max, *Economy and Society*, trans. Fischhoff and als., *op. cit.*, p. 212; See also WEBER Max, *Economy and Society*, trans. Fischhoff and als., *op. cit.*, p. 53; WEBER Max, *Economy and Society*, Translated by Keith Tribe, *op. cit.*, p. 134.

substance or a thing but a relation between a ruler and a subject. Consequently, power cannot be appropriated as we appropriate a thing and thus, it cannot be distributed.

This is even more obvious if we have in mind that relations of power cannot be reduced to a dyadic relation between the ruler and the subject. In fact, as Young argues, power relations entail a multiplicity of mediations between extreme poles. A judge has power over a prisoner only through a network of agents and their practices (prison wardens, guards, administrators, lawyers, etc)¹²³⁶. Without this large structure of agents and action, the ruler is incapable of communicating his will and make the subjects obey. In other words, his power has no efficacy. Consequently, there is no thing as the possessor in which the power is supposed to be located. Power runs through a series of mediations between the ruler and the subject. The image of a chain of mediation between two poles is maybe even misleading (or at least imprecise). Thereby, Foucault describes power as something which is never localised in anybody's hands but circulates between individuals, in wide networks¹²³⁷. Individuals are rather the relays of power than its holders. Consequently, power cannot be considered as a commodity or a good which can be appropriated, transferred or alienated. For that reason Foucault writes in *La volonté de savoir* that “*le pouvoir n'est pas quelque chose qui s'acquiert, s'arrache ou se partage, quelque chose qu'on garde ou qu'on laisse échapper; le pouvoir s'exerce à partir de points innombrables, et dans le jeu de relations inégalitaires et mobiles*”¹²³⁸. Once again, power is not a thing which can be possessed but a relation.

Young's criticism of the distributive paradigm is especially interesting for our concerns since she raises an important question about social ontology: there is an aspect of the social field which is irreducible to substances and which must be described in terms of relations and actions. In other words, society is not only made of appropriable things but also of interactions which cannot be substantialised. In short, social ontology cannot be reduced to the logic of having and must consider the logic doing or, to put it another way, the logic of action. This has important consequences on the way we understand social justice and also social struggles. Indeed, social justice cannot be understood only in terms of having but also in terms of action.

¹²³⁶YOUNG Iris Marion, *Justice and the Politics of Difference*, op. cit., p. 31.

¹²³⁷“Troisième précaution de méthode: ne pas prendre le pouvoir comme un phénomène de domination massif et homogène – domination d'un individu sur les autres, d'un groupe sur les autres, d'une classe sur les autres – ; bien avoir à l'esprit que le pouvoir, sauf à le considérer de très haut et de très loin, n'est pas quelque chose qui se partage entre ceux qui l'ont et qui le détiennent exclusivement, et puis ceux qui ne l'ont pas et qui le subissent. Le pouvoir, je crois, doit être analysé comme quelque chose qui circule, ou plutôt comme quelque chose qui ne fonctionne qu'en chaîne. Il n'est jamais localisé ici ou là, il n'est jamais entre les mains de certains, il n'est jamais approprié comme une richesse ou un bien. Le pouvoir fonctionne. Le pouvoir s'exerce en réseau et, sur ce réseau, non seulement les individus circulent, mais ils sont toujours en position de subir et aussi d'exercer ce pouvoir. Ils ne sont jamais la cible inerte ou consentante du pouvoir, ils en sont toujours les relais. Autrement dit, le pouvoir transite par les individus, il ne s'applique pas à eux”. FOUCAULT Michel, *Il Faut Défendre la Société*, op. cit., p. 26.

This text is in part quoted by Young in YOUNG Iris Marion, *Justice and the Politics of Difference*, op. cit., p. 32.

¹²³⁸FOUCAULT Michel, *Histoire de la Sexualité*. I, *La Volonté de Savoir*, Gallimard, Tel, 1994 [1976], p. 123.

The case of domination, which is at the centre of numerous struggles for social justice, perfectly illustrates this point. Young defines it as a “structural or systemic phenomena which excludes people from participating in determining their actions or the conditions of their actions”¹²³⁹. Domination can take several forms. For instance, in traditional systems of power, in which relationships of personal dependency prevail, the actions of an agent (for instance, a serf) are submitted to the dictates of another individual persons' will (for instance, a seignior)¹²⁴⁰. Likewise, under bureaucracies (this modern form of domination which replaces the traditional system of power and produces formal and impersonal rules), individuals find their action constrained by formal and impersonal bureaucratic imperatives that seem to be the result of no one's decision¹²⁴¹. In both cases, individual have no chance to determine themselves or their actions which are controlled by external agents or an external structure of power. Here, we see that *action* (not having) is at the centre of these issues of social justice. It is also action which is at the centre of the preoccupations of those who struggle against domination. Indeed, the possibility of determining our own actions (what we usually call self-determination) is the central claim which motivates these social struggles. Consequently, it can be contended that, apart from the grammar of having and the grammar of being, there is a grammar of conflict which is centred on the clash between actions.

As the other general grammars, the grammar of action contains several subcategories. Apart from the grammar of domination just mentioned, it is worth recalling that the existence of a grammar of participation has been mentioned several times in this thesis. We saw how the greats excluded the plebs from the possibility of participating in public matters in Machiavelli's *Discorsi*. As a consequence, the plebs was prevented from determining (or at least influencing) the collective future of Rome and thus their own future. In reaction to its exclusion, the plebs entered into conflict with the nobles in order to take part in the administration of public affairs. It should be noted that this grammar is intrinsically tied with the question of domination. Indeed, the Great always intend to impose their will over the plebs which always intend to resist them. The important point is that the seat of the conflictual dynamic is a collision between the wills of the plebs and the nobles, and *in fine*, a collision between their actions – with will being the faculty which determines individuals or groups to act.

Another grammar of action can be found in the notion of use. Individuals or groups may come into conflict because they want to use the same thing – in other words to act on the same thing. Peasant worlds are full of these conflicts. Indeed, it often happens that two peasants want to use the same land. Such a situation does not necessarily lead to a dispute if the uses are not

¹²³⁹YOUNG Iris Marion, *Justice and the Politics of Difference*, *op. cit.*, p. 31.

¹²⁴⁰*Ibid.*, p. 76.

¹²⁴¹*Ibid.*, p. 78.

contradictory. For example, if two people use the same land at two different periods of the year then there is no collision between their activities. Commonage (*vaine pâture*) provides a very good illustration of that case: after the harvest, villagers had the right to graze their animals on the fallow land. Conflicts arise when uses are contradictory. For instance, recreational hunting often enters into conflict with agriculture because both activities enter into contradiction. Indeed, peasants' fields are very often devastated by the proliferation of the game whose reproduction is sometimes artificially stimulated by those who enjoy hunting. Here, there is a contradiction between two uses of the land. The history of peasantry in Europe is full of conflicts which are not centred on the appropriation of the land but in its use. Indeed, there is a fundamental difference between having and use.

Because the grammar of use has been historically centred on the question of land (more precisely on land use), we decided to dedicate an entire part to these specific conflicts. Probably inspired and influenced by peasant conflicts of his time, Fichte made an important contribution to the elaboration of this specific grammar of social conflicts. Indeed, some insightful developments on land use conflicts can be found in his work on right, especially in the *Foundations of Natural Right* and in *The Closed Commercial State*. In these writings, he develops a very original theory of property which is intrinsically intertwined with a theory of use conflicts. Considering that property is the means of conflict resolution, the nature of the first influences the nature of the second, and vice versa. Indeed, he argues that the seat of the conflict and the seat of its resolution is of one and the same nature. In other words, Fichte postulates a solidarity between our understanding of conflicts and our definition of the means of solving those disputes, *i.e.*, property. Consequently, any modification of our theory of property leads to a modification of our theory of conflict.

That is precisely what happens with Fichte. For reasons we will explain, Fichte is compelled to deeply modify the traditional idea of property. In short, property is no longer defined as a right to things, (a right to appropriate things), it becomes a right to act. To put it another way, property is a right exerted, a free activity on things, not a right to appropriate these things. In a word, it is a right to use the earth not a right to possess it. This reversal of the theory of property leads Fichte to redefine social conflicts. Indeed, with this new theory of property, the seat of the conflict becomes the collision between two or several spheres of individual's free actions. More concretely, social struggles are no longer struggles for the appropriation of land, but struggles for the use of land. Men come to fight because not because they desire to exclusively possess a land which cannot be shared; they fight each other because their respective uses of this land are contradictory.

Since Dardot and Laval's work, it has been common to oppose common use of the earth and appropriation, whatever the form of this appropriation (private property, public property, etc.)¹²⁴².

1242 DARDOT Pierre and CHRISTIAN Laval, *Commun. Essai sur la Révolution au XXI^e Siècle*, Paris, La Découverte,

These authors claim that, the common is the political principle of social struggles which emerged since the 1990s against the capitalist extension of private appropriation into every sphere of our existence (biological, cultural and social) and the public forms of appropriation such as state property¹²⁴³. According to them, the political rationality of the common animate ecological movements claiming for a common management (and thus use) of natural resources against their appropriation by capitalism and States – hence the importance of an analysis of the grammar of use.

However, even if we admit that use is opposed to the logic of private and public appropriation, does this means that use is opposed to any form of appropriation? Indeed, individuals who make common use of the land do not privately appropriate this piece of nature; but, as noted by Stéphane Haber¹²⁴⁴, insofar as they delimit and isolate a portion of the world and subject it to their will and their action is it correct to claim that they do not appropriate it? In other words, is use a collective relation with land that escapes the logic of appropriation?

This question should be asked to Fichte, who was one of the first to explicitly propose the idea of a grammar of use. If there is no doubt that he considers conflict as a clash between activity (and not as a dispute for the private appropriation of a thing), is it correct to contend that his theory of property based on use is opposed to any form of appropriation? After all, why does Fichte maintain the terms of “property” if this specific relation with the land does not imply any moment which could be identified with a form of appropriation? Does Fichte really consider that use is a relationship with the land which totally escapes from the general logic of the appropriation of the world by humans? Here, we come again to the more general question of the nature of the collective relationship with the earth, which underlies the conflictual interaction. Given that the grammar of conflict based on the notion of use is principally centred on the question of the use of the earth, what is the nature of these interactions with the natural world which underlie the conflictual dynamic?

This third part is dedicated to the grammar of use in Fichte's philosophy of right and in Marx's early writings, which are in line with this philosophy of activity. Our objective is to answer the following problems: 1° the problems regarding the grammar of use. Is there a specific aspect of conflict which justifies to resort to this grammar? Or does the grammar of *Having* and the grammar of *Being* cover the full field of conflictuality, which means that there is no need for a third grammar? Is there a specificity to the grammar of *Action*? Is there a grammar of use which is distinct from the grammar of having and the grammar of recognition? This specificity is all the

Poche, 2015 [2014].

¹²⁴³*Ibid.*, p. 16.

¹²⁴⁴HABER Stéphane, “Prendre et donner. Remarques à partir d'un texte de Carl Schmitt. Pour un anti-nomos”, in CRÉTOIS Pierre (ed.), *L'Accaparement des Biens Communs*, Nanterre, Presses Universitaires de Paris-Nanterre, Le Social et le Politique, 2018, p. 42.

more problematic since in the *Foundations of Natural Right*, the conflictual dynamic intertwines multiple components such as distribution, recognition, uncertainty, activity, etc. Consequently, is it justified to talk about a grammar of activity in Fichte's text devoted to the question of conflict? To prove that there is a specificity of the grammar of use it must be established that the activity is at the centre of the conflictual dynamic and that other components are just "conflict accelerators". 2° the problem of the collective relationship with the earth which arises at the basis of the conflictual interaction: are those relations irreducible to the logic of appropriation? Or do these relations include a moment of appropriation? And more broadly speaking, what is the nature of these relations that individuals in conflict have with this portion of the world they fight for?

In an introductory chapter, we will show that it is possible to find in Fichte's work a grammar of action that is relatively independent from his famous deduction of the intersubjective interactions of recognition. Commentators generally deplore that there is no struggle of recognition in the *Foundations* and that Fichte just produces a transcendental deduction of recognition. By contrast, we argue that, if we give up the perspective of recognition, and if we stop seeking in the *Foundations*, the thematic of the Hegelian struggle for recognition (which is clearly absent from this text), thus, then it is possible to find in Fichte's writings a grammar of action. We argue that this grammar was already present in the *Contribution to the Correction of the Public's Judgments on the French Revolution*, in the form of the struggle between the Master and the Slave. In the following chapters, we show that this grammar takes the form of a grammar of land use conflicts. This grammar of conflict is based on a very original theory of property and, subsequently, the former cannot be understood without the latter. This is why we will previously expose Fichte's theory of property in the second chapter. This leads us to Fichte's theory of land use conflicts that we expose in the third chapter. In this chapter we also elucidate the collective relation with nature which are at the basis of the conflictual dynamic. Finally, in the fourth chapter, we show how Marx revisits Fichte's grammar of activity and applied it to the historical reality of peasant struggles for the right of using the forests.

I) For An Autonomous Grammar of Action

The identification of a grammar of conflict in Fichte's work shall, in the first instance, leads us to read the *Contribution to the Correction of the Public's Judgments on the French Revolution*¹²⁴⁵, one of his early works in which he develops a “dialectical vision of history” that is entirely structured by the conflict between the master and the slave¹²⁴⁶. According to Fichte, mankind's march toward progress has always been oriented toward the emancipation. This historical becoming is defined as a process of culture (*Kultur*) by which man becomes free and independent from what is not his pure Self (*Selbsts*), that is, sensibility (*Sinnlichkeit*)¹²⁴⁷. To the extent that sensibility can be defined as the whole of the faculties (both as corporal as spiritual), which can potentially be determined by the external world of phenomena¹²⁴⁸, sensibility is not really the true Self. Indeed, the true Self is determined only by the internal realm of the law of the ought (*Gesetze des Sollens*)¹²⁴⁹. In this process of culture, the Self struggles (*kampf*)¹²⁵⁰ against the physical necessities and the realm of nature¹²⁵¹. The detachment from those “external drives” (*Antriebe außer*)¹²⁵² takes place in two steps: first, sensibility must no longer determine my will. This moment of the “taming of sensibility” (*Bezähmung der Sinnlichkeit*)¹²⁵³ is negative: the will no longer obeys the sensibility, which ceases to command. It is a moment of destitution in which the

1245This book has been translated in english after we finished to write this part. This is why we mainly used the original text and the french translation. FICHTE Johann Gottlieb, *Beitrag zur Berichtigung der Urteile des Publikums über die französische Revolution, Beigefügt die Rezensionen von Friedrich von Gentz*, Edited by Richard Schottky, Hamburg, Felix Meiner, 1973 [1793] (abbreviated as such FICHTE, *Beitrag, op. cit.*). FICHTE Johann Gottlieb, *Considérations destinées à rectifier les Jugements du Public sur la Révolution Française précédées de la Revendication de la Liberté de Penser auprès des Princes de l'Europe qui l'ont opprimée jusqu'ici (1793)*, trans. Jules Barni, Paris, F. Chamerot, 1859 [1793]. For the english translation, see FICHTE Johann Gottlieb, *Contribution to the Correction of the Public's Judgments on the French Revolution*, translated by Jeffrey Church and Anna Marisa Schön, New York, State University of New York Press, 2001 [1793] (abbreviated as follows : FICHTE, *Contribution, op. cit.*).

1246On this point, see PHILONENKO Alexis, *Théorie et Praxis dans la Pensée Morale et Politique de Kant et de Fichte en 1793*, Second edition, Paris, Vrin, Bibliothèque d'Histoire de la Philosophie, 1976 [1968], p. 98 sq.

1247FICHTE, *Beitrag, op. cit.*, pp. 51-52: “*Kultur heißt Übung aller Kräfte auf den Zweck der völligen Freiheit, der völligen Unabhängigkeit von allem, was nicht Wir selbst, unser reines Selbst ist*”. FICHTE, *Contribution, op. cit.*, p. 49.

1248Ibid., p. 53.

1249FICHTE, *Beitrag, op. cit.*, p. 23; FICHTE, *Contribution, op. cit.*, p. 23.

1250FICHTE, *Beitrag, op. cit.*, p. 52; FICHTE, *Contribution, op. cit.*, p. 49.

1251FICHTE, *Beitrag, op. cit.*, p. 23; FICHTE, *Contribution, op. cit.*, p. 23.

1252FICHTE, *Beitrag, op. cit.*, p. 54; FICHTE, *Contribution, op. cit.*, p. 50.

1253FICHTE, *Beitrag, op. cit.*, p. 53; FICHTE, *Contribution, op. cit.*, p. 49.

sensible being loses the power he has over the pure self. In this, man becomes free, that is, he liberates himself from the tyranny of his sensible being, depend now only on his pure self. In a word, he is to himself his own law and does not depend on something exterior. Nevertheless, without the second moment, this liberation would be just formal: the Will would be devoid of content and thus ineffective and powerless. It is not sufficient to become independent, it is necessary to reign over something. The will alone is insufficient, power is also required:

*“After exercising the first right, he would be able to will independently, but, without asserting the second, his will would be impotent. He would will, and that would be all. He would be a commander, but without servants; a king, but without subjects. He would still stand under the iron sceptre of fate, would still be shackled to its chains, and his willing would be an impotent rattling of the chains”*¹²⁵⁴.

For that reason, in a more positive second moment the Self rules and uses the sensibility which become then its “servant” (*Diener*)¹²⁵⁵. It is not sufficient to submit the sensibility to its law, it is also necessary to make it work. Fichte calls this moment the “culture of sensibility” (*die Kultur der Sinn-lichkeit*)¹²⁵⁶. It is the moment where what is moldable (*bildsam*)¹²⁵⁷, is formed *i.e.*, our sensible being (by contrast with the pure self which is *unveränderlich*, that is, immutable¹²⁵⁸). Since sensibility directs both the corporeal as well as spiritual faculties, the process of culture means likewise both the “cultivation of the spirit or heart” (*Bildung des Geistes oder Herzens*)¹²⁵⁹ as well as the formation of the body (for example the exercises of the feet in the dance). It is here that comes the first dialectical reversal and then a first resolution of the conflict between the master and the slave. Sensibility, which was once seated on the throne, becomes the slave and the liberated pure Self becomes the master.

Nevertheless, while throughout the course of history man has always pursued the same end (*Diese Kultur zur Freiheit*, the “culture for the sake of freedom”¹²⁶⁰) and that end has always been the only possible one in the sensible world¹²⁶¹, this trajectory has often been deviated from. Indeed, this process of culture has been captured by the “illustrious guardians of Mankind” (*erlauchte Vormünder desselben*)¹²⁶², that is the master of the State (in other words, the rulers of the absolute

1254FICHTE, *Contribution*, *op. cit.*, p. 50-51. See the original text: “*Nach Ausübung des erstem Rechts könnte er zwar selbst tätig wollen; aber ohne das zweite geltend zu machen, wäre sein Wille ein ohnmächtiger Wille; er wollte, und das wäre alles. Er wäre ein Gebieter – aber ohne Diener, ein König – aber ohne Untertanen. Er stünde noch immer unter dem eisernen Zepter des Fatum, wäre noch an seine Ketten gefesselt, und sein Wollen wäre ein ohnmächtiges Gerassel mit denselben.*” FICHTE, *Beitrag*, *op. cit.*, p. 54.

1255FICHTE, *Beitrag*, *op. cit.*, p. 53; FICHTE, *Contribution*, *op. cit.*, p. 49.

1256FICHTE, *Beitrag*, *op. cit.*, p. 53; FICHTE, *Contribution*, *op. cit.*, p. 50.

1257FICHTE, *Beitrag*, *op. cit.*, p. 53. The english translators translated this by “cultivable”. FICHTE, *Contribution*, *op. cit.*, p. 50.

1258FICHTE, *Beitrag*, *op. cit.*, p. 53; FICHTE, *Contribution*, *op. cit.*, p. 50.

1259FICHTE, *Beitrag*, *op. cit.*, p. 53; FICHTE, *Contribution*, *op. cit.*, p. 50.

1260FICHTE, *Beitrag*, *op. cit.*, p. 54; FICHTE, *Contribution*, *op. cit.*, p. 51.

1261Here it is necessary to make a difference between the final end of mankind as it is a part of the sensible world and the final end of mankind in itself which is the perfect concordance of the will with the moral law. FICHTE, *Beitrag*, *op. cit.*, p. 54.

1262The term *desselben* refers here to *Menschengeschlechts*, that is mankind. FICHTE, *Beitrag*, *op. cit.*, p. 54; FICHTE,

monarchy), who pretend that they guide men toward this final goal – and here, the question is one of the debts we would have to these masters who would have encouraged the realm of culture. This pretension is in fact a lie since these tutors have always pursued their own end, and the rest of mankind has just be used as an instrument to reach their ends. If we consider their acts more than their speech, what appears is that monarchs have always been animated by two goals: the extension of their sovereignty inside of the country and the expansion outside of it. Now, these ends (which appears through their acts) have nothing to do their pretension of making culture their final goal. Indeed, it is difficult to understand in what way the extension of the monarch's sovereignty (*i.e* the fact that *only* he is able to will freely and thus the restriction of this political capacity) would have made possible a “culture for the sake of freedom” and thus the enfranchisement of the other's will (who are excluded from sovereignty). And it is neither understandable how their politics of expansion (*i.e.* the subordination of the conquered peoples' will to the monarch's) would have allowed for the progress of culture inside any given country. Therefore, these two ends do not lead to the enrichment of human culture. In fact, through these two objectives, the real aim is to reach an unlimited sovereignty or universal monarchy (not a European equilibrium, as they pretend). The ends of monarchs have not in any way been to follow the final end of mankind, that is, culture¹²⁶³. On the contrary, when culture has been pursued it has only been as a means to fulfil their own purposes. Fichte admits that monarchs have cultivated some of man's faculties: “You subjugated our sensibility and forced it to acknowledge a law”¹²⁶⁴. The formation of the arts of war is maybe the best example of how they tame man's sensibility since the discipline imposed within the army is a kind of forming of the body: “Finally, you educated millions – and this is the masterpiece that you are proudest of – in the art of swaying right and left on cue, linked together like Moors, only to suddenly separate again, and in the terrible skill of choking in order to use them against all who do not want to acknowledge your will as its law”¹²⁶⁵. However, the law to which the slave is submitted is not the internal moral law but is the Prince's. Consequently, the slave does not vanquish his sensibility determining his will by his own law but by another's law. In other words, the will which

Contribution, op. cit., p. 51.

1263 “Wenn wir also auch nicht bloß unter euren politischen Verfassungen, sondern auch mit durch sie an Kultur zur Freiheit gewonnen hätten, so haben wir euch dafür nicht zu danken, denn es war nicht nur euer Zweck nicht, es war sogar gegen ihn. Ihr gingt darauf aus, alle Willensfreiheit in der Menschheit, außer der eurigen, zu vernichten; wir kämpften mit euch um dieselbe, und wenn wir in diesem Kampfe stärker wurden, so geschah euch damit sicher kein Dienst”. FICHTE, *Beitrag, op. cit.*, p. 62.

1264 FICHTE, *Contribution, op. cit.*, p. 57. See the original text: “Ihr unterjochtet unsere Sinnlichkeit und zwingt sie, ein Gesetz anzuerkennen” FICHTE, *Beitrag, op. cit.*, p. 62.

1265 FICHTE, *Contribution, op. cit.*, p. 58. See the original text: “Ihr unterwieset endlich Millionen, – und das ist das Meisterstück, worauf ihr euch am meisten zugute tut – in der Kunst, sich auf einen Wink rechts und links zu schwenken, aneinander geschlossen wie Mauren sich plötzlich wieder zu trennen, und in der fürchterlichen Fertigkeit zu würgen; um sie gegen alles zu brauchen, was euren Willen nicht als sein Gesetz anerkennen will”. FICHTE, *Beitrag, op. cit.*, p. 63.

becomes master and to which sensibility obeys is not my will but that of another. The despot, who tames the man's sensibility, uses it to fulfil his own ends, not to make the slave free. When he disciplines his body, it is not to liberate the slave from his corporeal desires, but to send him to war and to use him as cannon fodder. In the hands of the tyrant, culture does not aim for liberation but was an instrument to enslave. Thus, this process which is destined to reverse the internal relation between the master and the slave (*i.e.* the sensibility and the pure self) is now used as an instrument of domination and to maintain the external and agonistic relation between the master and the slave (the despot and his subjects). The instrument of liberation has become an instrument of domination.

However, Fichte suggests that this use of culture for domination paradoxically opens to emancipation since it leads the slave to an existential experience that make him free from his empirical self. Indeed, the despot has not only educated the individual in the arts and sciences; he did not only send him to war, but he also made him directly face death: "The harshest despotism cultivates. The Slave hears the expression of irreversible doom in his despot's death sentence and honors himself more by the free submission of his will to the iron fate than anything in nature can do to dishonor him"¹²⁶⁶ Facing death, the slave learns to see himself as a man, as a being which is beyond his natural and mortal being. Thanks to the experience of death, the slave is able to free himself from his sensible self. His pure Self becomes now free to will by himself, and then to emancipate himself from the monarch. The experience of death reveals to him his true nature and leads him to the path of political liberation. In cultivating slaves, princes become their own gravediggers. It is, thus, the reversal of the internal relation between the self and the sensibility that produces the reversal of external relation between the master and the slave, the monarch and his subject.

Some scholars consider that this historical and conflictual dialectic is separated from the intersubjective interaction, *i.e.*, the relations of recognition between subjects¹²⁶⁷. Indeed, in 1793, Fichte does not really problematise the relation to recognition. Admittedly, in this period, some passages of the *Contribution* might prefigure the theory of recognition which is further elaborated in the *Foundations of Natural Right*. Indeed, in the *Contribution* Fichte develops a theory of society that, in the state of nature, preexists the State: society as a reciprocal physical relation within space¹²⁶⁸. In this relation, which is far from being reduced to its physical dimension, individuals

¹²⁶⁶FICHTE, *Contribution*, *op. cit.*, p. 52. See the original text: "Der härteste Despotismus kultiviert. Der Sklave hört in dem Todesurteile seines Despoten den Ausspruch des unabänderlichen Verhängnisses, und ehrt sich mehr durch freie Unterwerfung seines Willens unter das eiserne Schicksal, als irgend etwas in der Natur ihn entehren kann". FICHTE, *Beitrag*, *op. cit.*, p., p. 56.

¹²⁶⁷FISCHBACH Franck, *Fichte et Hegel. La Reconnaissance*, Paris, PUF, Philosophies, 1999, p. 33.

¹²⁶⁸"Ich unterscheide bei'm Worte Gesellschaft zwei Hauptbedeutungen; einmal indem es eine physische Beziehung Mehrerer auf einander ausdrückt, welches keine andere sein kann, als das Verhältnis zu einander im Raume; dann, indem es eine moralische Beziehung ausdrückt, das Verhältnis gegenseitiger Rechte und Pflichten gegeneinander".

relate together through their intelligible being (that is, their humanity, which makes them identical) and not only through their empirical nature. However, what Fichte does not describe in a satisfactory way is how exactly individuals relate to each other. It is as if this relation were not a problem for Fichte, to the point that this relation could quite likely be suppressed without provoking any consequences to the constitution of the consciousness itself. In short, he does not really consider the interaction with the other as a relation of recognition¹²⁶⁹. On the contrary, in *Some Lectures Concerning the Scholar's Vocation* (1794) and, *a fortiori*, in the *Foundations of Natural Right* (1796), Fichte provides a transcendental deduction of the conditions of possibility of intersubjectivity¹²⁷⁰. Indeed, at the end of the Introduction of the *Foundations of Natural Right*, Fichte claims that the concept of right will be deduced as a condition of self-consciousness. In other words, he will show that mutual recognition is the condition of possibility of self-consciousness. However, if in those texts Fichte gives a satisfactory theory of recognition, the conflictual dimension of this intersubjectivity is obliterated.

Let us give a brief outline of the third demonstration of the *Grundlage* in which Fichte elaborates a strong concept of intersubjectivity¹²⁷¹.

In the first theorem, Fichte demonstrates that “a finite rational being cannot posit itself without ascribing a free efficacy to itself”¹²⁷². A rational being is characterised by an act of positing itself, which implies an activity that reverts into itself (in other words, an act of reflection). As the English translator of the *Grundlage* explains, this self-positing activity is the technical term for self-consciousness. Indeed, self-consciousness is an act of reflection by which I direct my own conscious activity back on myself. And doing so (reverting my activity into myself), I posit myself¹²⁷³. “The rational being *is*, only insofar as it *posits* itself *as being*, *i.e.* insofar as it is conscious of itself”, writes Fichte at the beginning of the Introduction of the *Grundlage*. This first activity *apparently* differs from another one, the intuiting activity which is constrained and bound to the extent that intuition implies that the subject's representing must conform to the being of the

FICHTE, *Beitrag*, *op. cit.*, p. 94.

1269FISCHBACH Franck, *Fichte et Hegel. La Reconnaissance*, *op. cit.*, p. 33. For the identification of the conceptual reasons that prevent Fichte from elaborating a theory of recognition in 1793, see PHILONENKO Alexis, *Théorie et Praxis*, *op. cit.*, p. 135.

1270FISCHBACH Franck, *Fondement du Droit Naturel: Fichte*, Paris, Ellipses, Philo-œuvres, 2000, p. 6; FISCHBACH Franck, *Fichte et Hegel. La Reconnaissance*, *op. cit.*, p. 60.

1271For a more detailed commentary of these three theorems, see RENAUT Alain, *Le Système du Droit. Philosophie et Droit dans la Pensée de Fichte*, Paris, PUF, Epiméthée, 1986, pp. 174-189 and FERRY Luc, “Le Système des Philosophies de l'Histoire”, in FERRY Luc and RENAUT Alain, *Philosophie Politique*, Paris, PUF, Quadrige, 2007, pp. 176-181.

1272FICHTE Johann Gottlieb, *Foundations of Natural Right according to the Principles of the Wissenschaftslehre*, Edited by Frederick Neuhouser and Translated by Michael Baur, Cambridge, Cambridge University Press, Cambridge Texts in the History of Philosophy, 2000 [1796-1797], §1, p. 18 (abbreviated as follows: FICHTE, *Foundations of Natural Right*, *op. Cit.*).

1273Frederick Neuhouser, Introduction to FICHTE, *Foundations of Natural Right*, *op. cit.*, p. ix

object he intuits (in other words, the Self is passive because it is limited by a non-self which causes the representation). Differing from this second activity, reflection (the auto-position) is a free activity: it is not limited and caused by the objects of the world. Consequently, the finite rational being which posits itself (reflection) ascribing a free efficacy to itself.

Nevertheless, this opposition between auto-position and intuiting activity is only valid from the point of view of “common sense”¹²⁷⁴. In fact, intuition is not opposed to reflection in the sense that the objects of intuition (the non-Self) would limit the free reflexive activity of the Self. From the point of view of transcendental philosophy, the Self posits the object of the world which are intuited: “everything that exists, exists only *for* an I, and that what is supposed to exist for an I, can exist only *through* the I”¹²⁷⁵. The Self hence posits the non-self as something that comes to limit itself¹²⁷⁶. If these rational beings were to posit a non-being which limits itself, it is because “it cannot ascribe an efficacy to itself without having posited an object upon which such efficacy is supposed to be exercised”¹²⁷⁷. Therefore, the Self knows itself as having a free efficacy (in other words, it is conscious of itself) only if it posits an object that limits its efficacy and that it has to suppress at the same time. The Self knows itself (and ascribes itself a free efficacy) only if it posits a non-self to suppress it by its free action.

The second theorem asserts that “The finite rational being cannot ascribe to itself a free efficacy in the sensible world without also ascribing such efficacy to others, and thus without also presupposing the existence of other finite rational beings outside of itself.”¹²⁷⁸ The first Theorem demonstrates that the subject cannot posit itself without ascribing a free efficacy to itself. But the Self can ascribes a free causality only if he posits an object that limits its freedom. This implies that two elements have to be synthesized: on the one hand, the position of the object constrains the subject's free activity; on the other hand, the nature of this efficacy is to be absolutely free¹²⁷⁹. In

1274This expression is used in FICHTE, *Foundations of Natural Right*, *op. cit.*, §2, p. 24.

1275FICHTE, *Foundations of Natural Right*, *op. cit.*, §2, p. 24. See also the following text: “In fact, from the point of view of a transcendental philosophy, one even realizes that the intuiting is itself nothing more than a I that reverts into itself and that the world is nothing more than the I intuited in its original limits”. FICHTE, *Foundations of Natural Right*, *op. cit.*, § 1, p. 19.

1276“Since the I can posit itself in self-consciousness only practically, but in general can posit only what is finite, and hence must also posit a limit to its practical activity, it follows that the I must posit a world outside itself. Every rational being proceeds originally in this way, and so, too, undoubtedly the philosopher”. FICHTE, *Foundations of Natural Right*, *op. cit.*, §2, p. 24.

1277FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 29. “Finally – the rational being cannot posit itself as having efficacy without also positing itself as representing; it cannot posit any particular effect as completed without positing the object at which the particular effect was directed”. FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 28.

1278FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 29.

1279“‘It seems that the synthesis suggested here presents us with a complete contradiction in place of the mere incomprehensibility that it was supposed to eliminate. The synthesis is supposed to yield an object; but the nature of an object is such that, when it is comprehended by a subject, the subject's free activity is posited as constrained. But this object is supposed to be the subject's own efficacy; however, the nature of the subject's efficacy is to be absolutely free and self-determining. Both are supposed to be unified here; the natures of both object and subject are supposed to be preserved without either being lost.’” FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 31.

other words, on the one hand, the subject has to posit an object that limits its activity and, on the other hand, its activity is to be self-determining. According to Fichte, both elements “are completely unified if we think of the subject being determined as *its being-determined to be self-determining*, i.e., as a summons [*eine Aufforderung*] to the subject, calling upon it to resolve to exercise its efficacy”¹²⁸⁰. Therefore, what is required here is an object given in the outer sensation (a body), but also an object (the same one) which is comprehended as “a summons calling upon the subject to act”¹²⁸¹. The synthesis is possible only if the object is posited as something that incites the subject to exercise its free efficacy, instead of blocking it. Therefore, as the subject comprehends the object, it possesses the concept of its own freedom. Here, the object calls upon the subject to the exercise of its free activity and thus to comprehend itself as a free subject. But the subject's activity is not determined by the summons in the way that an effect is determined by cause; rather, subsequent to this summons, the self answers to it and then determines itself to act (in other words, it is free to answer to the summons, and the Self could absolutely refuse to act). In order to do so, the subject must comprehend the summons it answers to. This implies that the emitter of this summons must presuppose and anticipate the possibility that any rational being will receive it, understand it and finally answer to it¹²⁸². Thus the emitter must necessarily *recognise* that the recipient is a rational and free being capable to comprehend his summon to act freely and to determine his action in consequence. Consequently, this emitter cannot only be a body but must be the other, a rational being. This means that, reciprocally, the receiver of the call has to recognise that the emitter is a subject: the receiver is able to answer to the summon (and to receive it as such, that is, as a real message and not as a physical stimulus), only if he recognises that the emitter is a rational being capable of seeing him (i.e., the receiver) as an intelligent being who is himself capable of comprehending the summon. Here, “the concept that has been established is that of *free reciprocal efficacy* in its most precise sense”¹²⁸³. Indeed, having called upon me to exercise my efficacy (and thus having acted freely on me), the other recognises me as a free subject capable of comprehending the summon and capable of answering to it – and in doing so (giving me a chance to act freely), he limits his own freedom. But reciprocally, answering to this summons (and thus acting freely on the other), I limit my activity to give room for the other's action (and thus I recognise him as a free being capable of action), a limit without which the other would not have even acted on me and thus would not have determined me to act. Here, this intersubjective relation is the condition of

1280 FICHTE, *Foundations of Natural Right*, op. cit., p. 31.

1281 *Ibid.*, p. 32.

1282 “Thus the external being that is posited as the cause of the summons must at the very least presuppose the possibility that the subject is capable of understanding and comprehending; otherwise its summons to the subject would have no purpose at all.” FICHTE, *Foundations of Natural Right*, op. cit., p. 35.

1283 FICHTE, *Foundations of Natural Right*, op. cit., p. 33.

possibility of self-consciousness since I can posit myself as a free being capable of acting, and I can have the knowledge of this free activity only if another rational being kindles in me the activity (through his summons), presents it to me and recognise it as such¹²⁸⁴.

The thirst theorem deduces the concept of right (which makes possible intersubjectivity and thus self-consciousness). It gives some important details concerning the intersubjective relation as well as the concept of the 'sphere of activity' whose understanding is fundamental to the subject in question (the conflicts of use): "The finite rational being cannot assume the existence of other finite rational beings outside it without positing itself as standing with those beings in a particular relation, called a relation of right"¹²⁸⁵. Here Fichte's starting point is that the self distinguishes itself, through opposition, from the other that he has presupposed to exist outside himself. This opposition is possible only if the subject is able to make the distinction between how much the ground of its own causality lies in the other and how much it lies in itself. On the one hand, the self's action is conditioned by the other that calls upon it to act. Moreover, its action is also conditioned by its matter: the other who solicits me, refrains his activity to give room for my own action. And doing so he opens a sphere within which my activity can be exercised. Therefore, my action is conditioned by the limits of this circle he draws "for me" – this zone extends "from the outer limit of the product of the being outside it, X, to the outer limit of its own product, Y"¹²⁸⁶. These two elements are the external ground of the subject's causality. But there is also an internal ground that lies inside the limits of the circle; choosing "from among the possibilities contained in the sphere"¹²⁸⁷, the subject constitutes its own freedom and independence. It is by means of this sphere that the subject determines itself as a free individual. At the same time, the subject posits another who likewise has their own sphere and, the opposition of the two individuals is made possible *by the opposition of the two spheres*.

Here, this *opposition does not mean contradiction or conflict*, it means the exclusion of the other from my field of activity and thus the delimitation of our respective spheres¹²⁸⁸. On the contrary, the risk of a clash between the two spheres comes when, so to speak, the opposition (this

1284 "The thread of consciousness can be attached only to something like this, and then this thread might well extend without difficulty to other objects as well. Our presentation has succeeded in attaching this thread. Our proof has shown that under this condition the subject can and must posit itself as a freely efficacious being. If the subject posits itself as such being, then it can and must posit a sensible world; and it can and must posit itself in opposition to this sensible world. – And now that the main task is resolved, all the activities of the human mind can proceed without further ado, in accordance with the mind's own laws". FICHTE, *Foundations of Natural Right*, *op. cit.*, pp. 33-34

1285 FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 39.

1286 *Ibid.*, p. 40.

1287 *Ibid.*, p. 40.

1288 "I posit myself as an individual in opposition to another particular individual, insofar as I ascribe to myself a sphere for my freedom from which I exclude the other, and ascribe a sphere to the other from which I exclude myself (...)". FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 48.

delimitation of everyone's sphere, the fact that the other lets me have a sphere from which he is excluded) is suppressed: "The being outside the subject is posited as free, and thus as a being that could also have overstepped the sphere that presently determines it, and could have overstepped it such that the subject would be deprived of its ability to act freely"¹²⁸⁹. As we shall see later, the clash lies on this shock between the spheres of action and their overlap. The conflict arises when the other oversteps its own sphere and interferes in mine; then acting with my field of action, he prevents me from action and from exercising my own causality. In a word, he annihilates my freedom.

At this transcendental level (the deduction of the concept of right), the other does not yet overstep my sphere, which means, that he limits his activity to his own sphere. Having called me to act freely, he gave room for my own field of action and thus he reduced his sphere and limited his liberty. Conversely, I necessarily undertake the same action with the other, I have to limit my liberty and hence my sphere of action in order to give room for his own sphere (a mutual process of limitation and recognition).

Here, the recognition of the other as a free and rational being is made possible by his self-limitation¹²⁹⁰. Indeed, as we have already said, I posit the other as a free being (*i.e.*, I recognise him) from the moment he calls upon me to act freely (indeed, if he was not a rational subject, he would not incite me to act). This type of summoning implies that he lets me act and, subsequently, puts a limit on his own action. Here, I (the first subject) recognise the other (the second subject) only because he self-limited himself. The second subject's self-limitation is the condition of possibility of his recognition by the first subject (me).

But this recognition (recognition B) implies that the other (the second subject) recognises me (first subject) first (recognition A). Indeed, the second subject calls upon me to exercise freely my efficacy, and then, self-limits his own activity (this self-limitation being the condition of possibility of the recognition of the second subject by the first subject, *i.e.*, me). This process occurs *only because* he first recognises me as a free being (he recognises that I was able to understand his summons). The other (the second subject) self-limits himself (and lets the first subject act freely) only because he (the second subject) recognises me (the first subject).

In other words, the recognition of the first subject by the second subject (recognition A) is

¹²⁸⁹FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 41.

¹²⁹⁰We are commenting here on the followings lines: "Now the subject's cognition of the other being as rational and free is conditioned first by the other being's self-limitation. For – in accordance with our proof – the subject has posited a free being outside itself only in consequence of the other being's summons to the subject to engage in free activity, and thus only in consequence of the other being's self-limitation. But this being's self-limitation was conditioned by its own (at least problematic) cognition of the subject as a possibly free being. Thus the subject's concept of the other being as free is conditioned by the same concept this being has of the subject and by this being's action, which is determined by its concept of the subject." FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 41.

the condition of possibility of the second subject's self-limitation. Now, as we have just said, the second subject's self-limitation is the condition of possibility of the recognition B (the fact that first subject recognises the second). To put the whole sequence of reasoning in order: 1) the second subject recognises the first (recognition A); 2) this recognition A makes him (the second subject) able to call upon me to act and then to self-limit himself (recognition A is the condition of possibility of the second subject's self-limitation); 3) the second subject self-limits himself and thus the first subject recognises him as a rational being (only a rational being is capable of such a self-limitation); 4) the first subject recognises the second subject.

If we get rid of the intermediary chains of such a reasoning, we obtain the following proposition: the first subject's recognition by the second subject is the condition of possibility of the second subject's recognition by the first subject; or, recognition A is the condition of possibility of recognition B. In other words, I can recognise the other only because he first recognised me; or his recognition depends on my recognition.

Conversely, the recognition of the first subject by the second subject (recognition A) depends on the recognition of the second subject by first. Indeed,

"If the subject had no knowledge of a free being outside itself, then something that ought to have occurred, in accordance with the laws of reason, would not have occurred, and the subject would not be rational. Or if such knowledge did indeed arise in the subject, but the subject did not limit its freedom as a result of this knowledge so as to allow the other the possibility of acting freely as well, then the other could not infer that the subject was a rational being, since such an inference becomes necessary only by virtue of the subject's self-limitation."¹²⁹¹

In other words, the recognition of myself by another depends on the recognition of the other by myself, and *vice versa*:

"one individual's knowledge of the other is conditioned by the fact that the other treats the first as a free being (*i.e.* limits its freedom through the concept of the freedom of the first). But this manner of treatment is conditioned by the first's treatment of the other; and the first's treatment of the other is conditioned by the other's treatment and knowledge of the first, and so on *ad infinitum*. Thus the relation of free beings to another is a relation of reciprocal interaction through intelligence and freedom. One cannot recognize the other if both do not mutually recognize each other; and one cannot treat the other as a free being, if both do not mutually treat each other as free".¹²⁹²

This relation of reciprocal recognition (the fact that the recognition of the subject depends of the recognition of the other and vice versa) is fundamental for the concept of right. This mutual recognition implies as its consequence a mutual limitation: "the other can limit himself only in consequence of a concept of me as a free being"¹²⁹³. And the concept of right precisely consists in this relation of reciprocal self-limitation: "the relation between free beings that we have deduced

¹²⁹¹FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 41-42.

¹²⁹²*Ibid.*, p. 42.

¹²⁹³FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 48. See also the following passage: "I must in all cases recognize the free being outside me as a free being, *i.e.* I must limit my freedom through the concept of the possibility of his freedom". FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 48.

(i.e., that each is to limit his freedom through the concept of the possibility of the other's freedom, under the condition that the latter likewise limits his freedom through the freedom of the former) is called the *relation of right*; and the formula that has now been established is the *principle of right*¹²⁹⁴. That is how Fichte deduces the concept of right, as it is the condition of possibility of intersubjectivity, relation of recognition which is itself the condition of possibility of self-consciousness.

Now, as write Frank Fischbach, the whole deduction (the three theorems) only defines the ideal conditions of the intersubjective interaction¹²⁹⁵. Nevertheless, from a historical perspective this interaction of recognition is nearly always distorted. In other words, these relations are structured by domination. Fischbach claims that there is a tendency in Fichte's writings to miss the articulation between the transcendental deduction of intersubjectivity and the implementation of this ideal interaction at a historical level, one which is structured by the distortion of the normal interaction and thus the conflictuality that results from it. Where the *Contribution* had developed a historical dialectic of master and slave, which was cut off from the normative demand for recognition, the reverse would be characteristic of the *Foundations of Natural Right*. Indeed, in 1796, Fichte shows that self-consciousness is highly dependent on the relation to recognition but seems to articulate this transcendental interaction with an empirical interaction. According to Fischbach, this tension between history and the normative point of view would later be resolved by Hegel's elaboration of the concept of struggle for recognition from the *Phenomenology of Spirit* :

“(…) la question du rapport ou de l’articulation de l’interaction idéale et de la domination de fait devait le conduire à abandonner le cadre transcendantal d’une déduction de l’intersubjectivité au profit d’une conception de la reconnaissance comme lutte qui soit capable d’intégrer au processus même de l’interaction et de la libération le moment négatif de la domination”¹²⁹⁶.

Our purpose here is not to criticise this reading of Fichte, but to show that if we leave for a moment the Hegelian perspective on which this interpretation is based, others way of thinking about struggle appears in the work of the author of the *Grundlage*. For example, if we read this text in light of the problem of the struggle for recognition, we are led to consider the *Contribution* as an incomplete reflection on the dialectical relation between those who dominate and the dominated, a reflection which would be cut off from a theory of intersubjectivity. But it is also possible to give up on the perspective of recognition and to find in this text another grammar of conflict. Indeed, the dialectic of master and slave is not centred in the will to be recognised but in the conflict between opposed wills and the actions resulting from them. Indeed, as we have already seen, whereas the pure Self tends, by virtue of its constitution, to determine its own will by the internal moral law

1294FICHTE, *Foundations of Natural Right*, op. cit., p. 49.

1295FISCHBACH Franck, *Fichte et Hegel. La Reconnaissance*, op. cit., p. 59 sq.

1296FISCHBACH Franck, *Fichte et Hegel. La Reconnaissance*, op. cit., p. 66.

(which implies an emancipation from the influence of sensibility and its domination), this form of self-determination is, on the contrary, blocked by the “illustrious guardians of Mankind” who, using the process of culture for their own ends, submit and subordinate the self's will to their own one. In other words, the conflict results from the chock and the antagonistic relations between two wills and, *in fine*, between two actions: the master seeks to bend the other's action to his will, a relation of subordination that clashes with the slave's aspirations, who does not want to see his will determined by another and seeks to attain the autonomy of its own will. Since the action is the result of a will which have been determined to act, it can be said that the conflict concerns the sphere of action.

The same is also true concerning the *Foundations of Right* and other texts on the notion of rights such as *The Closed Commercial State* or *The System of the Doctrine of Right*. Indeed, while there is no mention of the struggle for recognition in these works, we would like to show that it is, nevertheless, possible to find some elements of conflictuality in these texts, specially dedicated to the notion of right. More precisely, the hypothesis is that a grammar of conflict centred on action is attached to Fichte's theory of property. Our argument is that, from the moment property is defined by use (and not by the possession of an object), conflicts become conflicts of use. This certainly does not mean that this grammar based on the category of action is totally independent from recognition; as we already saw, activity is highly dependent on the intersubjective interaction. Nevertheless, as we will see, the texts mentioning conflict, those which are at stake, refer very little to recognition. One of our purposes here will be to determine the relation that conflicts of use have with intersubjectivity; and we will see that they have a certain autonomy that allows us the identification of an autonomous grammar of conflict (or at least its basis).

While this point is only a part of the argument of this part III; it justifies the necessity of a specific treatment of these conflicts. In fact, we seek to demonstrate that the category of use is permeated by the issue of land. Indeed, conflicts of use are generally conflicts about the use of the land. The notion of use is particularly interesting for us, since it *seems* that the relation to land which is implied in this concept is not identifiable to any form of appropriation, which would contrast sharply with the other relations to land underlying the other grammars of conflict. In the following chapter, we focus on Fichte's theory of property, then, we show the consequences that such theory has on his theory of conflicts.

II) The Theory of Property in Fichte's Writings on Right

II.1) Propriety as Possession and Land Appropriation Conflicts

Fichte's overall concern is not conflict *per se* but is to revisit the concept of property through the category of activity. However, this theory of property occasions an interesting redefinition of conflict via the notion of use. Indeed, insofar as it puts an end to the dispute between parties, the right of property provides the conceptual frame in which Fichte elaborates his theory of conflict¹²⁹⁷. Conflicts are conceived from the perspective of their means of resolution, namely property. Moreover, in the texts dedicated to the notion of property, the concept of use is examined in great detail, a study which is indispensable to the understanding of conflicts of use. This is why, it is first necessary to expound Fichte's developments on property.

To understand Fichte's theory of property, it is necessary to identify the system to which his theory is opposed. This system is the classical theory of property and it is the source of wrong opinions and wrong practices¹²⁹⁸. According to Fichte:

“(…) the fundamental error of the opposed theory of property – the first source from which all false assertions about property derive; the true reason for the obscurity and oversubtlety of many doctrines and what is, properly understood, the cause of their one-sidedness and incompleteness when applied to actual life – is this : that one posits the first, original property in the exclusive possession of a *thing*. With such a view holding sway, it is no wonder that we have even experienced a theory claiming that the estate of large landholders, or the nobility, is the only true proprietor, the only citizen from which a state is formed, and that all others are mere accessories [*Beisassen*] who must buy the toleration of the former under whatever condition pleases them. This, I say, is no wonder, since of all things it is land and soil that most visibly become property

¹²⁹⁷For this section dedicated to Fichte's philosophy of right, we used various commentaries such as: RENAUT Alain, *Le Système du Droit*, *op. cit.*; RENAUT Alain, *Qu'est-ce que le Droit? Aristote, Wolff & Fichte*, Paris, Vrin, Prétextes, 1992, pp. 109-126; FISCHBACH Franck, *Fondement du Droit Naturel: Fichte*, *op. cit.*; GUÉROULT Martial, *L'Evolution et la Structure de la Doctrine de la Science chez Fichte*, T. I, Paris, Société d'édition Les Belles Lettres, 1930, pp. 272-291; MAESSCHALCK Marc, *Droit et Création Sociale chez Fichte: une Philosophie Moderne de l'Action Politique*, Louvain-la-Neuve, Ed. de l'Institut Supérieur de Philosophie, Louvain-Paris, Peeters, 1996, pp. 75-158. GISLON Bernard, *L'Essor de la Dialectique Moderne et la Philosophie du Droit*, Paris, Vrin, Bibliothèque d'Histoire de la Philosophie, 1991, pp. 227-259.

¹²⁹⁸FICHTE Johann Gottlieb, *Rechtslehre. Vorgetragen von Ostern bis Michaelis 1812*, edited by Hans Schulz and Richard Schottky, Hamburg, Meiner, Philosophische Bibliothek, 1980 [1812], p. 58 (abbreviated as follows: FICHTE, *Rechtslehre, 1812*, *op. cit.*); FICHTE Johann Gottlieb, *La Doctrine du Droit de 1812*, trans. Anne Gahier and Isabelle Thomas-Fogiel, Paris, Ed. Du Cerf, Passages, 2005 [1812], p. 85 (abbreviated as follows: FICHTE, *La Doctrine du Droit de 1812*, *op. cit.*).

and most rigorously exclude all foreign admixture”¹²⁹⁹.

The classical theory of property, which defined property as an exclusive possession of a *thing*, is the source of 1° *theoretical errors* 2° but also erroneous practices. Fichte writes little on the first sort of errors and even less on the second. However, the second part of the text gives an example of the theoretical errors to which this classical theory leads. Fichte refers more specifically to the physiocrats' doctrine, and the place they give to owners within the States. According to physiocrats' economic theory, a nation is made of three classes: 1° the *productive class* which cultivates the territories of a nation and pays a revenue to the landowners for using their lands 2° the *class of owners* which possess those lands 3° the *sterile class*, which does not work in the agricultural sector and which dedicates itself to commerce and industry¹³⁰⁰. As is well known, physiocrats consider that agriculture is the only sector in which a net product is created, a surplus that can only be explained by the “free gift from land” (“*le don gratuit de la terre*”)¹³⁰¹. Classes which work in other sectors (industry and commerce) do not produce any surplus value and for that reason are called “sterile”. The dichotomous configuration of the economic order (between those who produce surplus value and those who do not) and the roles played in the production of wealth determines one's place in the social hierarchy, and access to political rights¹³⁰². Especially, because landowners have a central position in the economic sphere (they provide the “*avances foncières*”, *i.e.*, the capital by which lands are improved), they are the only ones within the nation to enjoy political rights and to be a real part of the State (the sterile class, composed of merchants and artisans are considered as half-foreigners). In other words, their position in the flows of matter and

1299 FICHTE Johann Gottlieb, *The Closed Commercial State*, trans. Anthony Curtis Adler, Albany, State University of New York Press, SUNY Press, SUNY Series in Contemporary Continental Philosophy, 2012 [1800], p. 130 (abbreviated as FICHTE, *The Closed Commercial State*, *op. cit.*).

1300 “*La nation est réduite à trois classes de citoyens: la classe productive, la classe des propriétaires et la classe stérile. La classe productive est celle qui fait renaître par la culture du territoire les richesses annuelles de la nation, qui fait les avances des dépenses des travaux de l'agriculture, et qui paye annuellement les revenus des propriétaires des terres. On renferme dans la dépendance de cette classe tous les travaux et toutes les dépenses qui s'y font jusqu'à la vente des productions à la première main: c'est par cette vente qu'on connaît la valeur de la reproduction annuelle des richesses de la nation. La classe des propriétaires comprend le souverain, les possesseurs des terres et les décimateurs. Cette classe subsiste par le revenu ou produit net de la culture, qui lui est payé annuellement par la classe productive, après que celle-ci a prélevé, sur la reproduction qu'elle fait renaître annuellement, les richesses nécessaires pour se rembourser de ses avances annuelles et pour entretenir ses richesses d'exploitation. La classe stérile est formée de tous les citoyens occupés à d'autres services et à d'autres travaux que ceux de l'agriculture, et dont les dépenses sont payées par la classe productive et par la classe des propriétaires, qui eux-mêmes tirent leurs revenus de la classe productive*”. QUESNAY François, *Analyse de la Formule arithmétique du Tableau Economique de la distribution des dépenses annuelles d'une nation agricole*”, in, QUESNAY François, *Œuvres Economiques Complètes et Autres Textes*, T. I, edited by Christin Théré, Loïc Charles and Jean-Claude Perrot, Paris, Institut National d'Etudes Démographiques, Classiques de l'Economie et de la Population, 2005, pp. 545-546.

1301 “*Que le souverain et la nation ne perdent jamais de vue, que la terre est l'unique source des richesses et que c'est l'agriculture qui les multiplie*”. QUESNAY François, “Maximes générales du gouvernement économique d'un royaume agricole”, in QUESNAY François, *Œuvres Economiques Complètes et Autres Textes*, *op. cit.*, p. 567.

1302 LAVAL-REVIGLIO Marie-Claire, “Les conceptions politiques des physiocrates”, in *Revue française de science politique*, Year 37, n° 2, 1987, pp. 181-213.

energy¹³⁰³ and the special relation they have with land (relations which do not necessarily mean a form of proximity similar to the one peasants have with the cultivation of a field, but that they are responsible for its productivity) ensure their domination over the rest of society. In short, it is this identification between ownership and political right – already evoked when we mentioned the distinction between passive and active citizenship in the chapter dedicated to Babeuf – which is denounced by Fichte.

Fichte mentions the falsity of the theory derived from the classical concept of property, but in the text quoted above he says nothing about their one-sidedness when they are applied to actual life. It is unsure whether Fichte is referring to the reinterpretation of the physiocrats' theories within the *Assemblée Constituante*, which declared in Autumn 1789 that were authorised to become deputy only those who owned a land. Indeed, Fichte says so little on that point that it is impossible to determine if this hypothesis is true. However, in the *Rechtslehre* (1812), he mentions a practice which seems to be the consequence of the aforesaid system which is opposed to his own theory, namely, the classical concept of property as the possession of land. This system implies that some people (the landowners) have a right to prevent the others from using their land (their property). In other words, because they possess land, these owners have a right to prevent the use of their property even if they themselves do not use it. This right of exclusion is the result of a contract that owners concluded among themselves, without consulting the others. This contract was iniquitous since the other did not have the opportunity to take part in it. The objective of this contract was to place the landless in such conditions that they had no other choice than to work for the owner. The text suggests that this contract implemented a relation of exploitation between the few who appropriated the lands and those who works for them on these lands. Indeed, Fichte writes that in the case where the landless would not agree to the conditions which were imposed by the owners, the latter would be expelled by the former from their lands. He presupposes then that those conditions are unjust and that in a way or another, the owner exploits those who have nothing. This also proves the nullity of the contract concludes among the owners: their privileges (especially the possession of land) are based on force. The owners claim that they were first to be on the land, but this is not sufficient to legitimise property (only the use of the land provides a true justification). Here again, Fichte suggests implicitly that those who invoke the right of “the first occupant” obtained their lands using violence. We saw how Babeuf formulated a counter-history of feudal property claiming that seigniors' possessions were the result of a primitive conquest. A similar genealogy seems to be in the background of Fichte's *Rechtslehre*.

1303For a reading of the physiocrats in terms of flows of matter, see CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, pp. 105-116.

The text remains elliptic on the relation of exploitation which stems from the possession of land. However, a text such as the *Contribution* gives some clarification on this point. In this text, Fichte denounces the rights that the nobles pretend to have on their noble estates (*Rittergüter*)¹³⁰⁴ as well as the rights they claim to have on the farmer's goods (*Rechte auf die Güter des Landbauern*), for example the “corvée” (*frondienste*)¹³⁰⁵. The right to make the other work was justified by the fact that the peasant had to pay 1° an interest (through the modality of *services*) on the *eiserner Stamm* (the “iron trunk”) – the capital that rests on a land and which was not reimbursable – when he only owned of a part of the domain, or 2° an interest on the totality of this good, when, as a serf, he owned nothing at all¹³⁰⁶.

In the second case, the peasant – who is a serf¹³⁰⁷ (*Der Leibeigene*) – owns nothing and the lord makes him work for the use of the field. The serf does not own the land, and in a certain sense one could say that it is the land which possesses him, in the sense that he belongs to it. Indeed, the serf is *glebae adscriptus*, that is, he is assigned to the *glebe* (here, the feudal land)¹³⁰⁸. This specific

1304FICHTE, *Beitrag, op. cit.*, p. 191. The english translator translates this term by “knight's estate”. FICHTE, *Consideration, op. cit.*, p. 164.

1305FICHTE, *Beitrag, op. cit.*, p. 194. The english translator translates this term by “labor services”. FICHTE, *Consideration, op. cit.*, p. 166. On these passages, see LÉON Xavier, *Fichte et son Temps. I, Etablissement et Prédication de la Doctrine de la Liberté, La vie de Fichte jusqu'au départ d'Iéna (1762-1799)*, Paris, Librairie Armand Colin, 1922, p. 194 *sq.* See also GUÉROULT Martial, “Fichte et la Révolution Française”, *Revue Philosophique de la France et de l'Etranger*, T., 128, n° 9/12, September-October and November-December, 1939, p. 265 *sq.*

1306For the few who do not know this, capital that rests on the land and must be paid a certain percentage in interest by the occupant of the land, but may never be paid off, is called an “iron trunk”. FICHTE, *Consideration, op. cit.*, p. 166. See the original text: “Für wenige, die das nicht wissen – ein Kapital, das auf einem Grund und Boden ruht, und von dem Besitzer desselben zu gewissen Prozentsen verzinst werden muß, aber nie abgezahlt werden darf, heißt ein eiserner Stamm”. FICHTE, *Beitrag, op. cit.*, p. 194.

1307Indeed, Fichte makes the difference between the serf who does own nothing and is submitted to a unlimited service, and the peasant, who possesses a part of the land, and is submitted to a limited service and thus enjoys more freedom : “For the few who do not know this! The serf (*glebae adscriptus*) has *unmeasured* labor services. He must work as much as the master demands. As a general rule, he demands six days of feudal service on his field and errands on the seventh, or hauls to the city. The free farmer, in whose soil the master has only a part of the property right, has *measured* service. He performs a determinate number of labor services”. FICHTE, *Consideration, op. cit.*, p. 124. See the original text: “Für die wenigen, die das nicht wissen! – Der Leibeigene (*glebae adscriptus*) hat ungemessne Frondienste; er muß arbeiten, soviel der Gutsherr verlangt. In der Regel verlangt er Tage Spanndienste auf seinem Acker, und den. Botschaftgehn, oder Führen nach der Stadt. Der freiere Bauer, an dessen Boden der Gutsherr nur einen Teil des Eigentumsrechts hat, hat gemessene Dienste; er tut eine bestimmte Anzahl von Frondiensten”. FICHTE, *Beitrag, op. cit.*, p. 142.

1308The idea that the serf belongs to the soil seems to be common in the 18th and 19th century. In 1789 Babeuf already denounced the sordid situation of these peasant tied to the glebe: “Dans le tems où la Loi du plus fort avoit assujetti au Seigneurs jusqu'au droit de disposer de la vie des autres hommes; dans le tems que ceux-ci, connus sous l'odieuse qualification de serfs, étoient misérablement attachés à la glèbe fatale pour le compte des premiers, & réduits à la triste nécessité de tracer un pénible sillon sous le fouet de la tyrannie, sans doute ceux qui dominoient alors sur ces gouvernemens honteux, regardoient bien comme une propriété respectable l'usage révoltant dans lequel ils étoient de molester ainsi leurs égaux”. BABEUF François-Noël, *Cadaastre Perpétuel, op. cit.*, p. 10. See also BABEUF François-Noël, *Cadaastre Perpétuel, op. cit.*, p. 13. In various texts Marx presents the same view on the relation the peasant has with land: “Labour-power was not always a *commodity* (merchandise). Labour was not always wage-labour, *i.e.*, *free labour*. The *slave* did not sell his labour-power to the slave-owner, any more than the ox sells his labour to the farmer. The slave, together with his labour-power, was sold his owner once for all. He is a commodity that can pass from the hand of one owner to that of another. He *himself* is a commodity, but his labour-power is not *his* commodity. The *serf* sells only a portion of his labour power. It is not he who receives wages from

form of “attachment” to the land (that could be better qualified by the term “rootedness”) prevents every possibility of mobility and thus deprives the peasant of his liberty. Attachment is therefore, here at least, a synonym for “enslavement”. Given that he cannot leave the land he belongs to nor can he give it back to the seigniors when he considers the *corvée* (the payment of service the serf owes to the lord for using his land) is unjust, he is forced to perform the services that the owner can multiply endlessly. In other words, because the lord owns the land to which the serf is chained, he also possesses his person. Consequently, he can make him work as he wishes and thus exploit him. This specific form of interaction between the seignior and the serf (the extortion of his surplus) finds its condition of possibility in a double relation with land (the relation that each of them has

the owner of the land ; it is rather the owner of the land who receives a tribute from him. The serf belongs to the soil, and to the lord of the soil he brings its fruit. The *free labourer*, on the other hand, sells his very self, and that by fractions. He auctions off eight, ten, twelve, fifteen hours of his life, one day like the next, to the highest bidder, to the owner of raw materials, tools, and means of life, *i.e.*, to the capitalist. The labourer belongs neither to an owner nor to the soil, but eight, ten, twelve, fifteen hours of his daily life belongs to whosoever buys them”. MARX Karl, *Wage-Labour and Capital*, New York, International Publishers, 1934 [1849], pp. 19-20. See also the following text: “It is furthermore evident that in all forms in which the direct labourer remains the “possessor” of the means of production and labour conditions necessary for the production of his own means of subsistence, the property relationship must simultaneously appear as a direct relation of lordship and servitude, so that the direct producer is not free; a lack of freedom which may be reduced from serfdom with enforced labour to a mere tributary relationship. The direct producer, according to our assumption, is to be found here in possession of his own means of production, the necessary material labour conditions required for the realisation of his labour and the production of his means of subsistence. He conducts his agricultural activity and the rural home industries connected with it independently. This independence is not undermined by the circumstance that the small peasants may form among themselves a more or less natural production community, as they do in India, since it is here merely a question of independence from the nominal lord of the manor. Under such conditions the surplus labour for the nominal owner of the land can only be extorted from them by other than economic pressure, whatever the form assumed may be”. MARX Karl, *Capital*, vol. III, op. cit., pp. 776-777. For a good commentary of this text, see TESTART Alain, *Le Communisme Primitif. I, Economie et Idéologie*, Paris, Ed. De la Maison des Sciences de l'Homme, 1986, p. 189, sq. On this idea that the serf is tied to the glebe, see also FUSTEL DE COULANGES Numa Denis, *Histoire des Institutions Politiques de l'Ancienne France. L'Alleu et le Domaine Rural pendant l'Epoque Mérovingienne*, Paris, Librairie Hachette et Cie, 1889, p. 374. It is necessary to be precise here that historians have questioned this figure of the “serf tied to the glebe”: “si lourdes que ces obligations pussent paraître, elles étaient, en un sens, aux antipodes de l'esclavage, puisqu'elles supposaient, aux mains du redevable, l'existence d'un véritable patrimoine. En tant que tenancier, le serf avait exactement les mêmes devoirs et les mêmes droits que n'importe quel autre : sa possession n'était pas plus précaire et son travail, les redevances et services une fois réglés, n'appartenait qu'à lui. Ne nous le figurons point, non plus, à l'image du colon fixé “à sa glèbe”. Certes les seigneurs cherchaient à retenir leurs paysans. Sans l'homme, que valait la terre ? Mais il était difficile d'empêcher les départs, parce que le morcellement de l'autorité s'opposait, plus que jamais, à toute contrainte policière effective et que, d'autre part, le sol vierge étant encore très abondant, il ne servait pas à grand-chose de menacer de confiscation le fugitif, toujours à peu près assuré de trouver ailleurs un nouvel établissement. Aussi bien, c'était l'abandon de la tenure en lui-même qu'avec plus ou moins de succès on tâchait de prévenir; le statut particulier de l'exploitant importait peu. Voit-on deux personnages s'entendre pour refuser d'accueillir chacun les sujets de l'autre ? aucune distinction, à l'ordinaire, n'est tentée entre les conditions, servile ou libre, des individus dont on convient ainsi d'entraver les migrations. Il n'était, d'ailleurs, nullement nécessaire que le champ eût suivi, dans la sujétion, le même chemin que l'homme. (...) Le serf, en résumé, ne se caractérisait nullement par un lien avec le sol. Sa marque propre était, au contraire, de dépendre si étroitement d'un autre être humain que partout où il se rendait, cette attache le suivait et collait à sa postérité”. BLOCH Marc, *La Société Féodale. I, La Formation des Liens de Dépendance*, Paris, Ed. Albin Michel, L'Evolution de l'Humanité, 1949, pp. 402-404. On the renewed view of serfdom see also the following articles : BLOCH Marc, “Serf de la glèbe. Histoire d'une expression toute faite”, *Revue historique*, T. 136, Fasc. 2, 1921, pp. 220-242 ; BARTHÉLÉMY Dominique, “Serf”, in GAUVARD Claude, DE LIBERA Alain and ZINK Michel, (eds.), *Dictionnaire du Moyen Âge*, Paris, PUF, Quadrige, 2002, p. 1325-1327. ; See also DUBY Georges, “Servage”, *Encyclopædia Universalis* [en ligne], visited the 27th October 2021, URL : <http://www.universalis-edu.com/janus.bis-sorbonne.fr/encyclopedie/servage/>.

with the field): the relation of possession (on the side of the seignior), and the relation of “attachment” (on the side of the serf). Therefore, the “attachment” to land means concomitantly the deprivation of liberty (immobility of the serf and domination of the owner on the latter).

In the first of the cases presented by Fichte, it is as if the cultivator and the lord were “co-owners”: the former owns a half of the field and the second, the other half, the *eiserne Stamm*. Normally, this is supposed to mean that the peasant could give back the *eiserne Stamm* to the lord and keep his part, in the case where the former considers that the price (the work he provides) he pays for using the land is too high. Nevertheless, according to ancient law, the whole estate is indivisible and cannot be divided in two parts. Consequently, the peasant cannot separate his half from the *eiserne Stamm* and must necessarily work for the lord in order to pay the interest on the part the latter owns. In a sense, the situation is not so different from the second case since, just like the serf, the peasant seems to be chained to the land (at least indirectly). Indeed, to the extent that he cannot separate his property from the whole field (which is indivisible), he is necessarily attached to the lord's land through the mediation of his own part. Thus, if he wants to cultivate his part of the land, he necessarily has to pay a rent based on the lord's field, a rent that the latter can then raise as he sees fit (this amounts to a form of exploitation and appropriation of his goods). Here, there is once again a double relation with the land, one that makes the relation of exploitation possible. On one side, through the possession of his land, the peasant has a relation of attachment with the lord's land (since both are inseparable and the whole is indivisible); on the other hand, the lord owns the land. Therefore, by owning some land to which the peasant's half is attached (through the mediation of his own half), the seigniors can make the peasant work to pay the rent based on this same land.

In both cases, Fichte condemns the lord who, because he possesses the land, does not work but makes the other work for free. Indeed, this form of exploitation is unjust because it supposes that the master possesses the peasant's use of force (*kräfte*) and have a total control over his activity. Given that the person was considered as having the total ownership of his forces, the alienation of them by another means nothing less than a form of domination as well as potentially theft¹³⁰⁹. Here, we have a concrete illustration of the relation of exploitation, an exploitation which was only evoked in the *Rechtslehre*. We now also have an idea of what sort of “wrong practices” Fichte

1309 “Das unmittelbarste, alles übrige Eigentum des Menschen begründende Eigentum, sind seine Kräfte. Wer den freien Gebrauch dieser hat, hat schon unmittelbar an ihnen ein Eigentum, und es kann ihm nicht fehlen, durch den Gebrauch derselben auch bald ein Eigentum an Sachen außer sich zu bekommen. Eine gänzliche Veräußerung des Eigentumsrechts läßt sich mithin nicht anders, als so denken, daß der freie Gebrauch unsrer Kräfte veräußert, daß einem andern das Recht übertragen sei, über ihre Anwendung frei zu verfügen, und daß sie dadurch sein Eigentum geworden seien. Dies war dem Buchstaben des Gesetzes nach der Fall aller Sklaven, und ist es bei uns der Fall aller zum Grund-eigentume gehörigen Landbauern; wollte, oder will der Herr von seinem strengen Rechte nachlassen, so ist das Güte von ihm, aber er ist verfassungsmäßig nicht dazu verbunden”. FICHTE, *Beitrag*, op. cit., pp. 140-141.

refers to when he claims that the classical system based on the possession of land has problematic consequences in actual life. It is against this system (and all the theoretical and practical consequences) that Fichte's theory of property is developed against.

II.2) Fichte's Theory of Property

II.2.1) From the original right to right of property

Fichte establishes a total reversal of that aforementioned traditional theory of property. Henceforth, property is no longer identified with the possession of an object : “I have described the right to property as an exclusive right to acts, not to things”¹³¹⁰. At a first glance, this definition of property seems to be quite curious. What could be property if it is not defined as the appropriation of an object? What does it mean to identify property with the right to act? Does it mean that property has no reference with any object? To answer to these questions, let us first quote the text in which Fichte gives a detailed account about property:

“As we have shown above, original right consists essentially in an ongoing reciprocal interaction, dependent only on the person's own will, between the person and the sensible world outside of him. In the property contract, a particular part of the sensible world is allocated exclusively to each individual as the sphere of his reciprocal interaction with it; and this part of the sensible world is guaranteed to each individual under these two conditions: (1) that he refrain from disturbing the freedom of all others in their spheres, and (2) that, in the event that these others are transgressed against by some third party, he will contribute towards their protection.”¹³¹¹

The original right on which property is founded¹³¹² is a fiction¹³¹³. Indeed, the original right is a right considered without the limitations imposed by the rights of others. It is an abstraction because “it is not possible to think of free beings as existing together unless their rights mutually limit each other, and therefore unless the sphere of their original right is transformed into the sphere of their rights within a commonwealth”¹³¹⁴. Nevertheless, as the investigation into original rights precede the investigation of rights within the commonwealth, it is temporarily necessary to put into brackets the limitation imposed by the rights of others. Now, as already mentioned, the concept of right refers to the reciprocal limitation of each individual's freedom by the concept of the other's own freedom. Thus, the bracketing which is required to obtain the original right – “that right that

1310 FICHTE, *The Closed Commercial State*, *op. cit.*, p. 92.

1311 FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 183.

1312 “Der Eigentumsvertrag [gründet sich auf dieses Urrecht”. FICHTE, *Rechtslehre*, 1812, *op. cit.*, p. 38; FICHTE, *La Doctrine du Droit de 1812*, *op. cit.*, p. 69.

1313 FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 102.

1314 *Ibid.*, p. 102.

should belong absolutely to every person as such” – consists in imagining a person which, in the sensible world, is isolated and whose freedom is not limited by the other¹³¹⁵. By doing so, what we obtain is the concept of freedom itself. Consequently, “the concept of freedom [...] yields the concept of original right”¹³¹⁶. Indeed, freedom being the essence of the person¹³¹⁷, every rational being has the right to exert this freedom, that is, to be an absolutely first cause in the sensible world. Therefore, “original right is thus the absolute right of the person to be *only a cause* in the sensible world (and purely and simply never something caused)”¹³¹⁸. In other words, the original right is the right for a person to perform an action on the external world.

This freedom can be exerted and enter the realm of the sensible world only through the body; as it is able to produce an effect in the world. Thus the free being is identical to his body (which is “the I’s representative in the sensible world”¹³¹⁹). An exercise of freedom is thus the determination of the body to act for an end¹³²⁰.

Fichte uses the term “reciprocal interaction” to qualify the relation between freedom and the world, because it is not a one-way relation. In a certain sense, the world also acts on the subject. Indeed, although the subject determines his body in accordance with the concept of an end in order to affect a thing, this action, however, necessarily follows the knowledge of the thing which is affected¹³²¹ since “all willing is conditioned by representing: I must represent whatever I will”¹³²². It is only in the sphere within which objects are given (the sphere of what is known and represented) that the will can produce effect and that the person is free. And it is impossible for the will to produce effects beyond this sphere¹³²³. Now, this representation that conditions my activity is produced by an action of the thing on me through the intuition. That is why “willing and representing stand in constant, necessary reciprocal interaction, and neither is possible if the other is not present at the same time”¹³²⁴ (knowing that the intuition is here the action of the object on the

1315 *Ibid.*, p. 111.

1316 *Ibid.*, p. 102.

1317 This equivalence between the person and liberty appears several times in the *Foundation of Natural Right*: “according to what has been said above, to say that a person is free means: the person, merely by constructing a concept of an end immediately becomes the cause of an object corresponding perfectly to that concept; the person becomes a cause simply and solely through his will as such: for to will means to construct a concept of an end”. FICHTE, *Foundations of Natural Right, op. cit.*, p. 56. See also FICHTE, *Foundations of Natural Right, op. cit.*, pp. 86-87. As we already saw, “a finite rational being cannot posit itself without ascribing a free efficacy to itself”. FICHTE, *Foundations of Natural Right, op. cit.*, p. 18.

1318 FICHTE, *Foundations of Natural Right, op. cit.*, p. 103.

1319 FICHTE, *Foundations of Natural Right, op. cit.*, p. 103.-104

1320 The concept of end is defined as follows: “a rational cause, just as certainly as it is one, constructs for itself the concept of a product that is to be realized through its activity. In acting, it directs itself in accordance with this concept and always, as it were, keeps in it view. This is called the concept of an end”. FICHTE, *Foundations of Natural Right, op. cit.*, p. 36.

1321 FICHTE, *Foundations of Natural Right, op. cit.*, p. 104.

1322 *Ibid.*, p. 22.

1323 *Ibid.*, p. 104.

1324 *Ibid.*, p. 22.

subject). However, it is not because the object exerts an action on the subject that the latter lose its freedom: as the quotation above states, the whole interaction is “dependent only on the person's own will”.

Fichte gives some interesting clarifications concerning this thesis. He argues that there is no efficacy beyond the sphere of the given, and in doing so, he also gives some precisions on his concept of freedom and the way it produces effects in the world: “To describe this more precisely: it is within the sphere of the given and under the condition that something is given that one is free to leave the given as it is or to make it into something else – that is, as it ought to be in accordance with his concept of an end”¹³²⁵. Let us admit that a set of objects is given in the intuition. Now, I can choose to refrain my activity or to transform them. *In both cases*, I modify the thing as it ought to be in accordance with the concept of the end I have fixed previously. In other words, *in both cases*, I intend to make the object correspond to the end I want to reach. This means that even refraining is a form of modification. Indeed, if my purpose is that the thing is not modified, and if I do nothing to modify it, the thing is not modified and thus, it corresponds to the end I initially fixed to it. Thus, the thing corresponds to what I want, that is, to the end I sought to reach. Fichte’s justification of this strange thesis is more complex:

“What has not been modified but only thought by the rational being and brought into conceptual alignment with his world (*Welt*) becomes modified, precisely by *not having been modified*. It is in consequence of his concept of the end of the whole (to which this particular thing is supposed to conform), that the person has not modified the thing, since it [already] conforms to his concept simply by virtue of its natural shape (and he would have modified it if it did not thus conform); or he has modified his end in accordance with the thing's natural characteristics”¹³²⁶.

This explanation is clarified by the example given by Fichte in a note. Imagine, he says, an isolated inhabitant of a desert island that would leave the woods to grow in order to preserve and hunt, for subsistence, the game that lives in it. Here, the desert island corresponds to the hunter's world (that is, “the system of things that” he have “known and related to” his “purposes”¹³²⁷). This “end of the whole” is composed of the forest and the game living in it. In this whole, the hunter has left the trees to grow so that the game has a habitat in which it can reproduce itself, so as to be finally hunted. In a sense, it could be argued that the untouched forest has been modified by the nature itself, not by the hands of the hunter. However, nature cannot transform itself since everything in nature occurs in accordance with the immutable mechanical laws that rules its realm. By contrast, we can say that the untouched forest is a modification if we replaced it within the end of the whole aimed by the hunter. Admittedly, if we isolated the untouched forest from the rest, it is right to say that the hunter has not modified anything; but if we replace this wood within the island,

¹³²⁵*Ibid.*, p. 104-105.

¹³²⁶*Ibid.*, p. 105.

¹³²⁷*Ibid.*, p. 105.

and if we connect it with the game that lives in it, it can be said that the woods have indeed been modified by not having been modified. Indeed, the wood is a part of a world and, as such, it must fit (*passen soll*) into this whole. In other words, this element is a part of the whole (and if it was modified, it would no longer fit into it). Concretely, in the hunter's world, the game is abundant, which implies that in this whole there is a habitat that corresponds to the hunted species. In this world, the abundance of the game is intrinsically tied to the wood. Without this forest, there is no game. Consequently, the wood becomes a part of the hunter's world simply by its quality of being untouched. That is why the hunter does not cut the trees: he leaves the wood untouched in order that the island become a world-full-of-game. In other words, he leaves the woods to grow because this set of trees fits into the hunter's world (the island-full-of-game) “simply by virtue of its natural shape” that is simply by virtue of being untouched – here, the reader of environmental humanities cannot avoid thinking about the critics that has been addressed to the natural reserve policies: wild and untouched nature is always an environment deeply modified. Consequently, to leave the wood uncut amounts to a purposive activity, and thus to a modification, in the extent that this refraining *produces* a world, a world which is full of animals because a habitat has been “created” for them – that is a world which corresponds to the end of the hunter. Put another way, the whole activity which is performed in order to create the hunter's world includes *both* the hunting *and* the preservation of the wood. This is evidenced by the fact that if someone decides to level the trees, the world the hunter aimed for does not exist anymore; it is replaced by a world without game and without any possibility to hunt, that is to say, a world that does not correspond to the end of the whole the hunter had previously fixed. The levelling of the trees blocks the hunter's act of hunting. Thus what becomes clear is that the conservation of the wood was a part of the whole activity (which was performed in order to implement the concept of the end of the whole). Here, we already understand which form the conflict will take as they are refined by Fichte in function of his new definition of property. Indeed, he who cuts the forest disrupts the free efficacy of the hunter, who is not able to hunt anymore, the game having fled because of the destruction of its habitat. There is a conflict between the hunter's freedom and the others who blocks the deployment of the former's free efficacy into the world (we will return to this point).

Fichte concludes that everyone should have the right to have their freedom undisrupted. In other words, the person has the right to “the continued existence of the absolute freedom (...) of the body” and the right to the continued existence of its “free influence within the entire sensible world”¹³²⁸. “Here is the ground of all property rights” declares Fichte¹³²⁹. Given that there is no

¹³²⁸ *Ibid.*, p. 108.

¹³²⁹ *Ibid.*, p. 106.

activity without an object of this activity, the original right to act on the external world is correlated to a right for a part of the world on which this act is exerted. And this part of the world I have a right to (because I have a right to act on) is my property: “the part of the sensible world that is known to me and subjected to my ends – even if only in thought – is *originally* my property”¹³³⁰. We see how the ground of property lies on this original right to an activity, an activity which, from the point of view of the category of quantity, is infinite (or best said, indefinite)¹³³¹. Indeed, the right to have free influence within the sensible right (original right) implies necessarily a right to the piece of the world on which the activity is exerted.

Here, Fichte claims that he settles the old dispute between Locke's “mixing labour argument” and Kant, who grounds possession in the will to possess the thing (what the roman law calls the *animus domini*, that is, the “intention to exercise mastery”). Kant argues that the simple physical possession (*possessio pheanomenon*) of the thing (the *detentio*) is not sufficient if something is to be called mine or yours: “merely physical possession of land (holding it) is already a right to a thing, though certainly not of itself sufficient for regarding it as mine”¹³³². If someone steals my land, while I was hunting in the wood, he does not really wrong me since I did not hold it at this moment, thus I did not possess it in the physical sense of the term¹³³³. Consequently, when I do not “hold the thing in the hand” it is not mine given that the one who takes it from me does me no wrong and that the externally mine is precisely defined by the fact that it is something outside me, which it would be wrong to prevent me from using as I please. That is why an intelligible possession (*possessio noumenon*) is necessary if something is to be called my property¹³³⁴. Here, the relation I have with the external thing in the possession puts aside any conditions of empirical possession in space and time. This possession is a possession without *detentio*. Here the possession is intelligible because the relation the possessor establishes with the object is not physical but in thought¹³³⁵ (the possession is in accordance with the general conditions of pure thought). I can leave

1330 *Ibid.*, p. 106.

1331 FICHTE, *La Doctrine du Droit de 1812*, *op. cit.*, p. 69.

1332 KANT Immanuel, *The Metaphysics of Morals*, *op. cit.*, p. 73.

1333 “I cannot call an object in *space* (a corporela thing) mine unless, *even though I am not in physical possession of it*, I can still assert that I am actually in some other (hence not physical possession of it. So I shall not call an apple mine because I have it in my hand (possess it physically), but only if I can say that I possess it even though I have put it down, no matter where. In the same way, I shall not be able to say that the land on which I have lain down is mine because I am on it but only if I can assert that it stills remains in my possession even though I have left the place. For someone who tried in the first case (of empirical possession) to wrest the apple from my hand or to drag me away from my resting place would indeed wrong me with regard to what is *internally* mine (freedom); but he would not wrong me with regard to what is externally mine unless I could assert that I am in possession of the object even without holding it. I could not then call these objects (the apple and the resting place) mine”. KANT Immanuel, *The Metaphysics of Morals*, *op. cit.*, p. 70.

1334 On the difference between the phenomenal and the intelligible possession, see GOYARD-FABRE Simone, *La Philosophie du Droit de Kant*, *op. cit.*, 106-108.

1335 “For here we are speaking only of an intellectual relation to an object, insofar as I have it *under my control* (the understanding's concept of possession independent of spatial determinations), and the object is *mine* because my

my land and at the same time claim that it is still mine. This is what Kant calls a “*merely rightful possession*”¹³³⁶.

According to Fichte, this theory is not opposed to Locke's opinion that property stems from the formation of the thing. In fact, he argues that a synthesis of the two positions is possible. Admittedly, he says, Kant considers that the possession of the thing puts aside its detention and subsequently its formation. Nevertheless, the simple fact of subordinating a thing to ours ends, even without actually transforming it, is always a kind of formation. Indeed, when I form something, my activity is a cause in the sensible world. Now, to be a cause in the sensible world means to ensure that a perception corresponds to the concept of the end of my activity. In other words, I intend to make reality correspond to the end targeted by my activity; I try to make the thing be as I want it to be. Thus, if the end of my activity is such that the thing should not be transformed by my activity, when I refrain my activity (when I do not transform the thing), I make the thing correspond to the end that I follow via my activity. For example, if my end it that the woods should keep growing (which implies that I do not level it), when I refrain my activity, when I prevent myself from cutting trees, I correspond to the reality in the space and in the time to the end I previously fixed in thought; I make it be exactly as I want it to be. In a word, I have “transformed” it. Therefore, the theory of Kant is not opposed to the one that grounds property on labour: “thus, the final ground of the right to property in a thing is the subjection of the thing to our ends”¹³³⁷.

Nevertheless, this synthesis does not mean that Fichte blindly endorses both theories. Contrary to Kant, who does not mention labour as an essential moment of the process of appropriation, he grounds property in the activity (even if this activity can amount to leaving the thing untouched). Moreover, his theory is quite different from Locke's and theories based on *specificatio*. From 1796, even if he refers to activity as a process of labour, he does not really mention this process as consisting in giving form to matter. In fact, he no longer considers formation as giving me the right to appropriate the object, precisely because property is no longer identified with the appropriation of the object. Fichte rather claims that the use of the thing gives certain rights to it.

It is interesting here to note that Fichte does not only synthesise Locke and Kant's theory,

will to use it as I please does not conflict with the law of outer freedom. (...) So the way to have something external as what is mine consists in a merely rightful connection of the subject's will with that object in accordance with the concept of intelligible possession, independently of any relation to it in space and time. It is not because I occupy a place on the earth with my body that this place is something external that is mine (for that concerns only my outer *freedom*, hence only possession of myself, not a thing external to me, so that it is only an internal right). It is mine if I still possess it even though I have left it for another place; only then is my external right involved”. KANT Immanuel, *The Metaphysics of Morals*, *op. cit.*, p. 75.

1336KANT Immanuel, *The Metaphysics of Morals*, *op. cit.*, p. 68.

1337FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 106. In the Closed Commercial State, Fichte will maintain that Kant's thesis on property was not opposed to his. FICHTE, *The Closed Commercial State*, *op. cit.*, p. 131

but he also goes beyond the opposition beyond *specificatio* and *occupatio*. Whereas Hegel articulates the occupation and the formation of the thing in the dialectical process, Fichte chooses to ground property in another concept: the *usus*.

II.2.2) Spheres of actions

As we have just seen, the right of property is to be found in the concept of an original right and property is the part of the sensible world which is subjugated to my ends. Nevertheless, this assertion contains an ambiguity which is hard to clarify. It is as if by defining property as a part of the world, Fichte identifies it to an object, an identification which would suggest that property is a possessed object. However, Fichte specifies explicitly that the right of property is not a right to things but a right to actions: “I have described the right to property as an exclusive right to *acts*, not to *things*”¹³³⁸. He even claims that according to this theory, there is no such thing as property of land¹³³⁹. To be clear, two assertions that outwardly appear contradictory shall be reconciled by Fichte: 1° property is the part of the sensible world which falls into my ends 2° property is a right to act not to things. The articulation of these assertions raises at least two problems which are somewhat different: a) Does the identification of property with an activity exerted on the external world prevents us from speaking about any form of *appropriation* of the object, as some authors claim¹³⁴⁰? Why does Fichte continue to call “right of property” this right to act¹³⁴¹ if it does not imply any possession of the object? b) Shall we even separate the concept of property from any reference to an object? Intuitively, we see property as having a relation with an object, the object being material or not. Is property a simple right to an act without reference to any form of object? Shall we admit that property has no objective aspect? This is the problem of the *objective aspect of property*. This problem includes another element, which is more concrete and more particular: Is it right to say that property has nothing to do with land? When Fichte says that there is no such thing as property of land, does he mean that property, defined as a right to have an influence on the world, exclude any reference to the land and is thus reduced to the activity of the subject? This

¹³³⁸FICHTE, *The Closed Commercial State*, *op. cit.*, p. 92.

¹³³⁹*Ibid.*, p. 130.

¹³⁴⁰Such a thesis is defended by Johann Braun in BRAUN Johann, *Freiheit, Gleichheit, Eigentum; Grundfragen des Rechts im Lichte der Philosophie J. G. Fichtes*, Tübingen, Mohr, 1991. On this thesis, see JAMES David, *Fichte's Social and Political Philosophy. Property and Virtue*, Cambridge, Cambridge University Press, Modern European Philosophy, 2011, p. 1.

¹³⁴¹Perrinjaquet has noted Fichte's paradoxical maintenance of the term “property” to qualify this right on acts. PERRINJAQUET Alain, “Fichte, Proudhon et la propriété”, in RADRIZZANI Ives (eds.), *Fichte et la France. I, Fichte et la Philosophie Française*, Nouvelles Approches, Paris, Beauchesne, Bibliothèque des archives de philosophie, 1997, p. 163.

problem, that we shall call the *earthly aspect of property*, falls under the more general question of the objective aspect of property.

To solve these fundamental problems, it is necessary to return to the text at the beginning of paragraph 18 quoted above. Here, Fichte writes that the part of the sensible world which constitutes property is in fact a sphere of action. The elucidation of the concept of the sphere of action will allow us to answer the second problem just posed, *i.e.*, the problem of the *objective aspect of property* (which includes the more concrete problem of the terrestrial aspect of property). The first problem (the problem of the “appropriative aspect of property”) will be answered later.

The concept of the sphere of action is approached in the beginning of paragraph 5 of the *Foundations of Natural Right*. As we have seen, the rational being ascribes to itself a sphere for its freedom. The relation the subject has with its sphere is the same that the logical subject has with the predicate, that is a relation of opposition. Indeed, the I posits the sphere as opposed to it (in other words, he posits a non-I) only to subsequently ascribe it to itself. As already said, this opposition means exclusion and separation. However, this exclusion does not amount to a contradiction or conflict (and we should add here that it does not mean an absence of relation either). In fact, the opposition means that the sphere is from outside the subject, and that it is distinct from it. This concept expresses a mutual exteriority of the subject and the sphere, which are independent on each other. The sphere is independent from the subject, that is to say, its existence does not depend on the I (as it is a “self-reverting activity”). Now, according to the beginning of paragraph 2, the fundamental characteristic of the world is that it is a system of objects existing independently from the subject insofar as they are not produced by the I. And whatever is related to the I in this manner (that is to say, whatever is not produced by its activity), is a part of the world. Consequently, the sphere of activity is a part of the world. As a part of the world, this sphere of activity is something that is “spatially extended and that fills up its space”¹³⁴². It is nothing more than a limited body, my body, or more precisely, what phenomenology will call a “body-subject”¹³⁴³. The body is here the phenomenon of liberty.

Now, given that the free subject (which produces a concept of an end) causes an object to correspond to this concept, and given that the body, as a sphere of action, contains this free action, the will (which consists in a construction of concepts of ends¹³⁴⁴) incarnates itself in this body (which expresses this incarnation in its structure)¹³⁴⁵. Fichte concludes that the concepts of the body

1342FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 56.

1343On this question, see MAESSCHALCK Marc, “Corporéité et éthique chez Fichte”, *Tijdschrift voor Filosofie*, 55ste Jaarg., n° 4, December 1993, pp. 657-676.

1344FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 56.

1345GUÉROULT Martial, “La doctrine Fichtéenne du droit”, in *Revue de Théologie et de Philosophie*, Troisième série, Vol. 21, n° 4, 1971, pp. 212-213.

and the sphere of actions totally overlap:

“since the body thus described is nothing other than the sphere of the person's free actions, the concept of such a sphere is exhausted by the concept of the body, and *vice versa*. The person cannot be an absolutely free cause (*i.e.* a cause that has efficacy immediately through the will) except in the body; if a determinate act of willing is given, then one can infer with certainty that a particular change in the body corresponds to it. Conversely, no determination can occur in the body, except as a result of the person's efficacy; and from a given change in the body, one can infer equal certainty that the person possesses a particular concept corresponding to such change.”¹³⁴⁶

These assertions, on first glance, seem rather astonishing since Fichte seems to be saying that the subject's sphere of freedom, *and thus, property*, are totally confounded with the body and its movements. This would imply that the objects of the world on which activity is performed cannot be included as property. If the sphere is totally identified with the body, it means that property is reduced to the bare bones of the material space which it occupies. As such, it is difficult to understand how this sphere can still be called property. Indeed, what we commonly understand by the term of property is something which is somehow related with some object of the world, especially in the 19th with land. While it would be correct to mention at the point that Locke was the first to speak about self-ownership, and more precisely, the fact that individuals possess their own body; if he did so, it was principally to derive the notion of the property on things from this first form of property¹³⁴⁷. Therefore the question remains: does Fichte includes external objects of the world as property?

To answer to this problem, it should be first noted that the sphere of freedom is not reduced to the simple body alone but corresponds to the whole range of acts and movements performed by the body. Fichte argues that the I intuit its “activity as an *act of drawing a line*”, and that it would not be wrong to assert that these lines constitute the radius of the same sphere of actions. Therefore, the sphere is not only identified with the body but also with the movements of this body. It is as if this sphere was filled up by an infinite multitude of vectors. Therefore, the “sphere of free acts” (*Die Sphäre der freien Handlügen*)¹³⁴⁸ has to be understood as the sphere formed by the action of the body. Here, the genitive is objective: it is the sphere composed by my action which draws and forms this geometrical figure. It is as if this genitive could not be subjective, as if the sphere of acts cannot be identified with the external space on which actions are exerted (a sphere which would be targeted by these acts which would possess it). It is as if the sphere were composed only of these vectors and, as such, could not be defined by any material territory. At first glance it would seem as though the sphere of action is entirely subjective and does not include anything objective at all. In other words, it is as if this sphere of action had neither objective nor any earthy aspect.

1346FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 56.

1347JAMES David, *Fichte's Social and Political Philosophy*, *op. cit.*, pp. 36 sq.

1348FICHTE, *The Closed Commercial State*, *op. cit.*, p.93.

However, at the beginning of paragraph 18, which is dedicated to property, Fichte explicitly writes that “this sphere contains certain objects, as determined by the freedom that has been granted to him”¹³⁴⁹. Moreover, Fichte also uses the expression “sphere for its freedom” (*Sphäre für seine Freiheit*)¹³⁵⁰, which suggests that the sphere is external to the subject and its body. In this sense, it seems that the sphere of action is rather the freedom's playing field; exterior to the body, it is the field on which the actions deploy themselves.

It is thus possible to posit the hypothesis that the sphere of activity must be understood in accordance with both of these dimensions. In fact, the subjective and the objective aspects of the sphere are just one. The sphere is admittedly the field drawn by the movement of the body, but it is also constituted by the whole set of objects targeted by these vectors. It could be said that the objects are included in the sphere *insofar as* they are the object of the subject's activity. The sphere is a part of the sensible world only insofar it is included in the field of action deployed by the active subject. It is the sensible-world-for-the-active subject, or in phenomenological terms, it is an active being-to-the-world¹³⁵¹. We get back here to what we said previously regarding the example of the desert island populated by game: this space is the hunter's own active world in which he deploys his activity. Consequently, it can be said that property is a sphere which is drawn by the subject's activity and which is projected into the material world. As Thomas-Fogiel writes, it constitutes a living space or a space of life, but not in the sense contained in the syntagm “*blut und boden*” used by Nazi ideology, one century after. It is not soil (*Boden*)¹³⁵² in the sense Fichte gives to this term in 1793, that is “not an arable, but a raw piece of land that has never been labored”¹³⁵³. It constitutes a space of life because it is a site of activity, that is, where an activity is deployed¹³⁵⁴.

However, the fact that the sphere of action is constituted of a part of the world (which is included in that sphere as the object of the subject's action performed on it) does not mean that property is the possession of this object. However, whether property includes a form of appropriation remains uncertain. If we resolve the problem concerning the objective aspect of property, we still have to answer to the question of its possessive dimension. As said already said, this problem will be answered later.

1349FICHTE, *Foundations of Natural Right*, op. cit., p. 183.

1350FICHTE, *Foundations of Natural Right*, op. cit., p. 53. FICHTE Johann Gottlieb, *Grundlage des Naturrechts nach Prinzipien der Wissenschaftslehre*, Hamburg, Felix Meiner, 1991 [1796-1797], p. 55 (from now, abbreviated as follows: FICHTE Johann Gottlieb, *Grundlage des Naturrechts*, op. cit.).

1351MAESSCHALCK Marc, “Corporéité et éthique chez Fichte”, *Tijdschrift voor Filosofie*, 55ste Jaarg., n° 4, December 1993, pp. 657-676.

1352The english translator translates *Boden* by “soil”. FICHTE, *Consideration*, op. cit., p. 91.

1353FICHTE, *Consideration*, op. cit., p. 81. See the original text: “kein urbare, sondern ein rohes, noch nie bearbeitetes Stück Land”. FICHTE, *Beitrag*, op. cit., p. 88.

1354THOMAS-FOGIEL Isabelle, “Le communisme de la liberté, la propriété chez Fichte”, in GUINERET Hervé and MILANESE Arnaud (eds.), *La propriété: le propre, l'appropriation*, Paris, Ellipses, CAPES-Agrégation. Philosophie, 2004.

II.2.3) Property as the Right of Use

So far, we have given a brief outline of Fichte's theory of property, showing how property is grounded in the original right of having an effect within the sensible world. However, this definition remains very abstract. To fully understand what this concretely means it is necessary to take into consideration the full measure of the consequences that such a definition has for the philosophy of right and political philosophy more widely. In short, Fichte's concept of property radically reverses the traditional definition of property by placing the notion of use at its conceptual centre.

When Fichte claims that property is the right to act, not to things, he means that it is a right of use not a right to possess the thing: "the right to property does not directly concern the arable land as such, but rather the exclusive right to use this as one pleases."¹³⁵⁵ Indeed, "*Der Boden ist die gemeinschaftliche Stütze der Menschheit in der Sinnenwelt, die Bedingung ihres Bestehens im Raum, sonach ihrer ganzen sinnlichen Existenz. Die Erde, insbesondere als Masse betrachtet, ist gar kein möglicher Gegenstand eines Besitzes; denn sie kann, als Substanz, Keinem möglichen ausschließenden Zwecke eines Menschen unterworfen werden (...)*"¹³⁵⁶. Later we will provide a deeper analysis of this leitmotiv of political philosophy (one that we already met when we addressed the question of the original communion of goods in Hegel's Jena Writings) but for the moment let us state schematically that here land must be thought of as the State's great reservoir which is, in itself, unappropriable. Nevertheless, individuals have the right of use on this space, which nonetheless remains unpossessed. The state is then in charge of distributing a portion of this reservoir to individuals that they will then be authorized to use for their subsistence. This definition operates a total reversal of the way we traditionally think about the right of property: it is not the possession of the object that gives me a right to its use but the right of using it, which gives me the right to "have" it (we shall leave aside for the moment what this *having* here corresponds to).

Unlike Fichte's understanding of property, the right to property, as it is construed by the end of 18th, and as it will be enshrined in the Napoleon Code of 1804¹³⁵⁷, contains three prerogatives:

¹³⁵⁵FICHTE, *The Closed Commercial State*, op. cit., p. 109.

¹³⁵⁶FICHTE, *Rechtslehre*, 1812, op. cit., pp. 60-61. See the french translation of this text: "*Le sol est le soutien commun de l'humanité dans le monde sensible, la condition de sa perpétuation dans l'espace et, par conséquent, la condition de toute existence sensible de l'homme. La terre, particulièrement lorsqu'on la considère comme une totalité, n'est pas un objet que l'on peut posséder. En effet, comme substance, elle ne peut être soumise à une quelconque fin exclusive d'un seul homme*". FICHTE, *La Doctrine du Droit de 1812*, op. cit., p. 87. For the first version of this text see FICHTE, *Foundations of Natural Right*, op. cit., p. 190. Sometimes Fichte also gives a theological version of this idea that the earth belongs to no one: "the earth is the Lord's; to man belongs only the ability to cultivate it and use it in a purposeful fashion". FICHTE, *The Closed Commercial State*, op. cit., p. 131.

¹³⁵⁷"*La propriété est le droit de jouir et disposer des choses de la manière la plus absolue, pourvu qu'on n'en fasse pas un usage prohibé par les lois ou par les règlements.*" (art. 544). CHOUQUER Gérard, *La Terre dans le Monde*

usus (the right to use the thing as I want), *fructus* (the right of enjoyment, that is a right to have the fruit of the thing) to and *abusus* (the right to dispose of the thing, which implies the possibility of changing its form and the possibility of alienating it). This right is absolute since the inclusion of these three prerogatives makes this right the most complete right one can have on a thing. A person thus has full power over the thing (*plena in re potestas*)¹³⁵⁸. Through elucidating commonplace of law, we hope to draw the attention to the fact that, in this classical definition of property, use is subordinated to the possession of the object.

Now, the fact that possession comes first and use second means that this derived prerogative can either be or not be actualised. In short, the right of use is the negative of the right of non-use. For example, the possession of a certain field authorises me to use it but it also means that I can leave it uncultivated¹³⁵⁹. This makes a great difference to Fichte's definition of property who places the use of the land before its possession. In other words, the use of the thing grounds its attribution. Consequently, there is no possession of the thing aside from its use. Even if Fichte does not state this explicitly, what this ultimately means is that if a certain thing is attributed to me and I continue to use it, it belongs to me; however, as soon as I no longer use it in the way that had been prescribed to me, this thing no longer belongs to me. In short, the thing is mine as long as I use it, and it returns to society from the moment I cease the activity which initially gave me the right to it¹³⁶⁰. This means that property is a “provisory possession” allocated by the collectivity in function of a specific use¹³⁶¹.

Two arguments support this interpretative hypothesis that possession ceases as soon as the individual stops using it. *First*, Fichte explicitly argues that the individual's right “*to have property in these objects extends as far as the freedom granted to him extends, and no further*”¹³⁶², which amounts to saying that the property of things is a function of the extension of its use. The extension of the individual's activity is, of course, spatial (the field perimeter is determined by the extension of the activity that is necessary to survive). But it is also possible to interpret such an extension of freedom from a temporal point of view. Reworded temporally, one could say that objects are in my possession strictly during the period of time that I use them. Here lies the *second argument*: Fichte

Romain, *op. cit.*, p. 27.

1358TESTART Alain, “Propriété et non-propriété de la Terre. L’illusion de la propriété collective archaïque (1re partie)”, *Études rurales*, n° 165-166, 2003/1-2, p. 211 sq.

1359“Néanmoins, le droit d’usage implique le droit de ne pas utiliser la chose : de laisser une terre en friche, un immeuble inoccupé, etc.” SIMLER Philippe, *Les Biens*, Presses Universitaires de Grenoble, Droit en +, 2018, p. 29.

1360Thomas-Fogiel supports a similar interpretation: “(...) *l’agriculteur n’est jamais propriétaire de la terre qu’il exploite. Fichte récuse toute idée de propriété foncière; un champ n’est rien d’autre que l’espace que je travaille; si je ne le travaille pas pour produire quelque chose, je n’en suis plus possesseur*”. THOMAS-FOGIEL Isabelle, “Le communisme de la liberté, la propriété chez Fichte”, *op. cit.*, p. 64.

1361“*Ces moyens de production ne peuvent, pour Fichte comme pour Proudhon, être l’objet que d’une possession provisoire, ils demeurent toujours fondamentalement la propriété (au sens fort du terme) de la société*”. PERRINJAQUET Alain, “Fichte, Proudhon et la propriété”, *op. cit.*, p. 166.

1362FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 183.

explicitly declares that the portion of the sensible world that is not in use belongs to anyone but the community¹³⁶³. This proves once again that land which is no longer used by an individual ceases to be in its possession and returns to society.

This right of non-use attached to the right of absolute property has a corollary, that is, the right to prevent the other from using the land if I do not use it by myself: “*Das entgegengesetzte System [stellt auf] ein Recht [, vom Boden] auszuschließen, ohne ihn selbst zu gebrauchen*”¹³⁶⁴. With Fichte, one can ask the following question: what is the interest of such a right ? Why would I prevent the other from using something I do not? Just in order to make him jealous? This prerogative seems to be nothing more than a right to waste or a right to sadism. To this question, Fichte answers as follows: “*Um diejenigen, die ihn bearbeiten wollen, unter Bedingungen zu setzen, daß sie eben für uns mit, oder für uns am allervorzüglichsten, ihn bearbeiten müssen*”¹³⁶⁵. The right to prevent the other from using my property is, therefore, not a waste since the land will not remain unused in absolute terms. In fact, this right is not an absolute prohibition of use, but it consists in preventing the other from using the land for himself in order to make him work for me. In this system, the landowner does not plough the land he possesses, but he does not leave it uncultivated either because he makes the worker work the field for him and collect a part of the product (the *fructus*), through the form of an income. According to Fichte, such a system is impossible if activity is the central attribute of property rather than possession, since, once again, it would imply that I have a right on something I do not use directly.

Finally, a final factor characterises Fichte's concept of property: the restriction of the field of uses. We have said that, according to the traditional concept of property, one of the prerogatives attached to the possession of a thing is the *usus*, but it should be specified that the use at stake here is not determined, and that it integrates a multiplicity of possible activities. Robert-Joseph Pothier, the first jurisconsult who associated together the three attributes of property (*usus*, *fructus* and *abusus*), claimed in 1771 that the object may be used for its intended use but also for any other possible uses. For instance, a bedroom can be used to accommodate people but also cattle¹³⁶⁶. As we shall see, the identification of property with the right to acts rather than the right to things has, for a consequence, the reduction of the spectrum of the activity. Whereas the absolute property of an object gives me the right to an infinite range of uses (even the strangest of uses), a thing is allocated

¹³⁶³*Ibid.*, p. 191.

¹³⁶⁴FICHTE, *Rechtslehre*, 1812, *op. cit.*, p. 58. See the french translation: “*Le système opposé implique un droit d'interdire le sol à autrui, même si on ne l'utilise pas soi-même*”. FICHTE, *La Doctrine du Droit de 1812*, *op. cit.*, p. 85.

¹³⁶⁵FICHTE, *Rechtslehre*, 1812, *op. cit.*, p. 58. See the french translation : “*En fait, il sert à placer ceux qui voudraient le cultiver dans des conditions telles qu'ils devraient soit nous aider à cultiver le sol, soit, mieux encore, le cultiver pour nous!*”. FICHTE, *La Doctrine du Droit de 1812*, *op. cit.*, p. 85.

¹³⁶⁶CHOUQUER Gérard, *La Terre dans le Monde Romain*, *op. cit.*, p. 26.

to me for a specific purpose, and I cannot do all that I want with it. If a field is given to me in order that I cultivate some crops, this allocation does not allow me to make my cattle pasture over it – a restriction which does not imply that *another individual* cannot use the same place for another purpose.

We can summarise this point as follows: whereas absolute property rotates *usus*, *fructus* and *abusus* around the possession of the object, Fichte's concept operates a total reversal since use (activity) becomes the centre of gravity that determines all the rest. Thus, there is a fundamental difference between this *usus* and Fichte's right of use: the former is subjugated to a superior principle (possession) and for that reason is just a secondary element, the latter become the keystone of the concept of property.

II.2.4) Exclusivity and commonage

Now, this does not mean that the term property must be abandoned. Indeed, Fichte defines this right of use in terms of exclusivity, one of the three characteristics of property (which is also *absolute* and *perpetual*)¹³⁶⁷. For instance, the right of use for land is exclusive, which implies that every activity that contradicts my use of this portion of nature is excluded (for example, using it in the same way). The right of property is exclusive because it excludes every use going against my use of the thing: “it is only from this use, and from what might hinder such use, that he has the right to exclude everyone else”¹³⁶⁸. For instance, “the agriculturalist's right to a particular piece of land is nothing more than the right to cultivate products entirely by himself on this land, and to exclude everyone else from such cultivation and from any other use of this land that would conflict with his use of it”¹³⁶⁹.

Here, one could ask what difference does this conception of property make to the traditional definition in which exclusivity is also the characteristic trait of private appropriation. As we have seen with Hobbes, the appropriation of a piece of land, which furnishes the strict minimum for conservation, was exclusive because it was indivisible and thus unsharable, a characteristic that prevents any form of common property. The other is excluded from the appropriation of the object that I had appropriated previously, and thus appropriation in common is impossible. In 1793, Fichte himself defines property through exclusivity:

“Commonly, one only calls the *continuous* possession of a thing the property. However, since only *exclusive* possession is the distinctive characteristic of property, the immediate enjoyment of a

1367SIMLER Philippe, *Les Biens*, op. cit., p. 32.

1368FICHTE, *Foundations of Natural Right*, op. cit., p. 183-184.

1369Ibid., p. 190.

thing that is only enjoyed once and is consumed through the enjoyment is also true property. For, while somebody enjoys it, everyone else is excluded.”¹³⁷⁰

Nevertheless, after 1793, for Fichte, exclusivity no longer concerns appropriation but activity. When exclusivity concerns appropriation, the other is excluded from possibility of appropriating *my* land, which means that I can exclude him as I wish from using what is mine. When exclusivity concerns activity, the starting point is totally different: I do not possess the land, I just have the right to use it. As such, the other cannot use it if the vector drawn by his activity prevents the deployment of mine own activity. But, now, if the other's activity does not disturb my own use of the land, then, I have absolutely no right to prevent him from using it since I do not possess it. This becomes clearer when one considers that such a conception of property was endangered when Fichte was writing, that is to say, the right of pasture was under threat.

“Thus the agriculturalist does not have the right to prevent this piece of land from being used in some other way that is not injurious to his cultivation of it; e.g. mining or pasturing animals on land that has already been harvested but not yet re-seeded (unless he also has the right to raise animals on it). The state has the right to allow the miner to dig underneath land that has already been parcelled out, and the agriculturalist has no right at all to object to such digging. This is all on the condition that the agriculturalist's field does not become unsafe or actually cave in because of such digging, in which case either the miner or the state (depending on what the relevant contract says about the matter) must compensate the agriculturalist”¹³⁷¹.

“The exclusive right of the farmer to cultivate grain on this certain piece of land is of such a kind. This right does not curtail the right of another to put his herd to pasture on the same land, or the state to engage in mining beneath the surface”¹³⁷².

“The right of pasturage may be quite uneconomical, I grant. But a trespass of another's property it is not: for the property right depends only on treaties, and, where explicit treaties cannot be demonstrated, on acquired possession and established tradition (the status quo). Only an incorrect theory of property would call something like this a trespass of property.”¹³⁷³

Here, Fichte refers to commonage (*droit de vaine pâture* in french), which as described so brilliantly by Marc Bloch consists of the following:

“Une fois coupés les épis ou le foin, la terre devenue “vaine”, c'est-à-dire vide, ne restait pas inutilisée. Les bestiaux, que ne suffisaient à nourrir ni les communaux, ni les prairies, trop rares, et auxquels la technique agricole ne savait pas encore offrir l'appoint des fourrages artificiels, se répandaient sur les guérets pour y paître chaumes et herbes folles. Alors les droits du propriétaire entraient en sommeil: c'est aux bêtes du village tout entier, groupées, à l'ordinaire, en un troupeau commun qu'il devait ouvrir labour ou pré. “Par le droit général de la France”, écrivait un juriste – peut être Laurière”, – les héritages ne sont en défense et en garde que quand les fruits sont dessus; et dès qu'ils sont enlevés, la terre, par une espèce de droit des gens, devient commune à tous les hommes, riches ou pauvres également.””¹³⁷⁴

1370 FICHTE, *Consideration*, op. cit., p. 123. See the original version of this text: “Man nennt nämlich gewöhnlicher Weise nur den fortdauernden Besitz einer Sache das Eigentum derselben; da aber nur der ausschließende Besitz eigentlicher Charakter des Eigentums ist, so ist es auch der unmittelbare Genuß eines Dinges, das nur einmal genossen wird, und durch den Genuß sich verzehrt, ein wahres Eigentum; denn während irgend jemand es genießt, sind alle übrigen ausgeschlossen.” FICHTE, *Beitrag*, op. cit., p. 140.

1371 FICHTE, *Foundations of Natural Right*, op. cit., p. 190.

1372 FICHTE, *The Closed Commercial State*, op. cit., p. 130.

1373 *Ibid.*, footnote 1, p. 201.

1374 BLOCH Marc, “La lutte pour l'individualisme agraire dans la France du XVIIIe siècle. Première partie: l'œuvre des pouvoirs d'ancien régime”, in *Annales d'Histoire Economique et Sociale*, second year, n°7, 1930, pp. 329-383. See

Economists of the 18th century condemned the practice of commonage, arguing that it restricted the absolute right of property¹³⁷⁵. Indeed, the owner of a field did not possess the absolute right over his property: he was obliged to allow the peasants to send their cattle to graze once the land was left uncultivated. Furthermore, the owner was also obliged to practice crop rotation¹³⁷⁶ in order to make commonage possible on fallow land (*jachère*) between the harvest and the ploughing. Finally, he had no right to enclose the field. Thus, the owner, at this point, was not the absolute monarch of the Napoleon Code, he who rules over the exclusivity of his property in the style of the sovereign who rules over his territory¹³⁷⁷. Therefore, commonage was seen as a violation of the right to property. Fichte himself condemned commonage in 1793¹³⁷⁸. In fact, he seemed to consider that this right benefited the *seigniors* which is, in certain case, not totally incorrect. Indeed, it remains a question if the right of pasture was a right for poor or for other classes¹³⁷⁹. For instance, before the French Revolution, *seigniors* of Lorraine enjoyed the right to separated herds (*droit de "troupeau à part"*), which allowed them to send their animals on uncultivated lands (*terres vaines*)¹³⁸⁰. Fichte considered that this right fell under the rights the *seigniors* claimed on the the farmer's goods (*Rechte auf die Güter des Landbauern*) just like the *corvée*, and for that reason were condemnable. His argumentation on this specific topic was quite elliptic, but we can infer that the right of

also LEFEBVRE Georges, "La place de la Révolution dans l'histoire agraire de la France", *Annales d'histoire économique et sociale*, 1st year, n° 4, 1929, pp. 506-523.

1375BLOCH Marc, "La lutte pour l'individualisme agraire... Première partie...", *op. cit.*, p. 335.

1376Crop consisted in dividing the land in three part (*soles*): one dedicated to the winter wheat, another was cultivated with spring cereals and the third was let uncultivated (*jachère*).

1377COMBY Joseph, "L'impossible propriété absolue", in CHAVELET Catherine (ed.), *Un Droit Inviolable et Sacré. La Propriété*, Paris, ADEF (Association des Etudes Foncières), 1991, pp. 9-20.

1378Fichte himself seemed to condemn commonage in 1793: "Das Eigentum gewisser Sachen kann veräußert sein, so daß wir diese auf keine Art uns zueignen dürfen. Dahin gehört das ausschließende Recht zu jagen, zu fischen, Tauben zu halten, u. dgl. Die Anordnung in einigen Gegenden, daß die Eiche, die auf dem Grund und Böden des Landbauern wächst, nicht dem Bauern, sondern dem Gutsherrn gehöre; die Hutungs- und Triftgerechtigkeit, u.s.w. Daß alle diese Rechte auch einseitig von der bevorteilten Partei aufgehoben werden können, darüber ist nach dem Obengesagten kein Zweifel mehr übrig. Hier ist nur die Frage von der Entschädigung im Falle der einseitigen Aufhebung". FICHTE, *Beitrag*, *op. cit.*, p. 141. ancien allemand p. 68; fr p. 306-307).

1379For instance, Edmond Gressier, the French Minister of agriculture said in 1869 that "la vaine pâture n'est pas le droit du pauvre, mais celui du tout petit propriétaire qui cultive 5 à 10 hectares", *Enquête agricole. Première série. Documents généraux. – Décrets, rapports, etc. Séances de la commission supérieure*. T. II, p. 178. Bloch's opinion on this topic is nuanced: "La vaine pâture eut ses défenseurs. Il se recrutèrent, plutôt que chez les théoriciens, parmi les hommes mêlés à la vie pratique, et surtout parmi les magistrats ou les administrateurs. Nous les retrouverons plus loin. Mais il importe d'indiquer, dès maintenant, leur principal argument. C'était l'intérêt des pauvres. Il n'était pas toujours parfaitement sincère. Il arrivait que le pâturage commun profitât surtout aux seigneurs ou aux riches. Il est exact cependant, comme on le verra, qu'à peu près partout les moins fortunés parmi les paysans en tiraient une part de leur subsistance". BLOCH Marc, "La lutte pour l'individualisme agraire... Première partie...", *op. cit.*, p. 336.

1380BLOCH Marc, "La lutte pour l'individualisme agraire... Première partie...", *op. cit.*, p. 344. In fact, this specificity of this sort of right of pasture only can be understood if compared to the right it is opposed to, that is the right of common herd (*troupeau commun*): "TROUPEAU A PART (*droit de*). On appelait ainsi, sous le régime féodal, le droit exclusif qu'avait le seigneur d'un territoire d'y faire paître son Troupeau par un berger ou pâtre particulier. Ce droit emportait, pour tous les autres habitants, l'obligation de ne faire paître leurs bestiaux que sous la garde d'un berger ou pâtre commun à toute la paroisse." MERLIN Philippe-Antoine, *Répertoire Universel et Raisonné de Jurisprudence*, Vol. 35, Bruxelles, H. Tarlier, 5th edition, 1828, p. 191.

commonage was a form of violation of the peasant's property. Therefore, theoretically, the denunciation of the right to separated herds should be founded on the right of property already discussed above: the *seignior* who temporarily uses the peasant's field without his permission, and without any sort of retribution, appropriates and uses for his own purpose the forces that are crystallised in the land previously ploughed by this worker.

Nevertheless, this condemnation of commonage in the name of property works if and only if property is considered as an exclusive possession of an object on which the owner has an absolute right of *fructus*, *usus* and especially *abusus*. The appropriation of the object gives me the right to forbid the other of any use of the land. In other words, the relation to this object allows me to absolutely restrict the field of action that can be performed on it by others. This form of exclusivity does not exist anymore when property is defined as a right of using the land since various uses of the same field are possible. Indeed, according to Fichte, there is no contradiction between the action of the miner who uses the subsoil of a field and the peasant who uses its surface. Likewise, the villagers, who send their herds to pasture on the part of the field which has been left uncultivated, do not disturb the owner's use of the same land. There is no right to exclude the other when the owner's use is not disturbed. This exclusion is allowed only if the other's use prevents me from deploying my own activity on the surface of the land which has been allocated to me: the other "must not pick from the tree whose fruit the latter should pick, or harvest the field that the latter should harvest."¹³⁸¹ Therefore, exclusivity does not constitute the absolute restriction of the field from the uses others could perform on the land, but offers the exclusive right to a determined action on this portion of nature. Because the field is not mine, I have no right to prevent you from using it if this use does not put a stop to my activity. This allows a common use of the earth in which the same space is the object of *different* activities.

Nevertheless, does it allow us to consider Fichte as a fervent supporter of these sort of community practices? It is correct to say that they appear several times in the text, not only through the form of *commonage* but also through the form of the *commons*. Here, let us clarify that it is necessary to make the distinction between these two forms of collective use of the earth which are generally confused: commonage is a right of use exercised on a private domain whereas commons are collective goods owned by a community (generally, the commune)¹³⁸²; the one is a collective

¹³⁸¹FICHTE, *The Closed Commercial State*, *op. cit.*, p. 131.

¹³⁸²On this distinction, see BÉAUR Gérard, "Un débat douteux. Les communaux, quels enjeux dans la France des XVIIIe - XIXe siècles ?", in *Revue d'Histoire Moderne & Contemporaine*, n°53-1, 2006/1, 89-114. See also VIVIER Nadine, *Propriété Collective et Identité Communale. Les Biens Communaux en France de 1750 à 1914*, Paris, Publications de la Sorbonne, Histoire de la France aux XIXe et XXe Siècle, 1998. p. 20 *sq.* ; CORVOL Andrée, *L'Homme et l'Arbre sous l'Ancien Regime*, *op. cit.*, p. 497. Now, even if this distinction between collective right of use and collective property should be maintained, in practice, the historical reality is sometimes much more complex and ambiguous. Andrée Corvol has explained the complex mechanisms by which the right of using the forest

right, the other is a form of collective property¹³⁸³.

Now, Fichte does not only claim that commonage is not a violation of property, he also defends a sort of collective property: “uncultivated land is the property of the populace; for when the land was divided up, this land was not given to any individual”¹³⁸⁴. The substance of these spaces (the soil) corresponds, according to Fichte, to a sort of reserve that the populace could draw on in case more land would need to be redistributed. Nevertheless, it remains that when this reservoir is not used for redistribution, its accidents can be used for public purposes, since goods that grow wild would perish if they were not collected (Fichte refers here to timber, fallen wood and wild berries). However, Fichte is far from promoting the collective management of land since its condition of possibility is that the soil remains uncultivated; as soon as the land is cultivated, this collective property disappears as well as the right of using its accidents.

Likewise, regarding commonage: although Fichte does not agree with the argument that it would violate the right of property, he never refutes the second criticism generally addressed against this collective right. Indeed, as we see in the citation above, between 1793 and 1800, Fichte never changed his position on this point: commonage is not profitable from an economic point of view. The economists (especially the physiocrats) and the agronomists, who promoted the modernisation of agriculture, criticised commonage because it was strongly tied to crop rotation. As a fundamental part of this technic, the obligation to leave uncultivated a part of the land from the sowing of seeds to harvest meant the impossibility of any intensive farming¹³⁸⁵. This point shows how Fichte is far from being opposed to the modernisation of agriculture which was promoted by the physiocrats and the economists. However, the question of his position concerning commons and commonage remains open.

sometimes shifted to the collective property. CORVOL Andrée, *L'Homme et l'Arbre sous l'Ancien Regime*, op. cit., pp. 497-498, p. 505-506.

1383In a call for proposal, Fabien Locher gives a interesting definition of these commons: “Environmental commons are forms of organization by which communities govern their environments and resources via forms of collective ownership: pastures and forests, wetlands and moorland, watercourses and irrigated systems, fields and gardens, fisheries, intertidal zones, material and fuel deposits, etc. These systems are managed by their rights holders and often combine fully common property with collective use rights”. LOCHER Fabien, “The environmental commons: communities, practices and institutions. Historical approaches, France and the French colonial empire, 17th-20th centuries”, Call for contributions, - Paris, 14-15 November 2016, <https://networks.h-net.org/node/14491/discussions/117326/cfp-environmental-commons-communities-practices-and-institutions>.

As for commonage, the identification of the commons with a sort of “poor's patrimony” is by nothing evident and is question discussed by historians. Nadine Vivier considers for example that poor were generally excluded from these portion of the territory of the commune. VIVIER Nadine, *Propriété Collective et Identité Communale*, op. cit., p. 54 and p. 293 sq.

1384FICHTE, *Foundations of Natural Right*, op. cit., p. 191.

1385BLOCH Marc, “La lutte pour l'individualisme agraire... Première partie...”, op. cit., p. 334-335. This economic argument has also been advanced against the commons. See VIVIER Nadine, “Les biens communaux en France de 1750 à 1914. État, notables et paysans face à la modernisation de l'agriculture”, *Ruralia* [En ligne], 02, 1998, online since the 25th January 2005, connection the 4th December 2016.

Be that as it may, this redefinition of exclusivity (and thus, of property) makes it possible to grasp the situations in which the condition for the conflict is impossible. A grammar of conflict, as it intends to identify the logics of action that structure conflictuality, often pay a specific attention to these non-conflictual situations since they help to clarify the positive circumstances that lead to a state of war. In the precedent chapters, we already met certain situations of peace which were composed of conditions that were necessary but not sufficient to lead to war. In Hobbes and Malthus, as we explained, exclusion has no power to trigger any conflict, if the scarcity of land as an essential condition was not appended, since those excluded could perfectly relocate in order to find another place (in the case where land was abundant). Likewise, Hegel claimed that forms of verbal misrecognition as insults were not real occasions to bring two consciousness into conflict with each other. Nevertheless, these situations gathered a set of conditions that could be qualified as conflictual since they are necessary but not sufficient conditions.

However, the case of common use as presented by Fichte is quite different since the elements of the situation are absolutely non-conflictual. Nevertheless, these are not insignificant since they are components of a situation that potentially could lead to a situation of conflict from the point of view of another grammar, but that are not motives of struggle from the point of view of grammars of action. Indeed, if we refer to the grammar of having, it is clear that commonage may lead to a conflictual situation since the one who *possesses* a field may be opposed to the use of his property for pasture. Nevertheless, from the point of view of the grammar of action, this double use of the same field should not raise any issue since the actions on the object are not opposed. The comparison of these two points of view help clarify, through contrast, the elements required for the outbreak of a conflict. These statements will be clarified later.

For the moment, it is suffice to note that these remarks on the peaceful state (and the conceptual consequences it has on the way conflictuality is understood) lead us to the central point we are dealing with in this chapter, that is to say, the fact that Fichte developed a specific grammar of conflict centred on action.

Before we go any further, we would like to expose some provisory conclusions about what we have just said on Fichte's theory of property. We have argued in this section that 1^o the original right to be a cause in the sensible world was the ground of property. 2^o Property was then the part of the sensible world subjugated to my ends (since to be a cause in the sensible world means to make a part of the world correspond to the concept of my end). 3^o This “definition” was ambiguous because it was unclear if property made reference to an object or if it only referred to the action exercised on the world (the problem of the objective aspect of property). 4^o This is why we were led to analyse the central concept of the sphere of activity. Doing so, we found that the sphere contains objects only to

the extent they were an object-for-an-activity. 5⁰ we asked if these objects included in the sphere were possessed by the subject or if property should be defined only in term of activity. Here, we responded that property is first of all a right to act before being a right to objects. However, as we will see, this does not mean that *in fine* any form of appropriation of the object should be excluded from the concept of property. We shall see that even if the question of the possession of the object is secondary to define property, it is inevitably reintroduced, even if discreetly, since a certain dimension of appropriation remains the relation I have with the object. This point will be essential to evaluate the grammar of action and its pretensions to provide an adequate grammar of ecological conflicts. 6⁰ Finally, we show that, elaborating a concept of property based on the right of use of land, Fichte completely reversed the traditional definition of the right to property.

Now, in order to adopt a global perspective on this section so as to properly characterise Fichte's theory of property, we should say that, in these passages of the doctrine of right, Fichte outlines a powerful and authentic right of the use of the earth. Recently, the concept of use received renewed attention in political philosophy, especially in the works dedicated to the question of commons, exemplary of this is the work of Dardot and Laval who, against all forms of reification of the commons (which would consist in identifying it with a thing), defined it in terms of use and action¹³⁸⁶. Interestingly, they strongly oppose the right of use to property, arguing that the common deals with the unappropriable (*inappropriable*)¹³⁸⁷. Although, this might be surprising at first sight, we hope to have shown that Fichte's philosophy of right can legitimately be ranked among the authors that deeply contributed to the elaboration of a concept of use in the frame of a philosophical reflexion on law¹³⁸⁸.

However, this must not allow us to forget the differences that exist between this reflexion on the common and Fichte's. Dardot and Laval radicalise the opposition between property and the right of use as something not only opposed to private property but also to State property. This is clearly not the case with Fichte, since he considers, as we will see further, that State is the real possessor of the lands. Moreover, contrary to Dardot and Laval, Fichte maintains exclusivity as a fundamental characteristic of this right of use, and, for this reason such a right is legitimately identifiable to a form of property. For the same reason, it would be hard to claim that Fichte is concerned with a philosophy of the common in the texts referred to in the previous lines. It is correct to say that

1386DARDOT Pierre and CHRISTIAN Laval, *Commun. Essai sur la Révolution au XXI^e Siècle*, Paris, La Découverte, Poche, 2015 [2014], p. 468 *sq.* See also Paolo Napoli's article PAOLO Napoli, "Usage", in CORNU Marie, ORSI Fabienne, and ROCHFELD Judith (eds.), *Dictionnaire des Biens Communs*, Paris, PUF, Quadrige, 2017, pp. 1185-1189.

1387DARDOT Pierre and CHRISTIAN Laval, *Commun, op. cit.*, p. 481.

1388Dardot and Laval dedicated to him some pages of their magistral work. DARDOT Pierre and CHRISTIAN Laval, *Commun, op. cit.*, pp. 356-357.

Fichte legitimises the idea that the same land can be the object multiple uses; however, the exclusivity of the right of use makes it impossible for two individuals to develop the same activity on the same land: two peasants cannot cultivate in cooperation the same field. There is no real common action because everyone develops their own activity separately (everyone plows separately their own field). Admittedly, it may happens that different uses of the same land do not enter in contradiction (the right of commonage provides a good illustration of that case). Subsequently, a shared use of the land is thinkable. However, this case remains secondary in Fichte's work. Furthermore, the share use of the land is not a common use of the land. In Fichte's texts dedicated to this question, individuals make different uses of the same land but they work in cooperation the same land. For instance, they do not cultivate in cooperation the same plot. In other words, there is no common activity. Finally, rules of use are not decided in common, which is a fundamental characteristic of the common, according to Dardot and Laval¹³⁸⁹. Thus, the common is not the real object of Fichte's work on right, it is rather a question that accidentally crosses over his reflection on use in general. Fichte's doctrine of right is more a philosophy of the use of the earth than it is a philosophy of the common. Nonetheless, as we will see, the articulation of both notions will have a considerable influence on latter works written on the struggles for the common use of the earth, especially in Marx and marxist historiography.

1389DARDOT Pierre and CHRISTIAN Laval, *Commun*, *op. cit.*, pp. 476-478.

III) Land-use Conflicts

We will now approach the core of this third part of our thesis, namely the struggle for the use of the earth. Conflicts for land are not the immediate object of Fichte's research, but his concept of property implicitly contains a grammar of struggle for the use of land – and as we shall see, his concept of activity had a fundamental influence on latter writings that dealt with this topic, especially on Marx.

We showed how grammars of conflict are highly dependent on the way we think about property as well as the access to land. We showed that the identification of property with the possession of land lead inexorably to a conflict between the owner and the non-owner. Fichte's renewed concept of property, elaborated in 1796, was developed in order to get rid of the dispute centred on appropriation (which was insolvable within the Lockean paradigm of session). Indeed, if no one possesses the land (and more generally the means of production), it becomes impossible (or at least harder) to make the other work and to exploit them. Thus, the theory of property produced a conflict whose form corresponded to the specific way in which the right we have on things was understood: that is, the right of property defined as the right to possess land (and more generally a thing) led to the idea of a struggle for appropriation, which is fully exemplified by a certain reading of the history of peasant revolts.

Now, in general, theories of property are strongly connected to a grammar of conflict not only because such theories cause situations which are structurally conflictual, but also because the notion of property contract, as a means of resolving disputes (*Rechtstreit*)¹³⁹⁰, usually implies a preexisting state in which individuals come into conflict with each other. This is precisely what happens in Fichte theory of right: the theory of property is explicitly related to the situation of conflict. Even more pertinent is the fact that the revision of the concept of property in terms of activity, gives rise to an original theory of conflict based on the use of the earth.

¹³⁹⁰FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 166. FICHTE Johann Gottlieb, *Grundlage des Naturrechts nach Prinzipien der Wissenschaftslehre*, Hamburg, Felix Meiner, 1991 [1796-1797], §17, p. 185 (from now, abbreviated as follows: FICHTE Johann Gottlieb, *Grundlage des Naturrechts*, *op. cit.*).

III.1) The Seat of Conflict

Now, from an argumentative point of view, Fichte claims that a theory of conflict should provide a justification of this renewed theory of property. Indeed, if the right of property is understood as a means of solving disputes, these conflicts must say something about the way they are resolved: “if the conflict has actually been resolved, the seat of the conflict will without doubt also be the seat of the resolution of the conflict”¹³⁹¹. Such a theory of conflict is thus the key to explaining the transformation of the concept of *dominium*. Hence Fichte asks himself: “How do (...) several men, between whom the right to property is to mediate, come into conflict, and what is the seat, properly understood, of their conflict?”¹³⁹². Here is the fundamental question that every grammar of conflict should answer: where and what is the centre of gravity of conflictuality?

Fichte points out that property presupposes a state of conflict, but he also specifies the situation in which conflict is absent (what we have called the “non-conflictual situations” or the state of peace):

“Our theory is proved, and the opposing theory refuted, in the following way: That one person should receive something as his own happens only to mediate the conflict of many over this same thing. We cannot speak of the property of a man living in isolation on an inaccessible island. The concept of property doesn't apply to him at all, since he may take for himself whatever he wishes and is able to take.”¹³⁹³

In this text, Fichte seems to be referring to the abstract situation spoken about earlier, original right (*Urrecht*). Indeed, a man living in isolation on his island corresponds to this abstraction, which consists in separating a man and his will from the others. This isolated man has an unlimited right on all things: “If – as occurs in the deduction of original right – a person in the sensible world is thought of as isolated, then (*as long as* he does not know of any person outside himself) he has the right to extend his freedom as far as he wills and can, and – if he so desires – the right to take possession of the entire sensible world.”¹³⁹⁴ This man is a world consumer, who may possess, use and devour everything. Nonetheless, this fictional situation by which the original right is obtained is non-conflictual since there is no one who may be opposed to the extension of his will on the world.

On the contrary, rights (and thus, the right of property) appear in a context in which men

1391 FICHTE, *The Closed Commercial State*, *op. cit.*, p. 131.

1392 *Ibid.*, p. 131.

1393 *Ibid.*, p. 131.

1394 FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 111. See also: “Originally all have the same right to everything, which means that no one's right takes precedence over the right of anyone else”. FICHTE, *The Closed Commercial State*, *op. cit.*, p. 92.

exists alongside each other. Indeed, rights are defined by the “coexistence of the freedom of several beings”¹³⁹⁵. Nevertheless, “before” this coexistence is instituted by the application of rights, there is a situation filled by the possibility of conflict. This situation occurs when different individuals coexist in the same space. This spacial coexistence differs from the coexistence of freedom (which presupposes a harmony between individuals' respective activity) since it only consists in a simple aggregation of individuals and their distribution over the same space. Now, if different individuals are brought together in the same space and if each of them has the right to an infinite quantum of freedom, it is inevitable that these free activities will overlap. In a finite space, because the infinite extension of the scope of my free actions, I will necessarily end up annihilating the other's freedom and thus violating his original right. Fichte describes perfectly such a space in which the coexistence of individuals degenerates into conflict due to the clash between activities:

“A crowd of men live together within the same circle of efficacy. Each one stirs and moves about within this circle, freely pursuing his nourishment and pleasure. One of them crosses the path of the other, tears down what the other had built, and either destroys or uses for himself what the other was counting on.”¹³⁹⁶

Here the space of coexistence clearly contrasts with the island of Robison Crusoe we previously described and the original right he exerts in his deep loneliness. Furthermore, it is not depicted as a material territory but as a global field of action. This field is made of all the actions that individuals can exert in a delimited perimeter. Now, within this territory, everyone could remain enclosed within their own spheres. However, the problem is that individuals cannot stay in their own place since they have a natural tendency to leave their home, to travel, and to cross the other fields: the “merchant” wants “to travel about in order to peddle his wares; the herdsman to graze his cattle; the fisherman to cross the farmer's land to reach the riverbanks, and so on”¹³⁹⁷. From that moment, it becomes quasi impossible to prevent the exteriorisation of their respective activity coming into conflict: “so long as all remain quiet in their neighbours' midst, they will not come into conflict; it is only when they first bestir themselves and move about and create that they collide against one another”¹³⁹⁸. Conflict breaks out precisely when individuals' respective spheres of activity cease to be opposed (that is when they are exterior to each other), overlap and finally clash.

It is important to note that, here, activities do not clash because they are exerted in the same space. As we already argued, the entanglement of different uses is possible: the shepherd can pasture his herd on the agriculturist's land and the miner can use the subsoil at the same time.

1395FICHTE, *Foundations of Natural Right*, op. cit., p. 85.

1396FICHTE, *The Closed Commercial State*, op. cit., p. 91.

1397FICHTE, *Foundations of Natural Right*, op. cit., p. 170.

1398FICHTE, *The Closed Commercial State*, op. cit., p. 93.

Collisions occur when the exteriorisation of my activity becomes impossible because the other's freedom interferes with it. In this regard, the already mentioned example of the hunter preserving the forest which provides him the game: "one cannot displace or level the trees in his woods without rendering useless all the knowledge he acquired (thus robbing him of it), without impeding his path as he pursues game (thus making it more difficult or impossible for him to acquire his sustenance), that is, without disturbing the freedom of his efficacy"¹³⁹⁹. Thus, by affecting the part of the sensible world I use (clearing the forest to provide himself timber), the other restricts the freedom of my efficacy: when the trees are cut down, the game disappears (its habitat being destroyed). I cannot hunt anymore. Conflict is, therefore, a collision of two wills (or better said, two activities). Fichte thus concludes that "Free activity is the seat of the conflict of forces"¹⁴⁰⁰.

Here, it is important to pay attention carefully to what this statement implies as well as to assess which type of conceptual displacement Fichte performs to theories of conflict. Indeed, it amounts to saying that conflicts are no longer centred on the appropriation of land and all the prerogatives that derive from the possession of the object.

Concretely, it means that I do not enter into conflict with the other to have total control over the delimited space I claim, but instead, just for a specific use of this land. As mentioned, the identification of property with the possession of an object has as a consequence that the fact that use is subordinated to possession. In other words, the possession of land grants the right to determine the full range of the possible uses of this object and thus the right to ban the other from any use of it. The struggle for the possession of the land is thus a struggle for the control of the totality of the possible uses of it; it is a struggle motivated by the will of being, a despot for each territory. In this case, the individual does not just want to prevent the other from felling the trees in order to practice his cynegetic activity; he also reclaims the possibility of banning him from collecting the wood, sending to pasture his animals and any other possible uses, even if these activities do not interfere with the hunting. On the contrary, from the moment the struggle is motivated only by a specific use of the object, the use ceases to be subjugated to possession and the absolute control of the thing becomes obsolete. Concretely, it means that I fight for the right for the possibility of using the forest in a specific way without being disturbed by the other, not for the right of preventing the others to perform other activity that would not block my freedom.

As we have just said, the displacement of the seat of the conflict from possession of the object to the conflictual use of it justifies Fichte's renewed concept of property. Starting from the premise that the seat of the conflict is also the seat of its resolution, then if free activity is the centre

¹³⁹⁹FICHTE, *Foundations of Natural Right*, op. cit., p. 106.

¹⁴⁰⁰FICHTE, *The Closed Commercial State*, op. cit., p. 93.

of this conflictual dynamic, then “it is the true object [*Gegenstand*] concerning which the conflicting parties negotiate treaties” and “in no way are things the object of the treaty”¹⁴⁰¹.

Here, we cannot help but think of German peasant conflicts that Fichte mentions in his writings concerning the French Revolution. In the already mentioned passage of the *Contribution*, which is dedicated to the *corvée* and the right of the *seigniors* on the cultivators' goods, Fichte reports of a peasant uprising against services (*Diensten*) which took place in “some of the states” (*eines gewissen Staats*) of Germany “few years ago” (*vor einigen Jahren*) and was repressed by *dragonnades* (*dragonaden*)¹⁴⁰². It is quite possible that what he is referring to are the saxon peasants' revolt of the summer 1790, events that are often considered as being an echo of the French Revolution in Germany¹⁴⁰³. Indeed, in a letter dated from the Summer 1790, Fichte had already sympathetically mentioned the occurrence of a peasant revolt in Saxony¹⁴⁰⁴. Moreover, the sequence of the events which occurred in this summer correspond to those narrated by Fichte: “on 3 August 1790, the rebels refused to perform the *corvée*, movement that rapidly spreads through the neighboring and finally extended to over 5 000 square kilometers”¹⁴⁰⁵. The *Jacques* invaded various manors houses and burnt the manorial documents in which their obligations were recorded. Finally, the government sent 5000 men to end this massive uprising, measures that may explain why Fichte alludes to some *dragonaden*¹⁴⁰⁶. Our point is that this conflict is not reducible to the issue of forced labour, but was first concerned with land use. In fact, all began when the *seigniors* decided to reduce the pasture land that they formerly allowed peasants to use to graze their animals. This measure caused indignation among the rural population who, during

1401 *Ibid.*, p. 93.

1402 FICHTE, *Beitrag*, *op. cit.*, pp. 194-195.

1403 LÜSEBRINK Hans-Jürgen and REICHARDT Rolf, “L'écho de 1789 en Allemagne”, in *Dix-huitième Siècle*, n°20, 1988, pp. 259-276.

1404 See Frederick Neuhausser's introduction to Foundations of Natural Right. FICHTE, *Foundations of Natural Right*, *op. cit.*, p. X. In the *Contribution*, Fichte adopts a more critical view on the actions waged by the peasants since he qualifies it as being a rough attack against the right of property (*ein grober Eingriff in das Eigentumsrecht*). It is quite hard to say what Fichte has in mind, but he probably wants say that peasant refused to pay interest on the lord's lands they use, which is a violation of property since the seignior who provides the capital (the land) must be retributed for it. As we have seen, the problem is not that the peasant has to pay a rent for using the lord's land. The problem for Fichte is that the peasant cannot divide the land he own from the lord's field (which is given as a capital) and take it back when he considers that the rent is too high, which allow the latter to high the price (payed in services) as much as he wishes. Then, Fichte condemn the lords exploitation of farmers as well as the conduct of the latter. He claim that the problem could have been solve without violence (*i.e.*, without *dragonnades*) and without attack on property: “*Sollten diese Vorrechte auch anfänglich nicht so entstanden sein, so kommt doch durch Verkauf der Ritter- und der Bauerngüter bald alles ins Gleiche*” FICHTE, *Beitrag*, *op. cit.*, 193. The solution is then a form of redistribution of land: the peasant could be allowed to buy the lord's land if he want to use it. Thus the problem is thus that the farmer has no land in the strict meaning of the term “having” (even when he possesses a land, it is always part of the Lord's estate and then it is not really his) and that this appropriation is central for him. Consequently, the appropriation of the *land*, the appropriation of the *land product* and the appropriation of the *forces* are here center of the conflictual dynamic.

1405 BLUM Jerome, *The End of the Old Order in Rural Europe*, Princeton, Princeton University Press, 1978, pp. 337-338. See also BURG David F., *A World History of Tax Rebellions: An Encyclopedia of Tax Rebels, Revolts, Riots from Antiquity to the Present*, New York, Routledge, 2004, p. 309.

1406 LEMARCHAND Guy, “Pour une typologie des troubles ruraux en Europe (1760-1802)”, in *Cahiers d'Histoire. Revue d'Histoire Critique*, 94-95, 2005, pp. 27-56. In fact, the government's reaction was not violent since there were sentence to death and (158 persons were imprisoned and the others were pilloried).

the previous period (1789-1790), had suffered from a terrible drought and a poor harvest. At this time, peasant unrests were also linked to the introduction of new crops and technics by the *seigniors*¹⁴⁰⁷. Finally, and more importantly, the damage inflicted to the farmer's crops by the game protected by the *seigniors* for the purpose of hunting functioned as another cause of this conflict. It should be noted that hunting privileges were one of the seigniorial monopolies which aroused antipathy and active opposition in Europe¹⁴⁰⁸. Sometimes, the whole economy and ecology of a territory was shaped by the preservation of game. For instance, in the royal forest of Windsor, which would be the theatre of a bloody repression in 1723, "all was subordinated to the economy of the deer"¹⁴⁰⁹ says E. P. Thompson. Indeed, the royal prey did not reproduce itself abundantly without human intervention: the animal, which feeds principally upon grass and leaves, requires extensive grounds; sheep had to be kept away from it because both competed for the grass; during the winter, browse wood cut by the keepers had to be left lying; and finally, some of the favourite haunts had to be kept untouched during the whole year. Finally the practices of the inhabitants of the forest were often held responsible for the low quantity of deer, notably the excessive extraction of peat that was accused of destroying the animal's habitat¹⁴¹⁰. In return, the deer, which appreciated the crops, recurrently devastated the peasant's field. This is precisely what stirred up the peasant unrest in Saxons in 1790. More precisely, the uprising started from overall depredation. In all of these cases, the seat of conflict consists in the use of land: 1° use of *seigniors* land by peasants to graze animals against private appropriation and land use restrictions 2° hunting against crops 3° traditional use against innovation. Therefore, the question of appropriation was not the first cause of conflict. Indeed, the demands for the end of obligations, forced labour and the return of land corresponded to a widening of the target of the protest. Those demands surfaced during the outbreak of 1790 but were not the original motivations that lead the peasants to rise against the seigniors¹⁴¹¹. It should be noted that in Germany even the struggle against forced labour were not reducible to a problem of appropriation. For instance, the *corvée* (which was one of the most important causes of conflict), was admittedly caused by the appropriation of peasant labour power (they could not work in their own plot of land whilst working for the seigniors), but it was also considered by the rural populations as a violation of their freedom¹⁴¹².

1407BLUM Jerome, *The End of the Old Order in Rural Europe*, *op. cit.*, p. 336.

1408BLUM Jerome, *The End of the Old Order in Rural Europe*, *op. cit.*, pp. 336-338. The same was true in other parts of Europe. See for example the case of France in BERCÉ Yves-Marie, *Croquants et nu-pieds*, *op. cit.*, p. 138.

1409THOMPSON Edward P., *Whigs and Hunters. The Origin of the Black Act*, London, Penguin Books, 1990 [1975], p. 31.

1410THOMPSON Edward P., *Whigs and Hunters*, *op. cit.*, p. 41.

1411BLUM Jerome, *The End of the Old Order in Rural Europe*, *op. cit.*, p. 338. Grain shortages and high prices, ethnic and religious rivalries, rumors and military conscription are other causes of peasant unrests. BLUM Jerome, *The End of the Old Order in Rural Europe*, *op. cit.*, pp. 340-346. On the peasant revolts in Germany see also WEIS Eberhard, "Révoltes paysannes et citadines dans les Etats Allemands sur la rive gauche du Rhin, de 1789 à 1792", in *Francia* 3, 1975, pp. 346-358; RENAULT Rachel, "Refuser l'impôt, définir le bien commun. Antifiscalisme et pratiques politiques ordinaires en Allemagne au XVIIIe siècle", in *Politix*, n°119, 2017/3, pp. 79-100.

1412"Les conceptions du droit et les systèmes de valeur paysans entraient en ligne de compte dans leur inclination à la

As above, Fichte had already explicitly mentioned in the *Contributions* about that such concrete struggle for land and at the beginning of the *Close Commercial State* (and the other passage we will comment so on) the conflictual space he describes strongly evokes such events. But does Fichte really refer deliberately to historical reality in the more abstract texts he dedicates to land use conflicts? One can argue that this state of violence, which arises from the friction of freedoms, is in fact nothing more than a fiction that Fichte has to presuppose in order to think about, by contrast, the contract of property by which these tensions should be resolved. In other words, what is the status of this conflictual space exposed by Fichte in his political writings? Does it correspond to an empirical reality or is it simply a thought experiment? Whether such discussions be a part of the framework of the transcendental and metaphysical deduction of the *Foundation of the Natural Right*, or in the framework of a rational construction of a rational state – that is, a state which is in totally conformation to right and reason and does not presuppose any empirical relation between men – it is clear that Fichte does not refer to historical facts in these other writing, such as as he did in the *Contributions*. That said, Fichte never uses the expression “state of nature” to qualify a state of conflict that a contract of property brings to an end. While some commentators seem to accept such a terminology (without really calling it into question) when they refer to a conflictual state¹⁴¹³, others highlight the fact that, according to Fichte, the definition of natural rights does not mean an hypothetic going back to a fictive origin in which man would exist outside state or community. Indeed, natural right, as it is defined by jusnaturalists, is a contrary concept: if the right (which tells us what one is allowed to do) is instituted, it is not natural; if it is natural, it lies in the individual consciousness (which tells them what it has to do) and then it is not a right any more¹⁴¹⁴. In fact, “there can be no rightful relation between human beings except within a commonwealth and under positive law”¹⁴¹⁵ and the State itself is “the human being's natural condition”¹⁴¹⁶. If then community is the state of nature of man, there is no such thing as a hypothetic genesis of the State

résistance. Celle-ci ne peut être réduite à des considérations économiques. Une plainte revenant à intervalles particulièrement fréquents visait les corvées, auxquelles on attribuait tendanciellement un effet analogue à celui du servage qui s'exprimait par exemple sous la forme d'un service obligatoire applicable aux enfants des sujets. Le rôle exceptionnel que jouent les corvées comme cause de résistance et comme source de protestation, découle d'une convergence de faits très différents les uns des autres. Les corvées représentaient incontestablement une lourde charge économique. Elles perturbaient l'organisation et le déroulement du travail du paysan sur sa propre exploitation. Elles étaient ressenties comme une atteinte concrète, toujours corporelle, à la liberté personnelle. (...) Pour faire court, on peut considérer la résistance aux corvées comme le symbole de la résistance des sujets quel qu'ait été le domaine du conflit, celui-ci pouvant aussi bien porter sur des revendications de principe sur la propriété et la liberté que sur des affaires de quelques sous.” BLICKLE Renate, ULBRICH Claudia, BRIERBRAUER Peter, “Les mouvements paysans dans l'Empire allemand, 1648-1806”, in NICOLAS Jean (ed.), *Mouvements Populaires et Conscience Sociale*, op. cit., p. 29.

1413DUSO Guiseppe, “La philosophie politique de Fichte: de la forme juridique à la pensée de la pratique, in *Les Etudes Philosophiques*, n°56, 2001/1, pp. 49-66.

1414FISCHBACH Franck, *Fondement du Droit Naturel: Fichte*, op. cit., p. 9.

1415FICHTE, *Foundations of Natural Right*, op. cit., p. 132.

1416Ibid., p. 133.

from a fictive state of nature¹⁴¹⁷.

Nonetheless, it cannot be denied that Fichte sees the contract as a form of resolution of a preexistent state which is characterised by a certain degree of conflictuality. Moreover, the description Fichte gives of this situation strongly resembles the way Hobbes depicts the state of nature:

“In this state of existence, no one is free, since all are free without limitation. No one can carry out anything in a purposeful fashion and count for a moment on it lasting. The only remedy for this conflict of free forces is for the individuals to *negotiate treaties among themselves*”¹⁴¹⁸.

Then, even if Fichte does not use the terms “state of nature”, a conflictual state underlies the concept of contract which comes to resolve the tensions contained in this preexistent situation. Thus, although this state of war does not necessarily correspond to an original moment, conflict is however a *possibility* that rights (and especially the right of property) comes to exercise. Be that as it may, even if this state of war is not necessarily identified with the state of nature, it clearly does not refer to any immediate historical situation. That said, given the proximity of the grammar of conflict developed by Fichte with the peasant struggles for the use of land already mentioned, it is hard not to argue that the historical reality appears through the abstract and conceptual elaboration of rights. It will be up to the subsequent traditions to historicise this philosophical mode of conflictuality (here, we especially think about Marx's articles on the Law on Thefts of Wood).

III.2) Incertitude, Recognition, Distribution and Activity

The centrality of the use of the earth as the seat of conflict should not be taken as absolute since the description Fichte gives of the conflictual interaction is complex and implies various levels. In fact, it seems correct to say that Fichte's analysis focuses rather on a series of conflicts than on a unique situation of conflict. In this sense, we agree with Marc Maesschalck that one can see a constant resurgence of the problem of conflict and a progressive rise in violence throughout Fichte's texts¹⁴¹⁹. A full description of these different levels of conflict shows that its dynamic is made of heterogeneous elements such as *incertitude*, *diffidence*, *recognition* and even *distribution*. Now, despite the multiplicity of these factors, we maintain that the principal motor of struggle is the activity individuals exert over land. This will appear through a detailed analysis of the whole conflictual dynamic. By comparing these different components, we will put forward the argument that the exteriorisation of activity is the fundamental element of the dynamic.

1417FISCHBACH Franck, *Fondement du Droit Naturel: Fichte*, op. cit., p. 10.

1418FICHTE, *The Closed Commercial State*, op. cit., p. 92.

1419MAESSCHALCK Marc, *Droit et Création Sociale chez Fichte*, op. cit., p. 118.

The first level of conflict appears with the deduction of the right of coercion, present in §8 of the *Foundations of the Natural Right*. Fichte starts this section by arguing that the coexistence of freedoms is possible only if each individual limits his own freedom through the possibility of the other's freedom. Indeed, the individual has the physical capacity to interfere with the another's freedom, even to annihilate it completely¹⁴²⁰. From that moment, if I hinder the activity of the other, the coexistence of our freedoms becomes impossible. Thus the physical possibility of interfering with the freedom of the other makes the coexistence of freedoms (and thus the right itself) problematic, a reason why everyone has to limit themselves. It should be noted that it is not incorrect to argue here that this interference may include some form of domination. Admittedly, this interference can be thought of in terms of blockage: I can prevent the other from acting on a piece of land since I have already extended my sphere of activity over it. Nevertheless, this interference can also be a form of influence: in this case, I subjugate the activity of the other to my own will. For example, I can force the other to adopt certain practices that they does not want, for example, changing the way they use their environment.

Now, this law of self-limitation (the law of right) is hypothetical and conditioned: I am bound to respect the law only if the other does the same, that is to say, if he limits his freedom and does not interfere with mine. Nevertheless, if this first condition is not respected, if he has not given this law to himself, I am not subjected to this law of right, and I am no longer bound to respect the other's freedom. If this particular case, “I may violate the other person's freedom and personality, and my right is thus a *right of coercion*”¹⁴²¹. The right of coercion is thus grounded in the fact that the other does not subject himself to the law and its limits lies in the other's voluntary subjection to this rule of self-limitation¹⁴²². In other words, it allowed to block the other's activity in order to constrain him to respect my freedom until he subject himself to the law of coexistence (subjections that determines the the limit of my right). This right is not just a power to coerce since the person who enjoys it “must himself stand under the law and be thought of as having subject himself to it”¹⁴²³.

Now, the first wave of conflicts starts with this right of coercion: “as soon as the right of coercion comes into being, it is no longer possible for humans to live peacefully alongside one another without some kind of agreement”¹⁴²⁴. Indeed, according to what we have just said, the right of coercion appears when the other transgress the law of right, that is to say, when he does not limit his freedom or interfere with my own activity. From that moment, I can do the same and use my

1420 FICHTE, *Foundations of Natural Right*, op. cit., p. 85.

1421 FICHTE, *Foundations of Natural Right*, op. cit., p. 88.

1422 *Ibid.*, p. 89.

1423 *Ibid.*, p. 88.

1424 *Ibid.*, p. 113.

right of coercion, which consists in forcing him to limit his own activity and to respect mine. Here, the conflict would immediately end up with the coercion by which order would be restored.

Nevertheless, there is an element which prevents the resolution of such a conflict. In fact, the initial transgression must not be understood as an insignificant action the consequence of which would be development of an unimportant and ephemeral quarrel; it is an inaugural action that opens an infinite war. Indeed, from the moment someone violates the law of coexistence, the other proves that this law is not inviolable, and that he did not consider it as an universal rule that should be respected in every case (*i.e.*, in the past, the present and the future). One could contest that this act is just an exception and that the aggressor was never unjust; but Fichte retorts that even in the case where the aggressor's action conforms to the law of coexistence, it is not because, in his heart, the law was universal or inviolable, “for quite different reasons”¹⁴²⁵. This conformity is just an appearance and just *one* action that is contrary to the right suffices to reveal his intentions: he acted in conformity with the law but in the depths of his soul, the law meant nothing to him – or at least, it was not universal and could be transgressed. In other words, he never cared about the law since, in his heart, he was an outlaw from the beginning. Because this rejection of the law is more internal than external (it is revealed in his action alone), Fichte claims that a specific “mentality” or a specific “way of thinking” (*Denkart*)¹⁴²⁶ corresponds to the aggressor. This terminology emphasises the fact that the aggressor is not an occasional attacker, but someone who has never really considered the law as a universal rule. As such, Fichte paints a psychological portrait of a type: the outlaw. What defines this psychological profile as an aggressor is not his actions but his intentions: he can act in conformity with the law while despising it in his heart. Nothing is safe with this sort of person. This is why this particular psychological (and then internal) structure creates an atmosphere of insecurity (which is on the other hand objective) as well as suspicion that will amplify a conflict which began with an aggression and a response (with the right of coercion): “now from this it becomes clear that no free being can live securely alongside him, since security can be grounded on a law and becomes possible only by being thus grounded”¹⁴²⁷. From this moment onwards, the right of coercion has no limits. Indeed, if the limit of the right of coercion lies in the other's voluntary subjection to the law of right, and if this aggressor is by definition an outlaw – not only because he acts *presently* in an unjust way but rather because, in his heart, he *never* considered this rule of coexistence as universal and, thus, inviolable in every cases – the right of annihilating his freedom becomes infinite and the conflict endless.

¹⁴²⁵*Ibid.*, p. 90.

¹⁴²⁶FICHTE Johann Gottlieb, *Grundlage des Naturrechts*, *op. cit.*, p. 97; FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 90.

¹⁴²⁷FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 90.

The only way to return to a state of peace would be that the “violator accepts the law as such in his heart and subjects himself to it”¹⁴²⁸. According to this hypothesis, the aggressor would have repented for his crime and would have promised that in the future he would not do such a thing again. As a result, he would finally have accepted the law as such in his heart and his promise would lead to a resolution of the conflict. Nevertheless, this promise is not sufficient to reach a peace agreement and, once again, the infernal dynamic cannot be stopped. Indeed, the quarrel cannot be solved by a simple reparation and the promise that he will never interfere with my freedom again because it is impossible for me to look into his heart, and there is no reason to believe in his sincerity. Although he may have promised he will never be unjust again, such a repentance could be due to his weakness rather than an internal acceptance of the law. Indeed, he may well have accepted the rule of coexistence due to the fact that I forced him through the right of coercion then, once having dropped my guard, he could take advantage of the opportunity to start again. The inaugural act hence has repercussions in time: if he did it once, there is no reason to believe that he will not do it again and again in the future. In short, the *outlaw* is a potential *recidivist*. This reinforces the climate of incertitude spoken about earlier and sows the seeds of mistrust in the other. Here, we are not so far from the cause of war that Hobbes calls diffidence. This feeling hypothesises that in the future the other will sooner or later violate the law of coexistence. As a consequence, “the person who has been violated cannot lay down his weapons and put his entire security at risk on the basis of such uncertainty”¹⁴²⁹. In other words, given that the future is made of an infinite potential crimes, the right of coercion becomes once again unlimited and the conflict is intensified.

Violence is brought to a fever pitch with the reaction of the initial aggressor. However, from his point of view, things are different: indeed, even if we never know it, the aggressor may well have been honest and have accepted to respect the law. His promise could be true and it may be true that he will never transgress the law. However, given that I cannot look into his heart, I will necessarily be inclined to annihilate his freedom. From his point of view, the promise of never interfering with my freedom is sincere and thus my right of coercion should be limited (since the limit of such a right is precisely the voluntary subjection to the law). Now, using this right against him, whereas he subjected to the law, I threaten his entire freedom and, in turn, his original right. Consequently, “he may very well also possess the right to resist and to pursue the other until the other's freedom is completely destroyed”¹⁴³⁰. Here, we are led to a vicious circle: given that I will never be able to look into his heart to check if he really repented, I predict that the other will

¹⁴²⁸*Ibid.*, p. 129.

¹⁴²⁹*Ibid.*, p. 90.

¹⁴³⁰*Ibid.*, p. 91.

annihilate my freedom, and thus I annihilate his own activity using my right of coercion; in return, the other, who had inwardly subjected himself to the law, claims that my right should not be used anymore, and thus uses his own right of coercion, destroying my freedom.

It must be noted that our respective rights of coercion are problematic, they are uncertain: I never really know how far my right is extended since I never really know if the other has accepted the law of right in his heart. The same is true concerning the other: he does not know to what extent will I use my right, and thus, how far he should have to use his to counteract mine. In short, we never know the right we have on each other.

This leads us to the conclusion that at each stage of its development, the conflict is progressively amplified by a common factor which is *uncertainty*. Such is this catalyst that leads the struggle to a point of no return. I never know the intentions of the other, and thus I never know if he will refrain from his activity or if he will annihilate mine. Consequently, I cannot limit my right of coercion, and I am ceaselessly inclined to continue the conflict. Nevertheless, this factor of uncertainty is just a catalyst and not the centre of conflictuality, which remains the conflict of freedoms. Indeed, what really motives me to use my right of coercion is that the other threatens my activity and may interfere with it.

This first wave of conflict does not really involve a relation to the land, or at least, this relation is not mentioned at this level. However, as we already mentioned, violence is a resurgent phenomenon that appears at various levels. To be precise, it emerges “before” the “moment” of the right of coercion: “here we find that this impossibility [of peace] arises even earlier, prior to any right of coercion; it arises with the grounding of any reciprocal rights at all (...)”¹⁴³¹. It is precisely at this point that land is involved.

This previous form of conflict appears in the §12 of the *Foundations of the Natural Right*¹⁴³². In this paragraph, Fichte intends to answer the following problem: although the relation of right demands a reciprocal limitation of freedoms – “if both do not limit themselves, then neither of them does” – such a law of self-limitation remains purely formal; thus, it is inevitable to ask “*how much* should each limit the quantity of his free actions for the sake of the others freedom?”¹⁴³³. Fichte first answers that my efficacy must be external to both the other's body and to the space it occupies in the sensible world. Nonetheless, this answer is not sufficient since the other, as a free being, subjects certain objects of the sensible world to his ends, exactly as I do. This means that my activity should be limited so that I do not use the objects the other chooses to subject to his ends and

¹⁴³¹*Ibid.*, p. 113.

¹⁴³²For a good commentary of this paragraph, see ARRESE IGOR Héctor, “El derecho de coacción como garantía del equilibrio del derecho”, *Revista de Estud(i)os sobre Fichte* [Online], 1, 2010, online since the 14th June 2010, connection the 07th May 2019, URL : <http://journals.openedition.org/ref/320>.

¹⁴³³FICHTE, *Foundations of Natural Right, op. cit.*, p. 110.

reciprocally he should not use the objects subjected to my ends. In other terms, I have to respect the objects the other has subordinated to his ends and, reciprocally, he has to respect the objects I have subordinated to my ends.

The problem is that the subordination of an object of the sensible world to an end is a mental process that only occurs in the consciousness. The difficulty is quite similar to the one already dealt with, namely that it is impossible to look into the consciousness of the other. Indeed, the consciousness does not manifest itself in the sensible world, and, as such, cannot be observed by another consciousness which is external to it. Consequently, there is no possibility for me to know which object the other has subjected to his ends. As Fichte writes, “the object of right are problematic”¹⁴³⁴. Therefore, I cannot refrain my freedom and respect the other's object if I do not know which object he chooses to integrate into his sphere of activity.

At first sight, such an explanation of the condition of the conflict is quite strange. A quick reading of the text gives the impression that the quarrel starts with the fact that I *used* by mistake a land that was already occupied by the other, without my knowing it. Here, it would be easy for the other to clarify the situation, telling me, for example, that he previously possessed the land I am using, and that he was there first. However, this is precisely the clarification which is impossible: indeed, one cannot determine who was originally the first to subject such or such a land under their ends. Fichte clearly refers to one of the classical problems exposed in roman law and that was revisited by the jusnaturalists. In his *Jus Naturae In Usum Auditorum*, Gottfried Achenwall presents the following situation¹⁴³⁵: suppose that Caius and Titus arrive in an inhabited region, given that at the beginning the land belongs to nobody, to who will have the privilege to possess it, and according to which principle? Achenwall answers that the *occupatio* (we have already met when we commented the process of appropriation in Hegel's *Jena Writings*) is a sufficient principle to legitimate property. Now, what happens if Caius and Titus arrive at the same time to the same land? And how can it be proven that one arrived first and not the other? In the *Contribution* Fichte answer to the first question using Leibniz' principle of indiscernibles according to which Caius and Titus cannot be at the same place at the same moment – and if they are, they are the same person¹⁴³⁶. Therefore, if they cannot be at the same place at the same moment, they cannot arrive at the same moment at the same place. Nevertheless, this does not explain how it would be possible to prove

¹⁴³⁴*Ibid.*, p. 113.

¹⁴³⁵For a french translation of the passage in question see the note 15 and 16 of PHILONENKO Alexis, *Théorie et Praxis*, *op. cit.*, p. 179. On this example see also LÉON Xavier, *Fichte et son Temps*, *op. cit.*, pp. 479-484.

¹⁴³⁶“Auf einem und eben demselben Platze können beide nicht stehen; das ist gegen das Gesetz der Undurchdringlichkeit der Materie. Von dem Platze, auf dem der eine steht, ist der andere ausgeschlossen; er kann nicht da stehen, ohne jenen wegzustoßen, und das darf er nicht. Jeder ist rechtmäßiger und ausschließender Eigentümer des Platzes, auf welchem er steht, wenn dieser Platz nicht schon vorher einen Eigentümer hatte. Er ward es dadurch, daß er sich darauf stellte.” FICHTE, *Beitrag*, *op. cit.*, p. 88.

who first occupied this land. That is why Fichte's principal argument in the *Contribution* is that of *specificatio*: the land belongs to the first who gave it a form through the process of labour. Nevertheless, as we have already seen, from 1796, for, Fichte neither *specificatio* nor *occupatio* should be considered as a foundation of property. Indeed, the subjection of the object to an end (in other words, the *usus*) is the only ground for the right of property. Here lies the difficulty. How is it possible to prove that Caius had assigned an end to this piece of land before Titus? Titus “might have actually been the first to subordinate the thing to his own ends”¹⁴³⁷. How do we know who did it before “since this knowledge remains internal to the consciousness of each one of us and is not manifest in the sensible world”¹⁴³⁸. One could argue that the assignation of an end to an object is not purely mental and consists also in an activity that leaves traces on the soil. Nevertheless, we have seen, only the activity has to be taken into account, not the formation of matter. Maybe the best example is the use of a water-spring: how could I prove that it is I who uses first? The other could say that they used before I did.

Here we are in a situation where no one knows what he really possesses. Now, if it is not possible to really determine what is mine and what is yours, it is impossible to put a limit on everyone's original right to everything (according to which he is allowed to extend his freedom as far as he wills), and as a result, the activities of everyone overlap. This state of uncertainty leads once again to a conflict for the use of land:

“Now how is the issue to be decided? It is impossible for both parties themselves always to know which of them was the first to gain possession of the contested thing; or, if they could know this, the ground for deciding the matter would depend on their consciences, which is completely inadequate for establishing external right. An undecidable conflict of right arises between them, a conflict of physical forces that can end only with one of them being physically annihilated or completely driven away. – Only by chance (*i.e.*, if it should turn out that neither of them ever desires to have what the other wants to keep for himself) could they live together rightfully and in peace. But they cannot let all of their rights and security depend on such chance. If this mutual ignorance is not canceled, a rightful relation cannot come to exist between them”¹⁴³⁹.

If the subjection of the object to an end is an internal process that creates ambiguities, uncertainties and thus conflicts, the only way of solving the problem is to force the other to reveal what he had decided in his heart of hearts. In other terms, in order to remove this uncertainty, each adversary has to declare outwardly what he wants to “possess”. Doing so, he determines the perimeter of his activity, limits his freedom and breaks any ambiguities concerning his “possession”. Thereby, each of them informs the other which land he claims to have the right of use on. From there, there are two possibilities: “the claims declared by both parties are either compatible or in conflict with one another (...)”¹⁴⁴⁰.

1437FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 114.

1438*Ibid.*, p. 113.

1439*Ibid.*, p. 114.

1440*Ibid.*, p. 115.

According to the first option (case A), both parties in conflict come to an agreement concerning their respective property. They determine together the perimeter of their respective activity. This limits their freedom and breaks any ambiguity concerning their possession. Caius declares that he will use this portion of wood to hunt, and Titus informs Caius he will use that other portion of wood to harvest timber. In other words, they decide together which portion of the land, initially unpossessed, will be allocated to the former and which portion will be given to the latter, without these spheres of activity overlapping (“neither declares that he wants to possess what the other wants for himself”¹⁴⁴¹). By publicizing the determined and limited piece of land they respectively want to use, the conflict concerning who arrived first may be avoided. Indeed, if Caius declares that he wants this wood for its timber, and Titus publicly claims the field in order to cultivate it then the second cannot claim the land the first had reserved for himself by arguing that he was the first to subject it to his ends. This mental and internal process by which an individual subjects an object to its ends has been externalised and and both parties have reached an agreement according to which neither will declare that he wants to possess the object the other had already subjected to his ends (that is, wants for himself); consequently, there is no more ambiguity concerning the object of right and, as a consequence, the potential conflict concerning land use does not take place. To put it another way, it could be said that before the declaration of use was made, nothing was fixed and as a result it was impossible to really know who was the first to subject the object to his ends since this process was internal and mental; from the moment I declare outwardly that the use of this land is attributed to me, this mental subjection is set in stone and consequently nobody can now claim that he was the first to occupy it since it is publicly recognised as my possession.

Now, according to a second possibility, such declarations can enter in conflict with one another. From there, there are two possibilities: either, both individuals “must compromise and yield in their demands until their claims are no longer in conflict, and thus until they reach the state of agreement that was posited in the first case”, or “they cannot compromise”¹⁴⁴².

In the first case (case B), one of them (or both of them) reduces his sphere of activity to let the other use a part of what corresponded to the previous delimitation of his property. For instance, Caius may reduce his field of action only to a part of the forest he had previously wanted to use and let Titus have the other part. Nevertheless, Titus has no right to use his right of coercion to force Caius to give this piece of wood up to him. Indeed, the fact that he does not want to capitulate does not mean that he did not respect the law of right. In fact, he had already subjected himself to the law

¹⁴⁴¹*Ibid.*, p. 115.

¹⁴⁴²*Ibid.*, pp. 115-116.

of right when he declared outwardly his possession since, with this declaration, he had limited his freedom. Now, the law of right precisely requires that each of the parts in conflict mutually refrain their activity but says nothing about the quantum of the object of the sensible world they have a right on. Consequently, the right of coercion cannot be used against Caius since this right does not apply when the other restricts his freedom in any way (which is the case here): “he has chosen and declared a particular possession, and thus he has fulfilled his obligation to the law of right”¹⁴⁴³.

According to the last possibility (case C), where the individuals do not come to an agreement, the clash between their spheres of activity still remains active and the land-use conflict resurges:

“(…) if they cannot compromise, then (since the contested right of both sides is identical) there would emerge an irresolvable conflict of right and – out of that conflict – a war that could end only with the death of one of them. Now since such a war, like all war, is absolutely contrary to the right, they must (in order to prevent a war) turn over the decision concerning their conflict to a third party.”¹⁴⁴⁴

This third wave of violence is particularly interesting from the point of view of research on grammars of conflict since the principal motive appears in all its purity. While during the previous wave of violence both uncertainty and the presence of overlapping activities between the two individual's were components of the conflictual dynamic, at this point, only the second element remains. Here, uncertainty has been suppressed since individuals in conflict have clarified what they plan to possess and thus, the objects of right are no longer problematic. Nevertheless, individuals still enter into conflict with each other because their particular spheres of activity enter into contradiction. Thus, the conflict is centred on the use of the earth: individuals clash with each other because their uses of the same portion of nature are incompatible – as we have seen, this clash is generally due to the fact that their activity is similar and thus in immediate competition. As we have already seen, uncertainty was only a catalyst of the conflictual dynamic but not its principal motives.

In the rest of the paragraph, Fichte indicates another motive which is generally considered as playing a fundamental role in the dynamics of conflict: *recognition*. Here again, from the point of view of our research on the grammar of conflict, it is important to clarify the place of recognition in this dynamic. Fichte reintroduces this component by considering with more accuracy the two cases where the conflict has been neutralised. That is, the case in which the individuals were in agreement from the start (case A) and the case in which they manage to make their claims compatible (case B). In both of these cases, the individuals have respectively declared outwardly the limited “possession” they claim, they have mutually limited their freedom, and thus, understanding that these “possession” were not contradictory, they respectively made them their property. Through this

¹⁴⁴³*Ibid.*, p. 116.

¹⁴⁴⁴*Ibid.*, p. 116.

mutual agreement, they both delimited two spheres of action which do not overlap, two fields of action that correspond to their property (according to the definition proposed of this concept). Here, Fichte highlights that the situation in which two individuals who were in conflict and who come to an agreement introduces something new into the theory of property. In paragraph 11, what was said about the ground of property in paragraph 11 although correct was incomplete: “the will to possess something is the *first* and *highest* condition of property”¹⁴⁴⁵. As we already seen, my property is the portion of the sensible world I subjected to my ends. Nevertheless, this definition corresponded to the “imagined context of original right”¹⁴⁴⁶. That is to say, a fictive situation in which my will has been abstracted from its relation with the other wills. In such a context, I only needed to subordinate the thing to my will in order to take possession of it. Indeed, nobody, a part from me, would be able to enter into dispute concerning my possession of the object; as says Fichte “it was not to be expected that I would make a claim against myself, that I would have a dispute with myself over a particular possession”¹⁴⁴⁷.

However, the object remains merely a possession, and it is not yet a real piece of property validated by others. As Hegel, Fichte subscribes to the philosophical tradition the understanding that possession is a premiss of property. However, unlike Hegel, Fichte pays little attention to this form of appropriation, which he considers incomplete. Indeed, from the moment others individuals come into play (“as soon as the human being is posited as being in relation to others”¹⁴⁴⁸), the simple subjection of the object to my ends is not sufficient; the other's will must not contradict mine, and he has to renounce his claims on the land that I want to *use* and limit his own freedom. In other words, the other must recognise my possession. More precisely, he has to recognise the declaration I made about the land, a declaration that stipulates what I want to possess. Conversely, as we came to an agreement regarding our respective properties, the other cannot recognise my possession if I do not recognise his. In other terms, such a recognition must be reciprocal: “their property right (*i.e.* their right to exclusive possession) is completed and conditioned by *mutual recognition* and does not take place without this condition”¹⁴⁴⁹. By a mutual declaration, our respective possession acquire an external and shared validity.

Here, the concept of recognition, that had likewise been central in the deduction of right, reappears in the text that is permeated by the question of the resurgence of war. Does this mean that this ideal interaction, whose conditions of possibility have been deduced in the third theorems of the *Foundations of Natural Right*, would be finally articulated with the conflictual dynamic of the

¹⁴⁴⁵*Ibid.*, p. 117.

¹⁴⁴⁶*Ibid.*, p. 117.

¹⁴⁴⁷*Ibid.*, p. 117.

¹⁴⁴⁸*Ibid.*, p. 117.

¹⁴⁴⁹*Ibid.*, p. 116-117.

struggle for land use; the one just elucidated which takes place at the level of the systematic application of right? Such a hypothesis would not only contradict Fischbach's thesis that Fichte did not manage to resolve the tension between the normative point of view of the relations of recognition and the empirical point of view of the struggle between the master and the slave. It also goes against our own hypothesis that, in the *Foundations of Natural Right*, Fichte elaborates a grammar of conflict structured on action, that is to say, on the use of the earth. If recognition also occupies a place in the dynamic of conflict, the centrality of the clash between the sphere of actions would have to be re-evaluated. Now, according to what we have just stated concerning the role of recognition in the passages of §12, such a re-evaluation is not relevant. Indeed, recognition comes up precisely when the conflict ceases, and as far as we know, it never plays a role in the dynamics of conflict presented by Fichte in the paragraphs we have commented until now. Recognition closes the conflict for the use of a piece of land since it is a moment in which everyone recognises the possession of the other and thus limits their own sphere of activity so that it does not overlap with the others'; but such a conflict is never triggered by a dynamic of disdain that would collide with the pre-existent moral demands of recognition, as the case was with Hegel. Consequently, neither uncertainty, nor recognition occupy a central place in the practical dynamic and our hypothesis of an autonomous grammar of action that places the use of the earth at the centre of the conflict remains valid. We will show shortly that this autonomy will be elucidated upon in latter texts that deal with the conflict for the use of land – here, we are especially thinking about Marx.

Nonetheless, this initial moment of recognition does not put an end to the state of war since uncertainty necessarily return. This is the fourth wave of conflict:

“If two parties' harmonious declaration still leaves something unassigned (as is to be expected, since it is impossible for the two of them to enclose the entire sensible world and divide it between themselves), it is the property of neither (*res neutrius*). This requires no special declaration; anything not included in the declaration of the two is excluded from it, and by virtue of being excluded, it goes from being determined to being undetermined (even if, for instance, it is still unknown to both parties at the time of their mutual declaration and is discovered only later).”¹⁴⁵⁰

A quick reading of this text suggests that after the first moment of recognition is complete, it would appear as though we are to return to the previous initial situation, when the earth belonged to nobody, when Caius quarrelled with Titus over the land, claiming that he was the first to use it. As we already stated, this situation was characterised by a fundamental uncertainty that concerned everybody's possession. And, it was resolved by the moment of recognition. Here, it is as if, discovering a new unoccupied land, both individuals would relapse into the same uncertainty. That is, it would be once again impossible to know who was first to subject the object to his ends and the opposing individuals would end up coming to blows. Nonetheless, here, the same solution applied

¹⁴⁵⁰*Ibid.*, p. 119.

to the first situation would be sufficient to resolve this new conflict (the outward declaration of possession). In this sense, it remains unclear why Fichte would linger over a case that he had already investigated in the pages that precede the text we presently examine. In fact, the difference lies in the fact that what is at stake here is not an *actual* “appropriation”, but a *future* one. Let us analyse the text.

Facing this *res neutrius*, both individuals may wish to exclusively use this portion of nature. As for the second wave of conflicts, none of them has more of a right to appropriate this *res* than the other. Therefore, the only possible solution to avoid another conflict seems to be the same which was used when the earth belonged to nobody: “in order to prevent such a conflict from arising, a declaration and recognition must take place in connection with the parties' expansion of their possession, as is the case in their initial acquisition”¹⁴⁵¹. The problem is that once the second declaration took place, the sensible world is so vast that even after this second appropriation, unassigned lands still remain. Consequently, new declarations have to be proclaimed and so on and so forth *ad infinitum*. In other words, because the earth cannot be embraced either by a finite will, or by a finite intuition, there will always remain a *res neutrius* and controversies about these undetermined lands will always emerge again and again – paradoxically, it is not the scarcity of land that provokes the conflict but the fact that there is too much land for two individuals.

“This second declaration and recognition, as well as all possible subsequent ones, are subject to the same difficulties that affected the first; both parties can will to possess the same thing, and both have the same right to will to possess it. It is always possible that this problematic right of both might give rise to an irresolvable conflict of right and to a war that can end only with the death of one or both of them”¹⁴⁵².

Therefore, the constant return of the *res neutrius*, and then the constant resurgence of the conflict for undetermined lands, annihilates any possibility of a lasting peace. The difference with the second wave of conflicts is that the *res neutrius* is not the finite land coveted by Caius and Titus; it is the whole of the lands that, only to the extent that they have not been subjected to an end after the first declaration, may be “appropriated” in the future. Therefore, the problem here is no longer the present “appropriation” of a land by two concurrent individuals, but the future “appropriation”. Therefore, to cut the resurgence of violence off, it is necessary to establish, from the first contract (of the initial appropriation), a rule that regulates the “appropriation” of the lands discovered in the future.

In order to clarify the content of such a rule, Fichte makes the distinction between two different phases of the resolution of the conflict of the initial appropriation (the one which corresponds to the second wave), to wit, the act of declaration and the act of recognition. The act of

¹⁴⁵¹*Ibid.*, p. 119.

¹⁴⁵²*Ibid.*, p. 119.

declaration consists in determining what is undetermined, that is to say, the object which is not appropriated yet. Indeed, when I declare my possession to the other, I limit the extension of my freedom and subsequently, I limit the portion of the earth I want to appropriate. Now, to put a limit (or to delimit) that which has no limit (the unlimited) amounts to determining it (since the unlimited is the undetermined and the limited is the determined). Recognition normally comes second: it is the act by which the other recognise the delimitation of the object, the act by which he gives his consent to my claim on this piece of land.

Once this distinction is made, Fichte argues that the declaration of the future appropriation cannot take place at the moment of the first contract. Indeed, if, after having reached an agreement with the other about my present “appropriation”, I claim that a part of what remained undetermined (the *res neutrius*), amounts to determining and to delimiting another part of the piece of land and thus this new appropriation is not of the future but of the present. Indeed, the specificity of a future appropriation is precisely the fact that the object is not appropriated yet, or to put it another way, not determined yet. What precisely defines the future appropriation is that it is undetermined even if it is not undeterminable; it is both undetermined and determinable, non appropriated and appropriable. Consequently, if the rule on the future appropriation was a declaration of a possession, it would be nonsensical because it would determine in advance what is to be determined in advance (the undetermined but determinable), and subsequently the future appropriation would become a present appropriation. In short, such a declaration would be simply an extension of the property which has presently been allocated to me following the first contract.

Nevertheless, while the act of declaration cannot take place at the moment of the initial agreement, the recognition of the future possession does. Indeed, I can perfectly recognise all of the future appropriations even if I do not know their content. Therefore, “the parties must reciprocally bind themselves to the rule that each will immediately recognise as the other's property whatever he declares as his possession in the realm of what has not yet been assigned”¹⁴⁵³. Consequently, the first of us who declares that such or such a piece of the *res neutrius* is his possession will acquire it since, through this previous agreement, we both already gave our consent to any future declaration of appropriation, including this one (even if at this moment, none of us would have known that such a declaration was to take place). This amounts to nothing short of a legitimation of the right of the first occupant, which had however been rejected by Fichte some pages before. Nevertheless, while this “temporal priority” had no legitimacy before the initial contract, it is now made valid in the frame of the agreement and the mutual recognition. In other words, while the formula “*Qui prior tempore, potior jure*” has no validity before the first contract, because it was not impossible to

¹⁴⁵³*Ibid.*, p. 120.

prove who arrived first, now the same principle has been adopted by both parties in the conflict for any future case, and thus, it is totally valid. That is why Fichte declares that, in absolute terms, there is neither *res nullius*, nor right of *primo occupanti*; both are the products of an agreement (an institutionalisation, should we say) between the two parties formerly in conflict¹⁴⁵⁴.

Now, despite all these precautions, the conflict can reappear:

“An irresolvable conflict of right is still possible, and the relation of right is not yet fully secured (...) For what if, immediately after I have taken possession of an object, the other person (whom I seek out in order to declare my possession to him) comes along and take possession of the same object, and now sets out to declare his possession to me? Whose property is it? In fact, this kind of conflict of right might often be irresolvable in the consciousness of the two parties – and certainly in the courts of external right – because neither can prove that he was the first. Thus in spite of all the care they may have taken, both parties, once again would be in danger of falling into a war with one another.”¹⁴⁵⁵

The problem here lies in the lag between the declaration and the taking of possession, that is, the *occupatio* (which corresponds, in the framework of a theory of possession based on activity, the use of the thing). Indeed, in the framework of a *res neutrius* instituted by the initial contract, the *occupatio* (grounds of property) comes first and the public declaration of such a possession comes second. Now, another *occupatio* of the same land may occur during this interval of time. Let us admit, for example, that I had occupied and used a piece of land, but that I did not declare it to the other who had taken leave; while I look for him, the other comes back and occupies the same land I had left behind. Having returned to the land, I claim that I was the first to occupy the *res neutrius* and he like does the same. Nothing can prove who was first to occupy the land since there is no trace for such an occupation; and then, once again, if we have both the same right on the same thing, violence must decide. The only solution to such a problem would be to suppress the temporal interval that separates the declaration from the occupation. In other words, a synthesis must take place between taking possession and the declaration. In concrete terms, it means that the one who ploughs the soil I have already appropriated by use of it needs to know immediately what claim I have to this land. Here, the implementation of the synthesis lies in the object itself: “the object itself must make the declaration”¹⁴⁵⁶. Therefore, the thing must be marked by a sign through which my declaration is manifested. Interestingly, Fichte sticks to the signs traditionally used to indicate property:

“These signs are signs only to the extent that the two parties have agreed upon them and made them signs. Thus they can be whatever the parties want them to be. The most natural way to designate one's property in land is to separate it from other land by fences and ditches. This makes it impossible for non rational animals to enter the land, and it reminds rational beings that they

1454For further explication of this point, see SCHWEMMER AUGIER Felipe, “*Occupatio*, reconocimiento y propiedad en *Grundlage des Naturrechts* de Fichte (1796)”, *Revista de Estud(i)os sobre Fichte* [Online], 5, 2012, Online since 1st January 2013, connection on 06 January 2020.

1455FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 121.

1456*Ibid.*, p. 121.

ought not to exercise their capacity to do so.”¹⁴⁵⁷

Now, the state of tension inherent to the pre-contractual situation may be resolved with the contract, the fact remains that it may always resurge even within the State. Fichte notably mentions one of these possible resurgences in the section dedicated to “the agriculturalist's property in land”:

“Animals move about freely and feed on the products of the field; thus, if an animal causes damage to a field, there emerges the following conflict between the property rights of the agriculturist and those of the animal-owner. The former will say: “Within the state, I have the right to cultivate this field, and its products are mine alone.” And the latter will answer: “Within the same state, I have the right to raise animals, and it is their very nature (which the state clearly knows about), to move about freely to get their food”.¹⁴⁵⁸

This text is clear enough not to require in-depth commentary, but it should be noted that this conflict of use echoes the already mentioned historical conflicts on the *seignior's* hunting ground which ruined peasant crops. To finish this long development on Fichte's philosophy of use, we would like to come back to the last but one quotation, which deals with the question of boundary fences and to clarify the problem that was put to one side, that is, the question of appropriation. Indeed, we have stated that with Hegel fences are one of the characteristic features associated with the appropriation of land – whether this appropriation takes the form of possession or the form of the property. Fences, furrows, ditches constitute a signage by which I communicate to the other my claim on this land. Therefore, even if Fichte defines property in terms of use and activity, it does not mean that the question of appropriation becomes obsolete. What is thus needed is to clarify the nature of the relation the subject has with the earth that underlies the concepts of property (and thus the conflict), as it is defined by Fichte in his texts on right. The question that arises is hence: is this relation with the earth (which underlies the notion of property and the conflict) exclusively defined in term of activity? Or does it also include a moment of appropriation?

III.3) Property as a Collective Relationship with Land: The interactions with Land that underlies the Conflict of Use

III.3.1) The Return of Appropriation?

It is not absolutely correct to say that, in these texts, the relation with land is not defined by any form of appropriation. Indeed, Fichte says that “the ownership of the object of a free act first issues and is derived from the exclusive right to a free act”¹⁴⁵⁹. Therefore, the fact that property is a

¹⁴⁵⁷*Ibid.*, p. 121.

¹⁴⁵⁸*Ibid.*, p. 198.

¹⁴⁵⁹FICHTE, *The Closed Commercial State*, *op. cit.*, p. 93.

right to acts (and not to an object) does not mean that there is not any form of appropriation; it is just that possession is secondary and derived from the use of the thing. I do not use something because I appropriate it first but because I possess the thing since I used it or I was allowed to do so. And as we have seen, if I stop using the object which is my property, then its status as possession ceases immediately.

Another text of Fichte's, *The Closed Commercial State*, seems to confirm this interpretation. In this text, Fichte considers that the notion of activity (that which grounds property) can be determined: 1) "only through itself, through its own form"¹⁴⁶⁰. In this case, property is only an exclusive right to an activity without any regard to the object of this specific free action. Fichte takes the example of the second estate, the artisans, who manufacture clothing or shoes for the other members of society and do not take possession of the objects they produce. Here, he claims, "we have property without the possession of any kind of *thing*".¹⁴⁶¹ 2) Activity can also be described "solely through the object that it acts upon"¹⁴⁶² but Fichte declares immediately that, in actual life, he is "not familiar with any example of such an unlimited right of property"¹⁴⁶³. 3) Finally, activity can be characterised through both its own form and through the object that it acts upon. In that case, the right to act gives, at least "figuratively and derivatively"¹⁴⁶⁴, the right to possess the thing. The estate of producers illustrates this third way of characterising property: the peasant has an exclusive right to cultivate a certain piece of land and is allowed to exclude the other from the same activity on the same object. It is possible to say that he possesses the land he ploughs if we, at the same time, keep in mind the fact that the possession of the object is derived from the right of use. Admittedly, Fichte insists on the fact that the language of appropriation is figurative, but this does not mean that it is an empty metaphor without consistency and reality. The object is *figuratively* called property because this form of possession does not correspond to what we call property in general, that is to say, absolute property – indeed, this sort of possession does not exclude the common use of the same thing, it is provisory, etc. However, if we admit an extended meaning of the term "appropriation", it seems possible to say that the peasant possesses his land in this sense that this portion of nature had been allocated to him in function of a specific use.

Now, this interpretation seems to enter into contradiction with the following passage of the *Foundations of the Natural Right*:

"Land (*Der Boden*) is humanity's common support in the sensible world, the condition of humanity's existence in space and thus of its entire sensible existence. The earth (*Die Erde*) in particular, regarded as a mass, cannot be owned, for, as a substance, it cannot be subjected to any

¹⁴⁶⁰*Ibid.*, p. 130.

¹⁴⁶¹*Ibid.*, p. 130.

¹⁴⁶²*Ibid.*, p. 130.

¹⁴⁶³*Ibid.*, p. 130.

¹⁴⁶⁴*Ibid.*, p. 130.

exclusive end that a human being might have; but according to what was stated above, it is contrary to right to exclude all other human beings from using a thing, without being able to declare what one's own use of the thing would be. (One might argue that the earth can be used for buildings houses; but in that case, it has already been modified and is not being used as a substance, but only as an accident of a substance).”¹⁴⁶⁵

In fact, no contradiction between these two texts exists if the distinction between the substance and the accident of the earth is considered¹⁴⁶⁶. While Fichte does not entirely nor explicitly define this distinction, according to the text, it seems that the substance of the earth designates the earth as a totality. This equivalence between the substance of the earth and the totality of the earth is confirmed by the second version of this text located in the *Rechtslehre* of 1812, a text already quoted above¹⁴⁶⁷. If our interpretation is right, such a totality is obviously too vast and too big to be subjected to a particular end. The text insists first on the *impossibility* of such a global use of the earth and thus reminds us that it is also contrary to rights. In this sense, the earth, as it is a substance, cannot be appropriated by a single human being. By contrast, the accident of this substance, seems to be a part of this total mass that has been modified and, then, can be used by a single person, as is the case with the person who builds a home on some land (this land is then the accident of the earth). It is precisely this accident which can be the object of appropriation once it is subjected to an end. This appropriation may be both individual and collective as in the case of the agriculturist who shares land with the miner. Moreover, while the individual can only appropriate the accidents of the earth, the products of land can be appropriate entirely: “only the agriculturalist's products constitute his absolute property; the very substance of those products belongs to him, in contrast to land, where only an accident of the substance belongs to him”¹⁴⁶⁸.

Likewise, lands are inhabited by animals which can be the object of absolute appropriation. I can take possession of the substance of the animal, for example, by devouring its flesh or using its hide; or I can take possession of its accidents, for instance, when I milk the cow or I shear my sheep¹⁴⁶⁹. This second form of appropriation requires another appropriation since to milk the cow, it

1465FICHTE, *Foundations of Natural Right*, op. cit., p. 190; FICHTE Johann Gottlieb, *Grundlage des Naturrechts*, op. cit., p. 211.

1466To our knowledge, Héctor Oscar Arrese Igor is one of the few commentators who highlighted this distinction: “Fichte se opone a la idea de la propiedad como posesión o dominium, es decir como posesión absoluta, que permitiría el abuso, la alienación y la exclusividad. Por otro lado, Fichte defiende la concepción de la propiedad como posesión ligada al uso del suelo. Para aclarar esta distinción, nuestro autor utiliza la distinción aristotélica entre la substancia y los accidentes. En este sentido, el suelo como substancia no puede ser poseído de modo absoluto y sin restricciones. Pero sí se lo puede poseer en razón de su potencial de ser cultivado, que en realidad es un accidente suyo. Por lo tanto, Fichte contempla la posibilidad de que varias personas puedan acceder a la propiedad del suelo, siempre y cuando no interfieran en el trabajo del agricultor”. ARRESE IGOR Héctor, “Educación, libertad y justicia en Fichte”, *Revista de Estud(i)os sobre Fichte* [Online], 15, 2017, Online since the 1st December 2017, connection the 23th November 2019, URL : <http://journals.openedition.org/ref/762>.

1467FICHTE, *Rechtslehre*, 1812, op. cit., pp. 60-61; FICHTE, *La Doctrine du Droit de 1812*, op. cit., p. 87.

1468FICHTE, *Foundations of Natural Right*, op. cit., p. 191.

1469Fichte gives some examples of these accidents: “Now, the very substance of most animals is useful; their flesh can be eaten or at least various parts of their bodies can be used to make things; but at the same time, the properties of such animals are also useful (cows' milk, hen's eggs', the labor of oxen and horses, and so forth).” FICHTE,

is necessary to first bring the animal under my control and then to take care of its biological reproduction. Therefore, the appropriation of the accidents of the animal (wool, milk, etc.) “depend on my *exclusive* possession of it; it depends on the fact that only I nourish, tend, and care for it (and no one else does), and that, conversely, only I enjoy the benefits the animal provide”¹⁴⁷⁰. This form of appropriation is obviously what we generally call “domestication”. Domesticated animals are only those that can be property. By contrast, wild animals, which cannot be domesticated, are no one's property. These species are a good that the populace (*die Gemeinde*) did not apportion and for that reason, they are common property (*Gemeingut*)¹⁴⁷¹. They cannot be appropriated before an individual has captured and killed them.

While we mentioned earlier the appropriation of land as well as the appropriation of living beings on the surface of the earth, what remains to be discussed is that which lies beneath the land, that is to say, metals and other natural products which “stand midway between organic natural products and raw matter”¹⁴⁷². Fichte examines the possibility of a distribution of a piece of the earth's interior to each individual. Such a proposition is problematic for at least two reasons: “first, because the results of mining are uncertain, for metals are not produced by the human's free will, and thus one can never be certain that he will be able to make a living from mining”¹⁴⁷³. Indeed, metals cannot be cultivated in the way that crops are. Presently, no one has discovered the means through which artificially produce metals. Furthermore, their repartition in the subsoil is random and thus unequal. Consequently, a part of the community will receive a piece of subsoil full of metals, others not. Moreover, “once a particular portion of the earth has been dug through, it cannot be dug through again”¹⁴⁷⁴. That is why it is preferable to leave the possession of the subsoil to the populace (*der gemeine*). The State is thus the only real owner of the earth's interior.

In fine, the State is also the owner of the surface of the land: “*Der Staat [allein hat das Recht des] Grundeigentum[s]: zuförderst, als das Recht, ihn nach seinem Zwecke der Erhaltung aller zu verteilen und) zum Anbau zu verleihen, die einzelnen damit zu belehnen*”¹⁴⁷⁵. Fichte even claims in an unpublished manuscript that the State is the eternal owner of the land¹⁴⁷⁶. The State's

Foundations of Natural Right, op. cit., p. 197.

1470FICHTE, *Foundations of Natural Right, op. cit.*, p. 195.

1471*Ibid.*, p. 198-199.

1472*Ibid.*, p. 193.

1473*Ibid.*, p. 193.

1474*Ibid.*, p. 193.

1475FICHTE, *Rechtslehre, 1812, op. cit.*, p. 60. See the french translation: “*Seul l'Etat a le droit de posséder des biens fonciers, comme le droit de partager le sol selon sa fin qui est la conservation de tous, de le louer afin qu'il soit cultivé et d'y maintenir les individus*”. FICHTE, *La Doctrine du Droit de 1812, op. cit.*, p. 87.

1476Jean-Christophe Merle gave a french translation of this manuscript which can be found in Fichte's *Nachlass* of the *Deutsche Staatsbibliothek* of Berlin. In the §15 Fichte says that: “*Une propriété foncière à perpétuité, qui suppose des familles éternelles et immortelles, est de toute façon inadmissible en raison de principes supérieurs. Si l'on suit des idées justes sur la nature de l'État, la propriété foncière ne peut être octroyée que comme un prêt à vie accordé par l'État. La propriété éternelle est celle de l'État, en tant qu'unique personne éternelle, et celui-ci la transmet au paysan*

property corresponds to its territory, the space which, in the Rational State, is delimited by natural frontiers. Within this national territory, the State allocates the lands to the peasants who use them to subsist.

We have claimed that property is a specific relation with the earth which is conceived in terms of activity, but also in term of appropriation. In fact, even if there is a tension between the appropriative logic and the concept of use, this activity seems to imply a moment of appropriation, even if this moment remains secondary.

Here, we agree with Stéphane Haber, who claims that, even in the grammar of action, there is a “persistence of the appropriation”¹⁴⁷⁷. In a recent article, he criticises Pierre Dardot and Christian Laval's hypothesis that use goes beyond appropriation. He argues that, from a sociological point of view, a social group, which uses a portion of nature, isolates from its environment a set of resources on which it claims a right of acquisition, exploitation, management, etc. In short, even if there is no private and exclusive form of appropriation, even if the group collectively and temporarily uses the land, the community makes this space *its own*. This space is designated by the community as being its own (even if temporarily). Therefore, beyond the opposition between private property and communal use, the logic of the “grab” remains a fundamental element of the collective relationship with the environment. In our opinion, this observation applies to Fichte's theory of use since activity leads finally to the possession of the thing. The person (or the community) who uses the same field delimits their portion of space and makes it their own. Even if the land is temporarily allocated by the State, even if the use may be communal, the subject grabs the material exteriority and takes possession of it. There is no one better than Hegel to have grasped this logic of appropriation, one which underlies Fichte's theory of use:

“In the exposition and deduction of nature, as it is given in [Fichte's] *System of Natural Law* the absolute opposition of nature and Reason and the domination of reflection reveal themselves in all their harshness. For any rational being (*Vernunftwesen*) must make unto itself a sphere for its freedom; it ascribes this sphere to itself. But it is only by antithesis that it is itself this sphere; the sphere is constituted only insofar as the rational being posits itself exclusively in it so that no other person can have any choice within it. In ascribing the sphere to itself, the rational being essentially sets it over against itself also. The subject *qua* the Absolute, spontaneously active, and determining itself to the thinking of an object – sets up its own sphere of freedom outside itself, and posits itself divorced from it. Its connection with its sphere is merely a *having*”¹⁴⁷⁸.

(dont l'affaire devient une fonction publique attribuée à une personne, comme toutes les autres fonctions publiques), en échange d'une certaine redevance à vie. Ses enfants recevront à leur tour ces fonctions publiques selon leur qualification. Cette capacité [à occuper] des fonctions publiques constitue leur héritage, et il n'en ont pas besoin d'autre”. FICHTE Johann Gottlieb, *Théorie Juridique de la Propriété*, trans. Jean-Christophe Merle, in *Archives de Philosophie du Droit*, T. 39, 1994, p. 291.

1477HABER Stéphane, “Prendre et donner. Remarques à partir d'un texte de Carl Schmitt. Pour un anti-nomos”, in CRÉTOIS Pierre (ed.), *L'Accaparement des Biens Communs*, Nanterre, Presses Universitaires de Paris-Nanterre, Le Social et le Politique, 2018, pp. 41-43.

1478HEGEL Georg Wilhelm Friedrich, *The Difference between Fichte's and Schelling's System of Philosophy*, trans. Henry Siltou Harris and Walter Cerf, Albany, State University of New York Press, 1977, p. 142.

Nevertheless, this does not change what has been said about the way Fichte thinks about conflicts, and this does not mean that the grammar of action has to be reduced to the grammar of appropriation. Indeed, although we admit that the collective relationships with the earth are defined both by use and appropriation, only the first element (activity) is the seat of conflict. As already stated, conflicts occur because two contradictory forces clash together. As a derived component of the relationship with the land, appropriation does not really play a role in the agonistic dynamic.

III.3.2) Use of land and detachment from the earth

Up until now, some precisions have been given regarding the nature of the relationships to the earth that underlie the concept of property in Fichte's philosophy of right. Notably, we have shown how this interaction includes a moment of appropriation. We will now finish clarifying the concept of use, which is central to fully understanding this relation. The question that shall lead the clarification is the following: Which relation to land implies the concept of use?

To answer this question, it is pertinent to remember that the other name of such an activity is “labour”, the labour through which individuals ensure their subsistence. The final end of labour and activity is “to be able to live”, an end which is guaranteed by the right of property and the State, which allocates it to each individual:

“And so we arrive at a more detailed description of the exclusive use of freedom that is granted to each individual in the property contract. To be able to live is the absolute, inalienable property of all human beings. We have seen that a certain sphere of objects is granted to the individual solely for a certain use. But the final end of this use is to be able to live. The attainment of this end is guaranteed; this is the spirit of the property contract. A principle of all rational state constitution is that everyone ought to be able to live from his labor”.¹⁴⁷⁹

The final end of the use of nature (labour) is to be able to live, and to live is a fundamental right which is guaranteed by the State through the right of property¹⁴⁸⁰. Here, one cannot help but think of Babeuf's right to live and Robespierre's right to exist. These rights are generally reduced to the right of subsistence, even if, there are some ambiguities in the text of Babeuf. Indeed, Babeuf defines this right as a right to satisfy physiological needs, but he also mentions in the *Manuscript of 1786* the right to satisfy moral needs, needs that correspond to the double organisation of the human being (who is both a physical and moral being). The right to live is thus extended and contains the right to subsist but a “right of the mind” a “right of the core”¹⁴⁸¹. However the content of these rights

¹⁴⁷⁹FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 185.

¹⁴⁸⁰On the right to live in Fichte, see DE PASCALE Carla, “Droit à la vie, nature et travail chez J.G. Fichte”, *Archives de Philosophie*, Vol. 51, n° 4, October-December, pp. 597-612. This article also has the advantage of giving a complete overview of Fichte's text in relation with nature.

¹⁴⁸¹BABEUF François-Noël, Letter to Dubois de Fosseux, 1st June 1786, *op. cit.*, p. 113.

is not always clearly exposed by Babeuf and sometimes their justification is quite problematic (besides, Babeuf says little on this point)¹⁴⁸². It should be added, that the right of subsistence is always central in his writings and constitutes an important part of Babeuf's anthropology¹⁴⁸³. Does Fichte, much like other French revolutionaries, reduce the right to live to the right of subsistence? Is the subsistence of man really the final end of labour and thus of use? In other words, is use just an activity of subsistence? This would mean that conflict of uses are just conflicts of livelihood. More importantly, this would mean that the final end of activity, and thus of freedom, is the reproduction of biological life. This would amount to submitting freedom to the determinism of the natural world¹⁴⁸⁴.

In fact, subsistence is the strategy used by Nature to drive humans to activity, as stated at the beginning of the §18 of the *Foundations of Natural Right*. Fichte claims that “Nature has destined the human being (the only being we are concerned with here) for freedom, *i.e.*, for activity”¹⁴⁸⁵. As Merle writes, there is no place for an integral idleness in Fichte's anthropology: man is always active, always un-quiet¹⁴⁸⁶. The question is then, “what arrangements could she have made to drive human being to activity?”¹⁴⁸⁷ To this question, an initial response could be that nature has arranged things so that the “human being wishes for something in the future” and are hence conditioned by present activity. According to this hypothesis the nature “said” of human beings is: “if you want to fulfil your wishes in the future, you have to act in the present”, which is the same thing as saying that “If you want something in the future, you have to act in the present, to do something in the present to realise your future wish”.

Fichte translates this hypothesis into a logical formula “the future [B or wishes in the future] would necessarily be contained in present activity [A]”¹⁴⁸⁸. In other words, “the present activity [A] implies or entails the wishes in the future [B]”. Or to put it the right way “the present activity [A] is the condition of the wishes in the future [B]”. Here, we admit that the following sentences are equivalent: “the future [B] would be conditioned by present activity [A]” and “the future [B] would necessarily be contained in present activity”¹⁴⁸⁹. To sum up this point, we can say that in order to

1482 “Babeuf modifie significativement les implications du droit de vivre en lui donnant un contenu non seulement physique, mais également moral. Sans qu'il paraisse s'en apercevoir, cette extension rend le droit de vivre problématique: elle implique de déterminer des besoins moraux qui seraient aussi naturels à l'homme que ses besoins physiques. Quels pourraient-ils être et comment justifier de leur naturalité ?”. ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit., p. 342.

1483 ROZA Stéphanie, *Comment l'Utopie est devenue un Programme Politique*, op. cit., pp. 372-373.

1484 MERLE Jean-Christophe, “Le droit de propriété chez Fichte”, in BIENENSTOCK Myriam and CRAMPE-CASNABET Michèle (eds), *Dans quelle Mesure la Philosophie est Pratique: Fichte, Hegel*, Fontenay-aux-Roses, ENS éditions, Theoria, 2000, p. 126.

1485 FICHTE, *Foundations of Natural Right*, op. cit., p. 184.

1486 MERLE Jean-Christophe, *Justice et Progrès*, op. cit., p. 167.

1487 FICHTE, *Foundations of Natural Right*, op. cit., p. 184.

1488 *Ibid.*

1489 *Ibid.*

drive human to activity, nature arranges the world so that present activity is the condition of the realisation of their wishes in the future. In this way, man will be motivated to act because this activity will be the only way *to realise their future wishes*.

But if men do not wish for anything in the future they will not act and there will be no form of activity. Consequently, activity is conversely conditioned by the wishes of the future. Without the wishes of the future, men would not act. Such is our understanding of Fichte's sentence: "Conversely, the necessity of *present activity* [A] would be entailed by the wish for something in the future [B]"¹⁴⁹⁰. In other words, "the wish for something future [B] entails or implies the present activity [A]", or "the wish for something future [B] is the condition of the present activity [A]". Without wishes for something in future, human beings would never act in the present, and the strategy used by nature to make them act would fail.

This is precisely the problem: "there could be human beings who did not wish for anything in the future"¹⁴⁹¹. To those men, nature cannot say: "if you want to fulfil your wishes in the future you have to act", precisely because they have no future wishes. For this reason, in order to incite human beings to activity, nature has to take another route. Present pain (*i.e.* hunger and thirst) is the means that nature has found to avoid laziness and thus to drive human beings to activity. Here, Fichte's answer recalls Malthus' justification of scarcity: nature has used hunger and thirst to reach its ends. Because men have to feed themselves and to find water (in other words to subsist), they have to work the land and become active¹⁴⁹². The necessity of subsistence is the means Nature uses to drive men to activity and to make them free:

"(...) the highest and universal end of all free activity is to be able to live. Everyone has this end; therefore, just as freedom in general is guaranteed, so to is this end. If this end were not attained, freedom and the person's continued existence would be completely impossible"¹⁴⁹³.

The final end of activity is perhaps to be able to live, but subsistence is in fact the means Nature chooses to lead men to freedom. In other words, Nature has made subsistence the final end of activity which drives human beings to activity¹⁴⁹⁴. It seems, therefore, that the real destination of

¹⁴⁹⁰*Ibid.*

¹⁴⁹¹*Ibid.*

¹⁴⁹²The difference with Malthus is that Fichte does not mention any form of scarcity and his argument do not intervene in the context of a Theodicy.

¹⁴⁹³FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 185. Further he also says: "The arrangement that nature has made in order to force us into free activity is the following. (...) The human being is (...) destined to take his nourishment from both kingdoms of nature". FICHTE, *Foundations of Natural Right*, *op. cit.*, pp. 188-189. See also the following passage of the *Rechtslehre* of 1812: "Jeder hat das Recht der Selbsterhaltung. Die Natur hat dieselbe [aber] bedingt durch die Tätigkeit, [nur] um sicher zu gehen, den gegenwärtigen Schmerz) geknüpft an die Bedrohung derselben in der Zukunft". FICHTE, *Rechtslehre*, 1812, *op. cit.*, p. 41; FICHTE, *La Doctrine du Droit de 1812*, *op. cit.*, p. 71.

¹⁴⁹⁴In the Closed Commercial State, Fichte will suggest that, as the final end of the activity, life is not reduced to its biological aspect. Men use the land to be able to live, but also "to live as pleasantly as is possible". FICHTE, *The Closed Commercial State*, *op. cit.*, p. 93.

man is free activity¹⁴⁹⁵. Consequently, Fichte's concept of the "right to live" is very different from the revolutionaries', and he does not submit the end of activity to the determinism of the natural world.

Use is equivalent to the process of labour by which men ensure their livelihood. What general forms does this process take? When we dealt with the question of property, we already saw that use of free activity consists in the determination of the body to act for an end and the intention to make the external object correspond to this end. This action on the world is thought of in terms of the *transformation of nature*. Fichte insists on the fact that only rational beings are able to transform the world. Indeed, as we said, nature is in itself incapable of transforming itself, transformation being in contradiction with its concept. Nature does not change because its mechanical laws are immutable. Any transformation in nature is an illusion produced by the fact that we do not sufficiently know those laws. If we did, the world would appear to us in all its permanency. Therefore, "if the world we rely on in forming our ends should change (*verändert*) in accordance with those laws, then that is our own fault"¹⁴⁹⁶. Thus, only man transforms the world. Here, it is important to note that it is preferable to use the term "transformation" to translate the German word *Veränderung* whereas the English translation says "change". This choice seems to be justified by the use of the German term *Formation* some lines further to refer to the activity through which the "I" acts on nature¹⁴⁹⁷.

1495 Our interpretation of this passage whose argumentation is very complex (and sometimes a bit abstruse) seems to be confirmed by Merle's article we already quoted but also by Gilson's commentary: "*Toute finalité libre suppose que la personne continue d'exister. La nature incite les êtres humains à agir. Pour éviter l'apathie, elle inflige la douleur présente de la faim et de la soif. La satisfaction du besoin de s'alimenter devient le but final de l'Etat comme de l'instinct des êtres humains dans leur activité naturelle. Le but général de la propriété se définit en ces termes: pouvoir vivre*". GILSON Bernard, *L'Essor de la Dialectique Moderne et la Philosophie du Droit*, op. cit., p. 244. For another interpretation of "the right to live" in the frame of the complex articulation between relations of power and resistance, see FOUCAULT Michel, *Histoire de la Sexualité. I, La Volonté de Savoir*, op. cit., pp. 190-191: "*Et contre ce pouvoir encore nouveau au XIXe siècle, les forces qui résistent ont pris appui sur cela même qu'il investit – c'est à dire sur la vie et l'homme en tant qu'il est vivant. Depuis le siècle passé, les grandes luttes qui mettent en question le système général de pouvoir ne se font plus au nom d'un retour aux anciens droits, ou en fonction du rêve millénaire d'un cycle des temps et d'un âge d'or. On n'attend plus l'empereur des pauvres, ni le royaume des derniers jours, ni même seulement le rétablissement des justices qu'on imagine ancestrales; ce qui est revendiqué et sert d'objectif, c'est la vie, entendue comme besoins fondamentaux, essence concrète de l'homme, accomplissement de ses virtualités, plénitude du possible. Peu importe s'il s'agit ou non d'utopie; on a là un processus très réel de lutte; la vie comme objet politique a été en quelque sorte prise au mot et retournée contre le système qui entreprenait de la contrôler. C'est la vie beaucoup plus que le droit qui est devenue alors l'enjeu des luttes politiques, même si celles-ci se formulent à travers des affirmations de droit. Le "droit" à la vie, au corps, à la santé, au bonheur, à la satisfaction des besoins, le "droit", par-delà toutes les oppressions ou "aliénation", à retrouver ce qu'on est et tout ce qu'on peut être, ce "droit" si incompréhensible pour le système juridique classique, a été la réplique politique à toutes ces procédures nouvelles de pouvoir qui, elles non plus, ne relèvent pas du droit traditionnel de la souveraineté*".

1496 FICHTE, *Foundations of Natural Right*, op. cit., p. 105.

1497 FICHTE Johann Gottlieb, *Fondement du Droit Naturel selon les Principes de la Doctrine de la Science*, trans. Alain Renaut, Paris, PUF, Quadriga, 1998 [1796-1797], p. 130. For the english translation see FICHTE, *Foundations of Natural Right*, op. cit., p. 105. For the original text, see: FICHTE Johann Gottlieb, *Grundlage des Naturrechts*, op. cit., p. 114.

Sometimes, Fichte describes this activity of transformation as war. In a text entitled *On the Linguistic Capacity and the Origin of Language* (1795), he writes: “It is fundamental to man's very essence that he seeks to subjugate the power of nature”¹⁴⁹⁸. This text depicts two powers which clash, the power of nature and of man. Indeed, Nature does not allow itself to be submitted to Man's power (*Kraft*): Fichte does not mention any form of scarcity, but he clearly claims that Nature is hostile (*feindselige*). Due to the fact that nature is not docile, man has to defeat (*bezwingen*) it. That is the case when he vanquishes the cold building a shelter. Sometimes, as the force of nature is too strong, man is defeated and then fear is all that is left. Fear is the feeling we feel when faced with the force of nature that is both too strong and cannot be vanquished. But when man manages to tame nature, this feeling disappears. When the horse was still a wild animal it terrified men but after it was tamed, this fear vanished. Consequently, the relation man has with nature is structured like a combat whose outcome is never certain.

“The human being stands in this relationship to animate and inanimate nature: he is concerned to modify it according to his own purposes; but nature resists his effort and often enough rejects it altogether. Thus we are in constant warfare (*Kämpfe*) with nature, sometimes the victor, sometimes the vanquished, enslaved by it or fleeing it”¹⁴⁹⁹.

Let us note that the notion of free activity that we are trying to clarify appears in the second of the two texts. Indeed, to exert my activity in the world or to use an object of this world amounts to modifying it in relation to the concept of an end. Fichte justifies the use of the term *Kämpfe* to qualify this free activity by the fact that the interaction between man and nature is not reduced to the action of an active subject on a passive matter. Nature is a kind of agent which has its own power and is capable of reacting to man's attacks. There would no combat if the other term of the conflict, which occupies the place of the dominated (nature), did not offer any resistance. The very essence of a conflict is that it brings into play at least two agents who are capable of responding to the attacks of the other. If the pole which is dominated was purely passive, it would mean that it had already been defeated by the other and thus, there would not be any conflict at all. The consequence of this is that the outcome of the conflict would never be determined in advance. In a struggle, there is always a moment in which the positions are not defined: one of the protagonists takes the upper hand, the other immediately takes back control of the situation and pushes the first to the ground (figuratively speaking) who may immediately get up again, and so forth. The reversibility of these positions is expressed in the text by the incessant alternation between victories and defeats.

1498 FICHTE Johann Gottlieb, *On the Linguistic Capacity and the Origin of Language* (1795), in SURBER Jere Paul, *Language and German Idealism: Fichte's Linguistic Philosophy*, Atlantic Highlands, New Jersey, Humanities Press International, 1996, p. 121. (from now, abbreviated as follows: FICHTE Johann Gottlieb, *On the Linguistic Capacity*, *op. cit.*). For a good commentary of the beginning of this text see RENAUT Alain, *Le Système du Droit*, *op. cit.*, p. 329.

1499 FICHTE Johann Gottlieb, *On the Linguistic Capacity*, *op. cit.*, p. 121.

By contrast with this explanation of the interaction with nature, Fichte claims, against Hobbes, that the interaction between humans in the state of nature is pacific. He deduces this assertion from the nature of man himself. It is worth dwelling on the demonstration of this claim since Fichte's argument articulates both human interaction and its interaction with nature. Indeed, the starting point is once again the conflictual relationship man has with nature. According to the author of the *Science of Knowledge*, the drive which pushes him to “modify raw or bestial nature according to his own purposes” must be derived from the “highest principle in man”: “be always at one with yourself”¹⁵⁰⁰, or to put in another way, “I = I”. As he is a “being that represents” (what Kant calls theoretical reason), Man contradicts this principle of the identity of the I and hence contradicts himself. Indeed, theoretical reason intends to “represents things as they are” and not as they should be. “Things as they should be” would be identical to the I whereas the representation of things as they are involves an alterity, a non-I. Now, this alterity enters into contradiction with demand for the identity of the I with itself. The self-identity of the I does not tolerate the alterity of the representation. The I=I requires the absence of the non-I. Inside the subject there is a contradiction between the subject which represents things as they are, which produces an alterity (a non I), and the subject which seeks to remain equal to itself. Such a contradiction is overcome by the war the subject wages on nature. Because representation leads to an alterity that is intolerable compared to the identity of the I, the same I has to reduce this alterity to its own identity. In other terms, “Man thus seeks (...) to subjugate irrational nature so that everything will harmonise with his reason, since only under this condition can he come into harmony with himself”¹⁵⁰¹ and this reduction of the non-I to the I takes the form of a “drive to work on things”.

Now, in his pursuit, Man sometimes encounters an object which is identical to himself. In this case, he will refrain from modifying this object in accordance with its end since the object already harmonises with himself. Therefore Man takes pleasure from the identity with this being attuned to himself. This being is nothing more than another man. Here, it should be noted that because the other man is another I, there is no necessity of reducing it to myself, that is, to work on him and to making him correspond to my purposes. In other words, because the other is not an alterity which contradicts man's self-identity, the interaction of warfare which had prevailed when dealing with nature gives way to a peaceful relationship.

Now, how am I lead to the conclusion that this object I encounter is similar to me and is endowed with rationality? “On what basis is” man “supposed to know the rationality of the object encountered”, asks Fichte¹⁵⁰²? In other words, what are the “distinguishing characteristics” of

1500 FICHTE Johann Gottlieb, *On the Linguistic Capacity*, *op. cit.*, p. 122.

1501 *Ibid.*, p. 122.

1502 *Ibid.*, pp. 122-123. As Fischbach accurately notes, Fichte asks a similar question in the *Foundations of natural*

humanity¹⁵⁰³? Or to put in another way, why do I make the difference between a human body and the body of an animal or a plant¹⁵⁰⁴? As various commentators have noted, this problem is fundamental for Fichte because the criterium of the difference between the human and non-human also determines the interaction with beings we encounter in the world. In terms of the anthropology of nature, the nature of the scheme of relation depends on the distribution of beings within the scheme of identification¹⁵⁰⁵. Such a problem appears in a letter to Reinhold dated from 29th August 1795, *i.e.* the year of the publication of the text on language. Indeed, after having asked “where is the boundary of all rational beings”, he keeps asking: “I ride a horse without asking its permission and without wishing to have it ride me in turn. Why do I have more qualms when it comes to the man who lends me the horse?”¹⁵⁰⁶. If there is nothing which distinguishes men from the rest of the objects of the world, then why should we treat them differently? Why would I not be allowed to tame the qualms as I tame the horse? This question is more serious than it appears since it entails the question of legitimacy of domination among men: “thus it will always remain a very delicate question whether, though my act is supported in this case by general opinion, I am not just as unjustified in riding a horse as the Russian nobleman is when he gives away his serfs, or sells them or beats them for the fun of it – for his act too is supported by general opinion”¹⁵⁰⁷. One year later he asks a similar question about slavery: “how do I know whether the protection afforded by universal legislation befits only the white European, or perhaps also the black Negro; only the adult human being, or perhaps also the child? And how do I know whether it might not even befit the loyal house-pet?”¹⁵⁰⁸.

To solve the problem of the criterium of humanity, Fichte refers to the notion of purposiveness. Indeed, if the highest principle in man is the search for identity and if it is this principle that leads him to modify the world according to his own purpose, purposiveness is the

right but from the point of view of the other: “Now according to our necessary presupposition, this appearance of my body must be such that it cannot be understood or comprehended at all except under the presupposition that I am a rational being; *i.e.* its appearance must be such that I could say to the other: just as you behold this shape, so must you necessarily take it to be the representation of a rational being in the sensible world, if you yourself are a rational being. – How is this possible?”. FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 71-72. See FISCHBACH Franck, *Fichte et Hegel. La Reconnaissance*, *op. cit.*, p. 56.

1503 FICHTE Johann Gottlieb, *Some Lectures concerning the Scholar's Vocation*, in FICHTE Johann Gottlieb, *Fichte. Early Philosophical Writings*, trans. Daniel Breazeale, Ithaca and London, Cornell University Press, 1993, p. 155 (from now abbreviated as follows: FICHTE Johann Gottlieb, *Some Lectures concerning the Scholar's Vocation*, *op. cit.*).

1504 “How do we come to transfer the concept of rationality on to some objects in the sensible world but not on to others; what is the characteristic difference between these two classes of objects, asks Fichte in *The Foundation of the Natural Right*”? FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 75.

1505 DESCOLA Philippe, *Par-delà Nature et Culture*, *op. cit.*

1506 Fichte, Letter to Reinhold, August 29, 1795, in FICHTE Johann Gottlieb, *Fichte. Early Philosophical Writings*, *op. cit.*, p. 407.

1507 Fichte, Letter to Reinhold, August 29, 1795, *op. cit.*, p. 407.

1508 FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 75.

only sign thanks to which he will recognise that, among the objects of the world, a being is similar to himself, that is, endowed with rationality. As many commentators noted¹⁵⁰⁹, Fichte refers here to the famous §64 of the *Critique of the Power of Judgment* in which Kant claims that purposiveness appears as the sign of purposiveness. The hexagon drawn in the sand of a desert island cannot have been produced by a natural cause (the action of the tide for example); my reason judges that this figure must be regarded as an end (in other word, it has been produced by an action according to a purpose), an end which refers to a human being¹⁵¹⁰. However, Fichte argues that purposiveness is not sufficient to say that the other is a human being. Indeed, purposiveness also exists in nature, or, more precisely, reason judges that in nature, a certain sort of being exists as natural ends. The tree generates itself as an individual and as a species and its parts also generate themselves. To this Kant argues that when a being is both cause and effect of itself (the tree which generates itself is cause of itself and effect of itself), then it exists as a natural end¹⁵¹¹. Thus, the tree which generates itself cannot be understood by reason without reference to purposiveness because it is cause of itself and effect of itself). Consequently, Fichte writes in *Some Lectures concerning the Scholar's Vocation*, if there are some forms of purposiveness which can be qualified as natural, purposiveness is not the prerogative of humanity, and thus it is not a sufficient sign of rationality¹⁵¹². For that reason, Fichte adds immediately that to be recognised as another human, a being has to perform an action according to a “varied purpose”, an action which is varied according to my own purposiveness¹⁵¹³. The capacity of changing my end according to the purposiveness of another is the real distinctive mark of humanity because it cannot be found in nature. When I see an animal which, driven by a definite instinct, I judge that its behaviour is oriented toward an end, but if I act on this natural being according to a purpose, it will never change its purpose in accordance with my own purposiveness. Admittedly, it will certainly change its action. If I hunt a deer it will probably take

1509 FISCHEBACH Franck, *Fichte et Hegel. La Reconnaissance*, op. cit., p. 64; RENAUT Alain, *Le Système du Droit*, op. cit., p. 208.

1510 KANT Immanuel, *Critique of the Power of Judgment*, trans. Paul Guyer and Eric Matthews, Cambridge, Cambridge University Press, The Cambridge Edition of the Works of Immanuel Kant, 2000 [1790], p. 242.

1511 KANT Immanuel, *Critique of the Power of Judgment*, op. cit., §64, p. 243. On this paragraph see GINSBORG Hannah, “Kant's biological teleology and its philosophical significance”, in BIRD Graham, *A Companion to Kant*, Malden, MA, Oxford, Blackwell, 2006, pp. 455-470; QUARFOOD Marcel, “Kant on biological teleology: Towards a two-level interpretation”, in *Studies in History and Philosophy of Science Part C: Studies in History and Philosophy of Biological and Biomedical Sciences*, Vol. 37, Issue 4, December 2006, pp. 735-747; ZANETTI Véronique, “La théorie kantienne du vivant”, *Filozofski Vesnik*, Vol. 13, n° 2, 1992, pp. 205-219; HUNEMAN Philippe, “Théorie kantienne des organismes et révision transcendantale du concept métaphysique de finalité”, Foessel Michael, *Kant*, Ellipses, 2013. fflalshs-00792181.

1512 FICHTE Johann Gottlieb, *Some Lectures concerning the Scholar's Vocation*, op. cit., p. 154.

1513 In fact, as Jean-Louis Veillard-Baron notes, Fichte's approach is the opposite of Kant's. Whereas Kant tried to distinguish the products of nature from the effect of Reason, Fichte seeks to find the specificity of the action performed by rational beings in comparison with the effects produced by natural beings. Cf his commentary on the french translation of *Some Lectures concerning the Scholar's Vocation*. FICHTE Johann Gottlieb, *Conférences sur la Destination du Savant*, edited and translated by Jean-Louis Veillard-Baron, Paris, Vrin, Bibliothèque des Textes Philosophiques, 2016 [1794], p. 149.

flight, but this modification of its action will be a mechanical reaction. One could retort that it modified its end because it changed its first purpose for another, it switches from the search for food to fleeing. But Kant specifies that the natural being pursues this purpose instinctively. Consequently, the change of the end is not a deliberate decision but a change of instinct. We go from an instinct of nutrition to the instinct of fleeing. Moreover, and above all, if the animal changes its purpose, it does not do it according to my own purpose. This marks the difference from a rational being. Indeed, after I have acted on this rational being and then expressed my purpose to him, he is able to comprehend “a representation of my manner of behaviour”¹⁵¹⁴. In other words, he produces a representation of the end of my purpose. Hence all of the problems of interpretation that occur when he intends to produce a representation of the purpose I had expressed to him through my action¹⁵¹⁵. Sometimes the other misunderstands the intentions which are behind my action, misinterpretations which may lead to conflict. Hence too, the need for a language through which we are able to establish a clear communication of our thoughts. However, whether he has an adequate representation of my intention or not, the other compares this representation to his own purpose. Then, according to the result of such a comparison, the other “*freely* gives its own action another direction”¹⁵¹⁶. This is what Fichte calls a “reciprocal action”. Reciprocal action is then the “distinguishing characteristic” of humanity.

In the *Foundations of the Natural Right*, the question of anthropologic difference is raised in a different way. Indeed, the reciprocal action has already been established as a condition of possibility of self-consciousness. We saw that this reciprocal interaction involves a form of recognition: the other who calls upon me to act, necessarily recognises me. Now the question is, how did the other recognise me¹⁵¹⁷? When he saw this specific phenomenon which is my body, lying in the world among the other phenomena, how did he recognise it as a manifestation of human subjectivity? In §6 Fichte answers that in contrast with the animal's body, which is characterised by determinate free movements, the human body produces *in-determinate free movement*. As the animal's body is articulated, its movements escape the reproduction of the species (the production of the organisation) and point to another purpose. In that, these movements are free. However, they are still guided by an instinct and are *determined*, that is, limited in number. In that sense, it seems that these “freedoms” are quite limited. On the contrary, the free movements produced by the human body are not determinate and are thus infinite. For that reason, whereas “all

1514 FICHTE Johann Gottlieb, *On the Linguistic Capacity*, *op. cit.*, p. 123.

1515 *Ibid.*, p. 123.

1516 *Ibid.*, p. 123.

1517 FISCHBACH Franck, *Fichte et Hegel. La Reconnaissance*, *op. cit.*, p. 52 and 56; RENAULT Alain, *Le Système du Droit*, *op. cit.*, p. 192.

animals are complete and finished”, “the human being is only intimated and projected”¹⁵¹⁸. We have here what Alain Renaut calls a phenomenon of freedom, that is, the apparition of human's free activity in the phenomenal world¹⁵¹⁹.

In the corollaries, Fichte carries on with his reflection on the anthropological differences and the specificities of the human body, and gives some precisions on the relation with land, which are important for our subject. In particular, in a very interesting text, Fichte raises the problem of why there was the adoption by humans of the upright stance, one of the most important specificities of the human body. This discussion takes place within the frame of the difference between animal's and humans' corporal movement. Fichte recalls that contrary to animals, man's movement are not innate¹⁵²⁰. The animal which has just been born “seeks nourishment at the breast of its mother”¹⁵²¹ whereas the newborn human being's corporal position is not innate. Likewise, the adult is not designed to walk upright, but it is a choice he made “as a species”. Fichte argues that the configuration of the human body is such that man could just as well run on four feet. As a proof of that, those wild child who grew up among animals and are able to run on all four with incredible swiftness. Therefore, man has the choice of standing on his feet and to contemplate the horizon or to remain fixed to the ground: “In my view, the human species has freely lifted itself up from the earth and has thereby earned for itself the capacity to cast its gaze in every direction, in order to survey half of the universe in the skies. By contrast, the eyes of the animal, because of their position, are riveted to the earth, which brings forth its nourishment”¹⁵²². Thus, according to Fichte, indeterminate free movement produced by the articulated body was a phenomenon of freedom. As one of those very specific movements, the upright stance is a good example of the manifestation of free activity in the world of phenomena. In the text just quoted, human and animal bodies are respectively characterised by the opposite direction that they take. The animal is enchained to the earth, which reinforces the limited nature of its sphere of movement: riveted to the earth, it is limited to the search for food which is immediately provided by the soil. On the contrary, the human body points to the sky, which, as the text suggests, opens man to the contemplation of the universe and thus to science. The upright position opens up a new field of possibilities: “by lifting himself up from the earth, human being has wrested from nature two instruments of freedom: two arms that, relieved of all animal functions, hang from the body only to await the will's command and be made suitable for its ends”¹⁵²³. Once again, as a species, man acted freely and chose to locate

1518FICHTE, *Foundations of Natural Right*, op. cit., p. 74.

1519RENAUT Alain, *Le Système du Droit*, op. cit., p. 190.

1520FICHTE, *Foundations of Natural Right*, op. cit., p. 77.

1521Ibid., p. 76.

1522Ibid., p. 77.

1523Ibid., p. 77.

the capacity to shape matter (and thus of waging war against nature) in this part of the human body, more precisely in the fingertips, by which things are conformed to our ends. Those who write and sew with their toes demonstrate that we could have chosen another part of the body and that this localisation of the capacity of forming was a true choice, a result of our freedom¹⁵²⁴. Thus, the upright stance unleashed physical possibilities that freedom seized and used to its own ends (the transformation of nature). The switch to this new posture is described by Fichte, through a poetic form, as *a detachment from the earth*:

“Through its daring, upright gait – an everlasting expression of its audacity and skill – the species, in maintaining its balance, also maintains its freedom and reason in constant practice; it remains perpetually in a state of becoming, and gives expression to this. By its upright position, the species transports its life into the kingdom of light, and constantly flees from the earth, which it touches with the smallest possible part of itself. For the animal, the earth serves as both bed and table; the human being raises his bed and table above the earth”¹⁵²⁵.

The same figure of detachment is used to express how freedom manifests itself to the eye. The eye not only has the mechanical capacity of moving freely around (a capacity which is reinforced by the upright stance), but it can also circumscribe the spatial shapes of an object and reproduce it in another manner. For instance, the eye produces an image for the concept that our spirit freely constructed. For example, from the concept of a human body that the artist constructed in his spirit, the eye draws a concrete image of the body in the raw marble without touching it. And it is with this image that the matter will be shaped. The eye does not only reproduce mechanical movements, but it is animated by the free activity of the subject: “through this live, continual weaving together of parts, the eye, so to speak, tears off and throws away the earthly matter of those parts; the eye is transfigured into light and becomes a visible soul”¹⁵²⁶. Therefore, the anthropological difference is not a given. The manifestation of freedom in the body implies a movement of detachment which proceeds by a sort of free choice. However, the earth from which the human detaches himself seems to be, above all, a synonym of our internal nature: our arms are relieved from their animal functions, the eye acquires faculties (imagination) which go beyond its mechanical capacities, etc. Therefore, it seems that the detachment has to do more with “earthly matter” than with the earth understood as the concrete soil on which we put our feet. Nevertheless, we saw that standing on his feet, man uses his arms to transform the earth from which he distanced himself. Does war wage against the external nature amounts to a form of detachment? Fichte does not really say it, even if this idea is implicit in the text. We will see that with Marx detachment becomes the truth of the war against nature.

¹⁵²⁴*Ibid.*, p. 77.

¹⁵²⁵*Ibid.*, p. 77.

¹⁵²⁶*Ibid.*, p. 78.

We have sought to determine what sort of relationship with nature corresponds to the concept of use. We determined that the use of the earth is conceived by Fichte as a conflictive interaction. Nonetheless, if the notion of war against nature gives us some precision on what really contains the notion of use, it remains very general and abstract. Now, we had the opportunity to see that in Fichte's writings on right, the use of the earth refers to a multiplicity of very concrete practices. Consequently, it remains for us to understand how does Fichte translates the very general idea of a war against nature in concrete practices and uses of the world. To answer to this question, we shall refer to §19 of the *Foundations of the Natural Right* in which proposes an application of the principles established concerning property. Insofar as rights of property and the rules of their application vary according to their object (the soil, the subsoil, forests, domesticated animals, wild animals, etc.) and insofar as, rights of property are grounded in use, this paragraph provides a systematic list of the possible uses of the earth. Agriculture, animal-breeding, mining, forestry, fishing, hunting are some of the principal uses of the earth which are exposed in detail in this quite prosaic part of the *Foundations*¹⁵²⁷. Fichte places all of these uses of the earth under the term of “productive work” (*hervorbringende arbeit*) because all of these activities consist in obtaining products *from* nature. And all citizens who are designed to be responsible of such activities are called “producers”. We have already dealt with some of these uses of the earth, and it is not necessary to review all of them. In our view, a form of conflictive interaction may be located if we focus on the relation that agriculture has with the other forms of the use of the earth.

Much like the physiocrats, Fichte considers agriculture as one of the most important forms of the use for the earth, a use which is the condition of all the others. However, he does not base his arguments on the idea of a “free gift from land” but on territorial considerations. Here, Fichte starting point is the following: given that human beings take their nourishment from the animal and vegetal realm, the condition of the continued existence of the State is that it provided with a sufficient amount of food¹⁵²⁸. When the State does not manage to feed its population, men renounce to their association and scatter. In other words, the State falls. Therefore one of the functions of the State is to provide men with its population with food. This function is required only when people decide to associate together and gather in a limited portion of nature. Indeed, when men are dispersed all around the world, land produces sufficient food to feed them and there is no need for any state intervention. However, nature cannot anticipate that men could freely decide to live together in one and the same limited territory. In such a case, the land is not able to provide

¹⁵²⁷*Ibid.*, p. 202.

¹⁵²⁸*Ibid.*, p. 189.

sufficient resources for the livelihood of man (therefore, there is no gift from nature). Consequently, the State has to intervene and has to guide natural law. Concretely, it means to “promote and increase organisation in nature”¹⁵²⁹, *i.e.*, the plant kingdom. In the *Rechtslehre* of 1812, Fichte refers to a techniques of artificial selection by which the most nourishing plants are selected. Here, the increase of organisation is qualitative, but it has also a quantitative meaning. Indeed, it means the increase of the production but also the extension of the cultivated areas. As we have already seen, while Fichte rejects the political system of the physiocrats (which gives all power to the cultivators), he shares some of their economic views. Now, it is well known that one of the bases of the physiocratic program is the cultivation of uncultivated lands¹⁵³⁰. This will of extending agriculture was one of the reasons why the physiocrats and the agronomists proposed to suppress collective rights such as the right of pasture. And, as mentioned above, Fichte likewise admits that these rights are problematic from an economic point of view. Therefore, if he concedes that the right of commonage is not profitable from an economic point of view, it could well be for the same reason as those put forward by the physiocrats: commonage is not profitable because it prevents the extension of cultivated areas. As a matter of fact, Fichte explicitly recommends this extension of agriculture to uncultivated lands in the passage dedicated to the question of uncultivated lands, which are called “the property of the populace”. We said that the accidents of these lands (those products which grow wild there) can be used for public purpose. Such is the case for the forests in which one is allowed to chop wood, pick wild berries, etc. However, public use is conditioned by the fact that these lands remain uncultivated. As soon as they are needed for the subsistence of citizens, they must be redistributed to individuals. In fact, their real destination is not to remain uncultivated lands for the use of the community but to be used for agriculture. “Whatever grows wild, says Fichte, must always give way to the cultivation of land, since more sustenance can be gained from the latter than from the former”¹⁵³¹. In other words, the territorial distribution of activities should give priority to agriculture, which implies the clearing and then the cutting down of forests. This does not mean that all forests should be uprooted. Fichte proposes that the harvesting of timber should be “carried on as a kind of agriculture”¹⁵³². However, it seems clear that Fichte is in favour of the expansion of agriculture on uncultivated lands, something which evokes the notion of a form of civilised conquest over the wilderness.

This opposition appears in the territorial problems raised by wild animals. Contrary to domesticated animals, which are defined by the fact that they can be property, wild animals are no

¹⁵²⁹*Ibid.*, p. 189.

¹⁵³⁰WEULERSSE Georges, *Le Mouvement Physiocratique en France: de 1756 à 1770*, T. I, Paris, Félix Alcan, 1910, p. 460.

¹⁵³¹FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 192.

¹⁵³²*Ibid.*, p. 192.

one's property. However, although man cannot subject them to their ends, he can appropriate and use their substance by killing them. For that reason, they are the common property of the populace. One of the specificities of wild animal is that their territoriality does not respect the territorial boundaries established by human beings and for that reason, they are not easily controllable: "since these animals cannot even be kept within the state's boundaries and thus cannot be kept for future times (as uncultivated land can be), it is highly appropriate that one capture them wherever they are found"¹⁵³³. Admittedly, it is a distinguishing characteristic of *all animals in general* that their territoriality is quite changeable and unpredictable. Indeed, by contrast with a "piece of land, which always remains in the same place and is clearly designated, once its location in space is designated", "an animal does not remain in the same place but rather is able to move freely about", particularity which, mentioned in passing, raises the problem of the identification of the owner ("what kind of sign should indicate that this particular animal belongs to this particular person and to no one else?"¹⁵³⁴). However, in the case of domesticated animals, their movement are easily controllable: indeed, in general, those animals are enclosed and when they are driven to pasture, they remain under the care of the owner¹⁵³⁵.

This is, however, not the case with wild animals, which have their own territoriality and do not care much for the lines and limits drawn by human beings. Those animals are hardly controllable. *A priori*, this is not a problem when man and animal's respective territory do not overlap. Fichte takes the example of wild fish who lives in water: in contrast to land, aquatic territories are not subject to human ends, "at least to the extent that human do not live *in*" this milieu. In other words, men do not live in water and fish never escape from their pond¹⁵³⁶. Consequently, there is no risk of there being a clash between man's terrestrial sphere of action and the fishes' aquatic territory. There is no problem either with those animals which lives on lands occupied by humans but cause very little harm to humans. This is the case of small birds which eat seeds sowed by men but at the same time considerably reduce the number of harmful insects. This system of cooperation compensates for the small amount of harm that is caused by those birds. The situation is, however, different compared with the other second class of wild animals, those which are greatly "harmful to humans and interfere with human ends. All animals that are properly called wild, especially the larger ones, belong to this class"¹⁵³⁷. Here, the interaction between humans and non-humans recalls the situation of inter-human conflicts, which we presented in the precedent sections: my free action is hindered by another, which leads to conflict of use. Just as when an

¹⁵³³*Ibid.*, p. 199.

¹⁵³⁴*Ibid.*, p. 195.

¹⁵³⁵*Ibid.*, p. 195.

¹⁵³⁶*Ibid.*, p. 199.

¹⁵³⁷*Ibid.*, p. 199.

agriculturist uses my land, his use enters into conflict with my use of it, so too, is there a clash between the deer's action, which ravages the peasant's field, and the peasant's use of the earth. Does this mean that this clash is equivalent to the conflicts which break out among humans? Strictly speaking no, since inter-human conflicts bring into play two free activities which enter into conflict whereas in the case of wild animals, which are harmful for humans, it is a mechanical action driven by instinct which clashes with the deployment of my free efficacy. However, it is difficult to deny that this clash of use takes the form of a conflict, especially if we consider what Fichte recommends in response to wild animal attacks.

Since everyone has the right to live off his activity, the duty of the State is to protect agriculture against the damages caused by wild animals. Consequently, "The wilderness [wild animals], says Fichte, must always give way to civilisation [agriculture]" and the State ought to regard the former primarily "not as something useful, but as something harmful, not as an emolument, but as an enemy"¹⁵³⁸. There is no ambiguity here on the fact that a war is to be waged against the wilderness. This war takes the concrete form of the expansion of agriculture but also means the extermination of those wild animals through hunting. Indeed, "the primary purpose of hunting is to protect the fields, not to take possession of wild game"¹⁵³⁹. It is interesting to note that, the protection of agriculture against wild animals is placed at the same level as one of the principal functions of the State, the protection against violence: "accordingly, the state would have to enlist those in its service to provide such protection, just as it must provide protection against robbers, fires, and floods"¹⁵⁴⁰. Consequently, the peasant has the total right to kill the wild animal which devours his crops. If we recall that hunting was a privilege of the nobility and that this activity provokes conflict with agriculturists, who saw their crops destroyed by game, it is easy to understand that Fichte is clearly more in favour of the latter than the former. In any case, the complementary relation between agriculture and hunting gives us an idea of what is concretely meant by the war against nature. This war appears in the text as a war for the expansion of agriculture against the wilderness, and it is possible that this war has something to do with the war that the physiocrats waged for modernisation.

¹⁵³⁸FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 200.

¹⁵³⁹*Ibid.*, p. 200.

¹⁵⁴⁰*Ibid.*, p. 200.

IV) The Struggle for the Use of Forests

In studies on the commons and land use conflicts (and now in environmental literature), it has become common place to refer to Marx's articles on the "Debate on the law on the thefts of wood" (published in the *Reinische Zeitung*, from the 25th of November to the 3rd of November 1842)¹⁵⁴¹ as well as Thompson's *Whigs and Hunters*¹⁵⁴². It is a lot less common place that these writings are related with Fichte's developments on conflict. Recently, Pierre Dardot and Christian Laval have, however, connected these two philosophical traditions, which, on the surface, appear very different¹⁵⁴³. Our previous development as well as what follows, should be considered as an in-depth study of this hypothesis, which is not so ancillary from the point of view of the general intention of their book untitled *Commun*, since they redefined the common as a common activity (*agir commun*), and that it is precisely in relation to this concept of activity that they articulate both texts.

What Marx has in common with Fichte is the fact that he tends to centre conflictual dynamics on activity (the use of the earth), but, different to Fichte, he adopts a quite different way of conceptualising it. One of the principal differences consists in a change of the level of analysis. In the *Foundations of Natural Right*, but also in *The Closed Commercial State*, struggles for use were situated in the framework of a theory of property and was relegated to a pre-contractual state whose tensions were resolved by the *contract*. Moreover, this grammar of conflict was embedded either in a deduction of the right of coercion or in an idealistic construction of the rational state. Therefore, the historical dimension of the conflict did not appear or, at least, it was pushed into the background. On the contrary, Marx transposes conflictuality from a pre-contractual space of coexistence to the empirical historical plan of peasant struggles.

The second theoretical displacement consists in a shift from the individual to the collective. Whereas in the *Foundations of Natural right*, the agonistic space opposes principally of individuals, here, communities, groups and classes constitute the conflicting parties. As we will see further, the use of the earth, since it is the seat of friction, becomes collective especially because it is connected

1541MARX Karl, *Debates on the Law on Thefts of Wood*, in ENGEL Friedrich, and MARX Karl, *Collected Works*, Vol. 1, 1835-1843, London, Lawrence & Wishart, 2010 [1842], pp. 224-263.

1542THOMPSON Edward P., *Whigs and Hunters*, *op. cit.*

1543DARDOT Pierre and CHRISTIAN Laval, *Commun*, *op. cit.*, pp. 354-359.

with the concept of custom. Moreover, an asymmetry appears between the forces involved in the conflict since, whereas in the *Foundations of Natural Right* individuals had equivalent positions, the space of friction is now divided between those who dominate and those who are dominated or peasants and owners. Here, the question of domination, and what we may call the government of use, reappears even though it had been put to one side by Fichte in 1796.

Finally, the notion of recognition disappears totally from the grammar of conflict, and the question of use will impose itself as the central element of the conflictual dynamic.

IV.1) Marx and The Debate on the Law on the Theft of Wood

In his articles of 1842, Marx shifts to the empirical level because his aim is to analyse the debate on a law adopted in 1841 by the Rhine Diet, that is to say, the Provincial Assembly of the Rhineland situated in Düsseldorf. This law qualifies the gathering of fallen wood as theft and thus criminalising the collective right claimed by the inhabitants of the Rhine forests¹⁵⁴⁴.

To fully understand this law, it is necessary to contextualise it in relation to the socio-economic transformations which occurred in the Rhineland during the period that goes from the French occupation (1795-1815) to the end of the Vormärz (1815-1848), and more broadly, Europe history during the XVIIIth and the XIXth century. Roughly speaking, it can be said that this period is characterised by a transition from the feudal mode of production to the capitalist mode of production¹⁵⁴⁵. This transformation is especially marked by the advent of specific juridical forms, which are inherited from the French Revolution and are based on absolute private property and the equality between the subjects of right. Following on from this legacy, the Prussian State had implemented a series of legislative reforms from 1821 to 1837 concerning the punishment of forest crimes and the compensation for the damage suffered by the proprietary¹⁵⁴⁶.

The promotion of private property was thus precisely what was at stake in the law of 1841 and was voted by an assembly which was principally composed by representatives of the prince, the nobility, the bourgeoisie and rich peasants, that is, landowners¹⁵⁴⁷. We have previously noted how this conception of property is opposed to collective right, and how these rights constrained the

1544Cf the first article (section I) of the law translated in french in LASCOURMES Pierre and ZANDER Hartwig, *Marx : du "Vol de bois" à la Critique du Droit. Karl Marx à la "Gazette rhénane"*, Naissance d'une méthode, Edition Critique du "Débat sur la Loi Relative au Vol de Bois" et "Justification du Correspondant de la Moselle", texts translated by Laurence Renouf and Hartwig Zander, Paris, PUF, Philosophie d'Aujourd'hui, 1984, p. 174.

1545LASCOURMES Pierre and ZANDER Hartwig, *Marx : du "Vol de bois" à la Critique du Droit, op. cit.*, p. 15.

1546Ibid., pp. 102-105.

1547CORNÜ Auguste, *Karl Marx et Friedrich Engels: leur Vie et leur Œuvre*, T. 2, *Du Libéralisme Démocratique au Communisme*, La "Gazette Rhénane", les "Annales Franco-allemande": 1842-1844, Paris, PUF, 1958, p. 12.

owner to authorise certain uses of his land (as the practice of commonage). Now, the law on the theft of wood precisely aimed to break the restrictions that bound property, giving back to the owner total control over his “territory”.

This appears perfectly if we compare the law of 1841 with the former Penal Code (the Criminal Code of Karl V, which was adopted by the Reichstag in Regensburg in 1532 and which was reputed as being particularly cruel). In the former, the category regarding the “theft of wood” is more extensive as it includes more practices than in the latter. Marx classifies the different forms of collecting wood distinguishing them from each other: 1^o the cutting of “green wood” 2^o the theft of the “felled wood” 3^o the collection of “fallen wood”¹⁵⁴⁸. According to the Criminal Code of the XVIth century, only the two first practices fall under the category “theft of wood”, which means that the inhabitants of the forest had a right to gather fallen wood. Marx himself notes that such a practice cannot be considered as an attack against property. According to him there is a fundamental difference between this act and the others, this difference that lies in the difference of the object itself:

“The gathering of fallen wood and the theft of wood are therefore essentially different things. The objects concerned are different, the actions in regard to them are no less different; hence the frame of mind must also be different, for what objective standard can be applied to the frame of the mind other than the content of the action and its form”¹⁵⁴⁹.

In the first category of, the object of the action, the green wood, is organically attached to the tree, which is possessed by the forest owner. This means that this sort of wood is a part of his property. Consequently, to separate forcibly the growing timber from its organic association amounts to separating the part from the whole and thus constitutes the theft of a part of the property. Concerning the second case, Marx uses a Lockean argument: even though the wood has been separated from the tree, the object worked on by the owner (the tree) remains his property because it was felled by him. Since it is a result of his work, the product belongs to the producer of this work, and the one who subsequently takes it, steals his property. In the third case, due to the fact that the object is radically different from the others, the action of taking the wood is also radically different. Indeed, contrary to growing timber and then felling it, “fallen wood” is no longer attached to the tree and is, therefore, not a part of the owner's property anymore. Unlike the felled wood, fallen wood has not been separated intentionally from the property but accidentally. Since the owner is not responsible for it fall (here, nature is the culprit) it no longer belongs to anyone. Consequently, since it belongs to no one, it can be gathered up by anyone. The nature of the object reveals the nature of the action (*i.e.*, if it is a theft or not). It should be added that the totality of the action, the

1548MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, pp. 226-227.

1549*Ibid.*, p. 227.

content (the object) as its form (the act directed toward the object), says something about the mind of the one who acts, that is, their intention. Indeed it is not too difficult to intuitively understand that if one were to cut or fell (form of the action) a growing tree (object of the action), thus he would be perfectly aware that his action constitutes an offence, which proves that he would have the intention of doing it. The same cannot be said for the person who gathers the fallen wood.

From the point of view of absolute property, things are totally different. The law of 1841 “wipes out the boundary between” the two first sorts of action and the third. Doing so, this law gives full power to the owner, who is now allowed to determine the whole spectrum of the possible uses of the forest he owns. He has the right to annihilate the collective right he was forced to respect before and especially the right to gather fallen wood. The law defends the sole interest of the forest owner, who can sell the fallen wood to the market, providing him with another source of profit.

Here, the conflict, which opposes owners and users of the forest, is centred on the use of land. The same opposition between possession and use that structured the discussion on property in Fichte's text reappears here in the historical events reported by Marx. However, whereas Fichte uses it to elaborate his own theory of property, this antagonism defines the conflict at stake in the debate on the theft of wood.

IV.2) Customs of the Poor, Customs of the Aristocracy: the Right to Property

This conflict is expounded by Marx in the language of customs and laws. Two forms of law confront each other: custom and bourgeois law.

“We unpractical people, however, demand for the poor, politically and socially propertyless many what the learned and would-be learned servility of so-called historians has discovered to be the true philosopher's stone for turning every sordid claim into the pure gold of right. We demand for the poor a *customary right*, and indeed one which is not of a local character but is a customary right of the poor in all countries. We go still further and maintain that a customary right by its very nature can *only* be a right of this lowest, propertyless and element mass.”¹⁵⁵⁰

As Thompson argues, custom is the interface between *law* and *agrarian practices* since it is considered as being both¹⁵⁵¹. It is *praxis* because everything done within the framework of a reasonable act, and that is beneficial to the collectivity, find itself being repeated again and again. Poor people, once having gathered fallen wood from the forest, and because this contributes to their subsistence, adopt this practice as being part of their customs. But it is also a form of *lex* because the repetition of this act through time gives it the force of Law. This practice becomes a rule of the

1550MARX Karl, *Debates on the Law on Thefts of Wood*, op. cit., p. 230.

1551THOMPSON Edward P., “Custom, Law and Common Right”, in THOMPSON Edward P., *Customs in Common*, London, Penguin Books, 1993 [1991], p. 97.

community: people have the right to gather wood that is unused by the owner of the forest (it is a collective right). According to Coke's definition, "customs are defined to be the law or right not written; which, being established by long use and the consent of our ancestors, hath been and is daily practised"¹⁵⁵². It is continuous, reasonable, certain, immemorial and finally it is a *lex loci*, that is, a law *in situ*, grounded in a particular place.

This last characteristic, which is condemned in Marx's text on the theft of wood, means that customs become laws when taking place on a specific piece of land: a manor, a park, a parish, or, as it is the case here, a forest. The dimension of locality makes it particular and thus not universal: from a manor to another, the right of use either applies or it does not. Thomas Paine had already criticised this custom, arguing that the right had to be the same for all and must not depend on a locality (a town, a village, etc.). Besides this lack of universality, he added that such a custom was absurd: a right cannot be attached to a single place since the defining feature of rights is that it is an attribute of a person, not an inanimate matter¹⁵⁵³.

Marx does not reject the custom as a whole, but, instead he attempts draws it out from the gangues of its particularity. In order to do so, he abstracts the custom from out of the particular place it is attached to. Indeed, such a custom will only become legitimate if it reaches the universality of law that embodied in rational right, a terminology that recalls Hegel's philosophy of right. Universality is acquired only if the collective rights become the rights of "the poor in all countries". Even if he does not formulate this argument in the terms of class, Marx says something similar about the proletariat. In the latter texts of Marx (especially the *Manifesto*¹⁵⁵⁴ and the *German Ideology*¹⁵⁵⁵), he will claim that the proletariat is a "universal class"¹⁵⁵⁶, since it possesses nothing and as a result does not defend any particular interest. This negative universality, for Marx, will be transformed into a positive universality by the appropriation of the means of production and the dissolution of all classes. Much like the peasants of 1842, the proletariat transcends all classes, all nationalities and all frontiers. Reaching such a universality, the customary right becomes "the *anticipation* of the legal right"¹⁵⁵⁷. Making customs the right of the poor, which transcend all

1552THOMPSON Edward P., "Custom, Law and Common Right", *op. cit.*, pp. 128-129.

1553"As the election of a Convention must, in order to ascertain the general sense of the nation, go on grounds different from that of Parliamentary elections, the mode that best promises this end will have no difficulties to combat with from absurd customs and pretended rights. The right of every man will be the same, whether he lives in a city, a town, or a village. The custom of attaching Rights to *place*, or in other words to inanimate matter, instead of to the *person*, independently of place, is too absurd to make any part of a rational argument". PAINE Thomas, A Letter Addressed to the Addressers, on the Late Proclamation (1792), in PAINE Thomas, *Rights of Man. Common Sense and other Political Writings*, *op. cit.*, p. 377. The end of this extract is quoted by Thompson, in THOMPSON Edward P., "Custom, Law and Common Right", *op. cit.*, p. 136.

1554See for example MARX Karl, *Manifesto of the Communist Party*, in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 6, 1845-1848, trans. Jack Cohen, *et. al.*, New York, International Publishers, 1976 [1848], pp. 494-495.

1555MARX Karl, *The German Ideology*, *op. cit.*, pp. 52-53.

1556For this expression, see BALIBAR Etienne, *La Philosophie de Marx*, Paris, La Découverte, Repères, 2001, pp. 38-39

1557MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, p. 231.

countries, thus removing them from the place they were embedded in, Marx abolishes their particularity and rises them to the form of universality.

Such is the difference to the defence to the right of property contained implicitly in the law on the theft of wood – Marx refers here to the “legislative interest”¹⁵⁵⁸. Indeed, contrary to the customs of the poor, the “petty, wooden, mean and selfish soul of interest” legislates here. Now, since this law is animated by self-interest, it cannot, by definition, be universal and is thus opposed to rational law. This appears concretely in numerous articles of the law in question, for example, in addition to the article 5, proposed by the commission¹⁵⁵⁹. Indeed, with this addition, the same Assembly which repudiated the difference between the gathering of fallen wood and the felling of the growing wood, considering both of them as a crime, now decides to regard the second activity as an aggravating circumstance. As Marx writes, “it repudiates the difference between these actions, refusing to regard it as a determining character of the action, when it is a question of the *interests of the infringers of forest regulations*, but it recognises this difference when it is a question of the *interests of the forest owner*”¹⁵⁶⁰. This is why Marx can conclude that the Assembly intervened “to make private interest lay down laws to the law where the law had laid down laws to private interest.”¹⁵⁶¹ Here, Marx reveals the conflict that exists between peasants and the owners of the forest and demonstrated how it is structured by what we call an *axiomatic asymmetry*. By this expression, we mean that the motivation of both parties is different (one defends the collective right of use, the other defends private property), but also that they should not be placed identically on the scale of values. Indeed, what Marx intends to prove in the text quoted above, is that the *collective* rights of use that the peasants oppose to the self-interest of the owners (and their private property) are, as such, more rightful because they are universal (or at least not particular). Here, the criterium of rightfulness is the accordance with rational law: the motivations of the peasant fit with the universality of rational law whereas the private interest that shapes the positive law is not.

Such an asymmetry also underlies the conflict with the customary rights of the aristocracy. Indeed, customary rights not only are opposed to the right of property but also to the custom of the nobles – and the strength of this text (and more generally the text of Marx) is that the conflict is never binary but implies a multiplicity of actors whose motivations are different both at the level of their content and at the level of value. Numerous commentators of this text have pointed out that, whereas the Historical School of Law (especially Savigny)¹⁵⁶² emphasizes the unity of the custom,

1558 *Ibid.*, p. 236.

1559 *Ibid.*, p. 228 For the french translation of this addition, see: LASCOUTES Pierre and ZANDER Hartwig, *Marx : du “Vol de bois” à la Critique du Droit*, *op. cit.*, p. 181.

1560 MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, p. 228.

1561 *Ibid.*, p. 261.

1562 Marx's relation with Savigny's theory of custom is a matter of debate. Whereas Lascoumes and Zander state that

which is nothing less than the embodiment of the spirit of the people (*Volkgeist*) – and at the same time the sign by which it is known¹⁵⁶³ –, Marx splits this monolithic edifice and opposes the customs of the poor with the customs of the “privileged classes”, that is, the nobility.

Such customary rights are against rational law and are in “conflict by their *content* with the form of universal law”¹⁵⁶⁴ because they are deeply in-egalitarian. These aristocratic customary rights appeared at a period in which human history remained a part of natural history and therefore belong to particular world, feudalism, that Marx calls “*the spirit animal kingdom*”. Opposed to the “*human world*”, the spirit animal kingdom also differs from the “*natural animal kingdom*”. This animal world (*the natural animal kingdom*) is the paragon of inequality since the only form of equality to be found is that which exists *inside* the borders of each animal species; *outside* each species, animal kind is the realm of the competition between species. On the contrary, within the human world, the realm of spirit, the only form of “inequality is nothing but a refracted form of equality”¹⁵⁶⁵. Here, Marx probably makes Sieyès' thesis his own since according to the French revolutionary, equality is above all a negation of feudal inequality and means the equality of right (which “*ne fait pas tort à autrui*”) and is not a pure equality of means (faculties, fortunes, chance, etc.). Therefore, the inequality of means fits in with the equality of right, which is then articulated with freedom¹⁵⁶⁶. Now, in the history of evolution, the *spirit animal kingdom* (feudalism) is an intermediary step between the *natural animal kingdom*, which corresponds to the natural history, and the *human world*, which has removed itself completely from the realm of nature. Because of this intermediary position, the spirit animal kingdom borrows element from the two extreme stages: “Mankind appeared to fall into definite species of animals which were connected not by equality, but by

Marx breaks the unity of Savigny's custom, Xifaras claims that he uses the historical realism of the Historical School of Law against Hegelian speculation. LASCOUTES Pierre and ZANDER Hartwig, *Marx : du “Vol de bois” à la Critique du Droit*, op. cit., pp. 231-234; XIFARAS Mikhaïl, “Marx, justice et jurisprudence. Une lecture des “vols de bois””, *Revue Française d'Histoire des Idées Politiques*, n° 15, 2002/1, pp. 101-102 ; see also, MASCAT Jamila M. H., “Marx et le vol de bois. Du droit coutumier au droit de classe”, *Droit & Philosophie*, n° 10: Marx et le droit, 2018 [<http://www.droitphilosophie.com/article/lecture/marx-et-le-vol-de-bois-du-droit-coutumier-au-droit-de-classe-252>].

1563 “If one looks at the true bases of positive law, at the actual substance of it, he will see that in that view, cause and effect are exactly reversed. That basis has its existence, its reality in the common consciousness of the people. This existence is an invisible thing; by what means can we recognize it? We do so when it reveals itself in external act when it steps forth in usage, manners, custom; in the uniformity of a continuing and therefore lasting manner of action we recognize the belief of the people as its common root and one diametrically opposite to bare chance. Custom therefore is the badge and not a ground of origin of positive law”. SAVIGNY Friedrich Carl Von, *System of the Modern Roman Law*, Vol. I trans. William Holloway, Madras, J. Higginbotham Publisher, 1867, p. 28. For a good presentation of Savigny's philosophical work, see KANTOROWICZ Hermann, “Savigny and the Historical School of Law”, *Law Quarterly Review*, 53, pp. 326-343.

1564 MARX Karl, *Debates on the Law on Thefts of Wood*, op. cit., p. 231.

1565 *Ibid.*, p. 230.

1566 On this point see GUILHAUMOU Jacques, *Sieyès et l'ordre de la langue. L'Invention de la Politique Moderne*, Paris, Ed. Kimé, Collection Philosophie-épistémologie, 2002, p. 190. See also GUILHAUMOU Jacques, “Un usage négatif d'égalité: liberté/égalité chez Sieyès”, in Fiala Pierre (ed.), *In/égalité/s. Usages lexicaux et variations discursives (18^e-20^e siècles)*, Paris-Montréal-Québec, L'Harmattan, 1999, p. 71-87.

inequality, an inequality fixed by laws”¹⁵⁶⁷. This world is human because it is the realm of spirit and is organized by human laws; but as the animal kingdom, it is divided in two “species”, the one (the nobles) enslaving the other (the serf). Here, Marx uses the rhetoric of the war of species and subverts it. Whereas in the natural animal kingdom the different species of animals fight against each other a merciless war, the war of species that rages in the spirit animal kingdom is in fact a war of class:

“under feudalism one species feeds at the expense of another, right down to the species which, like the polyp, grows on the ground (*an die Erdscholle gewachsen*) and has only numerous arms with which to pluck the fruits of the earth for higher races while it itself eats dust; (...) When the privileged classes appeal from *legal right* to their *customary rights*, they are demanding, instead of the human content of right, its animal form, which has now lost its reality and become a mere animal mask”¹⁵⁶⁸.

Here, the term *Erdscholle* could also be translated by the term “glebe”¹⁵⁶⁹. The term *gewachsen*, which is translated by the English term “grows”, evokes a plant that is rooted in the soil and grows up. Furthermore, the polyp (*Polyp*) which grows on the glebe may have a medical meaning and signify “an abnormal growth of tissue in a mucous membrane”; but it may also mean this specific subdivision of cnidaria which is fixed (the anemones, the corral, etc)¹⁵⁷⁰. Hence, in the text quoted above, the polyp refers to a sort of tumor, which is rooted in the glebe. Metaphorically, the polyp that grows in the ground is nothing less than the serf *glebae adscriptus* already mentioned in the Fichte's *Contributions*. This image of rootedness thus represents the dominated class, who only possesses arms in order to survive and for that reason are chained to the land of the *seignior* who makes them work on it and exploits them. This forced labour may correspond to the *corvée* but also to the other seigniorial rights. The customary rights of the aristocracy are, therefore, not universal since they are but the privilege of few and because they do not treat all humans as equals. Even if Marx does not state this explicitly, it is quite clear that human beings will liberate themselves from this yoke of oppression and enter into the human world (and then accomplish their full humanity) only if they have the courage to break the chain that ties them to the land that belongs to the nobility, and if they transcend this world, which is too natural and thus too unequal, to reach the human world itself.

Be that as it may, our point here is that there is clearly an antagonism between the peasant's customs and the seigniors'. Even if Marx does not explain which form this antagonism concretely takes, we have demonstrated that seigniorial rights and peasant's collective right of use often

1567MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, p. 230.

1568MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, p. 231.

1569The french translator of the Pleiade Edition translates this by “*glèbe*”. See MARX Karl, “Les Débats sur la Loi Relative aux Vols de Bois”, in MARX Karl, *Œuvres*. III, *Philosophie*, edited by Maximilien Rubel, Paris, Gallimard, Bibliothèque de la Pléiade, 1982 [1842], p. 243.

1570The other subdivision of the cnidaria regroups the forms of animals which are mobile and free, such as the jellyfish.

clashed during the Ancient Regime. Our second point is that this conflict of custom is clearly asymmetric from an axiological point of view since the collective right of peasants are universal and just, whereas the seigniorial rights are marked by self-interested nefarious deeds. It is now possible to clearly understand why Marx separated the collective rights of peasants from its local dimension. In other words, why peasant customs are no longer a *lex loci* but universal. Overall, his purpose is to defend and legitimise the collective right against the right of property against seigniorial rights.

IV.3) *Lex loci* and Delocalized Custom

By raising the collective rights of the peasants from out of its specific *lex loci*, Marx nevertheless places to one side the very element that constituted the essence of the custom. Indeed, according to Thompson, it seems that the specificity of the custom is that it is adapted to a local context. From parish to parish, the custom had to be adjusted so as to fit into and accommodate to an indefinite multiplicity of variables that were concomitantly economic, juridical, religious and, above all, demographic and ecological¹⁵⁷¹. In fact, as a system of rules, the *lex loci* imposed certain constraints and limitations upon the collective use of land. Contrary to what Hardin claims, these “commons” were far from leading the community toward an over-exploitation of the resources but were, in a way, sustainable. Indeed, the enclosures as well as the disappearance of the forest institutions provoked a juridical vacuum in which different uses collided with each other without being regulated by any rules, what finally led to ecological crises¹⁵⁷². It is hence understandable that the right of use should be adapted to the ecological and demographical particularities of the place in which they were implemented. The presence of a swamp or a forest in the landscape, for example, or the size of the population, all of these require specific rules and thus specific collective rights of

1571 “The profile of common right usages will vary from parish to parish according to innumerable variables: the economy of crop and stock, the extent of common and waste, demographic pressures, by-employments, vigilant or absentee landowners, the role of the church, strict or law court-keeping, the contiguity of forest, fen or chase, the balance of greater and lesser landholders”. THOMPSON Edward P., “Custom, Law and Common Right”, *op. cit.*, p. 102.

1572 “It has been Professor Hardin's argument that since resources held in common are not owned and protect by anyone, there is an inexorable economic logic which dooms them to over-exploitation. The argument, in fact, is derived from the English propagandists of parliamentary enclosure, and from a specific Malthusian variant. Despite its commonsense air, what it overlooks is that the commoners themselves were not without commonsense. Over time and over space the users of commons have developed a riche variety of institutions and community sanctions which have effected restraints and stints upon use. If there were signs of ecological crisis in some English forests in the eighteenth century, this was as much for political and legal reason as for economic or demographic. As the old forest institutions lapsed, so they fell into a vacuum in which political influence, market forces, and popular assertion contested with each other without common rules (...)”. THOMPSON Edward P., “Custom, Law and Common Right”, *op. cit.*, p. 107.

use to maintain a certain equilibrium and a certain sustainability. As a historic example, this sort of equilibrium was maintained at the Swanimote, the local court of the forest of Windsor, that is, before the adoption of the black act in 1723. This institution, which was in some ways a vestige of a democratic structure, had for a long time conciliated different uses of the forest that were *a priori* opposed: it had made it especially possible for there to be a cohabitation between 1° the King, who hunted the deer, and the yeoman (a well-off peasant with a freehold or a copyhold¹⁵⁷³), who enclosed his land against royal game¹⁵⁷⁴, 2° the nobility and the gentry (composed of knights, esquires, gentlemen and baronets¹⁵⁷⁵), who constantly tried to enforce their rights on manor soil, and the customary tenants (peasants whose land was the *dominium directum* of the Lord of the Manor), who pressed forward their claims so that their cattle may graze¹⁵⁷⁶. Although there were clear motives that led Marx to separate such customs from their locality, motives which are easily understandable (the law should serve the interest of everyone and should be the same for all), one cannot but think that this removal (*arrachement*) empties the collective right of their substance. Accordingly, the suppression of the local dimension may explain why Marx forgets to mention, the ecological functions of the peasant practices¹⁵⁷⁷. The condemnation of a rootedness and the valorisation of the figure of detachment (*arrachement*) are not details devoid of any importance. In fact, the opposition between locality and detachment will be reasserted by Marx in numerous posterior texts, texts which date from 1842 to the end of his life. Indeed, this opposition is present in Marx's texts to such a degree that his work should be counted among those philosophies of detachment which constitutes the philosophical ground of the grammars of conflict examined in the three first parts of this thesis.

For instance, the specific passage that Marx dedicates to the *lex loci* in his articles 1842 echoes the more famous text the *Eighteenth Brumaire of Louis Bonaparte*, a text which deals with small-holding peasantry and where Marx distinguishes between the conservative and the revolutionary peasantry. Likewise in this text, the opposition between rootedness and detachment reappears. Firstly, that which Marx designates as the "small-holding peasant" corresponds to the peasantry that, after the revolution, have access to small properties and that subsequently give their support to Bonaparte from 1848 onwards. Here, Marx's sociological analysis could be summarised as the following: the vast mass of poor peasants cannot form a class because of its specific mode of

1573For a definition, see the note b p. 31 of the french translation of the Whigs and Hunters. THOMPSON Edward P., *La Guerre des Forêts: Lutttes Sociales dans l'Angleterre du XVIII^e siècle*, edited by Philippe Minard, trans. Christophe Jaquet, Paris, La Découverte, Futurs Antérieurs, 2014.

1574THOMPSON Edward P., *Whigs and Hunters*, *op. cit.*, p. 38.

1575See the definition note b p. 29 of the french translation of the Whigs and Hunters.

1576THOMPSON Edward P., *Whigs and Hunters*, *op. cit.*, pp. 31-32.

1577On this dissimulation, see CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, p. 316.

production, which lies in their particular means of production, that is to say, the smallholding. Now, the specificity of this mode of production is that the peasant does not need to go out of his land to ensure his subsistence: “each individual peasant family is almost self-sufficient; it itself directly produces the major part of its consumption and thus acquires its means of life more through exchange with nature than in intercourse with society”¹⁵⁷⁸. The strange thing is that, far from being valorised as a condition of freedom, autarchy is here seen as a prison which confines the peasant to the perimeters of his unity of production and thus disconnects him from the rest of the world. The explanation lies in the fact that if the relation with land is sufficient to provide a livelihood and that commercial exchange is not necessary for this purpose, then the peasant can do without any social relationship that goes beyond the local sphere of his unity of production. Here, the term of “commerce” means both the exchange of goods and a relation with the other. Therefore, the absence of a commercial relationship means the total absence of the “wealth of social relationships” which, as a result of their mode of production, are reduced to a “local interconnection”. Because the small-holding peasants are secluded in their limited and closed world, they do not really form a class. Admittedly, they do in the sense they live under the same economic condition, through which they differentiate themselves as a distinct group from the other classes. However, because the mass of such a group is formed from an aggregate of disparate elements no kind of interconnection (community, national bond or political organization) exists between these small families bound to their land; they are, as a result, “incapable of enforcing their class interests in their own name”. They are, therefore, incapable of representing themselves and are obliged to be represented by a saviour figure, who does not belong to their world (*i.e.*, Bonaparte). They thus form a class *in se* but not a class *per se*. It should be noted that the description that Marx gives of these French peasants is very close to that given by republicans after the election of Louis-Napoléon Bonaparte on the 10th December of 1848. That is, historical defenders of universal suffrage, the republicans are torn between their respect for the will of the people (who voted massively for Bonaparte) and their visceral hatred for this despot, who threatens the same popular sovereignty and, *in fine*, democracy¹⁵⁷⁹. To explain this paradox, republicans such as Jules Ferry argue that the peasants, who are too close to nature, are similar to beasts are guided by their instinct and who only respond to physical stimuli, as for example, the promises made by the imperial administration during the legislative election of 1863 that their material situation will be improved. For that reason, the

¹⁵⁷⁸MARX Karl, *The Eighteen Brumaire of Louis Bonaparte*, ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 11, 1851-1853, trans. Clemens Dutt, Rodney Livingstone and Christopher Upward, New York, International Publisher, 1979 [1852], p. 187.

¹⁵⁷⁹GABORIAU Chloé, “Nature versus Citoyenneté dans le discours républicain: l’héritage du Second Empire”, in Bourdeau Vincent and Macé Arnaud (eds.), *La Nature du Socialisme: Pensée Sociale et Conception de la Nature au XIXe siècle*, Besançon, Presses Universitaires de Franche-Comté, 2017, pp. 181-196.

peasants cannot understand the real meaning of their own vote. Isolated from the rest of the world, they are incapable of detaching themselves from their land and cannot understand their belonging to a national community and, as a result, cannot vote according to national issues. In a word, they are not considered as real citizens, citizenship being defined, by contrast, as a detachment of all natural and psycho-social determinations (*arrachement à toutes les déterminations naturelles et psycho-sociales*)¹⁵⁸⁰. This opposition between the backward peasant and the citizen, who has reached the universality of the nation, is very close to the opposition that Marx draws between the peasants who voted for Napoleon, who are incapable of seeing further than their limited world, and the revolutionary peasant, who is capable of breaking the chains of locality.

“But it may be objected, what about the peasant rising in half of France, the raids on the peasants by the army, the mass incarceration and transportation of peasants?

Since Louis XIV, France has experienced no similar persecution of the peasants “for demagogic practices”.

But let there be no misunderstanding. The Bonaparte dynasty represents not the revolutionary, but the conservative peasant; not the peasant that strikes out beyond the condition of his social existence, the smallholding, but rather the peasant who wants to consolidate this holding; not the country folk who, linked up with the towns, want to overthrow the old order through their own energies, but on the contrary those who, in stupefied seclusion within this old order, want to see themselves and their smallholdings saved and favoured by the ghost of the empire. It represents not the enlightenment, but the superstition of the peasant; not his judgment, but this prejudice; not his future, but his past; not his modern Cévennes, but his modern Vendée.”¹⁵⁸¹

Therefore, the difference between the revolutionary and the conservative peasant is made explicit through the opposition between two historical peasant revolts: the revolts of the *camisards*, those protestants who struggled in the Cévennes against the catholic oppression (1702-1705) and the counter-revolutionary wars of Vendée that broke out in 1793. The republican historiography generally sees in the second uprising a plot of the nobles and the clergy, who are accused of having used this mass of backwards and fanatic peasants against the Republic¹⁵⁸². On the contrary, according to Marxist historians, the struggles in the Cévennes represent the class struggle of peasants against feudalism, and the religious component is just the ideological envelope of this material conflict.

In fact, this opposition is, in many respects, far from the reality of historical fact. On the one hand, historians agree that the “*camisards* revolts” did not really take the form of a social struggle or an open political conflict; since it was, before all, a movement tinged with prophetism¹⁵⁸³.

¹⁵⁸⁰GABORIAU Chloé, “Nature versus Citoyenneté dans le discours républicain...”, p. 191.

¹⁵⁸¹MARX Karl, *The Eighteen Brumaire of Louis Bonaparte*, *op. cit.*, p. 188.

¹⁵⁸²In fact, the cause of this conflict is much more complex and cannot be reduced to the plot thesis: indeed, historians have likewise emphasised on the town-country antagonism (especially Paul Blois and Charles Tilly) and the identity factor (Jean-Clément Martin) to explain this revolt.

¹⁵⁸³KRUMENACKER Yves, “Violence ou non-violence: les protestants français sous Louis XIV”, in GAMBRELLE Fabienne and TREBITSCH Michel (eds.), *Révolte et société, Actes du IV^e Colloque d'Histoire au Présent*, Paris, Histoire au Présent, Publications de la Sorbonne, 1989, T. II, p. 111; AUBERT Gauthier, *Révoltes et Répressions dans la France moderne*, Paris, Armand Colin, U, 2015, p. 91.

However, on the other hand, the wars of Vendée were not the result of a blind support of the peasantry to the program of the counter-revolution. Indeed, some historians have emphasised the town-country antagonism to help explain this revolt (especially Paul Blois and Charles Tilly), while others have concentrated on the factor of identity (Jean-Clément Martin)¹⁵⁸⁴. Interestingly, Dupuy and Biard state that rural mobilization was less motivated by an adhesion to the counter-revolutionary program than to a “reflex of community defence” against external aggressions (for example, requisitions and the levying of 300,000 men) as well as the deception of the poor peasantry that had placed too many hopes upon the abolition of the seigniorial rights, the sales of the national property (*biens nationaux*) and the new tax measures¹⁵⁸⁵.

However, whatever the correspondence with historical reality, the point to be taken from the text quoted above is that Marx does not reduce peasantry to conservatism; he rather reproduces the opposition between the figure of rootedness (*enracinement*) and that of detachment (*arrachement*) within the rural world itself. That is to say, on the one hand there, there is the rootedness of the past (the coming back to the ancient order) and the land (the smallholding) and the superstition and the opposition with the modern town; and on the other hand, there is the detachment from the land and the past, the march toward the future and national and international commercial exchanges, the Enlightenment thinkers against the ignorant and the alliance with the urban proletariat.

It would thus seem that the revolutionary peasant perfectly embodies the peasants of the *Obshchina* from the famous draft of the letter to Zasulich of 1881. This Russian community of peasants also called “the Mir” is understood as dualistic since “although arable land remains communal property, it is divided periodically between the members of the agricultural commune, so that each cultivator tills the field assigned to him on his own account and appropriates as an individual the fruits thereof, whereas in more archaic communities' production took place communally and only the yield was shared out”¹⁵⁸⁶. This dualism – which implies both elements of private and communal property means, for Marx, that the Russian commune may follow two paths: either the transition to capitalism or to communism. Again, according to Marx, the characteristics

¹⁵⁸⁴For a summary of the historiographical debate on this period, see MANN Patrice, “Les insurrections paysannes de l'Ouest: Vendée et chouannerie”, in *Revue française de sociologie*, 30-3-4, 1989, pp. 587-600.

¹⁵⁸⁵“l'immense majorité des mouvements ruraux hostiles à la Révolution ne sont pourtant pas, au moins au départ, le témoignage d'une adhésion à un programme politique contre-révolutionnaire. En dépit de la traditionnelle image du Vendéen insurgé “pour Dieu et pour le roi”, la mobilisation rurale est alors surtout le fruit d'un réflexe de défense communautaire. La communauté d'habitants réagit contre ce qui agresse et vient de l'extérieur, le curé constitutionnel qui remplace le réfractaire, les levées d'hommes, les réquisitions, etc. C'est là avant tout l'expression d'une volonté défensive, dans la droite ligne des luttes rurales du siècle précédent, et ce n'est qu'a posteriori que les résistances rurales à la Révolution ont été insérées dans un affrontement manichéen entre Révolution et Contre-Révolution”. BRIARD Michel and DUPUY Pascal, *La Révolution Française. Dynamiques, Influences, Débats. 1787-1804*, Paris, Armand Colin, U, 2004, p. 165 and 210.

¹⁵⁸⁶MARX Karl, *Drafts of the Letter to Vera Zasulich*, in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 24, 1874-1883, Trans. Peter and Betty Ross, New York, International Publishers, 1989 [1881], p. 351.

which block the transition to communism is precisely that it constitutes a localised microcosm. Engels states explicitly in 1875 that:

“The Russian peasant lives and has his being only in his village community; the rest of the world exists for him only in so far as it interferes with his community. This is so much the case that, in Russian, the same word “*mir*” means, on the one hand, “world” and, on the other, “peasant community”. “*Ves' mir*”, the whole world, means to the peasant the meeting of the community members. Hence, when Mr. Tkachov speaks of the “world outlook” of the Russian peasants, he has obviously translated the Russian “*mir*” incorrectly. Such a complete isolation of individual communities from one another, which creates throughout the country similar, but the very opposite of common, interests, is the natural basis for *oriental despotism* (...)”¹⁵⁸⁷.

Therefore, contrary to the Russian populists, who glorify the autonomy of these rural communities¹⁵⁸⁸, Marx claims that this localism can easily be suppressed by the establishment of an assembly of peasants elected “serving as the economic and administrative organ for their interests”¹⁵⁸⁹. Moreover, another favourable circumstance is the contemporary status of Western capitalism and thus the possibility for the appropriation of the forces of production that have been prodigiously developed by this modern mode of production. Concretely, it means that the Mir can “gradually replace parcel farming with combined agriculture assisted by machines, which the physical lie of the land in Russia invites”¹⁵⁹⁰. Therefore, even if Marx describes this transition to communism as a “Revival in a superior form of an archaic social type”¹⁵⁹¹, it has to be admitted that the movement by which the Russian peasants attain communism is through a form of detachment (*arrachement*). That is, it follows the same structure of detachment that appears (or at least which exists inchoately) in the text of 1842, when Marx sort to cut the peasant customs from their local attachments¹⁵⁹².

This detachment from the local echoes another form of detachment, that by which men transcend the sphere of production and reach the realm of freedom. In a famous text from book III of Capital quoted in the second part of this thesis, Marx claims that “the realm of freedom actually begins only where labour which is determined by necessity and mundane considerations ceases”¹⁵⁹³.

1587ENGEL Friedrich, On Social Relations in Russia, in in ENGEL Friedrich, and MARX Karl, *Collected works*, Vol. 24, 1874-1883, Trans. Peter and Betty Ross, New York, International Publishers, 1989, p. 46.

1588GUILLIBERT Paul, *Terre et Capital. Penser la Destruction de la Nature à l'Age des Catastrophes Globales*, PhD Thesis, Paris Nanterres University, 2019, pp. 250-253.

1589MARX Karl, *Drafts of the Letter to Vera Zasulich*, *op. cit.*, p. 353.

1590MARX Karl, *Drafts of the Letter to Vera Zasulich*, *op. cit.*, p. 368. Paul Guilibert intends to temper the productionist connotation of such passages arguing that by highlighting the positive role of the “tools, the manure, the agronomic methods, etc.”, Marx is referring to the chemistry of Liebig and his criticism of the unsustainable capitalistic agriculture. Accordingly, even though Guilibert's analysis is brilliant and erudite, these evocations of the artificial manure are very elliptic and doe not counterbalance the numerous statements about the use of machine for agricultural production. The *Obshchina* will take the path of communism only through the mechanization of the agriculture. GUILLIBERT Paul, *Terre et Capital*, *op. cit.*, p. 282.

1591MARX Karl, *Drafts of the Letter to Vera Zasulich*, *op. cit.*, p. 350.

1592In this sense, the suppression of the *lex loci* explains the dissimulation of the ecological function of peasant collective practices in the text of 1842.

1593MARX Karl, *Capital*, vol. III, *op. cit.*, p. 807.

Indeed, the sphere of material production is the realm of necessity in which human beings struggle against nature: “Just as the savage must wrestle (*ringen muß*) with Nature to satisfy his wants, to maintain and reproduce life, so must civilised man, and he must do so in all social formations and under all possible modes of production”. This struggle is continually renewed since, even if forces of production increase, which better satisfies the needs of humans, those needs also increase with the development of societies, and thus the realm of physical necessity expands. This does not mean that man is entirely overwhelmed by the forces of nature. Indeed, communism offers the possibility, through which men (the associated producers) may rationally regulate their “interchange with Nature” (*Stoffwechsel mit der Natur*), “bringing it under their control, instead of being ruled by it as by the blind force of Nature”¹⁵⁹⁴.

The word *Stoffwechsel*, which is sometimes translated by the term “metabolism”, deserves comment. Some scholars such as John Bellamy Foster, have recently claimed that, under the influence of the German chemist Justus von Liebig, Marx elaborated the concept of “metabolism” to account for the exchanges of matter between nature and society¹⁵⁹⁵. In his book entitled *Organic Chemistry in Its Applications to Agriculture and Physiology* (1840), Liebig proved the importance of soil nutrients such as nitrogen, phosphorous and potassium for the growth of plants, hence the need for a principle of restitution by which those elements, which have been removed during the process of labour, are giving back to the fields. Foster argues that the idea of a soil nutrient cycle was taken up by Marx who understood the relation between society and its environment as a “metabolic interaction”, *i.e.*, “the return to the soil of its elements consumed by man in the form of food and clothing”¹⁵⁹⁶. It is on the basis of this concept, Foster writes, that the author of *Capital* denounces capitalist agriculture, which provokes a metabolic rift. According to this interpretation, ecology is hence central in Marx's thinking¹⁵⁹⁷.

However, if we refer to the text of the third book of *Capital* on the “realm of freedom”, such an ecological reading of Marx is not without problems. Indeed, in this text, there is an apparent tension between the idea of a metabolic interaction between human beings and nature and the idea of a struggle against nature. This second aspect of the text is often occulted by ecological Marxism which prefers to emphasise the first idea, *i.e.*, man's reciprocal exchanges with nature¹⁵⁹⁸. Here, we

¹⁵⁹⁴*Ibid.*

¹⁵⁹⁵FOSTER John Bellamy, “Marx's Theory of Metabolic Rift: Classical Foundations for Environmental Sociology”, *American Journal of Sociology*, Vol. 105, n° 2, September 1999, pp. 366-405.

¹⁵⁹⁶MARX Karl, *Capital*, vol. I, *op. cit.*, pp. 506-507.

¹⁵⁹⁷FOSTER John Bellamy, *Marx's Ecology. Materialism and Nature*, New York, Monthly Review Press, 2000, p. vi.

¹⁵⁹⁸Foster quotes the part in which Marx refers to the human metabolism with nature but he does not mention the idea of a war with nature, an idea which clearly appears in the previous sentence. FOSTER John Bellamy, “Marx's Theory of Metabolic Rift...”, *op. cit.*, p. 381-382. Likewise, Michael Löwy, whose interpretation is more moderate than Foster's, quotes and translates into french the entire passage but remove this sentence which is somewhat problematic from the point of view of an ecological reading of Marx. BESANCENOT Olivier and LÖWY Michael, *La*

do not pretend to be able to settle the debate on Marx's ecology, we merely wish to offer a solution to the tension which underlies this specific text. In order to do so, it must be noted that, to express the conflict which opposes men with nature, Marx chose to use the verb "*ringen*" and not the terms *kämpfen* (combat) or *krieg* (war). Consequently, Marx is most probably referring to the notion of wrestling (as a sport) than he is to a fight to death. This also means that the outcome of the conflict is not the destruction of the enemy, since the total suppression of nature would be absurd due to the fact that there is no society without nature (hence the possibility of the continued renewal of the conflict). Instead, man wrestles with nature in order to obtain something from it: the matter necessary to satisfy his needs¹⁵⁹⁹. Man struggles against nature in order to wrench matter from its hand (in certain cases, the verb *ringen* also means to "wrench something from somebody's hand). This extraction of matter from nature is the first part of the interchange, the second being the return to the land of what has been extracted in the form of waste. In this "interchange", nature appears as a "blind force" (*blinden Macht*) which threatens to get the upper hand on human beings. Consequently, it seems that the interchange is not peaceful but a conflictual exchange in which man intends to win. Indeed, it is because nature appears as an adversary, from which something is to be obtained (or at least as a force which is threatening) that men have to fight with it and place it under their control. This is precisely what the associated producers do in the realm of communism: instead of being ruled by nature, they subjugate its force and take control over their exchanges with it so as to turn them in their favour "and achieve this with the least expenditure of energy and under conditions most favourable to, and worthy of, their human nature"¹⁶⁰⁰. But what does this mean exactly? The passage which immediately precedes this paragraph provides some explanations. Here, Marx develops the idea that capital may have civilising aspects:

"It is one of the civilising aspects of capital that it enforces this surplus labour in a manner and under conditions which are more advantageous to the development of the productive forces, social relations, and the creation of the elements for a new and higher form than under the preceding form of slavery, serfdom, etc. Thus it gives rise to a stage, on the one hand, in which coercion and monopolisation of social development (including its material and intellectual advantages) by one portion of society at the expense of the other are eliminated; on the other hand it creates the material means and embryonic conditions, making it possible in a higher form of society to combine this surplus labour with a greater reduction of time devoted to material labour in general"¹⁶⁰¹.

In a word, capitalism leads to a development of productive forces and an increase of labour

Journée de travail et le "règne de la liberté" (K. Marx), op. cit., p. 14.

1599"Labour is, in the first place, a process in which both man and Nature participate, and in which man of his own accord starts, regulates, and controls the material reactions between himself and Nature. He opposes himself to Nature as one of her own forces, setting in motions arms and legs, head and hands, the natural forces of his body in order to appropriate Nature's productions in a form adapted to his own wants". MARX Karl, *Capital*, vol. I, *op. cit.*, p. 187.

1600MARX Karl, *Capital*, vol. III, *op. cit.*, p. 807.

1601 "*Ibid.*, p. 806.

productivity which, in the frame a higher form of society (*i.e.*, a communist society) makes possible the reduction of time devoted to material labour and thus the reduction of the sphere of necessity. Consequently, in order to bring the interchange with nature under their control, the associated workers must appropriate the productive forces developed by the capitalist mode of production as well as reduce as much as possible the material working time. Put another way, to win the struggle against nature amounts to reducing as much as possible the circle of necessity as well as the liberation of free time (by contrast, to be ruled by the blind forces of nature means that human beings spend most of their time working so as to reproduce their biological life). This victory means a detachment (*arrachement*) from the realm of necessity and a movement toward the realm of freedom. It is true that Marx specifies that “the true realm of freedom (...) can blossom forth only with this realm of necessity as its basis”¹⁶⁰². But as mentioned at the end of the part II of the thesis, detachment does not necessarily mean a total separation nor does it mean a total obliteration of the natural world but a form of transcendence of the given. Marx never states that men have to rid themselves of nature to be free; nor does he claim either that the human world exists separately from the natural world and that men will one day cease from interacting with nature (but who really think so?). He says that freedom finds its real achievement *beyond* the interactions that men have with nature. It is only once the problem of the satisfaction of needs has been settled, once men have dominated their interchange with nature that they may fully blossom and become truly free. In other words, it is not in the sphere of production that man blooms, but in his free time. It is only when he stops producing to reproduce his biological life that real freedom shall be enjoyed. This world of free time that exists outside of the sphere of production is still based on a strong interaction with nature. Indeed, it is only thanks to machine and the capitalist force of production that work time is reduced. In Hegelian terms, we could say that freedom is reached by a negation of the realm of necessity, *i.e.*, through its transcendence and its conservation. It is precisely in this sense that detachment may be defined. Consequently, we hope to have shown that the depreciation of the local and the promotion of a certain form of detachment found in the *Debates on the Law on Thefts of Wood*, dedicated to *lex loci*, should, in fact, be connected to several of Marx’s work in which such an opposition is discussed. Doing so we also hope to have demonstrated that this specific passage was not a singular incident in Marx’s intellectual trajectory, but that a great part of his philosophy falls under the philosophy of detachment. In this way, we believe to have reinforced the hypothesis that, in Marx’s articles of 1842, the infrastructural relations with land that underlie the conflict of use should be characterised as a form of detachment.

1602MARX Karl, *Capital*, vol. III, *op. cit.*, p. 807.

IV.4) Activity as the Foundation of Customs

Returning to the text of 1842, Marx does not limit himself to the accordance of the customs of the poor with the rational law; he also gives two other justifications, one of them being crucial for our demonstration:

“It will be found that the customs which are customs of the entire poor class are based with a sure instinct on the *indeterminate* aspect of property; it will be found not only that this class feels an urge to satisfy a natural need, but equally that it feels the need to satisfy a rightful urge,”¹⁶⁰³

“In these customs of the poor class, therefore, there is an instinctive sense of right; their roots are positive and legitimate and the form of *customary right* here conforms all the more to nature because up to now the *existence of the poor class itself* has been a *mere custom* of civil society, a custom which has not found an appropriate place in the conscious organization of the state.”¹⁶⁰⁴

As many commentators have noticed¹⁶⁰⁵, in these passages, Marx goes against Hegel, who, different to Marx, denies that instinct could ever ground rights (even customs)¹⁶⁰⁶. Even if a custom is not rationally justified, even if it is still marked by a lack of consciousness, the class of the poor feel instinctively that it is in accordance with universality and is an anticipation of the rational law of the State. Such an instinct considers the indeterminate aspect of property, an indetermination which is characteristic of feudal institutions. Indeed, this form of property is neither private nor collective; the forest is at the same time the property of the owner, who is obliged to authorise the collective use of it by the peasants living around it¹⁶⁰⁷. Here lies the difference with private property, which is a category of the abstract civil law inherited from Roman law and a product of the understanding. Here, it seems that the triad “instinct of right-understanding-rational law” corresponds to the triad “intuition (*Anschauung*)-understanding (*Verstand*)-reason (*Vernunft*)” of the Preface of the *Phenomenology of Spirit*. With feudal instinct, the property remains immediate, confused and contradictory because it mixes the private with the public. On the contrary, the *understanding* abolishes this confusion and ends with a hybrid form of property. However, this type of negation is a form of dissection that reveals its insufficiency. Indeed, the operation of the

1603MARX Karl, *Drafts of the Letter to Vera Zasulich*, *op. cit.*, pp. 233-234.

1604MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, p. 234.

1605XIFARAS Mikhaïl, “Marx, justice et jurisprudence...”, *op. cit.*, p. 102; DARDOT Pierre and CHRISTIAN Laval, *Commun*, *op. cit.*, p. 351.

1606“Since only animals have their law as instinct, whereas only human beings have theirs as custom [*Gewohnheit*], customary rights contain the moment of being *thoughts* and of being *known* [*gewußt*]. The difference between these and laws consists [*besteht*] simply in the fact that the former are known in a subjective and contingent manner, so that they are less determinate from themselves and the universality of thought is more obscure; and in addition, cognizance [*die Kenntnis*] of this or that aspect of right, or of right in general, is the contingent property of only a few people”. HEGEL Georg Wilhelm Friedrich, *Elements of the Philosophy of Right*, *op. cit.*, §211, p. 241.

1607Another example of this hybrid character of property are the monasteries. MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, p. 232.

understanding consists in the separation of its contents (in other word their abstraction), which were previously unified (even if in an immediate way), the fixation of all determinations, and hence the petrification of becoming and the fluid life of the Spirit¹⁶⁰⁸. By destroying feudal property, the bourgeois understanding separates the collective rights of use from property which now becomes unilaterally private. Making the world one-sided, the bourgeois forgets that some elements of nature can never acquire the character of predetermined private property. As Grotius argues, the sea, the light and the air cannot be appropriated. Here, Marx is especially thinking about fallen wood. Here the comparison with Hegel should stop since whereas the author of the *Phenomenology* thought of the understanding as a necessary moment that needs to be dialectically abolished (and thus integrated) by reason, Marx seems to condemn this moment of the self-interest and thus highlights the affinities of intuition with reason. Be that as it may, *instinct* feels that, even if it does not appropriate the forest, it nonetheless has the right to use the forest area and to gather the fallen wood.

Firstly, the *instinct* feels a sort of proximity with its object, a proximity which is based on an analogy according to which poverty is to wealth what the fallen wood is to the tree. As “the trees and stems which are firmly rooted and full of sap, organically assimilating air, light water and soil to develop their own proper form and individual life”¹⁶⁰⁹, the rich live in opulence; as the branches are separated from the organic life of the tree and thus from organic and physical wealth, the poor are separated from the abundance of the rich and live in destitution. Because they feel an affinity with the fallen wood, the poor claim the right to collect the “*alms of nature*”.

In agreement with Jamila Mascat, and according to Marx, this analogy remains insufficient because of its irrational nature. As such, a different criterium of universality and rationality is needed to justify customary rights¹⁶¹⁰. For that reason, Marx decides to give a second justification, one which is much less elliptic than it appears to be at first sight:

“But it is by its *activity*, too, that poverty acquires its right. By its act of *gathering*, the elemental class of human society appoints itself to *introduce order* among the products of the elemental power of nature. The position is similar in regard to those products which, because of their wild growth, are a wholly accidental appendage of property and, if only because of their unimportance, are not an object for the activity of the actual owner. The same thing holds good also in regard to gleanings after the harvest and similar customary rights.”¹⁶¹¹

1608“‘The activity of separating is the force and labor of the *understanding*, the most astonishing and the greatest of all the powers, or rather, which is the absolute power”. HEGEL Georg Wilhelm Friedrich, *The Phenomenology of Spirit*, *op. cit.*, p. 20.

1609MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, p. 234.

1610“Pour Marx, en effet, l’appel à la nature, n’est pas suffisant pour revendiquer les droits coutumiers de la pauvreté et, en dernière instance, les droits coutumiers nécessitent des critères de rationalité et d’universalité afin d’être justifiés”. MASCAT Jamila M. H., “Marx et le vol de bois...”, *op. cit.*

1611MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, p. 234. Author's highlight..

Here, we agree with Dardot and Laval¹⁶¹² that in this text Marx does not borrow the concept of activity from Hegel (as Xifaras states¹⁶¹³) but from Fichte. Marx had not only read Fichte's *Contribution*¹⁶¹⁴ but also the *Foundations of Natural Right*, and refers to these texts in a letter to his father dated 10th November 1837¹⁶¹⁵. In same way that Fichte grounded property in action, in this text, Marx claims that the peasants' activity gives them the right to the object of their activities, that is, the branches and the fallen wood. On the contrary, the owner of the forest has no right on the alms of nature since from him it both unimportant and not of use. In fact, Marx explicitly mentions the concept of the sphere of activity some lines further in.

“The wise legislator will prevent crime in order not to have to punish it, but he will do so not by obstructing the sphere of right, but by doing away with the negative aspect of every instinct of right, giving the latter a positive sphere of action (*ein positive Sphäre der Handlung einräumt*). He will not confine himself to removing the *impossibility* for members of one class to belong to a higher sphere of right, but will raise their class itself to the *real possibility* of enjoying its rights. But if the state is not humane, rich and high-minded enough for this, it is at least the legislator's absolute duty not to convert into a *crime* what circumstances alone have caused to be an *offence*.”¹⁶¹⁶

Under the rational law, the State has to take away the negative aspect of the customary rights of the poor. These uses of the forest have a negative aspect because the poor gather the fallen wood without the consent of the owner of the forest. In this sense, these activities may be considered as an offence against the owner, but they cannot be qualified as a crime since misfortune is not a crime. To suppress the negative aspects of such a custom and to make it positive, it is enough to grant the peasant a sphere of action (as Fichte recommended in the *Foundations of Natural Right* and in the *Closed Commercial State*). In the text quoted above, Marx uses the same expression that Fichte used to designate the field in which the individual is allowed to deploy his activity, that is, “*Die Sphäre der freien Handlügen*” (the “sphere of free acts”). The solution would consist in the delimitation of a sphere of action for all peasant in which they could use the land without possessing it. In a word, activity is the grounds of the right of poor.

To conclude this part on the grammar of action, let us note that, in the first text we quoted, Marx specifies the nature of this activity, which he defines as a *factor of order* (“By its act of *gathering*, the elemental class of human society appoints itself to *introduce order* among the products of the elemental power of nature”¹⁶¹⁷). What does this elliptic affirmation mean? Dardot and Laval suggest that this activity has an ecological function since the gathering of dead wood is

1612DARDOT Pierre and CHRISTIAN Laval, *Commun*, *op. cit.*, p. 356.

1613XIFARAS Mikhaïl, “Marx, justice et jurisprudence...”, *op. cit.*, footnote 111.

1614GUILHAUMOU Jacques, “De Sieyès à Marx: le dépassement de la “misère allemande” par la “politique progressive”, *Chroniques allemandes*, n° 7, 1999, p. 27.

1615MARX Karl, *Letter from Marx to his Father in Trier*, Berlin, November 10-11, 1837, in ENGEL Friedrich, and MARX Karl, *Collected Works*, Vol. 1, 1835-1843, London, Lawrence & Wishart, 2010 [1837], p. 12.

1616MARX Karl, *Debates on the Law on Thefts of Wood*, *op. cit.*, p. 235.

1617*Ibid.*, p. 234. Author's highlight..

supposed to prevent its putrefaction, and thus contribute to the cleaning up of the forest, ensuring its growth¹⁶¹⁸. Admittedly, they do not provide any historical proof of the ecological virtue of this popular practice, but some historical sources seem to support such a hypothesis¹⁶¹⁹. In any case, this interpretation raises the question of the good use of the land, a problem that environmental history acknowledges as being central in the conflict for the use of the forest. More precisely, from the second half of the XVIIIth century, the owners and representatives of the State rationalized the use of the forest in an attempt to promote a sort of sustainable management¹⁶²⁰. In Germany, from 1750 onward a new approach to the natural resources of the forests saw the light of day, this was called “scientific forestry” (*rationelle Forstwirtschaft*), a method which condemned the peasants’ practices as being irrational¹⁶²¹. According to this approach, both population growth and unregulated communal practices would have devastated forests. In fact, scientific forestry aimed to sustain a high level of production of timber and fuel wood in order to supply the emerging industrial society – it was also a means for establishing state authority in peripheral territories such as mountains. Notably, it was based on triadic zonification: the fuel or timber forests (which produced conifers for the iron works), the agrarian forests, and the hunting forest. It is this same German model that was transposed to French forests,¹⁶²² which Martine Chalvet describes perfectly in the following passage:

*“Imposer le bon usage des bois en montagne, encadrer le pastoralisme, c’était aussi faire accepter les nouveaux enjeux d’une économie moderne à des population de montagne censées causer “à la France entière, par leur imprévoyance, leur incurie et leur avidité, d’incalculables dommages”. Enthousiasmés par le vaste élan du progrès et des sciences, les officiers désiraient ardemment uniformiser les règles de la production boisée en les imposant jusque dans les campagnes les plus “reculées”. Persuadés d’œuvrer en faveur d’une population misérable, coupée du monde et de la modernité, ils voulaient favoriser le développement et l’essor des activités productives.”*¹⁶²³

Incidentally, it should be noted that much like the promoters of scientific forestry, Marx shares the idea that the peasants are an isolated population that should be removed from their

1618DARDOT Pierre and CHRISTIAN Laval, *Commun*, *op. cit.*, p. 355.

1619For instance, Joseph Renauldon, a french juristconsult from the first part of the 18th century is known for his critiques of the collective uses of the forest (CORVOL Andrée, *L’Homme et l’Arbre sous l’Ancien Regime*, *op. cit.*, p. 494), admits that “le projet de la concession des usages dans son origine présentait aux seigneurs de grands avantages, le mort-bois qu’ils abandonnoient à l’usager procuroit le nettoyage de leurs forêts, les commodités du paccage attiroient les habitants de la seigneurie, la rendaient plus peuplée et plus florissante”. RENAULDON Joseph, *Traité Historique et Pratique des Droits Seigneuriaux*, Paris, 1756, quoted by CORVOL Andrée, *L’Homme et l’Arbre sous l’Ancien Regime*, *op. cit.*, pp. 500-501). See also CORVOL Andrée, *L’Homme et l’Arbre sous l’Ancien Regime*, *op. cit.*, p. 503. On Joseph Renauldon, see Hoefer, F., (dir.), *Nouvelle Biographie Générale depuis les temps les plus reculés jusqu’à nos jours*, Paris, Firmin Didot Frères, Vol. 41 (Prévalaye-Renouard), 1852, pp. 1001-1002.

1620BONNEUIL Christophe and FRESSOZ Jean Baptiste, *L’Évènement Anthropocène*, *op. cit.*, p. 225.

1621HÖLZL Richard, “Forest in Conflict. Rural Populations and the Advent of Modern Forestry in Pre-industrial Germany, 1760-1860”, in MASSARD-GUILBAUD Geneviève and MOSLEY Stephen (eds.), *Common Ground: Integrating the Social and Environmental in History*, Newcastle upon Tyne, Cambridge Scholars Publishing, 2011, pp. 198-223.

1622CHALVET Martine, *Une Histoire de la Forêt*, Paris, *op. cit.*, p. 201.

1623Ibid., p. 185.

locality and integrated into modernity. Be that as it may, faced with this rationalisation and the concomitant intention to abolish their customary practices, the peasant defended themselves with ecological arguments. Indeed, an open and mixed landscape – which combined forest and grassland and was home to a multiplicity of species – resulted from these practices. This rich ecosystem contrasted with the “monocultural coniferous even-aged plantations” the State wanted to impose. It should be added that the peasants were apparently also *attached* to their forest in a spiritual sense, which for them was a mythical space full of both material and spiritual resources¹⁶²⁴. It was also a world of liberty, a wild space in which people could escape society and its constraining rules¹⁶²⁵.

Does Marx really refers to these practices as a good use of land? There is no textual proof for such a hypothesis. In fact, the text opposes order (resulting from the activity of the “elemental class of human society”) to the “fortuitous operation of elemental forces”. Indeed, when the wind and other natural forces take away the branches from private property, this happens by chance. The fate of the peasant is not so different from these branches since poverty is synonym of uncertainty (what Castel calls “*l'incertitude des lendemains*”)¹⁶²⁶. The destiny of the poor, like the leaves tossed by the wind, is determined by fortuity. This aleatory situation is of course a factor for disorder in the existence of the poor and thus, collective rights offer a remedy against the chaos and precarity of life. Likewise, this gathering of fallen wood remediates the disorder provoked by the elemental power of nature. Thus, when Marx states that such an activity is a factor of order, he extends the analogy between the condition of the poor in society and the condition of the fallen wood of the tree. The struggle against the disorder of nature evokes the struggle against the disorderly and precarious existence of the poor. Therefore, the extension of the analogy has little to do with any sort of ecological function that the peasants' practices may fulfil.

¹⁶²⁴*Ibid.*, p. 195.

¹⁶²⁵CHALVET Martine, *Une histoire de la forêt*, Paris, *op. cit.*, p. 196.

¹⁶²⁶CASTEL Robert, “Démocratie Sociale”, in Casillo Ilaria *et al.*, Dictionnaire Critique et Interdisciplinaire de la Participation, Paris, GIS Démocratie et Participation, 2013, ISSN : 2268-5863, URL: <http://www.dicopart.fr/fr/dico/democratie-sociale>.

Robert Castel has perfectly describes this uncertainty that characterise the condition of the poor: “(...) *la situation actuelle est marquée par un ébranlement qui a récemment affecté la condition salariale: le chômage massif et la précarisation des situations de travail, l'inadéquation des systèmes classiques de protection à couvrir ces états (...). Désormais, pour beaucoup, l'avenir est marqué du sceau de l'aléatoire. Mais qu'est ce qu'une situation aléatoire, et à partir de quels critère s'apprécie-t-elle? Nous oublions que le salariat, qui occupe aujourd'hui la grande majorité des actifs, et auquel se rattachent la plupart des protections contre les risques sociaux, a longtemps été une des situations parmi les plus incertaines, et aussi les plus indignes et les plus misérables. On était salarié lorsqu'on n'était rien et que l'on n'avait rien à échanger, hormis la force de ses bras. (...) Etre ou tomber dans le salariat, c'était s'installer dans la dépendance, être condamné à vivre “au jour la journée”, se trouver sous l'emprise du besoin*”. CASTEL Robert, *Les Métamorphoses de la Question Sociale*, *op. cit.*, p. 11.

Conclusion of Part III

In this part, we have presented the third general grammar inherited from modern political philosophy: the grammar of Action. We demonstrated that this grammar placed the clash between individual actions at the centre of the conflictual dynamic. Here, individuals do not struggle for the appropriation of scarce resource and they do not seek to be recognised either; the reason for the conflict lies in the collision between their activities (or, as we might equally argue, between their wills). In other words, I enter into conflict with the other because its activity clashes with mine. Historically, this general grammar has taken the form of the sub-grammar of use and more specifically, the grammar of land-use. Fichte is the philosopher who offered the best insight regarding this grammar of use. We found this grammar of conflict in his writings on right, in particular, in his very original theory of property that is based on the notion of use. In the *Foundations of Natural Right* and then, in the *Closed Commercial State*, property is defined as a right to acts, not to things. Once again, the question of land is at the centre of the philosophical reflection: “land property” is not the right to possess exclusively a land, it is only the exclusive right to a specific use of this portion of nature. This means that another individual has no right to exert an activity on “my” land if this activity is contradictory with my own use of this portion of the earth. However, this also means that if their activity is not contradictory with mine, I have no right to prevent them from using this land that, *in fine*, I do not possess – indeed, this plot has been temporarily allocated to me by the State for a specific use). This theory of property radically changes our perspective on conflict. Because the contract of property is the means by which conflicts are resolved, this seat of the resolution of the conflict (a contract) must be located at the same level as the seat of the conflict. Consequently, if the contract of property is centred on activity (and not on the possession of the land), activity must also be the seat of the conflict, and vice versa. Consequently, conflict is no longer centred on land appropriation but on the collision between contradictory activities. In other words, conflicts become land use conflicts. We saw that this philosophical reflection was strongly related to the historical realities of conflicts that opposed peasants and seigniors in Europe at the end of the 18th century. After Fichte, Marx will revisit this grammar of use when he writes his article on the conflicts about the use of forests, which opposed peasants to owners in Germany. Therefore, much like the other grammars of conflict, the grammar

of use is strongly connected to the historical reality of social struggles.

In this part, we also paid attention to the specific interactions with land which underlie this grammar of conflict. As for the other texts that have been examined in the two first parts of this thesis, the conflictual interactions, which is centred on land, is based on specific forms of interaction with this material exteriority. To put it another way, the free activity (or use), which is the seat of the conflict, is a form of relation to land and, in the framework of a philosophical analysis on conflict, this relation is the object of a specific reflection. After an examination of this “material infrastructure” of the conflictual interaction, we were led to the following conclusion: free activity (this material interaction with the land which underlies the conflict) has been described as a form of war waged against the earth. We are going to see that this struggle against nature which underlies the conflictual interaction between humans is the common matrix of the classical grammars of conflict (Having, Being and Action).

This point led us to the general conclusion regarding the three first parts of this thesis. The conclusion of the first step of this thesis is quite long, but it is an essential moment of our reflection. Indeed, we take stock of the developments we dedicated to the third principal grammar of conflict which was inherited from political modernity. Especially, we evaluate the claim that these grammars are appropriate to the ecological struggles we described in the general introduction of the thesis. This evaluation leads us to the conclusion that classical grammars of conflict are partially inadequate because they did not place at the centre of the conflictual dynamic something which is at the centre of gravity of ecological struggle: the destruction of attachments.

Conclusion of Parts I-III

It is perhaps time to draw some conclusions concerning the three first parts of this thesis. The present section presents these conclusions and opens the last part of this thesis, which is dedicated to the question of attachments to the earth. More especially, we give an initial answer to the main problem on which this dissertation is structured: are grammars of conflict inherited from political modernity appropriate for ecological conflicts? Are they useful to constitute a grammar of ecological conflict, considering that ecological conflicts are animated by an implicit form of environmentalism? And if not, what sort of grammar is required to build a true grammar of ecological struggles? This first conclusion contends that the grammars of struggles for land presented in the three first parts of this thesis remain inappropriate to account for the actual ecological fact mentioned in the general introduction, *i.e.*, the existence of ecological conflicts.

1) On the Use of the Grammar of Conflicts in Environmental Conflicts Studies

At first sight, negative conclusions about the classical grammars of conflict are not self-evident if we consider what has been said in the three first parts. Indeed, in these parts we identified three general grammars of conflict (having, being and action), which have all emerged in the course of political modernity, each in a certain connection with the problem of the collective relationship to the earth. To be more specific, some of the sub-grammars has been constituted in such a way that land was, apparently, a central piece of the conflictual dynamic. In other words, conflicts for appropriation, conflicts of recognition and conflicts of use have all been considered, in one way or another, as struggles for land. In this sense, it seems that those subcategories (appropriation, recognition and use) are perfect candidates to enter into the constitution of a grammar of ecological struggles given that these conflicts have to do with external materiality. It is not a coincidence that these grammars have been revisited and reused in the frame of studies on environmental conflicts.

This reuse appears very clearly in the case of the grammar of having. We argued that distribution is one of the subcategories of this grammar. Now, since the 1990s the vast literature on what has been called the “environmental justice” studies focuses on the unjust distributions of environmental benefits and burdens produced by industrial society¹⁶²⁷. This field of investigation emerged in relation to the birth of the environmental justice movement in the United States in 1980, especially with the struggle of the community of Afton (Warren county, North Carolina), which

¹⁶²⁷WENZ Peter S., *Environmental Justice*, Albany, State University of New York Press, SUNY series in environmental public policy, 1988, p. 4; FIGUEROA Robert and MILLS Claudia, “Environmental Justice”, *op. cit.*

fought in 1982 against a dump of PBC residues (polychlorinated biphenyls)¹⁶²⁸. In broad terms, these studies brought to light the fact that the exposition to environmental pollution (and risks) and the access to natural resources are unequally distributed¹⁶²⁹. As already suggested, this history is well-known and there is no need to dwell on it. However, the interesting point about it is that a convergence between the American movement for environmental justice and the third aforementioned third world environmentalism of the poor has been suggested by some scholars. Among those, Guha and Martínez-Alier claim that both movements should be understood as one and same struggle for ecological distribution¹⁶³⁰. One of the strategies they employed to establish this convergence consists in revealing the common economic infrastructure that produces the environmental inequalities that Afro-American people and third-world populations both suffer from. Martínez-Alier especially explains ecological inequalities and distributive ecological conflicts in the framework of ecological economics, the science which takes for its object the systematic relations between economy and environment¹⁶³¹. Roughly speaking, the idea is that environmental conflicts are not a collection of dispersed and contingent events, but they are connected with systemic conflicts between an economy based on growth and environment¹⁶³².

As said, Martínez-Alier's thesis must be placed in the framework of ecological economics which presupposes that the economy is a subsystem of a larger finite global ecosystem¹⁶³³. This subsystem is made of inputs (direct solar energy, earth energy, natural resources, etc.) and outputs (material wastes and emissions, dissipate heat, etc.)¹⁶³⁴. In other terms, considering economic systems are system of energy and material flows, Martínez-Alier revisits the Marxist concept of the social metabolism¹⁶³⁵. It is in this theoretical framework that the question of distribution reappears. By contrast with neoclassical economics, which separates production from distribution, the Spanish economist claims that there is no production without economic and ecological distribution. The decision of producing nuclear energy implies a decision on geographical and social distribution as well as on radioactive waste¹⁶³⁶ and, in addition, a decision on who the uranium belongs to (in other words, how this resource should be distributed). Now, as an economic system based on infinite

1628On the conflict in Warren, see BULLARD Robert D., *Dumping in Dixie. Race, Class and Environmental Quality*, Boulder-San Francisco-Oxford, West-view Press, 1990, p. 29 and following. On the movement against toxic waste in United States, see SZASZ Andrew, *Ecopopulism. Toxic Waste and the Movement for Environmental Justice*, Minneapolis-London, University of Minnesota Press, 1994.

1629On ecological inequalities, see LARRÈRE Catherine, “*Quelle égalité pour l'écologie politique ?*”, *op. cit.*

1630MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, p. 13 and pp. 168-179.

1631*Ibid.*, p. 19. On this point see CENTEMERI Laura and RENOU Gildas, “*Jusqu'où l'économie écologique pense-t-elle l'inégalité environnementale...*”, *op. cit.*

1632MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, p. 18.

1633*Ibid.*, p. 19 and p. 21.

1634*Ibid.*, p. 22.

1635*Ibid.*, p. 30 et sq.

1636*Ibid.*, p. 25.

growth, capitalism needs to inject ever more natural resources into this subsystem and to release in the environment more and more polluting wastes. This is precisely what ecological distributive conflicts are about: the distribution of natural resources that enter into the social metabolism and the distribution of the negative output of the same system. Interestingly, Martínez-Alier provides a typology of environmental conflicts according to the principal nodal point of this system of material and energy flows¹⁶³⁷: 1° conflicts about extraction of energy and raw material (struggles against mining, petrol, biopiracy¹⁶³⁸, dams, shrimp farming¹⁶³⁹, etc.), 2° conflicts about the transport of matter and energy, *i.e.*, the flows which circulate within the system (gas and oil pipelines¹⁶⁴⁰, airports, highways, trains), 3° conflicts about toxic residues and pollution (heavy metals, nuclear waste, pesticides, etc.). All of these conflicts are distributive ecological conflicts, which can be classified according to their place within the flows of matter and energy (and the rupture of these flows) that run through the capitalist economic system.

We saw that another subcategory of the grammar of having was that of “primitive war”, which deals with the appropriation of land and resources in a context of scarcity. Recently some investigators in the social sciences have claimed that global warming and other ecological catastrophes engender a situation of increasing scarcity of resources and habitable spaces which, in turn, provoke violent conflicts.

“As resources start to run out, writes Harald Welzer, at least in many parts of Africa, Asia, Eastern Europe, South America, the Arctic and the Pacific islands, more and more people will have fewer and fewer means to ensure their survival. Obviously this will lead to violent conflicts among those who wish to feed off the same area of land or to drink from the same trickling water source, and just as obviously, in a not so distant future, it will no longer be possible to distinguish between war refugees and environmental refugees”¹⁶⁴¹.

The paradigmatic case here is the violent war which opposed the “Arab” horseback militias (*Janjaweed*) and “African” farmers in Darfur. This conflict is not new since there have been tensions for seventy years between both groups whose lifestyle is very different (the first are nomads whereas the second dedicated themselves to settled farming). However, in 1984 a terrible drought exacerbated the pre-existing tensions and caused bloody conflicts. Indeed, this drought, which struck the north of the country, forced the Arab horseback to go toward the south where they entered into conflict with the farmers who blocked access to their fields in order to protect their meagre harvests¹⁶⁴². In Sudan, concludes Welzer, “every square kilometre of new desert may then

1637MARTÍNEZ-ALIER Joan, “Los conflictos ecologico-distributivos y los indicadores de sustentabilidad”, *Revista Iberoamericana de Economía Ecológica*, Vol. 1, 2004, pp. 21-30.

1638MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, p. 100 *sq.*

1639*Ibid.*, p. 79 *sq.*

1640MALM Andreas, *How to Blow up a Pipeline: Learning to Fight in a World on Fire*, London, Verso, 2021.

1641WELZER Harald, *Climate Wars. Why People will be Killed in the Twenty-first Century*, trans. Patrick Camiller, Cambridge-Malden, Polity Press, 2012, p. 5.

1642WELZER Harald, *Climate Wars*, *op. cit.*, pp. 61-65.

be a direct or indirect source of violence, since it limits people's *space for survival* whether they realize it or not¹⁶⁴³. The interesting point of such an explanation is that the focus on environmental factors relativises the interpretation of the conflict in ethnic terms: “conflicts that have ecological causes are perceived as ethnics conflicts, including by the protagonists themselves. The social decline is triggered by ecological collapse, but this is not seen by most of the actors”¹⁶⁴⁴.

Nevertheless, it should be noted that such an approach is not beyond criticism since other factors may be responsible for these conflicts, especially political factors¹⁶⁴⁵. Welzer himself admits that the judicialisation of conflicts disrupted the traditional strategies for problem-solving without establishing a real functioning form of regulation, a process which increased the tendency to use weapons, even in small local conflicts¹⁶⁴⁶. Furthermore, not much imagination is required to visualise how the putsch of 1989 masterminded by the General Al-Bashir who supported the militias interventions, made the conflicts sharper¹⁶⁴⁷. Finally, some scholars argue that the ethnic dimension of the conflict should be underestimated. Indeed, ethnic groups have a real existence in Darfur since they result from a colonial process very similar to that which engendered the opposition between the Hutus and the Tusti in Rwanda. Indeed, giving land properties to some groups and not to others (in order to control them), the British, who arrived at the end of the 19th century, contributed to the crystallisation of ethnic groups¹⁶⁴⁸.

The grammar of recognition also has been revisited in the framework of studies on ecological conflicts. Indeed, environmental justice scholars have proved that there was a close connection between misrecognition, racism and ecological inequalities. Indeed, it has been noticed that the polluting industries are often, if not always, located within minority areas¹⁶⁴⁹. These scholars challenged the hypothesis that this unjust distribution of environmental burdens is only determined by market laws (in other words, that people on low-incomes move into polluted areas because of the low-property costs). They argue that such inequalities are rather an effect of institutionalised racism and, thus, of a dynamic of despise¹⁶⁵⁰. They insist on the fact that racism should not be reduced to intentional discriminatory acts, and that it is structurally embedded. Adopting this structural point of view, some geographical studies demonstrate that environmental

1643 *Ibid.*, p. 68. Author's highlight.

1644 *Ibid.*, p. 64.

1645 GEMENNE François, “*Guerres et conflits environnementaux*”, BOURG Dominique and PAPAUX Alain, *Dictionnaire de la Pensée Ecologique*, Paris, PUF, Quadrige, Dicos Poche, 2015, pp. 511-514.

1646 WELZER Harald, *Climate Wars*, *op. cit.*, p. 62.

1647 *Ibid.*, p. 63.

1648 KEUCHEYAN Razmig., *La Nature est un Champ de Bataille. Essai d'Ecologie Politique*, Paris, La Découverte, Poche/ Sciences Humaines et Sociales, 2018, pp. 41-46.

1649 HEIMAN Michael K., “Race, Waste, and Class: New Perspectives on Environmental Justice”, in *Antipode*, 28, 2, 1996, pp. 111-121.

1650 SCHLOSBERG David, *Defining Environmental Justice*, *op. cit.*, p. 59 *sq.* See also KEUCHEYAN Razmig., *La Nature est un Champ de Bataille*, *op. cit.*, pp. 22-36.

racism (the fact that minorities are disproportionately exposed to industrial pollution¹⁶⁵¹) is a result of spatial and historical processes. For Laura Pulido, such a geographical approach to environmental inequalities does not show that such or such incinerator had been placed in a Latino community because the owner is racist; it rather demonstrates how white elites historically distanced themselves from both polluted places and non-whites. Roughly speaking, in some towns of the United States such as Los Angeles, environmental racism is a result of a process of urban development in which, using their white privilege, white elites moved away from industrial centres via decentralisation and suburbanisation, and secured cleaner environment¹⁶⁵². This specific form of racism has been denounced since the beginning by the environmental justice movement. In 1987, five years after the beginning of the mobilisation against the dump of PBC, the United Church of Christ (UCC) published a report entitled *Toxic Waste and Race in the United States*, in which the relation between hazardous waste and racial and socio-economic characteristics of communities is argued¹⁶⁵³. Therefore, since the beginning of these movements, the struggle for environmental justice not only constituted a struggle against unjust distributions but also integrated an aspect of recognition.

Through an articulation of multiculturalist theories and social science studies relating to the collective relationship with nature, some scholars have also intended to look deeper into this idea that environmental justice struggles are struggle for recognition¹⁶⁵⁴. In light of structural anthropology, it has been argued that cultural identities depend on the relation that groups have with their environment. In other words, the portion of nature occupied by the group reflects the identity of the group. To demonstrate that point, scholars such as Catherine Larrère have used a series of conferences given by Lévi-Strauss on the problem of the articulation between the structural approach and the problems of societies' material life. In these conferences, Lévi-Strauss notably shows how indigenous societies select fragments of their environment, give them signification (in other words, they transform them into “mythemes”) and integrate them into the structural formation of myths¹⁶⁵⁵. Catherine Larrère concludes that the environment is a constitutive factor of social and cultural identities. On the base of such a hypothesis, it could be argued that the alteration of the

1651PULIDO Laura, “Rethinking Environmental Racism: White Privilege and Urban Development in Southern California”, in *Annals of the Association of American Geographers*, Vol. 90, n° 1, Mar., 2000, pp. 12-40.

1652PULIDO Laura, “Rethinking Environmental Racism...”, *op. cit.*

1653*Toxic Wastes and Race in The United States. A national Report on the Racial and Socio-Economic Characteristics of Communities with Hazardous Waste Sites*, Commission for Racial Justice, United Church of Christ, 1987.

1654See for example SCHLOSBERG David, *Defining Environmental Justice*, *op. cit.*, p. 60-64 and LARRÈRE Catherine and LARRÈRE Raphael, *Penser et Agir avec la Nature*, *op. cit.*, pp. 301-307.

1655LÉVI-STRAUSS Claude, “Structuralisme et écologie”, in LÉVI-STRAUSS Claude, *Le Regard Eloigné*, Paris, Plon, 1983, pp. 143-166; LÉVI-STRAUSS Claude, “Structuralisme et empirisme”, in LÉVI-STRAUSS Claude, *Le Regard Eloigné*, Paris, Plon, 1983, pp. 167-190. For a very clear commentary of these texts, see DESCOLA Philippe, “Les deux natures de Lévi-Strauss”, in IZARD Michel (ed.), *Lévi-Strauss*, Paris, Les Cahiers de l’Herne, 2004, pp. 296-305.

natural milieu in which social groups live is a form of disrespect regarding their cultural identities, which are in part structured on this material exteriority, and that the conflictual dynamic which results from environmental degradation is motivated by a demand for recognition. This model seems particularly relevant regarding indigenous struggles against extractivism. For instance, Schlosberg argues that the Navajo protest against extractive industries on their territories not only because these activities will deprive them of the natural resources on which their livelihood depends (for example water) but also because their cultural identity is tied to these lands and the destruction of the material support of their culture is an *insult* (and thus *disrespectful*) toward their community¹⁶⁵⁶. The deterioration of the environment of the material vector of a form of misrecognition.

In fact, the struggle of indigenous peoples against this form of misrecognition is not the only case which appeals to an approach in term of recognition. A careful study of complaints against industrial pollution that have been archived by European administrations shows that the dialectic of recognition is also at stake in the struggles against contamination right from the beginning of the industrial revolution. Studying collective petitions and individual letters sent to local authorities, Geneviève Massard-Guilbaud shows that such a dynamic of misrecognition-recognition was central in the environmental conflicts that opposed Clermont and Montferrand. Indeed, at the end of the 19th century, the separatism claimed by the inhabitants of Clermont in 1610 reappeared. Notably, Clermont relegated its insalubrious activities to the territory of Montferrand:

“Un autre argument, très fréquent dans les plaintes, était d'une nature toute différente des précédents: les autorités avaient, selon les plaignants, le devoir d'assurer une certaine équité entre les citoyens, d'empêcher certaines collectivités d'en mépriser d'autres ou, pis encore, de les “asservir”. (...)

Les habitants de Montferrand se sentaient humiliés, méprisés – selon leurs propres termes. Ils étaient convaincus que Clermont s'ingéniait à repousser sur son territoire tout ce qui pouvait souiller et asservir leur quartier. Le déplacement du dépôt des vidanges clermontoises sur leur territoire était perçu comme le symbole de cet asservissement, la perfidie la plus honteuse que Clermont ait jamais inventée dans son entreprise de persécution multiséculaire. Gérer les vidanges n'était une sinécure pour aucune ville, mais accueillir celles des autres sur son territoire, c'en était trop! Si le conflit s'alimentait, dans ce cas précis, de siècles de rancoeur, et prenait pour cette raison une ampleur inconnue ailleurs (manifestations, listes autonomes aux élections municipales...), le problème se retrouve pourtant partout dans les mêmes termes et à différentes époques”¹⁶⁵⁷.

Here, the grammar of recognition as Hegel presents them in the *Jena Writings* sheds light on *some aspects* of the historical reality: the triadic interaction in which a consciousness expresses its disrespect to another through the intermediary of the material environment perfectly fits the empirical reality of the struggles against pollution (*or at least, one of its aspects*). This does not mean that Hegel was influenced by these struggles, only that his model has an explanatory value.

¹⁶⁵⁶SCHLOSBERG David, *Defining Environmental Justice*, op. cit., p. 64.

¹⁶⁵⁷MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle. France, 1789-1914*, Paris, Éditions de l'EHESS, En temps & lieux, 2010, p. 86-87.

We have just seen that it is possible to find in the empirical reality of struggles two of the principal grammars of conflict we identified in the two first parts of this thesis. Now, in environmental justice studies, these two grammars are generally connected with a third one: participation; that is taking part in the deliberation and political decisions which determine the collective destiny of a community¹⁶⁵⁸. Fraser shows that distribution and recognition are the condition of possibility of participation¹⁶⁵⁹ however, the sense of the causality could also be reversed, and it could be demonstrated that decision-making has a strong influence on the allocation of resources¹⁶⁶⁰. It is not the place here to examine the complex relation between distribution, recognition and participation. Our point is that participation has been another category used in the framework of the study on environmental conflicts. For instance, Iris Marion Young claims that the struggle against polluting industry cannot be reduced to a question of distribution but should also include the problem of decision making procedures¹⁶⁶¹. She takes the example of the implementation of a hazardous waste treatment plant in the town of West Warren (Massachusetts) at the beginning of 1980. In this case, “the primary question of justice raised by local resident in this case (...) concerns not the fairness of the distribution of burdens”, she writes, but the fact is that the host community had not been consulted¹⁶⁶². To put it in another way, people did not have the opportunity to participate in the decisions regarding the *activities* which will be implemented on the territory they live in. Here, the grammar of conflict developed by Machiavelli seems to be appropriate to this specific case. It should be recalled that in the *Discorsi*, he described how the *plebe* entered into conflict with nobles in order to participate in public matters. This grammar of participation fits very well to those conflicts whose centre of gravity is the claim for having a voice in the political decisions that risk affecting the environment of a community.

2) A critique of the Classical Grammars of Conflict: Destruction and Attachments

Here, we understand how classical grammars of conflict, which integrated the relationship with the earth within the conflictual interaction, are used today by social sciences to shed light on the diverse aspects of environmental conflicts. However, are those grammars really relevant to constitute an authentic grammar of ecological struggles? Our thesis is that, although those

1658 YOUNG Iris Marion, *Justice and the Politics of Difference*, *op. cit.*, p. 91.

1659 FRASER Nancy, “Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation”, *op. cit.*, p. 30.

1660 YOUNG Iris Marion, *Justice and the Politics of Difference*, *op. cit.*, p. 23.

1661 *ibid.*, p. 19.

1662 YOUNG Iris Marion, “Justice and Hazardous Waste”, in *Bowling Green Studies in Applied Philosophy*, 5, 1983, p. 175.

grammars may have a strong *environmental content* (in the sense that they may be applied to ecological struggles), they are not grammars of ecological conflict in the *narrow meaning of the term*. By this, we mean that these categories may be useful to understand some dimensions of environmental conflicts, but they do not explain why these struggles must be regarded as the bearers of a certain form of “environmentalism”. Indeed, although these classical grammars have historically given place to the question of land (and thus to environment) in the conflictual dynamic and, although they have been revisited in the framework of environmental conflict studies, they have never *put at the centre* of the problem which, according to us, is crucial for environmental thought and practices, the “material deterioration of the planet”, to use the expression of Fourier¹⁶⁶³. Here, we have to be more specific: even when classical grammars of conflict *give place* to the question of the degradation of the earth, they never consider that this issue, which is essential for environmentalism, constitutes the *centre of gravity of conflictuality*. In other terms, social struggles are never considered as struggles against destruction (precisions will be fully understood at the end of this general conclusion of the three first parts of this thesis).

We saw in the introduction of this thesis that one of the big challenges of ecology raised by the environmental crisis is the degradation of the earth. Witness the mass extinction of the species, the alteration of biogeochemical cycles, global warming and other forms of deterioration of the planet we live in. Witness also the “local” forms that this crisis takes, *i.e.*, the devastation of entire local areas by both capitalism and the State: millions of gallons of oil spilled into the Ecuadorian rainforest, the contamination of mineral spring by mining industry in the Guajira, the destruction of Mangroves by shrimp industry, the monoculture of soybean in Argentina and Paraguay or palm oil plantations in Colombia and Borneo are just a few examples of those local, but apocalyptic, collapses that certain populations of our world have faced everyday long before we started to speak about global environmental crisis in “developed” countries. Now, it is precisely the question of destruction, which is at the centre of ecology today, that traditional grammars of conflict failed to consider. Indeed, it has to be admitted that distribution, recognition and participation are not *intrinsically* connected with the problem of the degradation of the earth. In short, but very incisive lines, Anne-Christine Habbard expresses very well the problem: environmental justice (as it is understood by most of the scholars) is a “*faux nouveau concept*”,

“il n’y a là rien d’autre qu’un cas particulier de la justice sociale et du principe de non-discrimination, appliqués à un nouveau type de biens (ou de maux), tels que déchets toxiques – au demeurant, le terme est né, de l’aveu de ses concepteurs, pour des raisons de popularisations et de

¹⁶⁶³FOURIER Charles, “Détérioration matérielle de la planète”, in *La Phalange. Revue de la Science Sociale*, 1847, pp. 401-440.

*médiatisation, quand il s'agissait effectivement pour eux uniquement de justice sociale*¹⁶⁶⁴.

The same could be said regarding the grammars we have dealt with in the three first parts of the thesis: distribution, recognition, participation, etc., are traditional categories which can be applied to all sort of contents, including environmental destruction; but they are not especially centred on that this issue that we consider as being the first concern of ecology (the degradation of the earth). Witness the fact that, even if the texts studied in the three first parts of the thesis were centred on the question of land, it was never really a question of the deterioration of this portion of nature that humans fight for. As explained further, there are even borderline cases in which the problem of the material deterioration of the earth is *a priori* excluded. Land can be redistributed and at the same time industrially exploited; peoples may have been recognised and may have had the opportunity to participate in the decisions which will affect their environment, but they may still choose to destroy the place they live in (for instance accepting the entrance of extractivist industries in their territory¹⁶⁶⁵). This proves that traditional grammars are not intrinsically concerned with the problem of destruction; they may have integrated the question of the relationship with nature, social struggles are never considered as being struggles against the deterioration of the earth. In that sense, they cannot pretend to constitute an adequate grammar of ecological struggles, that is, struggles animated by a form of environmentalism. Indeed, they do not put at the centre of the conflictual dynamic the question which concerns any form of environmentalism: the material destruction of our world¹⁶⁶⁶.

Let us say straight away that we do not embrace the criticisms generally addressed to environmental justice: the fact that this movement is anthropocentric and, for that reason, that it has nothing to do with ecology in the narrow sense of the term¹⁶⁶⁷ – anthropocentrism designating here all theories or attitudes which consider that man is the measure of everything, that only human beings are endowed with an intrinsic value and that nature has a value only in relation to human interests¹⁶⁶⁸. According to the mainstream current of environmental ethics, the grammar of

1664HABBARD Anne-Christine, “L'éthique environnementale: la défaite du politique?”, in *Raison Publique. Ethique, Politique et Société*, Paris, PUPS, n° 8, April 2008, p. 29. pp. 29-42.

1665See for example the cases presented in the following article: ALTMAN Jon, “Indigenous Rights, Mining Corporations, and the Australian State”, in SAWYER Suzana and GOMEZ Edmund Terrence, *The Politics of Resource Extraction: Indigenous Peoples, Multinational Corporations and the State*, Basingstoke, Palgrave Macmillan, International political economy series, 2012, pp. 46-74.

1666Interinstingy, Edouard Delruelle, a Belgian investigator, recently proposed a very similar grammar. He especially proposed a grammar of care to think about ecological and feminist struggles, basing his argument on Nancy Fraser's works. DELRUELLE Edouard, “Théorie de l'exploitation ou théorie de la destruction ? Marx, Polanyi, Fraser”, PUF, *Revue de métaphysique et de morale*, 2018/4, n° 100, pp. 503-514.

1667On this criticism usually addressed to environmental justice, see LARRÈRE Catherine and LARRÈRE Raphael, *Penser et Agir avec la Nature*, op. cit., p. 280.

1668AFEISSA Hicham-Stéphane (ed.), *Ethique de l'Environnement. Nature, Valeur, Respect*, Paris, Vrin, Textes clés, 2007, p. 96. As noted by Paul W. Taylor, anthropocentrism implies that “it is to humans and only to humans that all duties are ultimately owed” and that if we have responsibilities with regard to nature, those responsibilities are based

distribution is anthropocentric because, it considers nature as a set of *distribuanda* and reduces it to the status of a means to an end (in the case of Rawls, an end to an individual's rational plan of life). Reduced to a set of resources that should be distributed, nature has only an instrumental value (it has a value insofar as it is a means to an end) and no intrinsic value (it is not an end in itself, to use the Kantian distinction¹⁶⁶⁹). In a word, from the point of view of this form of environmental ethics, classical grammars of conflict are not ecological because no intrinsic value (*i.e.*, a value which is independent from any human interests¹⁶⁷⁰) is given to nature, nature which should remain unaltered by the hand of man. As just hinted at, this criticism, addressed to environmental justice by the mainstream current of environmental ethics, is based on the tradition of environmental protection which considers that nature should remain untouched by men. In other words, the common matrix of these ethics is the idea of *wilderness*¹⁶⁷¹. This is precisely the problem: this idea implies a duality between two separate and hermetic ontological domains, the sphere of non-humans governed by the universal law of nature and the sphere of society governed by solidarities between humans¹⁶⁷². In other terms, the protection of nature is based on the presupposition of a withdrawal of the social: the social should stay away from this ontological autonomous domain that we usually call nature. Such an ecology is hardly compatible with the nature of social struggles which, precisely, defend “social causes”. The hypothesis of a social struggle which would seek to preserve nature in an impenetrable shrine (and thus, to exclude the social world from it) is not totally impossible, but it seems implausible. It would mean that society (or a part of it) would swing into action to defend its own exclusion from a portion of the natural world and *in fine* to its own negation. In a sense, it is a contradiction in terms. One could retort that in the United States, this “cult of wilderness” (to use Martínez-Alier's terms) has been supported by huge collective mobilisations. However, is it possible to consider those movements as social? The fact that these movements have a collective aspect (that they gather several individuals into a same collective) does not mean that they are social

on the contingent fact that our actions have consequences on human well-being. TAYLOR Paul W., “The Ethics of Respect of Nature”, *Environmental Ethics*, Vol. 3, 3, 1981, p. 197, pp. 197-218.

1669 LARRÈRE Catherine, *Les Philosophies de l'Environnement*, PUF, Philosophies, 1997, pp. 19-20.

1670 On intrinsic value see ROLSTON III Holmes, “Value in Nature and the Nature of Value”, in ATTFIELD Robin and BELSEY Andrew (eds.), *Philosophy and the Natural Environment*, Cambridge, Cambridge University Press, Royal Institute of Philosophy Supplement: 36, 1994, pp. 13-30 ; CALLICOTT John Baird, “Intrinsic Value in Nature: A Metaethical Analysis”, *Electronic Journal of Analytic Philosophy*, 3 (5), 1995.

1671 Holmes Rolston III is probably the one who reaffirmed with force the idea of wilderness. For instance, he writes that “the concept of wilderness is coherent and vital for the protection of intrinsic nature values”. ROLSTON III Holmes, “The Wilderness Idea Reaffirmed”, *The Environmental Professional*, Vol. 13, 1991, pp. 370-377. On the fact that mainstream environmental ethics are based on the idea of wilderness, see LARRÈRE Catherine, “De l'éthique du statut à l'éthique des relations”, in *Les Possibles*, n°26, Winter 2020-2021, p. 28; LARRÈRE Catherine, *Les Philosophies de l'Environnement*, *op. cit.*, p. 89; HACHE Emilie (ed.), *Écologie Politique. Cosmos, Communautés, Milieux*, texts translated by Cyril Le Roy, Paris, Editions Amsterdam, 2012, pp. 13-14.

1672 DESCOLA Philippe, “Diversité biologique et diversité culturelle”, in *Nature sauvage, nature sauvage? Ecologie et peuples autochtones, Ethnies*, Hors-série n° 24-25, 1999, pp. 215-216.

namely, that they put the social question at the centre of their concerns.

This raises the question what does “social” mean? More precisely, what does the expression “social question” exactly mean? And in which sense can a collective mobilisation be designated as a “social struggle”? As Franck Fischbach argues, “social” designates a sphere of inter-human relations and solidarities between individuals which, under the sphere of the political and the sphere of the law, have their own consistency¹⁶⁷³. And the social becomes a “question” (the “social question”) when this sphere of inter-human relations enters into a pathological evolution. This is what happened in the first part of the 19th century, when the Industrial Revolution plunged the social world into a state of extreme disorder. And this social chaos was not only due to the emergence of mass poverty but, more broadly, it had to do with the fact that solidarities between individuals were deeply weakened and even dissolved. In other terms, the social question was not reduced to the problem of the unequal distribution of wealth and incomes, it was above all the question of the deterioration of the social. Thereby, it is in these terms that Robert Castel defines it in *Les Métamorphoses de la Question Sociale*: “la “question sociale” est une aporie fondamentale sur laquelle une société expérimente l’énigme de sa cohésion et tente de conjurer le risque de sa fracture. Elle est un défi qui interroge, remet en question la capacité d’une société (...) à exister comme un ensemble lié par des relations d’interdépendance”¹⁶⁷⁴. According to Castel, this deterioration of the social cohesion and this destruction of solidarities caused by the Industrial Revolution is related to what he calls “disaffiliation” (*désaffiliation*), the *process* by which individuals pass from a state of social integration to a state of social non-existence – or, to put it more simply, the process by which they are dissociated and separated from the rest of the social body¹⁶⁷⁵. In a word, the social question is the question of the *deterioration* of social ties between individuals (and a social struggle is, above all, a collective mobilisation against this degradation). If we define “social”, “social question” and “social struggle” in these terms, it becomes hard to designate as “social” a collective mobilisation whose objective would be to defend the exclusion of this sphere of solidarities from the domain of nature. *A contrario*, if ecological conflicts are *social* conflicts and if they are the bearer of a certain form of environmentalism, it cannot be an environmentalism which condemns the destruction of nature on the basis of its intrinsic value, precisely because this environmentalism is the negation of the social. In other words, the environmentalism which is implicitly at the root of social struggles has nothing to do with what Martínez-Alier calls the “cult of the wilderness”. *Consequently, we cannot say that classical grammars of conflict are not ecological because they forgot to place the defence of an untouched*

1673FISCHBACH Franck, *Manifeste pour une Philosophie Sociale*, Paris, La Découverte, Théorie critique, 2009, p. 45.

1674CASTEL Robert, *Les Métamorphoses de la Question Sociale*, *op. cit.*, pp. 18.

1675*Ibid.*, pp. 14-15.

nature at the centre of the conflictual dynamic. In short, what we have just demonstrated, is that our criticism of the classical grammars cannot be based on an ecology concerning the intrinsic value of wilderness.

The other possibility may consist in criticising the classical categories of conflict from the point of view of what Martínez-Alier calls the gospel of eco-efficiency, the other main current of environmentalism. Given that ecological struggles are usually *popular*, it would be somewhat contradictory to contend that they are animated by an environmentalism which is based on a technocratic vision of politics. This form of environmentalism based on the power of scientific elites is not really compatible with one of the major aspects of ecological struggles, the fact that they are *popular* struggles. Consequently, it seems unreasonable to contend that classical grammars of conflict are irrelevant because they lack this environmentalism of the rational management of resources, which is supposed to be at the root of ecological struggles (according to this erroneous hypothesis). In conclusion, it cannot be said that classical grammars lack this implicit environmentalism which animates ecological conflict because they have not put at the centre of conflictuality 1° the defence of the wilderness, 2° the rational conservation of nature.

Conversely, if these conflicts are *ecological*, then they cannot be only centred on the deterioration of solidarities between individuals. To put it another way, if a form of environmentalism is at the root of ecological conflicts, these conflicts cannot be reduced to the problem of the degradation of social cohesion. Indeed, if these struggles were only animated by social concern, there could not be designated as ecological. Consequently, the environmentalism which is supposed to be at the centre of ecological conflicts (according to Martínez-Alier's hypothesis mentioned in the introduction) cannot be 1° an environmentalism centred on the intrinsic value of nature (or on the rational management of natural resources) 2° an environmentalism only centred on the question of interactions between humans. In other terms, this ecology must overcome the dichotomy between nature and the social. Or to put it another way, the social question must become an ecological question and the ecological question must become a social question.

In order to do so, we believe that the only solution possible is to enlarge the meaning of what we usually call the “social”. We said that the social was defined by a system of relations of interdependency between humans, and that the social question emerged when the solidarities by which individuals form a society were degraded. Things change when we admit that solidarities are both solidarities between humans and *attachments* between humans and non-humans – attachment being understood here as relatively stable relations by which beings are inter-connected and form *collectives*, in the sense that Latour and Descola give to this term¹⁶⁷⁶, *i.e.*, a collection of entities,

¹⁶⁷⁶See DESCOLA Philippe, *Par-delà Nature et Culture*, *op. cit.* and LATOUR Bruno, *Politiques de la Nature. Comment*

human or non-human, which must all be considered as “actors” and not only as inanimate parts of the environment (we will return to that point in detail in part 4). If we presuppose those solidarities are not only solidarities between humans but also *attachments* with non-human beings (in a word, that society is not only made of humans but also comprises plants, animals, ancestors, and other non-human entities), then, the social question become indissociable from the ecological question. Indeed, in that case, the social question is not only centred around the dissolving of the social ties but also on the degradation of the attachments between human and non-humans. Or even more radically, if we admit that the social depends on our attachments with non-humans¹⁶⁷⁷, then, the destruction of those attachments is immediately a destruction of social cohesion. In this case, the destruction of ecological attachments is immediately a social question. Consequently, if ecological struggles are truly *social* struggles and if they are also the bearer of a form of *environmentalism*, then this environmentalism must be an ecology of attachment with non-humans, an ecology of relation¹⁶⁷⁸. This is the only solution possible, considering the fact that the environmental ethics of the intrinsic value and the gospel of eco-efficiency are automatically excluded (for the reasons explained).

Therefore, when we say that classical grammars are not grammars of ecological conflict because they do not put the main issue of ecology at their centre (*i.e.*, the degradation of the earth), it should be specified that the framework of this criticism is not the environmental ethics of intrinsic value (indeed, a grammar of ecological conflict could not be built on such an ecology which negates the social) but *an ecology of attachments*. According to this ecology, the degradation of the earth is not a problem because it has an intrinsic value but because we are attached to the material world we dwell in. This is precisely the crucial point that classical grammars have missed: *the destruction of collective attachments to the earth*. Our hypothesis is that beyond instrumental value and intrinsic value, thus beyond the traditional grammars of conflict and traditional environmental ethics, there is a place for the multiplicity of attachments by which we are connected to the earth.

faire entrer les Sciences en Démocratie, Paris, La Découverte, Armillaire, 1999. We will give a more detailed outline of this concept in part four of this thesis.

1677CHARBONNIER Pierre, “*La nature est-elle un fait social comme les autres? Les rapports collectifs à l’environnement à la lumière de l’anthropologie*” in *Cahiers Philosophiques*, n°132, 2013/1, pp. 75-95.

1678On this ecology of relation see the end of the aforementioned article of Larrère. LARRÈRE Catherine, “*De l’éthique du statut à l’éthique des relations*”, *op. cit.*

3) The Question of Attachment in Studies on Ecological Conflicts

That ecological struggles are struggles against the destruction of attachments is precisely what some studies on ecological struggles have attempted to show. For instance, in a famous article written in the 1990s, the sociologist Giovanna Di Chiro gave some important precisions on the motivations which animated the struggle for environmental justice in the United States¹⁶⁷⁹. When, in the 1980s Afro-American and Latino communities of the South Central of Los Angeles, who were fighting against a 1,600-ton-per-day solid-waste incinerator (the LANCER), came to the environmentalist associations as the Sierra Club and asked for their support, the associations answered that this their concerns were a “community health issue”, not an “environmental” issue. Indeed, the Sierra Club claimed that this struggle did not concern the problem of the protection of nature. According to the environmentalist associations, environmental justice movement's claims were anthropocentric because they put humans at the centre of the environmental discourse, which was highly problematic, since humans are those who destroy the environment. According to this view, environmentalism is identified with the preservation of “wild and natural” areas and the protection of endangered species. Now, the force of the environmental justice movement was to highlight that a strong dichotomy between nature and society underlies the mainstream conception of environmentalism and that this dualism was the matrix of the “colonial discourse of nature”. According to Di Chiro, “this discourse that opposes an Edenic (...) nature to a fallen culture either” categorises indigenous people and afros “as identical *with* nature” (which justifies their colonial exploitation as slaves or allows to depoliticise their claims) “*or* classifies them as people who are an anti-nature”, which allows their expulsion from the areas declared to be protected¹⁶⁸⁰. It is needless to recall that the expulsion of the Shoshone Amerindians was deemed necessary for the creation of the Yellowstone National Park in 1872¹⁶⁸¹. At odds with this vision of environmentalism, the force of the environmental justice movement was to redefine what nature is and what sorts of issues should be designated as environmental or not; in short, it was to “reinvent nature”. This reinvention consisted in defining nature not as a place bereft of any human presence but as “those places and sets of relationships that sustain a local community's way of life”¹⁶⁸². In the last part of the article, Di Chiro proposes to flesh out this idea and to give it a socio-anthropological basis. She especially

1679DI CHIRO Giovanna, “Nature as Community: The Convergence of Environment and Social Justice”, in CRONON William (ed.), *Uncommon Grounds, Rethinking the Human Place in Nature*, New York- London, W. W. Norton and Company, 1996, pp. 298-320.

1680DI CHIRO Giovanna, “Nature as Community...”, *op. cit.*, p. 311.

1681NABOKOV Peter and LOENDORF Lawrence, *Restoring a Presence: American Indians and Yellowstone National Park*, Norman, University of Oklahoma Press, 2004 (quoted by Descola in DESCOLA Philippe, “À qui appartient la nature ?”, *La Vie des idées*, 21 January 2008, <https://laviedesidees.fr/A-qui-appartient-la-nature.html>).

1682DI CHIRO Giovanna, “Nature as Community...”, *op. cit.*, p. 300.

points out that, for those activists, this reinvention of nature also led to a redefinition of the notion of community. Community is not a unity of the sameness but unity in difference: it presupposes the “connection to and interconnectedness with *other* groups, *other* species, and the natural environment through everyday experiences with family, comradeship, and work”¹⁶⁸³. On the basis of sociological studies on Latino interactions with the environment in the United States, she shows how sea and fish are central to the lives of the Puerto Ricans living in New York. She refers to the case of Doña Licha, who describes here activity of fishing in these terms: “For us, fish are life. I can feel when they are biting. My heart beats faster. It's like some communication with them”¹⁶⁸⁴. There is no need to speculate on this statement – which is borrowed by the sociologist Barbara Deutsch Lynch, from a book of the New Yorker activist and writer Alfredo López – but it should be noted that this quotation expresses the idea of a material and symbolic attachment to the fish and the sea. Material attachment because fish constitute at the same time a resource on which the subsistence of these community relies, but also because, fishery products are shared among family and friends, and thus are a central piece of familial relationships. They are likewise symbolic because the woman evokes a non-linguistic communication with the animal and even a form of affective relation with it (her heart beats faster). In other words, *the ontological constitution of the group and the social relations between human individuals are indissociable from the collective relationships with the sea*. Now, it is this attachment to the sea which is degraded by the increasing pollution of the New York coastal waters, and it is against this destruction that the communities living close to the shore denounce. It should be noted that the degradation of the attachments to the earth was explicitly mentioned in the first line of the *Principles for Environmental Justice*, a text redacted in October 1991, as the outcome of the First National People of Color Environmental Leadership Summit, which gathered three hundred delegates of Latino, African and Native communities for environmental justice. In part four of this thesis we will provide a more detailed definition of this notion of attachment. For the moment, let us just note that the grammar of conflict developed by Di Chiro, in her crucial article, places the question of the destruction of attachments to the earth at the centre of conflictuality.

This famous sociological article is not the only study which has identified ecological conflicts with struggles for attachment. In fact, anthropology, which has been at the forefront of the study of environmental conflicts for the last years, reached very similar conclusions. One of these

1683DI CHIRO Giovanna, “Nature as Community...”, *op. cit.*, p. 318.

1684LÓPEZ Alfredo, *Doña Licha's Island: Modern Colonialism in Puerto Rico*, Boston, South End Press, 1987, p. 1 (quoted by DEUTSCH LYNCH Barbara, “The Garden and the Sea: U.S. Latino Environmental Discourses and Mainstream Environmentalism”, *Social Problems*, Special Issue on Environmental Justice, Vol. 40, n° 1, February, 1993, pp. 108-124).

studies which is worth mentioning is Nastassja Martin's book entitled *Les Ames Sauvages*¹⁶⁸⁵. This work provides a detailed description of the motivations of agents involved in ecological conflicts. . This book is the publication of a part of her thesis in anthropology defended at the EHESS in 2014 under the direction of Philippe Descola. It is based on her fieldwork on an animist population called Gwich'in, a population which lives in the Yukon region, in Alaska. This place constitutes one of the “worlds in ruin” that Anna Tsing described in her aforementioned book. Indeed, this region of the world suffers from the terrible local effects of global warming. The ground is literally crumbling beneath the feet of its inhabitants. Take as example the elk which, perched on an iceberg, goes off course on a frozen river that has just broken up, just one of the sad results of the melting of the ice caps¹⁶⁸⁶. Witness also a young boy who recounts how his father died when, crossing a frozen river, due to the fact that the ice gave away underneath his feet: “*Il a traversé la rivière, là où nous l’avons toujours traversée. La glace a cédé alors qu’elle avait toujours tenu. En cet endroit, elle est bien épaisse. Enfin elle était. Il a disparu sous la glace*”. *Cet événement fut le commencement d’un long et interminable sentiment d’effondrement*”¹⁶⁸⁷. Global warming also manifests itself locally through the mega-fires which ravage the subarctic landscape: because of thawing permafrost, soils and peats dry out, which substantially increases the starting of fire. These fires are also sometimes so big that villages are surrounded by flames and any contact with the outside becomes impossible¹⁶⁸⁸. Global warming also disrupts the migratory paths of the salmon and elks. For instance, the elks stay in the north arctic and no longer go down to the subarctic and the Gwich'in hunters are seeing them coming back less and less¹⁶⁸⁹. These elks, which are so important in indigenous daily life, are also ravaged by diseases coming from the lichen that they eat, lichen which is contaminated by acid rains caused by pollution of the air coming from the four corners of the globe¹⁶⁹⁰.

The Yukon region is not only beset by the dramatic consequences of global warming, but is also the place of a violent friction between very different worlds, the world of the Gwich'in, the world of extractive industries and the world of occidental ecologists (to be schematic). Following Descola's work, Martin argues that, in order to understand conflicts between these different forces which clash together in the subarctic region of Alaska, it is necessary to reach a level of analysis which is more profound than the level at which classical anthropology usually remains. As noted by

1685MARTIN Nastassja, *Les Ames Sauvages. Face à l'Occident, la Résistance d'un Peuple d'Alaska*, Paris, La Découverte, Sciences Humaines, 2016.

1686MARTIN Nastassja, *Les Ames Sauvages*, *op. cit.*, pp. 15-16.

1687*Ibid.*, p. 27.

1688*Ibid.*, p. 28.

1689*Ibid.*, p. 30.

1690MARTIN Nastassja, *Les Ames Sauvages*, *op. cit.*, p. 17.

Descola, anthropology generally focuses on institutions, economic systems, technical infrastructures or systems of values or different views of the worlds¹⁶⁹¹. Now, according to him, those aspects of collective life are the stabilised results of more fundamental intuitions about the nature and the quality of the beings which live in the world and the relation they have between themselves. Indeed, under social institutions, social life is determined by a more elementary level, the level of antepredicative inferences about 1° the properties of human and non-human entities of the world, especially their similarities and their differences (schemas of identification) and 2° the nature of the interactions between them (schemas of relation). This level is called “ontology” because it implies a hypothesis regarding the nature of the things which live in the world, a notion of nature which is never self-evident and which, consequently, implies a *decision*¹⁶⁹². It is precisely this more fundamental level which renders possible a finer-grained analysis of the conflicts opposing different worlds in Alaska. Specifically, the “ontological analysis” allows to escape a trap the ethnologist may fall into: remaining at the level of the “superficial disjunctions” (*disjonctions de surface*)¹⁶⁹³, in other terms, superficial conflicts. For Martin, one of those “false” conflicts are the conflict between extractive industries (especially oil extraction) and the environmentalism of the protection of nature.

Since Alaska’s purchase by the United States from Russia in 1867, this immense territory has been considered by the State and extractive industries as a huge warehouse of fish, timber, minerals and oil¹⁶⁹⁴. Each natural element of the landscape is treated as a resource which can be isolated from the others and extracted. For instance, “*la forêt, loin d’être considérée comme un entrelacs de relations complexes entre des existants humains et non humains qui, par leurs interactions quotidiennes, créent un monde aux dynamiques qui lui sont propres, devint une simple ressource*”¹⁶⁹⁵. In short, according to this productivist relation with the subarctic land, the environment is seen as a set of resources which constitutes a portion of the world totally separable from the human realm, an objectification which authorises the unlimited exploitation of this autonomous region that the Occident used to call nature. Historically, environmentalism pretended to oppose itself to this productivist logic, especially through the creation of natural reserves to

1691DESCOLA Philippe, *La Composition des Mondes. Entretiens avec Pierre Charbonnier*, Flammarion, 2014, pp. 239-240.

1692“C’est en cela que consiste le détour ontologique: ce n’est pas une thèse sur ce qu’il en est du monde, mais une enquête sur la façon dont les humains détectent telles ou telles caractéristiques des objets pour en faire des mondes. (...) Mon ambition était donc de faire descendre à un niveau tout à fait élémentaire la visée critique des sciences sociales, pour les rendre aptes à saisir la forme générale des interactions entre les êtres. De ce point de vue, d’ailleurs, il ne s’agit plus seulement des sciences “sociales”, puisque le social est plutôt un effet qu’une cause, mais d’une science des êtres et des relations encore à venir et à laquelle contribueraient autant l’anthropologie et la philosophie que l’éthologie, la sociologie, la psychologie, l’écologie, la cybernétique et les sciences historiques”. DESCOLA Philippe, *La Composition des Mondes*, op. cit., p. 245. Author’s highlight. On the term of ontology, see also CHARBONNIER Pierre, *Les rapports collectifs à l’environnement naturel*, op. cit., p. 366.

1693MARTIN Nastassja, *Les Ames Sauvages*, op. cit., p. 58.

1694Ibid., p. 42.

1695Ibid., p. 44.

protect the Alaskan wilderness from oil extraction. However, the aforementioned ontological analysis reveals that this conflict between the protection of nature and resource exploitation is “superficial”. If we consider the fundamental level of the ante-predicative inferences that humans make about the nature of beings and about their relations, the opposition between both sides disappears (or is at least moderated). Indeed, as already mentioned, this form of environmentalism claims that the only way to preserve the environment is to set it behind glass doors in order to protect it against all human activities (including indigenous practices), which amounts to the isolation of this region of the world from the rest, especially from society:

“Même si l'éthique écologiste alaskienne – dont le maître mot spirituel est cette wilderness toute-puissante – semble de prime abord radicalement contraire à celle des prospecteurs industriels qui adhèrent corps et âme aux principes du capitalisme en vidant la terre de toutes les ressources utilisables et susceptibles d'être transformées en énergie, ces deux manières de se relier au monde, dont découlent des pratiques divergentes, ont les mêmes racines. L'exploitation et la protection de l'environnement sont les deux registres grâce auxquels s'exprime le naturalisme alaskien, qui représentent les deux faces d'une même ontologie, occidentale, moderne et dialectique. Le point commun qui sous-tend ces deux conceptions de l'environnement est capital et fondateur : c'est, dans les deux cas, l'extériorité de l'homme face à l'environnement qui permet soit sa sacralisation, soit son exploitation”¹⁶⁹⁶.

Protection and exploitation are two sides of the same coin: a naturalist ontology which separates nature from society. Therefore, the ontological analysis reveals that what was once regarded as an opposition between worlds is in fact an alliance.

Conversely, the same level of analysis shows that what we regard as a perfect alliance sometimes hides very different ways of perceiving the environment. Martin tells us for instance how some of the Gwich'in living in towns sometimes use the naturalist idiom to create alliance with American ecologists in order to fight against oil companies: on the media scene they set themselves as *protectors* of elk and defenders of *nature*, concepts immediately imported from naturalism. Nevertheless, Martin specifies that those adoptions of the occidental discourse by the Gwich'in should not be considered as a form of acculturation; they are strategies which consist in adopting the idiom of the other to obtain what they want (rights of use, land property, etc.)¹⁶⁹⁷.

Now, it would be very reductive to explain the degradation of the Gwich'in's world only by the actual situation of the imminent global catastrophe. As Martin write, *“Ce processus a son histoire, et voilà de nombreuses années que certains collectifs d'Occidentaux (...) œuvrent à l'autonomisation des champs du monde en subarctique : ils sont venus et ont affirmé que les animaux crient au lieu de parler, que les esprits chuchotent au lieu de chanter, et que les aurores boréales ne résonnent plus que pour de rares attentifs des nuits d'hiver glaciales”¹⁶⁹⁸*. Indeed, Martin describes a long-term process by which a multitude of different occidental collectives

¹⁶⁹⁶*Ibid.*, p. 56.

¹⁶⁹⁷*Ibid.*, p. 67 and 75.

¹⁶⁹⁸*Ibid.*, p. 86.

intended to destroy the multitude of attachments by which the Gwich'in form collectives with other non-human beings. Missionaries are one of those groups which undertook to convert the indigenous to naturalism. They especially took advantage of the epidemics which ravaged the indigenous populations so as to heal their body and also their soul. Indeed, it is in the dispensaries that missionaries intended to convince the Gwich'in that they should renounce animism and shamanism for the belief in the one and true Christian God¹⁶⁹⁹. One of the fundamental operations through which these worshippers of a monotheistic God managed to deteriorate the myriads of attachments by which indigenous were tied to their environment was to change their names for Christian names. To understand this point better, an explanation of how names were traditionally attributed to individuals among Gwich'in. In fact, before the arrival of the missionaries, names were never given to children at birth:

“On pouvait attendre, jusqu’à une année entière s’il le fallait, qu’il se distingue par la manière particulière qu’il aurait d’agir dans le monde, c’est-à-dire par la forme qu’il donnerait à sa relation avec l’extérieur. Alors seulement, lorsque cette différenciation s’opérait à travers un engagement bien spécifique dans le milieu, le nom émergeait naturellement, venant qualifier moins une personnalité, une individualité qu’un mode relationnel ou encore un style d’interaction mis en place entre cette personne et son environnement”¹⁷⁰⁰.

Names were relational, they evoked the specific interactions that individuals had with their environment. For instance, they often referred to a specific relation between the individual and an animal. Given that, with time, the interaction of the individual with his living milieu changed, names also changed (sometimes six or seven times in a whole life). Baptisms and the definitive attribution of Christian names deprived the Gwich'in of the possibility of evoking the richness of their interactions with the environment through relational names. In a word, this forced change, which is seemingly unimportant, detached the Gwich'in from the non-humans which had contributed to their identity¹⁷⁰¹. Furthermore, during their peregrinations in the Alaskan wilderness, these priests also contributed to the building a new image of the world based on the idea of an autonomous nature separated from the relations with the human world. Perched on the peak of the majestic mountains of Alaska, close to the sky, they took the point of view of God and contemplated the natural world from which they were detached and they distanced themselves from the teeming web of relations which is so characteristic of the animist world: *“En effet, quoi de plus efficace pour se distancier du réseau de relations formé par le monde des chasseurs-cueilleurs que de prendre de la hauteur et se rapprocher des cieux pour pouvoir observer le bas monde comme Dieu lui-même observe le fruit de Sa création ?”¹⁷⁰².*

1699Ibid., p. 95.

1700Ibid., p. 98.

1701Ibid., p. 100.

1702Ibid., p. 106.

Once again, an “ontological” analysis is useful to draw unexpected continuities between world which, are at first sight very different, and even seems to be opposed. In this sense, Martin contends that “protectors of nature” have taken over from the missionaries, instituting this autonomous region of the world that we call nature. Much like their predecessors, they use all sorts of means to violently separate the Gwich'in from their attachments to the non-human beings which live in the subarctic. Indeed, an authentic ecologist crusade is led against Gwich'in hunters which are separated from the animals they covet with great fervour. Witness for instance this movement of enclosure by which nature is emptied of its inhabitants and enclosed into vast sanctuaries. Institutions in charge of the administration of national parks (such as the US Fish and Wildlife Service) delimit portion of the world, appropriate them and clear these spaces of the indigenous who live there in order to create protected areas¹⁷⁰³. Witness also environmental NGOs which try to replace hunting by potato cultivation, a practice which is absurd in the eyes of the indigenous hunters who see no interest in taking care (*s'occuper de*) of a non-human being in order to eat it. Indeed, for them, a non-human being can be considered as “healthy food” only if this thing had first an intentionality and a life independent from humans, and only if it had been desired, dreamt, pursued across long distance, captured and finally put to death by the hunter¹⁷⁰⁴. The best illustration of this forced detachment of the hunter from his intimate relation with his game is probably the draconian control that the state exerts on cynegetic practices and the constant surveillance of indigenous by government agents who harass them and penetrate into their home to count the quantity of meat they stocked in their freezer. The contradiction is that, it is the same State which prevents the Gwich'in from hunting elks and at the same time slaughters en mass predators (such as wolf) in order to create large herd of caribou that rich tourists will admire during their expensive safaris¹⁷⁰⁵. This is a paradox inherent to an ecology which pretends to *recreate* an *untouched* pristine nature. To sum up this point, there is a secret continuity between priests and “ecologists”, who both intend in their own manner to take the Gwich'in hunters away from the animals that they passionately desire. In other words, they both did their best to break those attachments which define the animist collective of the Gwich'in.

The third part of Martin's book is dedicated to the description of these forms of attachment, especially the interactions between the indigenous hunters and their prey. At first sight, it may seem paradoxical to qualify this relation of predation as a relation of attachment. However, by contrast with the way we understand the cynegetic practice in the West, the Gwich'in do not perceive the relation of predation on the basis of a radical alterity between men and their prey. In fact, the

¹⁷⁰³*Ibid.*, pp. 121-123.

¹⁷⁰⁴*Ibid.*, pp. 132-133.

¹⁷⁰⁵*Ibid.*, p. 138.

condition of possibility of hunting is the presupposition of a fundamental similarity between men and animals who both are endowed with an interiority (and differ by body alone)¹⁷⁰⁶. This similitude at the level of interiority is the condition *sine qua non* to establish a relation of communication and exchange with the animal. Nevertheless, Martin insists on the fact that this similitude does not mean that the interiority of non-human beings is human¹⁷⁰⁷. In fact, what characterises the relation with non-humans is a fundamental incertitude regarding the identity of the other which is in constant metamorphosis¹⁷⁰⁸. Therefore, the similitude of interiorities that humans and non-humans have in common is just a precondition of their relation. It is the basis on which a discussion can be initiated. Now, once this identity between interiorities has been admitted (and that the relation has been established), things become more complicated since the interiority of the other is always changing, unstable and unpredictable. Moreover, non-humans are true *actors*, they are endowed with free will and, consequently, their behaviour is always uncertain¹⁷⁰⁹. Contrary to the received idea which is shared by many anthropologists who study the animism of the Far North, the Gwich'in do not consider that animals give themselves to the hunter and always come back to humans in a sort of eternal return¹⁷¹⁰. In fact, the fundamental instability which characterises the other has a fundamental function within Gwich'in animism: incertitude about the other is precisely what excites the curiosity of the hunter, arouses his desire and drives him to pursue his prey¹⁷¹¹ (there would be no interest in pursuing a being which always returns and gives himself to the hunter¹⁷¹²). It is also this incertitude which explains why the hunters have to use a true art of seduction to catch the animals. Indeed, because they are considered as endowed with a certain degree of liberty, animals decide themselves their own path, which is always unpredictable. Consequently, the hunters have to *seduce* the animal, namely to deviate its trajectory in order to attract it and finally catch it. As Martin writes, “*étant donné que tous ces animaux sont aux commandes de leur destin et de leur trajectoire dans le monde, pour les attirer à soi il faut les séduire, les faire dévier de leurs chemins respectifs et les neutraliser dans les mailles du piège prévu à cet effet*”¹⁷¹³. Finally the agency which is attributed to animals may be on occasions dangerous. The fact that non-humans have an interiority and a free will implies that they can make humans do things that the latter did not foresee:

“*Si on admet que les animaux sont dotés d’une intériorité pour les Gwich’in, il faut bien aussi*

¹⁷⁰⁶*Ibid.*, p. 167.

¹⁷⁰⁷*Ibid.*, p. 170.

¹⁷⁰⁸*Ibid.*, p. 174.

¹⁷⁰⁹*Ibid.*, p. 176 and 189.

¹⁷¹⁰*Ibid.*, p. 177.

¹⁷¹¹*Ibid.*, p. 176 and 183.

¹⁷¹²*Ibid.*, p. 180.

¹⁷¹³*Ibid.*, p. 186.

*reconnaître qu'ils enlèvent, eux aussi, une part de liberté et de pouvoir aux hommes qui les poursuivent et qu'ils sont eux aussi capables de retourner une situation à l'inverse de ce que l'on attendait d'elle. Eux aussi peuvent conduire les hommes dans cet état de fascination, moment d'hésitation entre le pouvoir et la mort, eux aussi peuvent les conduire à l'écart de leur monde et les pousser à oublier, au moins temporairement, qui ils sont et où ils vont*¹⁷¹⁴.

This proves that humans are not all-powerfull and that the relation they establish with non-human may always be turned against themselves by the non-human. The encounter with the animal, which takes place in zone of indifferentiation where the limit between humans and non-humans is indistinct, is always very risky¹⁷¹⁵. There is always the possibility that the hunter remains fascinated by his prey and that he stays trapped inside its body (a fascination being defined here as the impossibility of restoring a distance with the other). In short, the risk of these zones of incertitude is that the hunter loses himself in the other and never returns to the human world (which usually leads to madness or even to death). Hence, the necessity of putting the animal to death in order to restore a distance between me and the other and to come back to myself. The violent act of killing allows the hunter to get out of these dangerous zones and to recover his identity. In a word, the world of animism is not at all an idyllic paradise in which humans and animals live in harmony. It is a world in which attachments to the other are essential but also imply a risk.

However, even if the interaction with non-humans is always dangerous and may even lead to the death, hunters remain very attached to the animal they pursue. This is one of the reasons why they always go back to hunting and go into the cold and hostile taiga of Alaska, risking their life to join the object of their desire. It is precisely this intimate relation with game that the priest, the protectors of nature and the extractive industries tend to annihilate through the violent imposition of an ontological regime which partitions the world into very distinct fields, the realm of inanimate nature and the realm of humans. And it is this detachment of the hunter from its relation with non-humans which plunges the entire society into a state of decrepitude and deep depression. Hence, alcoholism, drugs, violence and other forms of expressions of this deep sadness in which the indigenous are plunged because they are separated from *what really counts* for them (in other words, what they are attached to). As highlighted by Martin, it is not only a problem of food and subsistence: the game could easily be replaced by potatoes and the problem of malnutrition would be solved. However, this solution would mean that the Gwich'in would abandon what is at the centre of their life: the interaction with animals and other non-humans through the cynegetic practice. As Martin asks:

“dans quelle mesure peut-on parler d'une société 'en bonne santé' lorsque l'objet même du désir de ses membres leur est dérobé ? Comment peuvent-ils se relier au monde occidental de manière dynamique lorsque les étrangers leur apportent des pommes de terre pour remplacer les caribous

¹⁷¹⁴*Ibid.*, p. 189.

¹⁷¹⁵*Ibid.*, p. 193-194.

et les élans ? Snook se chargea de résumer tout cela en riant de bon cœur, en me faisant remarquer à la fin de notre conversation : 'Est-ce que tu peux seulement imaginer à quoi cela ressemblerait que de rêver de patates ? Ce serait plutôt un horrible cauchemar !' Ce parallèle que Snook fait avec le fait de rêver du gibier pointe une aporie fondamentale au cœur de ces débats autour de la nourriture issue de l'agriculture, toute saine et biologique soit-elle : peut-être un homme peut-il mourir de bien autre chose que de malnutrition''¹⁷¹⁶.

Nevertheless, this does not mean that the Gwich'in remain inactive and that they let themselves absorbed by this chaos. Martin insists on the fact that it is always possible to recreate life in the ruins. One of the strategies employed by the Gwich'in to survive consists in maintaining or restoring their dialogues with animals which live in the taiga and continuing to go into the deepness of the forest in search of those fleeting beings which attract the hunter in blurred zone of indifferentiation. As Terence writes, one of Martin's interlocutors, "we need to keep talking to them all if we want to make it"¹⁷¹⁷. This "spiritual war" against those who want to empty his world¹⁷¹⁸ may appear to be derisory compared to the violence, the force and the power of his adversaries. Does this sort of infra-politics¹⁷¹⁹ (which basically consists in keeping hunting and disobeying the law imposed by the State) have any real efficacy against the powers of the occidental worlds? In fact, it seems that this claim for the restoration of the dialogue with invisible beings sometimes reappears in the framework of open conflicts against the promoters of extractivism (who are sometimes themselves indigenous) and the defenders of wilderness, who both trade lands among themselves. Conflicts against extractivism and colonial ecology are not always reduced to the strategic mimesis which consists in adopting the naturalist idiom of the adversary. Martin mentions for instance a conflict which opposed the Gwich'in villagers of Fort Yukon against the indigenous corporation (the Doyon Corporation), which promoted the capitalist industrialisation of the territory, and the US Fish and Wildlife Service, which enclosed entire portions of the world into national parks. The city-dwellers of the Doyon Corporation and the US Fish and Wildlife Service had shared the lands out among themselves, behind the back of the villagers of Fort Yukon who vigorously protested against those secret negotiations. Martin expresses very clearly the claims of the "Gwich'in of the rural Alaska" who live in or close to the forest: according to them "*il s'agit de préserver le milieu gwich'in dans son intégralité, c'est-à-dire en prenant en compte tous les existants qui le sillonnent, humains comme non-humains, avec les pratiques quotidiennes qui les caractérisent*"¹⁷²⁰. Here, the concern about the possibility of maintaining the dialogue with non-human beings seems to reappear in a local mobilisation against land traffickers. The infra-political struggle for the perpetuation of a dialogue with invisible forces takes a political form, even if this

¹⁷¹⁶*Ibid.*, p.133-134.

¹⁷¹⁷*Ibid.*, footnote 46, p. 309 (translated to french p. 250).

¹⁷¹⁸*Ibid.*, p. 253.

¹⁷¹⁹SCOTT James C., *Domination and the Arts of Resistance*, New Haven-London, Yale University Press, 1990.

¹⁷²⁰MARTIN Nastassja, *Les Ames Sauvages*, *op. cit.*, p. 79.

form remains local.

Martin's ethnography on the Gwich'in is not the only study which leads to the conclusion that the destruction of attachments is at the centre of ecological conflicts. We could have mentioned the works of Bruce Albert on the conflicts of the Yanomami against gold panning¹⁷²¹, Barbara Glowczewski's books on Australian aborigine's attachment to the land¹⁷²², Marisol de la Cadena's work on cosmopolitics in the Andes¹⁷²³, and so on. However, our objective was not to give a full review of all the studies which go in the same direction. We prefer to fully develop a specific ethnographical case that we deem representative of a growing tendency in the ethnologic studies of environmental conflicts, a trend which consists in focusing on the question of attachment to the earth. Moreover, Martin's book is a quite exceptional work in the sense that it provides an exceptionally detailed and rich ethnographical description of the profound motivations of the indigenous who suffer from the expansion of the occidental world on their territory and live in the ruins of capitalism. Indeed, it should be admitted that, with the exception of the studies just mentioned above, ethnographical works do not always reach such a degree of precision in their description. In short, quality is preferred over quantity. At the end of this thesis, we will present another case, which will lead us to very similar conclusions. For now, the cases presented above are sufficient to prove that the destruction of attachments is at the centre of ecological conflicts.

As was just suggested, it is precisely this point that the grammar of conflicts that were presented in the first three first parts of this thesis lacked (or at least did not take into account). To be more exact, we saw that the conceptual pair of destruction and attachment briefly appears in the framework of the reflection on the categories of conflict, but it was immediately abandoned and was not the object of any real philosophical reflection. Here, we are especially thinking about Hegel's texts on the struggle for recognition. We saw that Hegel thematises the idea of an attachment to the earth inasmuch as he considers that the ontological constitution of consciousness depends on its relation with material exteriority. Now, we also said that the negation of the land (which leads to the conflict) can be considered in different ways. In the *System of Ethical Life* (1802-1803), this negation was conceived as a "purposeless destruction and havoc", i.e., the annihilation of everything in which culture is embodied, which includes the killing of human beings such as the destruction of material signs of culture such as monument or farmer's lands. However, this interpretation of the negation of the possession was quickly put aside by Hegel who, from 1803 onward, finally preferred to identify it with dispossession, an action which implies the

1721ALBERT Bruce and KOPENAWA Davi, *La Chute du Ciel*, op. cit.

1722GLOWCZEWSKI Barbara, *Rêve en Colère. Avec les Aborigènes Australiens*, Paris, Pocket, Terre Humaine Poche, 2016.

1723DE LA CADENA Marisol, "Indigenous cosmopolitics in the Andes: Conceptual Reflections beyond "Polilites"", *Cultural Anthropology*, Vol. 25, Issue 2, pp. 334–370.

transformation of the thing through labour. Furthermore, from 1803 to 1806, the attachment to the land finally leads to a figure of detachment: in order to make the for-itself appear, consciousness has to detach itself from its possession and to sacrifice it.

4) The Classical Grammars of Conflict and History

One could ask the reason why there is a quasi absence of this conceptual pair in the categories of conflict we reviewed in those three parts of our dissertation. In other words, why the struggle for land was never considered as a struggle against destruction or, more positively, as a struggle for attachment?

An initial way of answering this question has to do with the historical context in which these grammars of conflict were elaborated. Logic dictates that, to integrate an element of empirical reality into philosophical discourse, this element must already exist. Consequently, the first requisite for the integration of the question of destruction into the grammars of conflict is that such a destruction already existed when our grammar-makers (Hegel, Fichte, Babeuf, Malthus, etc.) developed their categories. To put it another way, the first condition for an elaboration of a grammar of ecological conflicts centred on the destruction of attachments is that those who formulated the grammars of conflict had experienced such a destruction and the conflict it generates. From there, the question is simple: did our “grammar makers” (*i.e.*, Hegel, Fichte, Babeuf, Malthus, etc.) witness the destructions caused by political and economic system which led us to the catastrophic situation we are today facing? Moreover, did they witness the struggles of those who fought against this generalized annihilation of our world? And if they did, why then did not take those struggles and their claims into account? Did those grammarians face a world in which ecological conflicts against the destruction of attachments rage? Did they really witness this historical reality? In the case that their grammars of conflict were not elaborated in such an ecological context, then this would explain why attachment and destruction were not included in their logic. Indeed, this would mean that grammars have not been made in the objective of thinking about ecological conflicts, *i.e.*, conflicts for attachment.

This question arises all the more knowing that the most of these grammars of conflict were elaborated in close connection with historical conflicts. This is obvious if we think about the general grammar of having, especially in the case of the subcategories of distribution developed by Babeuf, who was not only very close to the peasants of the north of France, and thus, to their struggle, but was also himself a stakeholder in these conflicts for land. The same could be said with the category

of use: Fichte probably had in mind the revolt of the Saxon peasants that burst forth in 1790 and, as for Marx's articles on the "Debate on the law on the thefts of wood", the relation with a historical concrete struggle of the peasants is even more obvious.

Only the grammar of recognition is, apparently, disconnected from any historical context. We say "apparently" because some scholars argue that the dialectic of Mastery and Servitude was immediately inspired from the Haitian Revolution, that insurrection by slaves (under the leadership of the former slave Toussaint Louverture) which burst forth on the 4th of August 1791 in Saint-Domingue and ended with the colony's independence and the creation of the Republic of Haiti on the First January 1804. Influenced by Jacques D'Hondt's reading of Hegel¹⁷²⁴, Pierre Franklin Tavares shows how the author of the *Phenomenology of Spirit* was concerned by slavery as early as his adolescence when he entered the Gymnasium of Stuttgart¹⁷²⁵. Tavares detects in the writings of Bern, Jena and Berlin the influence of anti-slavery writings such as the works of abbé Raynal's *Histoire Philosophique des Deux Indes* or the abbé Grégoire's *De la Littérature des Nègres*. Tavares shows that, although, much like Grégoire and other liberals, Hegel pronounced himself for the *gradual* abolition of slavery (which means that he was not in favour of the immediate abolition), this sort of abolition takes the meaning of a *destruction of slavery*. By contrast with destruction, abolition means in general, Tavares claims, that the liberation of slaves comes from the Other, the Master, *i.e.*, the political authorities, as in the 16 Pluviôse An II (4 February 1794) when the Convention abolished slavery. On the contrary, destruction is even more radical since it is the slave himself who takes the initiative to liberate himself. This form of emancipation appears in the *Phenomenology* when the slave transforms nature, a formative activity by which freedom becomes effective. Indeed, insofar as "works *cultivates and educates*"¹⁷²⁶, the slave who works for the master gains *progressively* his freedom. Therefore, as for the gradual abolition, the liberation of slaves is not immediate, since this self-education through work takes time. But it is also a destruction of slavery since the slave is the actor of his own freedom, as was the case with the Haitian revolution. Tavares claims that this figure of the victorious slave (who progressively destroys his own chains by himself) is borrowed from Raynal's book in which he prophesies the future victory of black

1724D'HONDT Jacques, *Hegel Secret. Recherches sur les Sources Cachées de la Pensée de Hegel*, Paris, PUF, Epiméhee, Essais Philosophiques, 1968. On Jacques D'Hondt's reading of Hegel, see BOURGEOIS Bernard, "Jacques D'Hondt, Lecteur et conteur de Hegel, PUF, Revue de Métaphysique et de Morale, n° 88, 2015/4, pp. 513-520.

1725TAVARES Pierre-Franklin, "Le jeune Hegel, lecteur de l'abbé Raynal. Hegel, philosophe anti-esclavagiste", Lecture at the Collège de France, 19th January 1996, <http://pftavares.fr/wp-content/uploads/2013/05/Le-Jeune-Hegel-et-labb%C3%A9-Raynal.pdf>. See also TAVARES Pierre-Franklin, "Hegel et Haïti, ou le silence de Hegel sur Saint-Domingue", *Chemins Critiques, Revue Haïtiano-caraïbéenne, 1791-1951. Qui a peur de la démocratie en Haïti ?*, Port-au-Prince, Vol. 2, n°3, May 1992 and TAVARES Pierre-Franklin, "Hegel et l'abbé Grégoire: question noire et Révolution française", *Annales historiques de la Révolution française*, Révolutions aux colonies, n°293-294, 1993, pp. 491-509.

1726HEGEL Georg Wilhelm Friedrich, *The Phenomenology of Spirit*, *op. cit.*, p. 115.

slaves over their master. Knowing that this prophecy will be fulfilled with Toussaint Louverture, who will become general-governor of St Domingue between 1796 and 1802, it is possible that the slave of the “Mastery and Servitude” is the philosophical reflection of this hero of the Haitian revolution¹⁷²⁷. Tavares recalls that Hegel had read the French newspapers and was informed about this insurrection, which Hegel in fact mentions explicitly in the *Encyclopaedia of the Philosophical Sciences*¹⁷²⁸. In her book entitled *Hegel and Haïti*, Buck-Morss confirmed this thesis and adds that Hegel has been informed of the Haitian uprising by the reading of *Minerva*, the very influential political journal created by Johann Wilhelm Archenholtz, which had reported on the slave insurrection since 1792¹⁷²⁹.

This seducing thesis is not totally beyond criticism. One could argue that the terminology

1727This parallel between the struggle for recognition and the Haitian Revolution was suggested by Jacques D'Hondt to Tavares during the defence of his dissertation entitled *Hegel, Critique de l'Afrique: introduction aux Etudes Critiques de Hegel* in 1990. TAVARES Pierre-Franklin, *Hegel, Critique de l'Afrique: Introduction aux Etudes Critiques de Hegel*, PhD Thesis, Paris, Paris 1 Panthéon-Sorbonne University, 1990. TAVARES Pierre-Franklin, “A propos de Hegel et Haïti. Lettre de Pierre Franklin Tavares à Jean Ristat”, *L'humanité*, 2nd December 2006, <https://www.humanite.fr/node/361462>.

1728“‘They cannot be denied a capacity for education; not only have they, here and there, adopted Christianity with the greatest gratitude and spoken with emotion of the freedom they have acquired through Christianity after a long spiritual servitude, but in Haiti they have even formed a state on Christian principles. But they do not show an inner impulse towards culture’”. HEGEL Georg Wilhelm Friedrich, *Encyclopaedia of the Philosophical Sciences. Part III, op. cit.*, §393, p. 41. This text is more than ambiguous since the access to culture depends on the conversion to christianity. It should be noted that, in his conference at the Collège de France, Tavares only quotes the first sentence of the text. Moreover, the text which comes before this citation is very explicit on the way Hegel considers those he calls “negroes”: “Negroes are to be regarded as a nation of children who remain immersed in their uninterested and indifferent naivete. They are sold, and let themselves be sold, without any reflection on whether this is right or not. Their religion has something childlike about it.” (HEGEL Georg Wilhelm Friedrich, *Encyclopaedia of the Philosophical Sciences. Part III, op. cit.*, §393, p. 41). Tavares defends Hegel against any accusation of racism, arguing that when he came to France, Hegel mixed with the group of Grégoire's friends and that, in the *Phenomenology of Spirit*, he criticises Gall's racist phrenology: “Mais Hegel n'était pas raciste. C'est ce dont témoigne toute sa relation avec le cercle d'amis de l'abbé Grégoire, attesté lors de voyage à Paris, et à propos duquel j'ai procédé aux enquêtes en ayant même recours aux fiches de la police de l'époque. En outre, Susan Buck-Morss semble l'ignorer, dans la *Phénoménologie de l'esprit* en particulier, Hegel a détruit et même complètement ruiné les arguments racistes et racialistes qui prévalaient à son époque, notamment par sa critique acerbe et moqueuse de la 'phrénologie' de Gall. Concernant l'Afrique chez Hegel, j'ai montré dans mes recherches doctorales deux points capitaux : Hegel n'est l'auteur d'aucun des textes incriminés sur l'Afrique, dont on lui attribue la paternité. Il a été jugé à partir d'apocryphes. Même Karl Marx ne s'en était pas aperçu. C'est pourquoi, placé devant une telle réalité, j'ai recomposé (après huit années de recherches) tout l'itinéraire africain de Hegel, à partir de ses propres écrits et sa bibliographie africaniste, pour la restitution de laquelle j'ai même dû préparer une licence d'histoire à Paris-I”. TAVARES Pierre-Franklin, “A propos de Hegel et Haïti. Lettre de Pierre Franklin Tavares à Jean Ristat”, *L'humanité*, 2th December 2006, <https://www.humanite.fr/node/361462>. Buck-Morss makes a much more severe judgement on Hegel. She highlights that, although the *Phenomenology of Spirit* has been inspired by the Haitian revolution, 1820 was a turning point regarding Hegel's views on slavery and Africa. She especially bases her argument on Hegel's text on “Anthropology”: “Notoriously condemning African culture to prehistory and blaming the Africans themselves for New World slavery, Hegel repeated the banal and apologetic argument that slaves were better off in the colonies than in their African homeland, where slavery was “absolute”, and endorsed gradualism”. BUCK-MORSS Susan, *Hegel, Haiti and Universal History*, Pittsburgh, University of Pittsburgh Press, 2009, pp. 67-68. Further she concludes : “What is clear is that in an effort to become more erudite in African studies during the 1820s, Hegel was in fact becoming dumber” (BUCK-MORSS Susan, *Hegel, Haiti and Universal History, op. cit.*, p. 73). We cannot pretend to settle the debate on this burning issue, but it has to be admitted that the texts of the anthropology are very problematic.

1729BUCK-MORSS Susan, *Hegel, Haiti and Universal History, op. cit.*, p. 42. On Minerva see D'HONDT Jacques, *Hegel Secret, op. cit.*, 7-44.

used by Hegel in the *Phenomenology* does not refer explicitly to the historical experience of slavery. As Gwendoline Jarczyk and Pierre-Jean Labarrière rightly point out, in the section untitled “Self-sufficiency and Non-Self-Sufficiency of Self-Consciousness”, Hegel uses the term *Knecht* (and not *Sklave*) when he refers to the consciousness that has been defeated¹⁷³⁰ (and he uses the term *Herr* for the master)¹⁷³¹. By contrast with *Sklave*, *Knecht* has no political connotation and it cannot be translated by the term “slave” (*esclave*). That is why it is preferable to translate it by the servant or valet (Jarczyk and Labarrière use the French terms *serviteur* and *valet de ferme*). Consequently, it seems that the terminology refers to interactions which have to do with the family, the household and domesticity. However, it could be retorted that the restriction of the struggle for recognition to the sphere of the pure domesticity does not fit with the idea of the struggle to death, which is consubstantial to the intersubjective interaction at least since 1803-1804. Moreover, we see that, in the *Jena writings*, the struggles do not take place within a household or a family, it is a fight between two groups, two families. Moreover, in the *First Philosophy of Spirit (1803-1804)*, Hegel uses the term *Sklave* (and not *Knecht*) to designate the individual which, in the fight, surrenders because he could not dare to face death¹⁷³². Even more interesting, the developments on the struggle for recognition in the third part of the *Encyclopaedia of the Philosophical Sciences* explicitly mention the struggles of Roman slaves:

“As regards the historicity of the relationship under discussion [*i.e.*, the the relationship of mastery and servitude (*Das Verhältnis der Herrschaft und Knechtschaft*)], it can be remarked that the ancient peoples, the Greeks and Romans, had not yet risen to the concept of absolute freedom, since they did not know that man such, as this universal I, as rational self-consciousness, is entitled to freedom. On the contrary, with them man was held to be free only if he was born as a free man. With them, therefore, freedom still had the determination of naturalness. That is why there was slavery in their free states and bloody wars arose among the Romans in which the slaves (*die Sklaven*) tried to free themselves, to obtain recognition of their eternal human rights”¹⁷³³.

In this text, the abstract and general relationship of *Herrschaft* and *Knechtschaft* is explicitly related with *one* of its historical aspects: the relation of Roman free citizens and their slaves (*sklaven*). Here, Hegel goes back to antique slavery, which was the specific object of his reflections

1730 JARCZYK Gwendoline and LABARRIÈRE Pierre-Jean, *De Kojève à Hegel*, *op. cit.*, pp. 70-71.

1731 “The former is the *master*, the latter is the *servant*” (*jene ist der Herr, dies der Knecht*). HEGEL Georg Wilhelm Friedrich, *The Phenomenology of Spirit*, *op. cit.*, p. 113; HEGEL Georg Wilhelm Friedrich, *Phänomenologie des Geistes*, *op. cit.*, p. 150. Author's highlight.

1732 “Wenn er an sich selbst innerhalb des Todes stehen bleibt, sich dem Andern nur erwesit als Verlust eines Teils oder des ganzen Besitzes daransetzend, als Wunden, nicht das Leben selbst, so ist er für den Andern unmittelbar eine Nicht-Totalität; er ist nicht absolut für sich; er wird der Sklav[e] des Andern”. Hegel, *Jenenser Realphilosophie I (1803-04)*, *op. cit.*, p. 229. It should be noted that in the *Jena Lectures on the Philosophy of Spirit (1805-06)*, he does not use the terms *Knecht* or *Sklave*.

1733 HEGEL Georg Wilhelm Friedrich, *Encyclopaedia of the Philosophical Sciences. Part III*, *op. cit.*, §433 Zusatz, p. 160; HEGEL Georg Wilhelm Friedrich, *Enzyklopädie der Philosophischen Wissenschaften im Grundrisse, 1830, Dritter Teil, Die Philosophie des Geistes*, in HEGEL Georg Wilhelm Friedrich, *Werke 10*, Frankfurt am Main, Suhrkamp, 1986, p. 223.

on slavery in the period of Stuttgart¹⁷³⁴. From there, it is not impossible that the Haitian revolution had been one of the historical aspects he had in mind when he wrote the *Phenomenology* and the *Jena writings*.

Now, in order to confirm this hypothesis regarding the *Jena writings*, it needs to be proved that the triadic structure of struggle – the structure in which the possession of land plays a role in the conflictual dynamic – which is exposed between 1802 and 1806, finds some correspondence in the historical event. In other words, a more deeper investigation into the role of land played in the Haitian insurrection should be undertaken into account and then compared with the structure of the dynamic of the struggle for recognition in the *Jena writings*. And if it is proved that land played a role similar to the *Mitte* of the *Jena writings*, it should be established in addition that this detail reached Hegel's ears. Consequently, a full reading of the issues of *Minerva* and other writings already mentioned should be undertaken.

After some thought, to claim that there is a connection between the dialectic of recognition and the revolts in St Domingue, does not necessarily presuppose a complete homology of structure between the systematic and conceptual level of the dialectic of recognition and the historical experience of struggles. In the text quoted above, Hegel specifies that the relationship of *Herrschaft* and *Knechtschaft* is not reducible to its historical aspect, which implies that the latter is not a perfect copy of the former. As Tavares writes, the *Phenomenology* is not a manual of history. Firstly, “Mastery and Servitude” cannot be detached from the rest of the system and it must be replaced within the necessary systematic succession of the shapes of consciousness developed in the *Phenomenology*. In that, the specific shape of consciousness acquired its full meaning (and it is fully intelligible) only once it is placed into this systematic context¹⁷³⁵. It is for that reason that we have tried to justify the intervention of land as a middle-term in the conflictual dynamic taking the point of view of the philosophical system which was progressively developed between 1803 and 1806. Moreover, it should not be forgotten that the internal logic of the text is probably not the only conceptual constraints which determined the construction of this shape of consciousness. We saw that between the *First Philosophy of Spirit* (1803-1804) and the *Philosophy of Spirit* (1805), the struggle for recognition appears in the context of a philosophical discussion with the thinker of the state of nature (especially Hobbes). This may be another explanation of the inclusion of the question of land in the conflictual dynamic, given that most of the previous discussions on the state of nature were centred around the problem of the earth. However, this systematic reading, which is of upmost interest to Tavares, is not contradictory with the idea that some historical experiences such as the

¹⁷³⁴See the first part of Tavares' lecture at the College de France.

¹⁷³⁵It is to this task that Jarczyk and Labarrière buckle down in the chapter of their book on Kojève we already quoted.

JARCYK Gwendoline and LABARRIÈRE Pierre-Jean, *De Kojève à Hegel*, *op. cit.*, p. 72 sq.

French revolution and the Haitian revolution, influenced the constitution of the dialectic of recognition. Consequently, even if the dialectic of the struggle for recognition does not correspond exactly to the Haitian insurrection, it remains the case that Hegel might have grasped some elements of this historical reality and integrated them to the systematic and intertextual logics that governed the constitution of the dialectic of recognition. Furthermore, the powerfulness of a concept does not necessarily lie in the exact similitude with the empirical world, but in its capacity to capture a wide field of very heterogeneous realities. In this sense, the struggle for recognition is a good model to account for a great number of struggles: slave struggle of antiquity, abolitionist struggles of the end of the 18th century as well as feminist struggles¹⁷³⁶. Be that as it may, our point is that, under the abstraction and the internal logic of systematic works as Hegel's and Fichte's, it is possible to find the empirical world of struggles, even if it is absorbed and reconfigured by the internal constraints of their system.

From there, if the grammar of conflict has conceptually encoded a part of the historical reality of conflicts, why did not they integrate the question of the destruction of attachment? Is it the case, as asked above, that our grammar-makers never witnessed the massive degradation of the earth we know today? If they did not, it would mean that they did not develop their grammars to think about ecological struggles, which might explain why they are not adapted to these specific forms of conflictuality that are centred on attachments to the land. The only way to answer these question is to identify the historical, but also the ecological context in which these grammars were developed.

In order to do so, we should first pay attention for a moment to the question of dates and periods. Especially, we should recall the period in which most of the grammars of conflict were elaborated. We saw that most of the texts on conflict were written before the rise of the industrial revolution. A part of the textual corpus we presented was produced between the 16th and the 17th century (for example, Hobbes and Machiavelli). After this, most of the corpus falls between the pre-Revolutionary and post-Revolutionary periods, that is, between 1786 and 1806 (the first date corresponds to the first letters written by Babeuf, the second to the third manuscript of the *Jena writings*). A third part, comes after 1840 (Marx writes his articles on the theft of wood in 1842 and William Graham Sumner writes his essay on Earth Hunger in 1896). Therefore, most of the corpus pertains to a period centred around the French Revolution. This period was prolific, not only from the point of view the quantity of texts on struggles for land that were produced but also for their conceptual density (we especially think about Hegel and Fichte). By 1807, it could be said that the

¹⁷³⁶On that point, see VUILLEROD Jean Baptiste, *Hegel Féministe. Les Aventures d'Antigone*, Paris, Vrin Matière étrangère 2020.

structure of the general grammars of conflict were stabilised. Regarding Hegel and Fichte, the subcategories of recognition and use were achieved before this date: the *Jena writings* are written between 1802-1806, the *Foundation of Natural Right* is published in March 1796 and the *Closed Commercial State* in 1800. Concerning the category of having, we saw that Babeuf writes between 1786 and 1795 and that Malthus published the first version of his *Essay on the Principle of Population* in 1798 and the second one in 1803. Consequently, it could be said that the texts which come after 1807 elaborate grammars of struggle for land whose structures are borrowed (and sometimes readapted to the conceptual and empirical context) to the grammars which were forged before this date. Therefore, in order to determine if the grammar of conflict were truly elaborated in a world of ecological destruction, it is necessary to examine the historical and environmental context of this period that is situated between 1786-1806.

5) The History of Ecological Conflicts

Does the periodization we have just established cross one of the historical moments which led us to the chaos we are living today? Generally, the Anthropocene is the name given to this period in which the destruction of the planet reached its peak. As said in the general introduction of this thesis, this notion was proposed by Paul J. Crutzen in 2000, and it refers to the fact that the earth has left the Holocene and entered into a new geological era in which Man became a geological force capable of influencing the environment at a global scale, and as a result, rivals great forces in its impact on the Earth System¹⁷³⁷. Indeed, anthropogenic activities have massively released carbon dioxide into the atmosphere, modified the bio-geochemical cycles of water, nitrogen and phosphorous and finally caused a collapse in biodiversity¹⁷³⁸. Some scholars even claim that given the Earth is entirely shaped by our action, there is no such thing as nature any more¹⁷³⁹. Now, although the question of the dating of the Anthropocene has been the object of intense discussion¹⁷⁴⁰, scholars are agreeing more and more that it begins with the industrial revolution, more precisely in 1782 with James Watt's invention of the steam-engine whose functioning relies upon the combustion of coal.

1737 STEFFEN Will, GRINEVALD Jacques, CRUTZEN Paul, and MCNEILL, John, "The Anthropocene: conceptual and historical perspectives", in *Philosophical Transactions of The Royal Society A*, 369, March 2011, pp. 842-847.

1738 BONNEUIL Christophe and FRESSOZ Jean Baptiste, *L'Évènement Anthropocène*, *op. cit.*, pp. 20-27.

1739 CHAKRABARTY Dipesh, "The Climate History: Four Theses", in *Critical Inquiry*, n° 2, Winter 2009, pp. 197-222.

1740 For a good summarize of these discussions, see BONNEUIL Christophe and FRESSOZ Jean Baptiste, *L'Évènement Anthropocène*, *op. cit.*, pp. 28-33 ; DESCOLA Philippe, "Humain, trop humain", in *Esprit*, December, 2015/2, pp. 8-22.

Now, the shift from an “organic economy”¹⁷⁴¹ to a fossil economy (which released a great quantity of carbon in the atmosphere) is somewhat subsequent to this date. As Andreas Malm argues, and author who takes a critical view of the anthropocene *narrative*¹⁷⁴², if in 1800 most of the people in Britain used coal to heat their home and cook, this use was restricted to home economics¹⁷⁴³. In fact, the take-off really occurs with 1° the coupling of the combustion of coal and the rotation of the steam-engine's wheel (*i.e.* when coal became a source of mechanical energy), 2° the use of this coupling for the cotton industry in Britain and the replacement of the water wheel (hydraulic energy) by this new source of energy. According to Andreas Malm, it is only around 1820-1830 that steam and coal triumphed in the cotton industry¹⁷⁴⁴. Malm's thesis is that the massive use of steam and the shift to fossil economy is not due to an energy crisis (especially the rarefaction of water power resources), neither the fact that steam was cheaper and more powerful than water, but to socio-economic factors and political choices. Notably, by contrast with water mills which, because they depend on the fall of water, were enchained to specific places such as mountains and open country, the steam-engine made possible a certain form of “ubiquity”¹⁷⁴⁵ since it could be established everywhere. Indeed, the steam-engine could be placed in the centre of populous towns, that where there were “bountiful supplies of labour”¹⁷⁴⁶ and where the labour power was fixed. Moreover, in order to avoid the saturation of the waterway by the presence of water mills around towns, manufacturers had to re-localize their cotton mills to the country, far away from the towns. This centrifugal dynamic was problematic because of the high cost for assembling and sustaining the workers in these remote places. In addition, in the context of strike waves of the 1830s, the recruitment of strike breakers and mass dismissal necessary to break the strikes were riskier in those areas far from the centres, where the labour supply was lower than in town which provided a huge reserve army of labour. As Malm writes, one of the first motives which led capitalists to choose coal over water is that it offered superior *power* over labour¹⁷⁴⁷.

Furthermore, coal and steam created a space which was totally detached from the physical constraints of the landscape. One of the natural characteristics of waterways is that they are

1741 On this term see the chapter on Malthus.

1742 MALM Andreas and HORNBORG Alf, “The geology of mankind? A critique of the Anthropocene narrative”, in *The Anthropocene Review*, Vol. 1, Issue 1, April 2014, pp. 62–69.

1743 MALM Andreas, “The Origins of Fossil Capital : From Water to Steam in the British Cotton Industry”, *Historical Materialism*, 21, 1, 2013, pp. 15-68.

1744 MALM Andreas, “The Origins of Fossil Capital...”, *op. cit.*, p. 27. The dating of this shift to coal given by Mitchell seems to be a little bit different but does not really differ from Malm's: it begins in 1800 but he also mentions the period of between 1820-1840 as an important moment. MITCHELL Timothy, *Carbon Democracy*, *op. cit.*, pp. 14-15. See also MITCHELL Timothy, “Carbon democracy”, in *Economy and Society*, Vol. 38, n° 3, August 2009, pp. 399-432.

1745 We borrow this term from Pierre Charbonnier. CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, p. 129 *sq.*

1746 MALM Andreas, “The Origins of Fossil Capital...”, *op. cit.*, p. 33.

1747 MALM Andreas, “The Origins of Fossil Capital...”, *op. cit.*, p. 44.

immovable. Indeed, flows of water, which flow over the surface of the earth, are fixed to the landscape. Consequently, the nature of water exerted constraints over the capitalist production. By contrast, coal was not part of this terrestrial landscape:

“Buried in its interior, it was reached through a hole in the ground – the pit-mouth – hauled up in bits and pieces and ferried off to circulate freely on the market. Unlike water, coal could be transported to mills and stored in warehouses, without the need for further attention, passively awaiting combustion. For the first time in history, the converter and the source of mechanical energy – the engine and the mine – were disassociated in space. The mobility of capital, the freedom to seek out the ‘populous towns, where labourers are easily procured’, was constituted by fossil fuels”¹⁷⁴⁸.

In addition to its immovability, another constraining characteristic of flows of water are that they are exposed to shifts in weather: “a river might freeze, overflow, ebb and peter out”¹⁷⁴⁹. Consequently, waterpower is a very *irregular* source of energy, which forces the adaptation of the length of the working day: when water was insufficient, the working day was shortened; when the flow rate increased (for example, because of heavy rain), capitalists had to lengthen the work-time beyond the cap established by the British states that was established after the popular unrest of 1830 during which workers reclaimed for the Ten Hour Act. In short, water capitalists were often forced to break the laws. Because coal does not possess the same physical constraints, the steam-engine could be adapted to a shorter working day.

Malm argues that the combining of coal and steam-engine rendered possible the creation of an abstract space detached from the constraint of the concrete space of water (coal remaining beneath the ground and then outside the realm of human habitations)¹⁷⁵⁰. In addition to this spatiality detached from the physical constraints of the landscape, capitalism created a specific temporality which produced another form of detachment. Whereas the “concrete time” of pre-capitalist societies was embedded in natural cycles, capitalist time was separated from this natural constraint. As E. P. Thompson writes in a text as famous as it is beautiful:

“Clearly hunters must employ certain hours of the night to set their snares. Fishing and seafaring people must integrate their lives with the tides. A petition of Sunderland in 1800 includes the words “considering that this is a seaport in which many people are obliged to be up at all hours of the night to attend the tides and their affairs upon the river”. The operative phrase is “attend the tides”: the patterning of social time in the seaport follows *upon* the rhythms of the sea; and this appears to be natural and comprehensive to fishermen or seamen: the compulsion is nature's own. In similar way labour from dawn to dusk can appear to be “natural” in a farming community, especially in the harvest months: nature demands that the grain be harvested before thunderstorms set in. And we may note similar “natural” work-rhythms which attend other natural or industrial occupations: sheep must be attended at lambing time and guarded from predators; cows must be milked (...)”¹⁷⁵¹.

The abstract time of capitalism is very different. Capitalists buy the power of labour for a

¹⁷⁴⁸*Ibid.*, pp. 39-40.

¹⁷⁴⁹*Ibid.*, p. 40.

¹⁷⁵⁰*Ibid.*, p. 54.

¹⁷⁵¹THOMPSON Edward P., “Time, Work-Discipline and Industrial Capitalism”, *op. cit.*, pp. 357-358.

determined period of time. During this timeframe, he disposes of this labour power and can make it work as he wishes, and that is, regardless of the weather and other natural rhythms: “the labour has to occur precisely within that time – not when weather is right, or when the sun has risen, or when the worker happens to be in the mood for hard labour (...)”¹⁷⁵². In other words, the worker works during this time, “come rain or shine”. Time becomes autonomous from natural and concrete time.

Malm concludes that coal enabled capital to create its own spatio-temporality which was emancipated from the qualitative properties (and thus, the constraints) of concrete space and time. It is this space-time which was the necessary condition for the production of surplus-value, the detachment from the constraints of organic economies and thus the development of capitalism¹⁷⁵³.

Interestingly, Timothee Mitchell shows that it is also the “politico-physical properties” of coal that made the union of workers into mass trade-unions at the end of the 19th century possible and that it opened up democratic possibilities. Coal, which was extracted in very few areas, was so concentrated in carbon content that it became cost-effective to transport it by train to urban and industrial centres which were not adjacent to sites of extraction¹⁷⁵⁴. The concentration of a large population of workers around the sites of extraction and along these narrow channels through which the coal flows, gave them a formidable political power. Indeed, they had the ability to slow or even cut off these flows and thus to put pressure on their employers. That is very different to oil which, because of its mode of extraction requires a smaller workforce. Moreover, oil's specific materiality (it is carbon in a liquid state) allows for it to be transported through pipelines, a method of transport which does not require “teams of humans to accompany the fuel on its journey”¹⁷⁵⁵. Coal is characterized by heaviness, oil by its fluidity. In a way, even if coal made the emancipation from the natural constraints of the earth somewhat possible, it remained too terrestrial for capitalism, which required a second phase of detachment. This second phase was made possible by the shift to an oil-based economy.

Now, apart from the classical struggles for wages, which used the material properties of coal to force the powerful to listen to their demand, there were also struggles against the extraction of coal itself. Here we recall the already mentioned Wayú's struggles against the coal mine of Cerrejón, in the department of Guajira (north Colombia) or the recent conflict on the extraction of coal in Appalachia¹⁷⁵⁶. Consequently, following Martínez-Alier's hypothesis that ecological struggles

1752MALM Andreas, “The Origins of Fossil Capital...”, *op. cit.*, p. 55.

1753For a more detailed presentation of Malm's arguments, see his book MALM Andreas, *Fossil Capital: the Rise of Steam Power and the Roots of Global Warming*, London-New York, Verso, 2016.

1754MITCHELL Timothy, *Carbon Democracy*, *op. cit.*, p. 19.

1755*Ibid.*, p. 36.

1756PURDY Jedediah, *This Land is our Land. The Struggle for a New Commonwealth*, Princeton, Princeton University Press, 2019.

appear at the nodal point of the social metabolism of capitalism, it would be interesting to articulate Malm's and Mitchell's history with a history of the struggles against coal extraction (*i.e.*, one of the starting points of matter and energy flows).

It is well known that since the 19th century there were struggles against extraction. The conflict over the copper mine of Rio Tinto, which started in Andalusia in the 1840s reaches its climax in the 1880s, is the most famous but also tragic example, since the alliance of farmers, syndicalist miners, anarchist militants and medical elite (who protested against sulphur dioxide pollution) were repressed in blood¹⁷⁵⁷. Interestingly, Martínez-Alier insists on the ecological content of this conflict, which is confirmed by environmental historians¹⁷⁵⁸. Protesters complained about the pollution *per se*, especially, the sulphurous fumes (generated by the calcination of the ore necessary to obtain the copper), which produced constant smog and destroyed the vegetation. Even more interesting is the fact that copper provoked similar conflicts in South Wales (precisely in Swansea Valley)¹⁷⁵⁹, *i.e.*, in one of the centres of extraction just spoken about¹⁷⁶⁰. And it should be noted that there were conflicts against copper mining in this region already in the 18th century.

There are not that many references regarding the struggle against coal mining, but it would not be surprising if there were protests against this specific form of extraction. François Jarrige and Thomas Leroux mention court cases against the coal mines of Newcastle, which destroyed 80 hectares of land in the first half of the 17th century¹⁷⁶¹. Once again, following Martínez-Alier's hypothesis, it should also be noticed that the *transport* of coal and other minerals also produced conflictuality. With the development of the railway network (since 1830), which was firstly used to transport coal to the shore, voices were raised against the train which pierced the mountains¹⁷⁶².

In any case, it seems that this historical sequence of events (1820-1840) during which Europe changed from an organic economy is later to the moment of stabilisation of the categories of conflicts which were examined in the first parts of this thesis, a temporal discrepancy which supports the hypothesis that these “grammar makers” did not witness the historical reality of ecological struggles against destruction. The world in which the grammars of conflict were

1757 FERRERO Blanco and DOLOREZ María, *Capitalismo Minero y Resistencia Rural en el Suroeste Andaluz. Rio Tinto 1873–1900*, Huelva, Diputación Provincial, Colección Investigación. Serie Historia, 1994; see also JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, *op. cit.*, pp. 164-165.

1758 MARTÍNEZ-ALIER Joan, *The Environmentalism of the Poor*, *op. cit.*, pp. 59-63; CEBADA Juan Diego Pérez, “Historia de la contaminación minera en España (med. S. XIX-med. S. XX)”, *Boletín Geológico y Minero*, Vol. 119, n° 3, 2008, pp. 383-398.

1759 CEBADA Juan Diego Pérez, “Minería del cobre y contaminación atmosférica. Estrategias empresariales en las cuencas de Swansea, Huelva, y Montana”, *Revista de Historia Industrial*, n° 16, 1999; JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, *op. cit.*, p. 58.

1760 MITCHELL Timothy, *Carbon Democracy*, *op. cit.*, p. 19.

1761 JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, *op. cit.*, p. 65.

1762 JARRIGE François, *Technocritiques. Du Refus des Machines à la Contestation des Technosciences*, Paris, La Découverte, La Découverte/Poche, 2016 [2014], pp. 78-86.

developed was not the world of massive ecological destruction of the age of fossil energies but the calm world of the organic economy, *i.e.*, an economy in which the world of living things was the principal source of energy. According to this first hypothesis, our “grammar-makers” did not integrate the question of the destruction of attachments in the logic of conflictuality (in other words, they did not develop a grammar of ecological conflict) precisely because they did not witness such a destruction.

However, the history of industrial pollution shows that there were ecological struggles against pollution before 1820. Here, one of the crucial dates is 1810. Indeed, on the 15th October 1810 an important decree on classified facilities (*établissement classés*) was published in France. This decree, which contributed to the commodification of nature, replaced the environmental regulation of the Ancient Regime (which was judged to be too restrictive by industrialists) by a regulation adapted to the chemical industry and set up a real liberalization of “environmental things”¹⁷⁶³. Notably, the decree established a system of regulation which gave priority to the administrative law on criminal justice. From now on, to open a facility, industrialists had just to obtain administrative authorisations from the Minister of the Interior and the Prefecture, and police courts (*tribunaux de police*) were no longer recognised as competent to judge the legitimacy of the facilities. Therefore, industrialists were shielded from the environmental police of the Ancient Regime, police which, before, were authorised to destroy factories when they caused damage to the environment and to displace them outside the town. From 1810, in the case of conflicts with residents living around the factory, the case fell within the civil court and industrialists had to just pay financial awards for the damage resulting from their activities¹⁷⁶⁴. This decree which will have an influence on environmental regulations in all of Europe made the large-scale development of chemical industry possible, a highly polluting activity which triggered a wave of protestations.

As already noted, Geneviève Massard-Guilbaud studied the grammar of these social protests against industrial pollutions in a moving chapter of her book entitled *Histoire de la Pollution Industrielle*. It is very interesting to note that one of the main causes of complaint was the odour (*l'odeur*) emanating from industrial activities. Three reasons explain the pre-eminence of odour.

1763 FRESSOZ, Jean-Baptiste, “Le décret de 1810 : la libéralisation des “choses environnantes”, in *Annales des Mines - Responsabilité et environnement*, n° 62, 2011/2, pp. 16-22.

1764 For a very clear summary of this decree, see FRESSOZ, Jean-Baptiste, GRABER Frédéric, LOCHER Fabien and QUENET, Gregory, Introduction à l'Histoire Environnementale, Paris, La Découverte, Repères, 2014, pp. 38-40. For more details see: FRESSOZ, Jean-Baptiste, “Le décret de 1810 : la libéralisation des “choses environnantes”, in *Annales des Mines - Responsabilité et environnement*, n° 62, 2011/2, pp. 16-22; FRESSOZ, Jean-Baptiste, “Payer pour polluer”, *Histoire & mesure*, XXVIII-1, 2013, pp. 145-186; FRESSOZ Jean-Baptiste, *L'apocalypse Joyeuse. Une Histoire du Risque Technologique*, Paris, Le Seuil, L'Univers Historique, 2012, pp. 150-167. MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, *op. cit.*, pp. 41-46. JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, *op. cit.*, pp. 92-97. We also used the english translation of this book for the technical vocabulary. See JARRIGE François and LE ROUX Thomas, *The Contamination of the Earth. A History of Pollutions in the Industrial Age*, trans. Janice Egan and Michael Egan, Cambridge-Massachusetts-London-England, The MIT Press, 2020.

First, it is worth keeping in mind that complaints about the stench of industrial effluents had nothing to do with the desire of reaching a certain standard of bourgeois comfort. Massard-Guilbaud notes that “*les citadins dont nous parlons étaient soumis à des odeurs industrielles d'une violence que nous peinons à imaginer. Si les odeurs étaient décriées, c'est d'abord parce qu'elles étaient éprouvantes*”¹⁷⁶⁵. The second point has to do with the way these populations affected the way industry perceived their environment. Notably, at this time, the perception of industrial pollutions was shaped by the theory of miasma which held that emanations from rotting waste were dangerous. Among common people, this theory was understood as “everything that stinks threatens health”, notes Christophe Verbruggen in his article on protests against pollution in Ghent (Belgium), the “Manchester of the continent”¹⁷⁶⁶. Even if “comparing the incomparable” is always a perilous exercise (especially for a philosopher), we cannot help thinking about the way the Yanomami describes and perceives illegal gold mining in the rain forest: pestilential fumes, emanating from the gold processed by illegal gold miners (who mix it with mercury and heat the amalgam), are seen as pathogenic agents called *shawara wakëshi* (epidemic-fumes)¹⁷⁶⁷. One could retort that the difference with the theory of miasma is that those whitish gases emanating from gold extraction are extremely toxic. However, one could answer this objection that, even if they do not totally conceive the “reality” of pollution, the theory of miasma and this specific way of understanding and perceiving fumes and exhalation of industrial activities points to what is really at stake: the *contamination of the earth by the industrial world*. In fine, it does not matter whether the theory of miasma is false or not; citizens felt that something bad was happening, that something was wrong with industry, and they expressed it with their own words. In other terms, it is as if putrid emanations were the sign of the reality of contamination.

Our interpretation of the historical facts exposed by Massard-Guilbaud is most probably a little farfetched, but one of these reasons for the pre-eminence of odour in the complaints can be understood in this way: odours are one of the most perceptible forms of pollution: “*contrairement aux autres pollutions, celle-ci était perceptible. Ce n'est qu'à la fin du XIXe que les citadins commencèrent à se méfier aussi des pollutions que l'on ne pouvait ni voir ni sentir*”¹⁷⁶⁸ (that was the case for the example of soil pollution, which was not visible until after a long period of time)¹⁷⁶⁹.

1765MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, *op. cit.*, p. 70.

1766VERBRUGGEN Christophe, “Nineteenth century reactions to industrial pollution in Ghent, the Manchester of the continent. The case of the chemical industry”, in BERNHARDT Christophe and MASSARD-GUILBAUD Geneviève (eds.), *Le Démon Moderne. La Pollution dans les Sociétés Urbaines et Industrielles d'Europe*, Clermont-Ferrand, Presses Universitaires Blaise Pascal, Histoires Croisées, 2002, p. 383.

1767ALBERT Bruce, “L'Or cannibale et la chute du ciel Une critique chamanique de l'économie politique de la nature (Yanomami, Brésil)”, *L'Homme*, T. 33, n°126-128, 1993, pp. 349-378.

1768MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, *op. cit.*, p.72.

1769VERBRUGGEN Christophe, “Nineteenth century reactions to industrial pollution in Ghent...”, *op. cit.*, p. 384.

Apart from the stench, city-dwellers of industrial towns also complained about noises, vibration and fumes. In 1835 Tocqueville gives the following description of the city of Manchester, one of the centres of the industrial revolution: “*Une épaisse et noire fumée couvre la cité. Le soleil paraît au travers comme un disque sans rayons. C'est au milieu de ce jour incomplet que s'agitent sans cesse trois cent mille créatures humaines. Mille bruits s'élèvent incessamment au milieu de ce labyrinthe humide et obscur. Ce ne sont point les bruits ordinaires qui sortent des murs des grandes villes*”¹⁷⁷⁰. Therefore, it could be put forward that these perceptible forms of pollution were the symptoms that alerted citizens that a more profound contamination of their environment was occurring, and which, *in fine*, led them to protest.

Massard-Guilbaud gives other reasons of discontent: danger for health (which was sometimes used as a strategic argument when complaints against noise and odour were not recognized by authorities)¹⁷⁷¹, financial damage related to the fall in value of property and disrespect. The historical materials presented by Massard-Guilbaud are very rich and can be interpreted in many ways. Once again, we would like to put forward an interpretation, especially concerning the first motives of complaints which all have something in common: when townspeople complained about the stench, the noise or even the ugliness of the industrial landscape, they protested against the *degradation of their perceptive environment*. We will see in the fourth part of this dissertation, which deals with the question of territorial attachments, that acoustic landscapes are one of the aspect of territories. Now, it would be not totally meaningless to hypothesize that industrial noise degrades or even destroys urban population's acoustic landscape. And if there is an acoustic landscape, it also could be put forward that there are also visual and olfactive landscapes, and that it is precisely these forms of perceptive environment which were degraded by the industrial revolution. It would thus seem that the question the destruction of attachments arises once again.

The example of the conflict around the manufacture of artificial or caustic soda in Marseille at the beginning of the 19th century seems to confirm that the deterioration of attachments was at the centre of the protests against this highly polluting industry. Since the end of the 18th century, the chemical industry was already polluting the Phocian city and its residents but before the first decade of the 19th century, no conflicts are registered. In 1809 the manufacture of soda through the

¹⁷⁷⁰TOCQUEVILLE Alexis, *Voyage en Angleterre* (1835), in *Œuvres complètes*, vol. VIII, Paris, Michel Lévy Frères, Librairies Editeurs à la Librairie Nouvelle, 1865, p. 368. Quoted by MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, *op. cit.*, p. 77. Massard-Guilbaud quote only some expressions from this passage. We preferred to give the entire passage in which industrial noises and fumes are related.

¹⁷⁷¹MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, *op. cit.*, p. 84.

Leblanc process¹⁷⁷², one of the most polluting processes of the 19th century, caused massive protests¹⁷⁷³. In 1815, residents of Marseille protested in the streets, petitioned and brought the issue before the courts. Once again, the causes of these dispute are complex: the risks for health, the fall in value of property, the rarefaction of resources, etc. Some protesters even exploited the question of pollution for their own advantage, for example, the soap-makers who preferred the plant-based soda to the artificial soda which was more expensive¹⁷⁷⁴. However, complaints also insist on the destruction of the landscape: *“les collines environnantes ont perdu leur végétation et ne laissent plus entrevoir que la blancheur de leurs blocs calcaires; les champs, les oliviers, les amandiers et les arbres fruitiers sont brûlés par l'acide ou ne donnent plus autant de fruits qu'autrefois; en broutant des plantes imprégnées d'acide les troupeaux ne se reproduisent plus et dépérissent”* as reported by the French historian Xavier Daumalin¹⁷⁷⁵. Fressoz suggests that the attachment to the provincial landscape, their way of life, the beauty of the surroundings and the quality of life also appeared in the complaints¹⁷⁷⁶. Numerous historical studies on the environmental issues of this period suggest more or less clearly that the attachment to places and territories are somehow or other at stake. At the end of the chapter on urban protests against industrial pollution, Massard-Guilbaud declares that town and neighbourhood were territories with which protesters highly identified : *“on défendait alors avec conviction son quartier, l'agrément de son cadre de vie, l'air pur que l'on voulait respirer, les légumes de son jardin, les arbres du boulevard. On défendait son pré carré, auquel on s'identifiait”*¹⁷⁷⁷. She adds: *“on retrouve partout cette défense du territoire”*¹⁷⁷⁸.

1772The Leblanc process is described as following by Jarrige and Leroux: *“Nécessaire aux savonneries, où elle [the caustic soda] est combinée à des graisses, et aux verreries, où elle permet l'abaissement du point de fusion de la silice, la soude subit des mutation de sa production à l'image de celle de l'alun, avec le passage d'une soude végétale, produite par la combustion d'algues ou de plantes salines, à une soude “artificielle” de synthèse, obtenue par une double décomposition du sel marin par l'acide sulfurique. Invention française de 1790, qui porte le nom de son concepteur, le médecin Nicolas Blanc, la méthode n'entre vraiment en phase opératoire qu'à partir des années 1800, mais très vite ses effets néfastes se font sentir en France, seul pays de production avant 1825. En effet, pour une unité de soude produite, un quart d'acide chlorhydrique se déverse dans l'atmosphère, sans solution de condensation avant 1830”*. JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, op. cit., p. 70.

1773DAUMALIN Xavier, *“Le conflit environnemental entre instrumentalisation et arbitrage: les soudières marseillaises au début du XIXe siècle”*, in LEROUX Thomas and LETTÉ Michel (eds.), *Débordements industriels. Environnement, territoire et conflit (XVIIIe-XXIe Siècles)*, Rennes, Presses Universitaires de Rennes, Histoire, 2013, pp. 57-75; FRESSOZ Jean-Baptiste, *L'apocalypse Joyeuse*, op. cit., pp. 180-188.

1774This is Daumalin's thesis. He argues that there are two categories of protesters: those who struggle against pollution, and those who use the conflict for their own private interests.

1775DAUMALIN Xavier, *“Le conflit environnemental entre instrumentalisation et arbitrage...”* p. 62.

1776FRESSOZ Jean-Baptiste, *L'apocalypse Joyeuse*, op. cit., p. 183, 185, and 186.

1777MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, op. cit., p.104.

1778Ibid., p. 103. See also what Thomas Leroux and Michel Letté say on this point, in the introduction of the collective work entitled *Débordements industriels* : *“Les mobilisations collectives sont récurrentes, et n'ont pas attendu les syndicats ou la prise de conscience environnementale pour exister. Les antagonistes mettent en lumière les interactions sociales et bousculent les équilibres acquis. Ils sont la manifestation d'une confrontation d'intérêt contradictoires dont l'enjeu porte sur la légitimité des usages qui sont fait de l'environnement et qui se disputent l'appropriation de ressources, d'espaces et de territoires. Ils sont susceptibles de porter atteinte aux profits économiques tirés des usages de l'environnement, mais aussi à des valeurs, à des identités, à des rapports à la nature”*. LEROUX Thomas and LETTÉ Michel (eds.), *Débordements industriels*, op. cit., p. 18.

As for the preceding period, ecological conflicts which occurred around 1810 are posterior to the period we designated as the “climax of the grammars of struggle for land” (1786-1806). However, it should be recalled that the decree of 1810 is the result of a previous process of unravelling of the legislation of the Ancient Regime, a legislation in which health and environment were considered (even if it had not always been effective). Indeed, this process started with French Revolution that set up a mode of regulation which protected industries¹⁷⁷⁹. Firstly, some historians claim that revolutionary legislation contributed to the degradation of rural areas. Jehan de Malafosse recalls that, inspired by the physiocrats, the revolutionaries glorified the massive extension of cultivation over rural territories which, apparently, contributed to the movement of deforestation initiated during this period¹⁷⁸⁰. It is difficult to say that Fichte and Babeuf, two of our grammar-makers, did not see this destruction since they celebrated this extension of cultivation. In addition, the French Revolution was the period during which a strong connection between the industrial sector and chemistry were developed, notably in the context of the war declared on the 20 April 1792 against the “King of Hungary and Bohemia”¹⁷⁸¹. Indeed, from this date, the nation is called to support the war effort and to produce military equipment¹⁷⁸². In the Autumn of 1793 Paris is transformed into a huge military factory called “*la manufacture de Paris*” by the Convention¹⁷⁸³. The *Comité de Salut Public* calls upon the chemists for the massive production of saltpetre (which is used for gunpowder). Immediately, the residents of Paris protest against the “*Manufacture de Paris*” but the dissent is quickly stifled. Indeed, as the French chemist Fourcroy writes, national interest prevails on particular interest of residents¹⁷⁸⁴ and any contestation must be seen as treason. Babeuf read the Parisian press and followed the events which lead to the insurrection of the 10 August 1792 (and the creation of the Convention)¹⁷⁸⁵. Even more interestingly, when he writes to Chaumette on the 7 May 1793, Babeuf (who was made secretary of the Administration of Subsistence) is in Paris at this moment. It seems he remained in the capital at least until November 1794¹⁷⁸⁶. Consequently, it is highly probable that he saw the protestation against the “Manufacture of Paris”. However, and to the best of our knowledge, he said nothing on that point. Massard-

1779MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, *op. cit.*, pp. 17-52.

1780MALAFOSSE Jehan, “Un obstacle à la protection de la nature: le droit révolutionnaire”, *Dix-huitième Siècle*, n°9, 1977. Le sain et le malsain. pp. 91-100.

1781MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, *op. cit.*, p. 28-29.

1782LE ROUX Thomas, *Le Laboratoire des Pollutions Industrielles. Paris, 1770-1830*, Paris, Albin Michel, L'évolution de l'humanité, 2011, pp. 183-214.

1783Jarrige and Leroux define the Manufacture of Paris as a “*vaste nébuleuse d'ateliers militaires placée sous l'autorité de Guyton*”. JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, *op. cit.*, p. 91.

1784LE ROUX Thomas, “Les nuisances artisanales et industrielles à Paris sous la Révolution et le Consulat (1789-1804)”, in MONNIER Raymonde (ed.), *A Paris sous la Révolution. Nouvelles Approches de la Ville*, Paris, Editions de la Sorbonne, Histoire de la France aux XIXe et XXe Siècles, 2008, pp. 127-137. JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, *op. cit.*, p. 92.

1785DALINE Victor, *Gracchus Babeuf à la Veille et pendant la Grande Révolution française...*, *op. cit.*, pp. 434-435.

1786Ibid., p. 515.

Guilbaud admits that little is still known about the ways residents perceived these first massive quantities of pollution. However, there is every reason to believe that there were voices raised against industrial pollutions during the period we are interested in, that is, 1786-1806. In fact, it seems that there were even conflicts related to industrial pollution before the French Revolution. One of the most famous environmental disputes before 1789 is the trial over industrial pollutions generated by the manufacturer Holker's vitriol plant, which let escape acid gas and destroyed the entire surrounding vegetation (1772)¹⁷⁸⁷.

In fact, at least two other periods mentioned by Jarrige and Leroux deserve our attention. The first is the period of 1750-1800, which corresponds to the first industrial revolution in England. As noted by Jarrige and Leroux, this period has been intensively debated by historiography but historians never placed the question of pollution at the centre of their narrative¹⁷⁸⁸. Yet metallurgy, extraction of coal and copper ravage the British landscape during the second half of the 18th century which lead to conflictual situations, as above with the cases of Newcastle and Swansea Valley. The European intelligentsia was aware of this first revolution especially through Smith's *Wealth of Nations* (1776) and also through the famous agronomist Arthur Young who, in 1785 informed many about the destruction of the surrounding countryside of Coalbrookdale (West of England). Hegel read Smith when he wrote the *Jena Writings*, and it is not totally impossible that he had heard about such destructions. One thing is sure, Malthus cannot have ignored the first industrial revolution since he spent most of his life (1766-1834) in England.

Concerning the second period, we would like to point out that it concerns a larger time scale since it begins in 1500 and ends in 1800. This is of course the moment of the “discovery” of America, and Central Europe was the most important place for mining extraction in the world, it goes without saying that this provoked intense ecological conflicts:

*“Cet essor métallifère bouscule les habitudes, les manières d'être, de penser et d'administrer; il crée de fortes tensions sociales et environnementales. Ainsi, les industriels et les financiers soutiennent une exploitation de l'environnement que le monde paysan conteste fréquemment à cause de la spoliation des ressources; la déforestation provoquée par l'industrie métallurgique est telle que les usines doivent régulièrement se déplacer après avoir épuisé les ressources locales”*¹⁷⁸⁹.

It is hard to contend that Fichte had not heard about these examples of environmental degradation since, as we demonstrated in the third part of this thesis, he explicitly mentions mining extraction in the *Foundations of Natural Right*. Moreover, he lived for the most part of his life in the East of today's Germany (Rammenau, Jena, Berlin), i.e., not so far from Halle, one of the

1787LE ROUX Thomas, *Le Laboratoire des Pollutions Industrielles*, op. cit., p. 126 and following; FRESSOZ Jean-Baptiste, *L'apocalypse Joyeuse*, op. cit., p. 142 ; JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, op. cit., pp. 142-147; MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, op. cit., p. 33.

1788JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, op. cit., p. 59-66.

1789Ibid., p. 53.

regions which has been the most affected by mining extraction since the 12th century¹⁷⁹⁰. It was shown that Fichte insisted several times on the fact that the miners are allowed to use agriculturists' lands since both activities are *a priori* compatible (the firsts using the subsoil, the second the surface of the earth). Such statements are astonishing in the light of the history of extraction we have just mentioned. One could hardly imagine how these activities would not be conflictual. Admittedly, Fichte mentions the fact that the field might cave in, but he immediately specifies that it would not be a problem since, in that case, the miner and the State would compensate the agriculturist¹⁷⁹¹. Therefore, it is tempting to say that Fichte did not ignore the conflicts concerning the mining industry precisely because he explicitly negates them.

Last but not least, the huge movement of colonization which started at the end of the 15th century had also deeply transformed Americas' environment, which, without a doubt, generated conflicts of many kinds. We have already reflected on this point in the first part of this thesis when we mentioned the war that the colonists waged against nature during the conquest of the American West. Based on studies of New England Indians ecosystems, William Cronon described the ecological changes that followed the European's arrival in a very well known essay entitled *Changes in the land*. He showed especially how European cattle and the use of ploughs destroyed native plant species,¹⁷⁹² and how the land clearing caused massive deforestation¹⁷⁹³.

Indeed, mining extraction should be mentioned once again since it is one of the major causes of environmental destruction in Americas. Here, we are especially referring to the silver mines of Potosi (today's territory of Bolivia) as well as the mercury mines of Huancavelica (Peru). The famous Swiss anthropologist Alfred Métraux¹⁷⁹⁴ gave a very detailed and documented description of the horror of these mines that he described as “men-eaters” (*mangeuses d'hommes*)¹⁷⁹⁵. Environmental historians have, in turn, insisted on the environmental disasters caused by these mines¹⁷⁹⁶. The interesting point is that Métraux insists on the conflictual context of this terrible wave of extraction and the fact that Native Americans fled the exploitation inside mines. Therefore, it would not be surprising if local populations had risen up against the contamination of their territories. There is no need to recall the fact that all of these situations were documented by

1790 DESHAIES Michel, “La réhabilitation des paysages dans l'ancienne région minière du rebord oriental du Harz (Saxe-Anhalt)”, *Revue Géographique de l'Est* [Online], vol. 41, 1-2, 2001, online since the 10th July 2013, connection the 6th March 2021, URL : <http://journals.openedition.org/rge/3831>; DOI : <https://doi.org/10.4000/rge.3831>.

1791 FICHTE, *Foundations of Natural Right*, *op. cit.*, p. 190.

1792 CRONON William, *Changes in the Land. Indians, Colonists, and the Ecology of New England*, New York, Hill and Wang, A division of Farrar, Straus and Giroux, 2003 [1983], p. 147

1793 CRONON William, *Changes in the Land*, *op. cit.*, p. 126

1794 The work of Alfred Métraux was lauded by Lévi-Strauss in the 1960's. LÉVI-STRAUSS Claude, TARDITS Claude, RIVIÈRE Georges-Henri, LEIRIS Michel and BASTIDE Roger, “Hommage à Alfred Métraux”, in *L'Homme*, 4-2, 1964 pp. 5-19.

1795 MÉTRAUX Alfred, *Les Incas*, Paris, Editions du Seuil, 1983, Points. Histoire, 1983 [1961], p. 146.

1796 JARRIGE François and LE ROUX Thomas, *La Contamination du Monde*, *op. cit.*, pp. 54-57

Bartolomé de Las Casas' disciples and other chroniclers. This brief reference to the environmental history of the colonisation is crucial for our concerns since the Isle of Hispaniola, whose history was not ignored by Hegel, has been the theatre of a massive ecological destructions since 1492, which has been caused by gold mines, cattle and the system of plantations, which have led to the destruction of Native American populations living on the island¹⁷⁹⁷. Once again, a full research on what Hegel exactly knew about Haiti should be undertaken. What is clear is that there is no trace of this specific aspect of the history of this island in the *Jena Writings*.

To draw some conclusions from this reading of the philosophical theories of conflict in light of the empirical reality of the environmental history, we should say that the hypothesis that our grammarians were absolutely unaware of the existence of ecological conflicts should be relativized, above all in the case of Babeuf, Malthus and Fichte. Consequently, the argument that the conceptual couple of destruction and attachment did not penetrate the principal grammar of struggle (having, being and action) because those who elaborated them did not live in a world material degraded by the rising capitalism is not totally convincing.

Since this thesis is not a piece of historical research, we should remain very cautious on this point. However, what seems to be proven by environmental history is that ecological conflicts against the destruction caused by capitalism existed before the period we are interested in (1786-1806). We could even claim that the *world* in which our grammar-makers lived in was already a world materially deteriorated by capitalism. Now, to say that our philosophers might have witnessed this specific form of conflictuality is another question. Indeed, to know if they really witnessed ecological conflicts against the destruction of attachment, we would have to determine precisely for each of these philosophers in which environmental context they lived. We would also have to examine the “extra-philosophical” literature that they had read (newspapers, scientific and political writings, etc.). These external sources might give some precious information on the world they have right in front of them. In this sense they might give answers to one of the questions we asked: was this world already degraded by the “anthropocenic agency”?

This work is beyond the scope of this thesis, nonetheless let us assume a moment that they were aware of certain ecological conflicts for attachment. There are many reasons why the philosophical discourse on conflict would have not integrated the destruction-attachment problem. Since we cannot completely answer from history, a historical point of view, we would like to examine the other possible reasons for this absence. Notably, as philosopher, we should examine

¹⁷⁹⁷WATTS David, *The West Indies. Patterns of Development, Culture and Environmental Change since 1492*, Cambridge, Cambridge University Press, Cambridge Studies in historical Geography, 1994 [1987] ; see also FERDINAND Malcom, *Penser l'Ecologie depuis le Monde Caribéen. Enjeux Politiques et Philosophiques de Conflits Ecologiques (Martinique, Guadeloupe, Haïti, Porto Rico)*, PhD Thesis, Université Sorbonne Paris Cité, pp. 55-70.

the conceptual reasons.

6) Under the Conflictual Interactions, the Infrastructural Relationship with the Earth

Each grammar of conflict provides a specific model of the conflictual interactions and analyses meticulously each aspect of that interaction: the triggering factor, the principal motivation for the resolution of the conflict, and also the catalytic factors and other sorts of secondary motivations. Now, we also argued that material exteriority is an integral part of the conflictual dynamic. Indeed, in the texts we examined, struggles are quasi systematically struggles for land. In that sense, conflictual relations between individuals are quasi always mediated by a relationship to the land. In that sense, it would not be false to contend that under these inter-human interactions, lies an interaction with nature. This is precisely the nature of this interaction, which may give some explanations to the problem we are concerned with, *i.e.*, the absence of a struggle for attachment in the grammars of conflict. Indeed, the way our grammar-makers conceptualised the collective relationships with nature that underlie the inter-human interactions is incompatible with a philosophy of attachment.

In fact, this interaction is not only incompatible but contradictory with that concept. For the most part, in the grammars of conflict we have reviewed the infrastructural interactions with nature are described as forms of detachment from the land (*arrachement à la terre*). It is quite clear regarding the struggle for recognition which ends with the sacrifice of the possession. Indeed, it is necessary that consciousness detaches itself from external materiality so that its for-itself appears to the other. This is also manifest in the grammar of use, especially Marx's texts in which he detaches custom from the *locus*. This relation of detachment also appears in the text of *The Eighteen Brumaire of Louis Bonaparte* in which he glorifies the revolutionary peasant detached from the land (and practising an intensive agriculture based on mechanisation) against the French peasant rooted in his land and his archaisms¹⁷⁹⁸.

Now, in many cases, the notion of detachment is implicit and sometimes appears in the form of another concept: the war against nature. In fact, we contend that the notion of detachment is the truth of this war. This appears clearly in the author who best thematised the idea of a struggle against nature, Jules Michelet. At the beginning of his *Introduction à l'Histoire Universelle*, he declared that the motor force of history is this endless struggle against nature: “*Avec le monde a commencé une guerre qui doit finir avec le monde, et pas avant; celle de l'homme contre la nature,*

¹⁷⁹⁸MARX Karl, *The Eighteen Brumaire of Louis Bonaparte*, *op. cit.*, p. 188.

*de l'esprit contre la matière, de la liberté contre la fatalité. L'histoire n'est autre chose que le récit de cette interminable lutte*¹⁷⁹⁹. Why does man have to struggle against nature? Because of the absorbing power of external nature over man (*l'action absorbante de la nature physique sur l'homme*). Man is stuck with nature which chains him and ties up his freedom. This is why he has to revolt against external materiality and to free himself from its bonds. In a word, history is the slow and progressive emancipation of man from nature:

*“Suivez d'orient en occident, sur la route du soleil et des courants magnétiques du globe, les migrations du genre humain; observez-le dans ce long voyage de l'Asie à l'Europe, de l'Inde à la France, vous voyez à chaque station diminuer la puissance fatale de la nature, et l'influence de race et de climat devenir moins tyrannique. Au point de départ, dans l'Inde, au berceau des races et des religions, the womb of the world, l'homme est courbé, prosterné sous la toute-puissance de la nature*¹⁸⁰⁰.

Man has to free himself from his internal nature (race) and from the external constraint of nature (here, principally the climate). He will manage to do this only if he struggles against this non-human power which overwhelms him. It is interesting to note that “Malthusian historians” (to use Malm's expression) such as E. A. Wrigley and R. G. Wilkinson share this vision of history that is based on the idea of man's struggle against nature. They consider that the Industrial Revolution and the turn to fossil fuels was the result of a struggle against nature by which society freed itself from the constraints of a constricted organic economy¹⁸⁰¹.

Sometimes, the notion of detachment which underlies the classical grammars of conflict also takes the concrete form of the project of modernisation, especially the modernisation of agriculture. For instance, we saw that, to a certain extent, Fichte and Babeuf agreed with the physiocratic policies of expansion of agricultural surfaces, an expansion which caused deforestation¹⁸⁰² as well as the destruction of complex ecosystems such as swamps and other wetlands¹⁸⁰³. Modernisation, by which European societies pretended to detach themselves from the constraints of the natural world, also meant the promotion of machines. A part of those who elaborated the classical grammars of

1799MICHELET Jules, *Introduction à l'Histoire Universelle*, Paris, Librairie Classique de L. Hachette, Third edition, 1843 [1831], p. 9.

1800MICHELET Jules, *Introduction à l'Histoire Universelle*, *op. cit.*, p. 11-12. For a modern version of the war against nature, see WEIL Eric, *Philosophie Politique*, Paris, Vrin, Problèmes et controverses, 1989, pp. 61-64.

1801MALM Andreas, “The Origins of Fossil Capital...”, *op. cit.*, pp. 22-23.

1802CHALVET Martine, *Une histoire de la forêt*, Paris, *op. cit.*, pp. 121-122.

1803Under the influence of the physiocrats, the National Assembly adopted a policy of draining the swamps, spaces which were collectively used. One of the arguments of physiocracy was that swamps must be converted into arable land. On that point, see DEREK Jean-Michel, “Le dessèchement des étangs et des marais dans le débat politique et social français du milieu du XVIII^e siècle à la révolution”, in CIRIACONO Salvatore, (ed.), *Eau et Développement dans l'Europe Moderne*, Editions de la Maison des Sciences de l'Homme, Colloquium, 2004, pp. 231-247; DEREK Jean-Michel, “Pour une histoire des zones humides en France (XVII^e-XIX^e). Des paysages oubliés, une histoire à écrire”, *Association d'histoire des sociétés rurales, Histoire & Sociétés Rurales*, Vol. 15 2001/1, pp. 11-36; See also INGOLD Alice, “Terres et eaux entre coutume, police et droit au XIX^e siècle. Solidarisme écologique ou solidarités matérielles ?”, *Tracés. Revue de Sciences humaines* [Online], 33, 2017, online since the 19th September 2017, connection the 20th November 2017, URL : <http://traces.revues.org/7011> ; DOI : 10.4000/traces.7011.

conflict is their encouragement for the use of different productive activities. For instance, Babeuf promoted the Newcomen's fire engine and the mechanisation of agriculture. Marx, who criticised the neo-Babouvist “crude and thoughtless communism”, shares these views with Babeuf (probably without knowing it). In the letters to Zasulich, he is sympathetic to the idea of using machines for agriculture, and in the third book of *Capital*, he promises that the reappropriation of productive forces created by capitalism will help men to detach themselves from the realm of necessity and to reach the realm of freedom.

Once again, detachment is not a pure separation from the natural world. As we have argued, any negation preserves what is negated (here, nature). Detachment only means that it is only once we move *beyond* our relations with nature and beyond our internal nature that human existence truly begins. It is only beyond nature that man finds his true fulfilment. Consciousness, Hegel claims, reaches a first degree of self-consciousness when it transforms nature and recognises itself in it. But self-consciousness is really achieved beyond the interaction with nature, when man socially interacts with the other and, in the interactions allows himself to be recognised. Likewise, when Marx argues that freedom is really accomplished beyond the realm of necessity (*i.e.*, the interaction of nature), he is not arguing that the human realm should be separated physically from the natural world. He is arguing that it is only beyond our relation with nature that freedom begins, and that it is precisely this interaction with the natural world (mediated by the use of capitalist machines reappropriated by associated workers) which will make this transcendence possible. In this sense, we totally agree with Pierre Charbonnier, when he says that modern autonomy does not institute societies “without world”¹⁸⁰⁴. For modern societies, the world exists, but they pretend to go beyond it, through an internal transcendence.

Now, from that point of view of those philosophies of detachment, any form of attachment is a synonym of slavery and a loss of freedom. We saw with Kojève that rootedness implies a triple dependency: dependency from internal nature, from external nature and from the cycle of nature which synthesised the two first moments. This general abstract scheme of rootedness has taken socio-historical and concrete forms of the image of the peasant depicted by Jules Ferry's follower after the election of Napoléon in 1848. We refer to the peasant who, because he is too close from nature, only responds to physical *stimuli*. He is incapable of detaching himself from his restricted perspective, which is confined to the very limited horizon of his land (and for that reason, he cannot understand his belonging to a national community). As we argued, rootedness is also embodied in the figure of the serf, who is caught in a dense network of relationships of personal dependency. It is the figure of the serf tied to the glebe (*glebae adscriptus*), who is forced to work for the seignior

1804CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, p. 53.

and to stay on the feudal land he belongs to. Here, freedom is bound because of the relation of exploitation but also because mobility is reduced (the serf is not allowed to leave the land he is assigned to). In other words, according to those philosophies of detachment, any form of attachment is immediately identified to a negative figure of rootedness. Consequently, we are trapped between two irreducible poles, detachment and rootedness, and with such alternative, there is no place for a positive figure of attachment.

To conclude on this point, grammars of conflict have not only developed a reflection on the conflictual interaction, but they have also given a place to the material exteriority within those interactions. Doing so, these grammars have produced a definition of the interaction of men with nature which underlies the inter-human relationship. Now, these interaction with exteriority has been defined as relations of detachment. Moreover, all forms of attachment to this materiality has been reduced to a form of rootedness and thus has been disqualified. Consequently, such a concept of the interaction with nature has left no room for a philosophy of attachment and more precisely for a grammar of the struggle for attachment.

There is also another aspect of this grammar of conflict that has blocked the possibility of the integration of the concept of attachment into the dynamic of conflict. Once again, it has to do with the infrastructure of the conflictual dynamic, *i.e.* the interaction between men and nature which underlies the interactions between men. In most of the texts we read, infrastructural interactions are not only defined by the concept of detachment, but they also take the form of the *appropriation of nature*. To avoid misunderstandings, such a statement must be specified. Reviewing the different grammars of conflict developed since the 17th century, we noticed that a multiplicity of interactions with nature underlay conflictual interactions between men. “Tribal territories”, *pagi*, *dominium directum*, *dominium utile*, fiefdom, *propriété modeste* and *grande propriété*, salic lands, life estate, private property, the primitive communion of goods, *detentio*, *occupatio*, *proprietas*, *bonorum possessio*, *Ager publicus* and *Ager Romanus*, collective property, commons, national properties (*biens nationaux*), commonage, individual and collective rights of use, state territoriality, etc., all of these notions express a specific interaction with the earth which is at the basis of the conflictual relationship between men. Now, in all cases, the interaction with nature is tantamount to a form of appropriation of the material exteriority. By “appropriation of the earth”, we mean the act by which an individual or a group isolates a portion of the world, delimits it and claims a right of acquisition, exploitation, control and use over this piece of matter¹⁸⁰⁵. In the case of private property, an

¹⁸⁰⁵For the definition of the general concept of “appropriation of nature”, see DESCOLA Philippe, *Les Usages de la Terre. Cosmopolitiques de la Territorialité*, *Annuaire du Collège de France* 2015-2016. *Résumé des cours et Travaux*, 116th Year, Paris, Collège de France, June 2018, pp. 481-497; DESCOLA Philippe, *Les Usages de la Terre. Cosmopolitiques de la Territorialité (suite)*, *Annuaire du Collège de France* 2016-2017. *Résumé des cours et Travaux*, 117th Year, Paris, Collège de France, September 2019, pp. 439-460. His definition is in fact borrowed from

individual claims the right of *usus*, *abusus* and *fructus* on a portion of land. Now, if we take the example of collective property, it is a group which claims a right on such or such space. In the case of the right of use, the individual or the group delimits a piece of land (with fences, ditches, or even mentally) and claims the right of use, even if this right remains temporary and restricted to this sole specific use. We saw how fundamental this notion of delimitation is. In *absolutely* all of the texts we saw (even in Fichte's *Foundation of Natural Right*) that the delimitation of the soil is a precondition to claim rights on this portion of the world and thus to its appropriation. Therefore, most of the interactions with nature that appear in the grammars of conflict are subsumed under this general category of appropriation. This does not mean that these interactions are totally reduced to this general category, and even less that appropriation is the seat of the conflictual dynamic. We demonstrated that there is always a gap (even if small) between 1° the nature of the infrastructural interaction with the earth and 2° the specific roles those interactions have within the logic of conflict. It is not because these infrastructural relations are defined by the concept of appropriation that the conflict becomes a conflict for appropriation. The *Jena writings* are the proof that one can define the relation with land through the concept of possession and at the same time centre the conflictual dynamic on the process of recognition. The relations between the infrastructural interactions and conflictual human interactions are not mechanical.

Nevertheless, there are connections and communications between the two levels. Notably, we believe that one of the reasons that these grammars of conflict never really included the struggle for attachment to land within the conflictual dynamic is that infrastructural interactions with nature have been principally defined in terms of appropriation. Or to put it another way, the primacy of the logic of appropriation in the definition of the interactions with the earth probably contributed to blocking the integration of the concept of attachment into the grammar of conflict. By this, we do not mean that attachment and appropriation are contradictory concepts. We saw with Hegel that the process of appropriation of nature involves a moment of attachment. But we also showed that the whole process by which man enters into relation with nature was defined more as a process of appropriation than as a process of self-constitution or of attachment. In that sense, the logic of appropriation prevails over the logic of attachment, which remains secondary. And it seems that it is the primacy of appropriation which ends up eclipsing the notion of attachment and blocking its integration into the level of conflictual interactions between men. In the fourth part of this dissertation, we will see that if they are not totally contradictory, the logic of appropriation and the logic of attachment are distinct, and that it is possible to reverse the order of precedence. We hope

Godelier's definition of territory which reduces all forms of territory to the concept of the appropriation of nature. See GODELIER Maurice, *L'Idéal et le Matériel. Pensée, Economies, Sociétés*, Paris, Flammarion, Champs Essais, 2010 [1984], p. 104 and p. 112.

to show that it is possible to put the logic of attachment at the foundation of collective relationships with the environment. We will show that what is fundamental in our relationship with the earth is the logic of attachment, with the logic of having sometimes being added to the primacy of this relation.

7) The Structures of the Conflictual Interactions

We have already proposed the hypothesis that grammars of conflict were elaborated in a world in which the material deterioration of the earth had already begun. From there, we intended to explain the possible conceptual reason for the “forgetting” of attachment. Let us admit the inverse hypothesis: let us say that the previous grammar-makers were not aware of any ecological conflicts for attachment, or, that these conflicts were not a part of their intellectual context. Let us admit that between 1786 and 1806, such an environmental context did not yet exist. However, the categories of conflict, whose structure was stabilised during this period, were revisited thereafter. This is quite patent regarding the concept of distribution, which from the 19th century until today, has been placed at the centre of the discussions on conflicts. But we could say the same thing with the grammar of use and the grammar of recognition, which were revisited after the aforementioned economic boom and all its environmental consequences. Discussions regarding social conflicts, such as the distribution-recognition debate, inherited a lot from these categories. Moreover, as we have just said, sociologists, political scientists, geographer, *etc.*, intended to update these grammars of conflict and to adapt them to the context of ecological conflicts. However, this re-actualisation did not give rise to any real thematisation of the struggles against destruction, and the notion of attachment was not really *placed at the centre* of the conflictual dynamic. As mentioned, it is hard to claim that after 1810 there were no conflicts against the destruction of attachment, not to mention that, today, this component of conflictuality can no longer be ignored. In this case, what needs to be explained is why the successors of the grammars of conflict elaborated at the end of the 18th century did not recentre their grammars around the notions of attachment and destruction. Why did these grammar-makers never modify the internal logic of their grammars so as to give a more central place to this concept? For instance, the question is not only why classical grammars of conflict did not incorporate the idea of a deterioration of the attachments to the earth, the problem is also why the re-actualisation of the categories of conflict and their application to the field of social sciences studies on ecological conflict does not spawn a grammar of struggles for attachment.

In our view, the problem lies in the structure of the theories of conflict. More precisely, it

has to do with the structures of the conflictual interactions as they are set out by those theories and the place which is given to the collective relationship with the earth within the field of those inter-human interactions. Our hypothesis is that these structures are inadequate to conceptualise conflicts of attachment, or at least they are reluctant to the re-centering of their internal logic in relation to this notion.

This is especially true regarding the grammar of recognition. In the struggle for recognition, the conflictual dynamic is principally structured on the interaction between consciousnesses. Land has a place within the interaction, but it is not the central motor of the struggle for recognition. Indeed, land is the necessary condition of the conflict: it gives the dispute its materiality without which the interaction would not be rooted in the real world. Without this third term, the conflict would not be real (indeed, disrespect would not be real) and, in fact, there would no interaction at all (there is no interaction without the *Mitte*). Nevertheless, we saw that the relation with land is not the principal motivation of the conflict. The first motor of the struggle for recognition is the symbolic demand for recognition, the fact that I want the other to consider me as I consider myself, and that the other wants me to consider himself as he considers himself. Consequently, even if this third term takes *sometimes* (*i.e.*, at a certain *moment* of the dialectic) the form of an attachment to land, it remains the case that it is just a pretext of the conflict which is principally centred on the symbolic interaction of the consciousnesses and their desire for recognition.

The clarification of the structure and the identification of its centre of gravity allows us to clarify some ambiguities that are inherent to the “cultural approach” of the ecological conflicts we examined above. According to this approach, because cultural identities structure themselves in relation to the environment, the destruction of the natural milieu appears as a form of disrespect to the identity of the societies which occupy such a place. Apparently, this approach thematises the destruction of attachments. Nevertheless, this model of conflictuality reproduces the triadic structure of the struggle for recognition: a group performs a negative act on the environment (for example its deterioration) of another group which considers this act as a form of disrespect regarding its cultural identity. Cultural disrespect is addressed to the group through the intermediary of the environment. Consequently, land is just the vehicle of the disrespect. The real centre of the conflict lies in the conflictual interaction of disrespect between the two groups, an interaction which is mediated by a middle-term (*mitte*), *i.e.*, the environment. This idea appears clearly when Massard-Guilbaud uses the grammar of disrespect to describe one of the aspects of the environmental dispute at the beginning of the 19th century. All intentions of polluting the environment, she says, were considered as an insult addressed to humans, not to nature¹⁸⁰⁶.

1806 MASSARD-GUILBAUD Geneviève, *Histoire de la Pollution Industrielle*, *op. cit.*, p. 105.

Consequently, the problem is not the social degradation due to the destruction of the environment, but the fact that disrespect has been expressed to the other by the intermediary of the degradation of the material exteriority. Once again, the environment is just a pretext for the conflict. By contrast, a grammar of attachment should show that the degradation of the environment leads to the degradation of the group whose constitution depends on this material exteriority.

A similar analysis applies to the grammar of action whose structures prevent the integration of the questions of attachment and destruction within the conflictual dynamic. In the case of the grammar of use, the conflict takes the form of a collision between two wills which actualise themselves, that is to say, between the active expression of two forces. In concrete terms, this abstract structure means that two uses of land collide. Consequently, conflict is not centred on the destruction of the attachment to the land but on the fact that the actualisation of a force is blocked by the actualisation of another force. What really matters is that I cannot manifest my force because the other prevents me from doing so; whether the object of this force is destroyed, damaged or preserved remains a secondary question. In this sense, examples provided by Fichte are quite clear: two farmers enter in conflict when they harvest on the same field because their activities are incompatible. Here, the conflict is not at all about the destruction of the soil, but its use. The same thing could be said regarding the conflict of use presented by Marx in his articles on the law on the theft of wood. These articles record how landowners of the Rhine Diet restricted the access and the use of the forest: the poor were prohibited to recollect fallen wood. Nonetheless, the way Marx presents this conflict and the grammar he uses do not leave room for the problem of the destruction of the land or the forest. The conflict is centred on an activity, a form of use of the land, which is restricted by a group of owners.

The proof that the grammar of use is not centred on the notion of destruction is that this category may apply to situations in which the uses of the environment that are in conflict both degrade the environment. In an interesting article, Mauricio Folchi, a Chilean environmental historian, intended to put Martinez-Alier's thesis of the environmentalism of the poor to the test of historical facts¹⁸⁰⁷, he presents a series of cases of environmental disputes which occurred between the 17th and the end of the 20th century. One of these disputes, which took place at the beginning of the 19th century, is particularly interesting since it opposes two uses of nature which both damage the environment. This conflict opposed miners who extracted copper in the North of Chile to the *hacendados*, who owned most of the land of the area. The former used the firewood (*leña*) for the reverberatory furnace in which the metal was smelted. The latter, who owned the lands in which the

1807FOLCHI DONOSO Mauricio, “*Conflictos de contenido ambiental y ecologismo de los pobres: no siempre pobres, ni siempre ecologistas*”, *Ecología Política*, n° 22, 2001, pp. 79-100.

wood was cut, started to restrict the access of the areas to the miners, restricting access to lands which led to numerous disputes throughout the century. The point of this specific case is that both parts are powerful actors counting on significant economic resources and whose use of the environment is highly depredatory. Indeed, at the end of the 19th century, the landscape was totally changed since the areas in question had been intensively deforested. Once again, the seat of the conflict is not the destruction of the land but contradictory uses of it (whether they are bad or not).

Finally, it seems hard to modify the structures of the grammar of appropriation so that it might integrate into it the logic of attachment. As said at the end of the first part of this thesis, this structure comprises at least three terms (two groups of humans and the land) and two sorts of interactions (a conflictual interaction and an interaction with the land *tout court*). By contrast with the grammar of recognition, the centre of the conflictual dynamic (its principal motor) is the interaction with the land. People and group come to fight each other (conflictual interaction) because they hope to have a certain form of relation with the land. Now, this relation takes the form of the *appropriation* of an object. In other words, the appropriation of the land is the principal motivation that lead individuals and groups to enter together into a relation of conflict. We had already said that the appropriation of the land and the attachment to the land are two different notions, and we will soon go in this distinction in depth. But for now, it is sufficient to note that if the grammar is centred on having, attachment cannot be the seat of the conflict.

This conceptual and grammatical distinction appears at the empirical level of the ecological conflict. It is evident, for instance, regarding the “pillaging-destruction” debate raised within the movements against extractivism. Extractivism is an analytic category which takes its roots in Latin-American academic circles but also (and maybe principally) within the socio-environmental movements against extractive industries. Generally, scholars define extractivism as a model of capitalist accumulation and development based on the over-exploitation of natural resources (an exploitation which includes not only mining and petroleum extraction but also hydroelectric dams, agribusiness, industrial fishing, etc.)¹⁸⁰⁸. In her book entitled *Extractivisme*, Anna Bednik (an independent researcher who contributed to the introduction of the extractivism debate in France), points out that the notion has been elaborated in the framework of dependency theory, whose father is the Argentine economist Raul Prebisch. According to this school, the international economic system is structured on a polarisation between core and peripheral countries. The specialisation obliges that underdeveloped countries produce primary products that they exchange against manufactured goods produced by the developed countries. This asymmetric structure produces the

1808SVAMPA Maristella, *Las Fronteras del Neoextractivismo en América Latina. Conflictos Socioambientales, Giro Ecoterritorial y Nuevas Dependencias*, Guadalajara, Calas, 2019, pp. 21-22.

deterioration of the terms of the exchange. Indeed, it produces the deep gap between the price of the raw material sold to the peripheral countries and the price of the manufactured goods sold by the core countries¹⁸⁰⁹. The solution advocated by Prebisch was a replacement of the importation by a local production and the development of an internal market. Now, Anna Bednik insightfully notes that this geopolitical approach is without doubt correct from a global perspective of the World Capitalist Economy but is sometimes far from the concerns of the opponents to the extractive industries. For them, the first problem is not principally the unequal exchange which underlies extractivism but the destruction of their territory. As one of the Argentine opponents to the mining industry she interviewed writes: it does not matter whether the mineral is extracted by a transnational and exported at low cost or by a national or local company. In fact, it is the same thing, since in both cases the place she lives in will be destroyed. *In fine*, she does not care who will exploit the mine, her struggle against the mine is motivated by another concern: the defence of her territory against destruction¹⁸¹⁰. In short, no matter who *owns* the mineral; what really matter is what she is *attached* to. To put it another way, the real motivation of the struggle against mining is not the appropriation of natural resources or the positive economic effects of this industry on the region but the defence of collective attachments to the place. The adequate grammar is not the grammar of appropriation but a grammar of attachment.

1809BEDNIK Anna, *Extractivisme*, *op. cit.*, p. 41 ; On the dependency theory, see VALIER Jacques, *Brève Histoire de la Pensée Economique*, Flammarion, Champ Essais, 2014 pp. 209-219; SALAMA Pierre and VALIER Jacques, *Une Introduction à l'Economie Politique*, Paris, Maspero, Petite Collection Maspero, 1973, p. 151.

1810BEDNIK Anna, *Extractivisme*, *op. cit.*, p. 55.

Part IV. The Grammar of Attachment: Struggles for Territory

Introduction to Part IV

In the general conclusion of the three first parts, we showed how there is a current *tendency* in *certain* social science studies concerning ecological conflicts to place the struggle against the destruction of attachments to the earth at the centre of ecological conflicts – this is especially the case in anthropology, sociology and history. We argued that the grammars of conflict inherited from political modernity missed this question, which is fundamental for environmentalism today and which most likely constitutes the centre of gravity of ecological struggles. Nevertheless, this does not mean that the philosophical discourse should be condemned definitely. First, this trend in the social sciences, which was initiated by the work of Latour and Descola concerning the question of the forms of these attachments, remains precisely a trend in the sense that it is not yet entirely accomplished. As already said, a lot of empirical studies on ecological struggles remain stuck in the former frameworks of the classical grammars we reviewed in the three first parts – which is, *per se*, not necessarily a bad thing (insofar as those categories have a certain relevancy and may be applied to a variety of conflictual situations) but remains insufficient regarding the possibility of accounting for the implicit environmentalism which is at stake in these conflicts. Consequently, philosophy is not the only discipline which remained trapped in the past categories of conflict. Moreover, it should be noted that philosophy is not a discourse which is impermeable to the influence of the social sciences. We have already seen that since the birth of sociology and anthropology, a very complex movement of back and forth (in short, a dialogue) between these disciplines and philosophy has taken place. Precisely, we believe that the influence of these “positive” disciplines led the philosophical discourse to thematise the question of attachment. More specifically, we believe that the notion of attachment has been thematised (at least implicitly) by philosophy, through the concept of territory. It is notably in the political philosophy of Gilles Deleuze and Félix Guattari that the concept of territory has taken a form which is very close to what we call attachments. This may be explained by the fact that they elaborated their concept at the crossroads of ethology and anthropology. In return, it should be noted that their notion of territory had an important influence on the notion of attachment as it has been conceived by Latour and Descola. This part four is dedicated to the notion of territory in Deleuze and Guattari's *Mille Plateaux*.

Such a concept provides one of the keys to the problems we mentioned in the general

conclusion of the three first parts. More precisely, Deleuze and Guattari's notion of territory removes the conceptual barriers which, according to us, prevented the conceptualisation of conflicts in terms of attachment. One of these obstacles was the fact that, the collective relationships with the earth which underlie the conflictual interaction were conceptualised by the philosophical discourse through the notion of detachment. In other words, the relation with land contained in the notion of the struggle for land was identified as a form of detachment from the land. Given that detachment and attachment are contradictory notions, it was thus impossible to thematise the idea of a conflict for the attachments to the earth. We believe that Deleuze and Guattari's notion of territory allows for the removal of this first obstacle since their relation with the earth is defined in terms of immanence. To build a territory does not consist in transforming and going beyond the realm of nature. It consists in actualising potentialities which are already present in the external world. However, and this is the fundamental point, the refusal of defining relations with the earth in terms of detachment does not mean that they define it in terms of rootedness, a concept which is outstandingly reactionary. Indeed, to a large extent, the notion of territory that is proposed in *Mille Plateaux* is opposed to the main attribute of the concept of rootedness. Whereas rootedness is a relation which is based on the aggression and the exclusion of the other, Deleuze and Guattari insist on the fact that a territory is a place in which peoples and beings (human or not) can coexist more or less peacefully. Moreover, while reactionaries understand territory as a series of bonds (fixity, authority and nostalgia), which enchain the individual to the land, Deleuze and Guattari define territoriality in terms of freedom. First, territory is a free relation to the milieu. Second, individuals and collectives are not enchained to their territory since it always contains vectors of deterritorialisation. As such, the notion of territory allows us to avoid the double trap in which all discussions about struggles for land have fallen: the double trap of detachment and rootedness.

The second conceptual obstacle which prevents the constitution of a grammar of attachment (*i.e.*, a grammar of ecological conflicts) is the identification of the collective relationship to the earth with the general concept of the appropriation of nature. Indeed, we have seen that the notion of appropriation obscures the notion of attachment. We believe that *Mille Plateaux* provides a notion of territoriality which relativises the idea that is very common in anthropology that collective relationships with nature must be understood in terms of the appropriation of nature. Here, ethnographies of nomads is used as a borderline case which make such a relativisation possible: indeed, nomadic territoriality cannot be understood through Schmitt's notion of *landnahme*; this specific form of territory must rather be defined as the occupation of a smooth space. Nomadic territoriality compels Deleuze and Guattari to relativise the universality of the notion of appropriation: territoriality in general is no longer defined as a relation of appropriation to the

exteriority but as a relation of attachment. And this theory of attachment is elaborated in the general framework of their theory of assemblage (*agencement*), which bears a lot of similarities with Latour and Descola's concept of the collective.

In *Mille Plateaux*, this theory of territoriality as attachment is closely connected with the theory of the conflictual relations between social formations. Indeed, social formations are first defined by their relation to the land, *i.e.*, by their territoriality and the relations that these social assemblages have together is always mediated by these territories. In other words, the conflicts between social formations are understood as territorial conflicts. However, the notion of territorial conflict takes a very specific meaning. Indeed, because territory is no longer defined in terms of appropriation but in terms of attachment, territorial conflicts are no longer conflicts for the possession of a portion of nature (or at least they are not reduced to this aspect) but for the attachment to the land. This point is perfectly illustrated by the conflict which opposes State formations to “primitive societies”. States do not only take possession of these precapitalist formations, but they also transform and annihilate their territoriality, to such an extent that they destroy primitive assemblages. In other terms, the State destroys the primitive's attachments to the land. This is the theme of ethnocide which runs all through the anthropological writings of *Deleuze* and *Guattari*. Here, we argue that they revisit this notion and give it a very specific interpretation: ethnocide is not only the “destruction of the spirit” of a society, but also the destruction of its territoriality, a destruction of its attachments to the land. Hence the fact that this mode is especially relevant regarding ecological conflicts. In other words, territorial conflictuality in *Mille Plateaux* provides the basis of a grammar of ecological conflicts.

The two first chapter of this part are dedicated to a preliminary work which is deem indispensable to truly understand the concept of territory (and all the powerful implications it contains from a perspective of a grammar of attachment). In particular we propose an explanation of the conceptual distinction between milieu and territory in *Mille Plateaux*. This the clarification of this distinction reveals the specific characteristics of the process of territorialisation. In the chapter I we briefly define the concept of milieu. The chapter II is dedicated to clarifying the specificity of the notion of territory by contrast with the notion of milieus. The following chapters demonstrate how the notion of territory provides a conceptual resource which allow to escape from the trap in which the grammar of political modernity have fallen. Chapter III shows the process of territorialisation goes beyond the opposition between detachment and rootedness. Chapter IV demonstrate that territorialisation cannot be reduced to the notion of the appropriation of nature and should rather be considered through the notion of attachment. Finally, Chapter V focus on the question of territorial conflicts.

I) In the Middle of Milieu

The elaboration of a grammar of attachment, which is based on the concept of territory, requires several preliminary, as well as, fundamental steps. It must be likewise demonstrated that the concept of territory overcomes one of the major obstacles which has historically prevented the constitution of a grammar of ecological struggles. Among these obstacles, the rootedness-detachment “alternative” poses several strong difficulties. The relationship to the land that underlies conflictuality has been hitherto trapped between a reactionary notion of being rootedness, that is, being rooted in the soil, and the strong illusion of a possible detachment from the earth. In addition, relationships with the earth have often been reduced to the idea of appropriating of a portion of the world, a primacy of the having which tended to marginalise the question of one’s attachment to land. As already suggested, Deleuze and Guattari’s philosophical developments on territoriality avoid those pitfalls. It is possible to locate in a dimension of their work a grammar of attachment (especially in *Mille Plateaux*).

However, before coming to this point, a preliminary step is necessary. A simple question needs to be asked: what is a territory? How do Deleuze and Guattari define territoriality? These simple questions arise precisely because such a notion still needs clarification. Indeed, references to territoriality are numerous in the literature dedicated to Deleuze, and there are plenty of uses of this terminology in the philosophical field as well as more broadly in the social sciences. However, paradoxically, Deleuze’s texts on territoriality have not yet been commented on *in enough detail*, that is, with *a few notable exceptions*¹⁸¹¹. For this reason, before getting to the real crux of the matter, clarification is necessary. We will dedicate the two next chapters to this clarification. Here, we do not pretend to exhaust the subject but to provide a commentary on Deleuze and Guattari’s texts so as to ensure a sufficient and satisfying understanding of their concept of territory.

The method of conceptual comparison has been chosen in order to clarify the notion of

¹⁸¹¹See SAUVAGNARGUES Anne, “Deleuze. De l’animal à l’art”, in ZOURABICHVILI François, SAUVAGNARGUES Anne and MARRATI Paola, *La Philosophie de Deleuze*, Paris, PUF, Quadrige, 2004, pp. 117-128. See also SIBERTIN-BLANC Guillaume, *Politique et Clinique. Recherche sur la Philosophie Pratique de Gilles Deleuze*, PhD Thesis in philosophy, under the direction of Pierre Macherey, Lille, Université Charles de Gaulle Lille 3 – UMR 8163 “Savoirs, textes, langage”, 2006, pp. 266-278; SIBERTIN-BLANC Guillaume, “Cartographie et territoires. La spatialité géographique comme analyseur des formes de subjectivité selon Gilles Deleuze”, *L’Espace Géographique*, Belin, T. 39, 2010/3, pp. 225-238. This part IV owes a lot to the work of Guillaume Sibertin-Blanc whose meticulous commentary of Deleuze’s text is very illuminating.

territory. Through comparing the close but ultimately different concept of *milieu* with that of *territory*, the conceptual shape of territory will be made more distinct. This choice has a threefold justification. First, more clarity in regard to a particular concept can be garnered when compared to another concept that is both similar and different. This is especially true regarding the concepts of territory and milieu. Second, Deleuze and Guattari dedicate several pages to the distinction between the two, which have been too often disregarded. Finally, and in relation to the second justification, it is of utmost importance to understand the reasons which lead Deleuze and Guattari to resort to the notion of territory when the category of milieu was already at their disposal. Indeed, over the two last centuries, milieu has been one of the principal categories used to account for interactions between human and non-human beings and their environment. This is most clearly demonstrated by Canguilhem's seminal article entitled “*Le vivant et son milieu*” in which a synoptic vision of the notion is given (since the beginning of the 19th to the beginning of the second half of the 20th)¹⁸¹². Furthermore, if this concept had been already used to think through the relation between societies and their environment then why would Deleuze and Guattari need another in order to express the same relation? In other words, why do they distinguish territory from milieu? What is the principle of their difference? Lastly, why do they dedicate more pages to one (territory) rather the other (milieu)?¹⁸¹³

To answer these questions, it must first be noted that the difference between milieu and territory is not a question of discipline. For example, the notion of milieu has not been restricted to the domains of biology or ethology and territory do not belong exclusively to anthropology or geography. In fact, the specificity of these notions is their transversality. For example, territory is used in ethology¹⁸¹⁴ as well as in anthropology¹⁸¹⁵ and the notion of milieu, in biology¹⁸¹⁶ as well as in geography¹⁸¹⁷. In other words, the division between the natural sciences and the human sciences not a relevant criterion to establish the conceptual difference between the notions of milieu and territory.

We argue that the reason for this distinction in fact lies in the need to think our relationship

1812 CANGUILHEM Georges, “Le vivant et son milieu”, *La Connaissance de la Vie*, Paris, Vrin, Bibliothèque des Textes Philosophiques, 2009 [1965], pp. 165-198. Following Canguilhem's footsteps, Ferhat Taylan has recently proposed a genealogy of the concept of milieu. On this enthralling historical work, see TAYLAN Ferhat, *La Rationalité Mésologique. Connaissance et Gouvernement des Milieux de Vie (1750-1900)*, PhD Thesis in Philosophy, under the direction of Guillaume Le Blanc, Bordeaux, Université Bordeaux Montaigne, 2014.

1813 Naturally, this question is also ours: why was the concept of territory chosen to think environmental conflict rather another concept?

1814 UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain* and *Théorie de la Signification*, trans. Philippe Muller, Denoël, 1965 [1934].

1815 GODELIER Maurice, “Territoire et propriété dans quelques sociétés précapitalistes”, in GODELIER Maurice, *L'Idéal et le Matériel*, op. cit., pp. 99-164.

1816 See for exemple JACOB François, *La logique du vivant. Une Histoire de l'Hérédité*, Paris, Gallimard, Tel, 1970, pp. 205-208.

1817 POIRIER Louis, “L'évolution de la Géographie humaine”, in *Critique*, n°8 et 9, January-February, 1947.

with the environment in two different ways. When faced with the environment, we either adopt a stereotyped and overdetermined set of behaviours, which are conditioned by internal instincts as well as external *stimuli* (or the pressure of the milieu), *or* we can free ourselves from these constraints. In the article mentioned above, Canguilhem had established the fact that the concept of milieu, previously marked by determinism, was being progressively reinvested at the beginning of the 20th century by a vitalist tradition, a tradition which insisted on the ability for living individuality to impose its own normativity onto exteriority.

Deleuze and Guattari extend this reflection while shifting the terms of the debate. Indeed, the distinction is not only between 1° a mechanical influence of the environment and 2° an individuality playing freely with these constraints; but the distinction is also between two degrees of freedom we possess in relation with the environment. In the case of milieu, both individuals and collectives enjoy the possibility of selecting the particular exterior stimuli. However, it remains the case that these *stimuli* still act on both individuals and collectives mechanically. With territorialisation a supplementary degree of liberty is obtained: individuals are no longer submitted to external and internal impulsions, and as such, the room for free action is made. Nevertheless, this freedom is neither a transcendence of the external and internal nature, nor does it constitute their domination or their suppression. Instead, it should be understood as an immanent variation within nature itself.

In the two next chapters, we will see that this first distinction is followed by a second: milieus and territory correspond to two different attitudes toward the environment that always appear as a chaos of evanescent determinations. One attitude consists in being absorbed by this chaos, while the other, in dwelling it, actualises its infinite potentialities. Thus the notion of dwelling is finally the component by which territory is distinguished from the milieu.

In this chapter, we will first analyse the concept of milieu in Deleuzian texts. In the next chapter, we will show how territories are built on milieus.

1.1) Internal, External and Associated Milieu

As already stated, in order to arrive at a full understanding of the concept of territorialisation it is first necessary to clarify the notion of milieu, that on which territories are built. According to Deleuze and Guattari, milieus are not only external (*i.e.*, a set of material elements that are around an organism or an individual) but also internal (for example, the cytoplasm of cell), intermediary (the membrane of the cell) and “associated” – an associated milieu is an energetic system (neither internal, nor external) in which an individual continues to individuate himself after the initial phase

of individuation. Such milieus arise from chaos through the repetition of a directional component: “*Le chaos n'est pas sans composantes directionnelles, qui sont ses propres extases (...) Chaque milieu est vibratoire, c'est à dire un bloc d'espace-temps constitué par la répétition périodique de la composante*”¹⁸¹⁸. The internal milieu arises from the repetition of “composing elements and composed substances” (*éléments composants et substances composées*), the external milieu from the repetition of “materials” (*matériaux*), and so on.

It is necessary to specify how the repetition of components allows for the milieu to arise from out of chaos. In *Différence et Répétition*, Deleuze shows how repetition produces a difference by the contraction of elements. As Hume argued, the repetition of material impressions produces, by contraction, a modification within the mind, *i.e.*, a difference – if the sequence AB is repeated various times, it gives rise to something different in my mind because A and B appear intrinsically connected. Imagination is the power by which elements and grounds are contracted through repetition in an internal and qualitative impression¹⁸¹⁹. And habit is the name given to this contraction by which a difference appears: “*L'habitude soutire à la répétition quelque chose de nouveau: la différence (d'abord posée comme généralité). L'habitude dans son essence est contraction. Le langage témoigne, quand il parle de “contracter” une habitude et n'emploie le verbe contracter qu'avec un complément capable de constituer un habitus*”¹⁸²⁰. Here, it is easy to understand how a milieu stems from the repetition as well as the habit by which an impression is contracted: the habit generates an expectation, the expectation that B will follow A: “*telle est la synthèse passive, qui constitue notre habitude de vivre, c'est-à-dire notre attente que “cela” continue, qu'un des deux éléments survienne après l'autre, assurant la perpétuation de notre cas*”¹⁸²¹. And it is this horizon of expectation which constitutes a perceptive milieu¹⁸²². As Zourabichvili writes, “*un milieu est exactement un ordre de conformité sur lequel on peut compter pour agir: nous nous attendons, dans des conditions d'expérience identiques, à ce que la même sensation se reproduise. Ainsi, l'habitude produit une attente, une présomption ou une prétention qui convertit la reprise de la différence en une reproduction du même, qui déploie la sensation dans un champ actif de représentation*”¹⁸²³. In other words, a milieu is a block of space-time in which I orientate myself because I know (at least, I expect) that the set of elements I have previously

1818DELEUZE Gilles and GUATTARI Félix, *Mille Plateaux. Capitalisme et Schizophrénie 2*, Paris, Minuit, Critique, 1980, p. 384 (from now, abbreviated as follows : DELEUZE and GUATTARI, *MP*).

1819DELEUZE Gilles, *Différence et Répétition*, PUF, 12th ed. 2015 [1968], p. 96 (from now on, abbreviated as follows: DELEUZE Gilles, *DR*).

1820DELEUZE Gilles, *DR*, p. 101.

1821*Ibid.*, p. 101.

1822In the pages of *Différence and Répétition* dedicated to the passive synthesis, Deleuze does not explicitly reference to the *milieu*. This interpretation of the pages in terms of milieu is suggested by ZOURABICHVILI François, *Deleuze, Une Philosophie de l'Événement*, PUF, Philosophies, 1996 [1994], pp. 96-105.

1823ZOURABICHVILI François, *Deleuze, Une Philosophie de l'Événement, op. cit.*, p. 98.

experienced will reappear anew. A milieu is a familiar environment where one feels at home, such is case with a child's bedroom, or, to give a literary example, Combray in the *Recherche du Temps Perdu*¹⁸²⁴.

This “passive synthesis” does not only apply at the level of perception but also at the level of the organism and life in general: “*dans l'ordre de la passivité constituante, les synthèses perceptives renvoient à des synthèses organiques, comme la sensibilité des sens, à une sensibilité primaire que nous sommes*”¹⁸²⁵. Hence under the perceptive synthesis lies the organic synthesis, and under the sensibility of sense, there lies a primary sensibility. Indeed, cells, nerves, muscles, heart and finally, organisms have a “contemplative soul” that contracts by habitude material elements, exactly in the same way that the mind contracts material impressions¹⁸²⁶. *We are this primary sensibility because we are constituted by these material and elemental contractions* : “*nous sommes de l'eau, de la terre, de la lumière et de l'air contractés, non seulement avant de les reconnaître ou de les représenter, mais avant de les sentir*”¹⁸²⁷. In this sense, I am what I have and “being is having”¹⁸²⁸.

Thus, milieus stem from contractions of this sort. For instance, the crystal sulphur (*i.e.*, an internal milieu) results from a complex operation in which the mass of a sulphur solution in an over-saturated state (*i.e.*, in a metastable state) are contracted after the introduction of a crystalline seed into the solution. Likewise, the formation of an internal organic milieu is based on the incorporation of the materials furnished by the primordial soup, a prebiotic state¹⁸²⁹.

The formation of an associated milieu requires particular attention because Deleuze appropriate a concept discussed throughout the 20th Century. The associated milieu interlaces active,

1824DELEUZE Gilles, *Proust et les Signes*, PUF, Quadrige, 2nd ed. 1998 [1964], pp. 71-76 (from now on, abbreviated as follows : DELEUZE Gilles, *PS*).

1825DELEUZE Gilles, *DR*, p. 99.

1826“*Il faut attribuer une âme au cœur, aux muscles, aux nerfs, aux cellules, mais une âme contemplative dont tout le rôle est de contracter l'habitude. Il n'y a nulle hypothèse barbare, ou mystique : l'habitude y manifeste au contraire sa pleine généralité, qui ne concerne pas seulement les habitudes sensori-motrices que nous avons (psychologiquement), mais d'abord les habitudes primaires que nous sommes, les milliers de synthèses qui nous composent organiquement*”. *Ibid*, p. 101. See also DELEUZE Gilles and GUATTARI Félix, *Qu'est-ce que la Philosophie ?*, Paris, Minuit, Critique, 1991, p. 200 (from now abbreviated as follows DELEUZE Gilles and GUATTARI Félix, *QPh*). Here, it is quite clear that Deleuze endorses the universal animism thesis of Leibniz and Spinoza which Ruyer had revived at the beginning of the second part of the twentieth century. On Spinoza and Leibniz's animism see BOUVERESSE Renée, *Spinoza et Leibniz. L'idée d'Animisme Universel*, Paris, Vrin, Bibliothèque d'Histoire de la Philosophie, 1992. and RUYER Raymond, *Néo-finalisme*, Paris, PUF, MétaphysiqueS, 2012 [1952].

1827DELEUZE Gilles, *DR*, p. 99. See also *Ibid*, p. 102 : “*Il y a une contraction de la terre et de l'humidité qu'on appelle froment, et cette contraction est une contemplation, et l'autosatisfaction de cette contemplation. Le lys des champs, par sa seule existence, chante la gloire des cieux, des déesses et des dieux, c'est-à-dire des éléments qu'il contemple en contractant. Quel organisme n'est pas fait d'éléments et de cas de répétition, d'eau, d'azote, de carbone, de chlorure, de sulfates contemplés et contractés, entretenant ainsi toutes les habitudes par lesquelles il se compose?*”.

1828DELEUZE Gilles, *DR*, p. 107; ZOURABICHVILI François, *Deleuze, Une Philosophie de l'Événement*, *op. cit.*, p. 99.

1829DELEUZE and GUATTARI, *MP*, p. 65. Deleuze takes this famous example from Simondon. See SIMONDON Gilbert, *ILFI*, p. 67, *sq.*

perceptive, and energetic characteristics in a complex fashion¹⁸³⁰.

*“Le milieu associé se définissait ainsi par des captures de sources d'énergie (respiration au sens le plus général), par le discernement des matériaux, la saisie de leur présence ou de leur absence (perception) et par la fabrication ou non des éléments ou composés correspondants (réponse, réaction). Qu'il y ait à cet égard des perceptions moléculaires, non moins que des réactions, ou le voit dans toute l'économie de la cellule, et dans la propriété des agents de régulation, de 'reconnaître' exclusivement une ou deux espèces chimiques dans un milieu d'extériorité très varié. Mais le développement des milieux associés ou annexés aboutit lui-même aux mondes animaux tels que les décrit Uexküll, avec leurs caractères énergétiques, perceptifs et actifs.”*¹⁸³¹

Here Deleuze and Guattari interlace readings of both Uexküll and Simondon. According to Simondon, the associated milieu is the double of the individual¹⁸³². Both emerge from the process of individuation, that is, the genesis of the individual. In individuation, the preindividual being (this reality which is non-individuated, undetermined and full of potential) “dephases” itself (*se déphase*) and individuates itself. But individuation does not exhaust the totality of preindividuality, a state which endures and remains a source of potentialities that are available for future individuations¹⁸³³. Notably, during individuation, the individuated being and the milieu (which is its complement) differentiate themselves¹⁸³⁴. The milieu is thus a reservoir preindividual potentialities, an energetic system¹⁸³⁵ in which individuation is constantly continued¹⁸³⁶. This milieu is not an external

1830 DELEUZE and GUATTARI, *MP*, p. 68.

1831 *Ibid.*, p. 67. Here, it seems that there is a typing error at the fourth line of this text. Indeed, instead of the coordinating conjunction “ou”, the pronoun “on” should be used. We chose to reproduce the text as it has been given by Les Editions de Minuit.

1832 Apparently, there is no systematic study of this so important concept in Simondon's work. A reference can be made to the article “Milieu” in CHATEAU Jean-Yves, *Le Vocabulaire de Gilbert Simondon*, Ellipses, 2008, pp. 67-70; See also, ROUX Jacques, “Saisir l'être en son milieu. Voyage en allagmatique simondonnienne”, in CHABOT Pascal, *Simondon*, Paris, Vrin, 2002, pp. 121-135.

1833 “L'individu serait alors saisi comme une réalité relative, une certaine phase de l'être qui suppose avant elle une réalité préindividuelle, et qui, même après l'individuation, n'existe pas toute seule, car l'individuation n'épuise pas d'un seul coup les potentiels de la réalité préindividuelle, et d'autre part, ce que l'individuation fait apparaître n'est pas seulement l'individu mais le couple individu-milieu”. SIMONDON Gilbert, *ILFI*, p. 24-25. See also the following passage : “L'individuation correspond à l'apparition de phases dans l'être qui sont les phases de l'être; elle n'est pas une conséquence déposée au bord du devenir et isolée, mais cette opération même en train de s'accomplir; on ne peut la comprendre qu'à partir de cette sursaturation initiale de l'être sans devenir et homogène qui ensuite se structure et devient, faisant apparaître individu et milieu, selon le devenir qui est une résolution des tensions premières et une conservation de ces tensions sous forme de structure (...)”. SIMONDON Gilbert, *ILFI*, p. 25.

1834 “l'individu comme être défini, isolé, consistant, ne serait qu'une des deux parts de la réalité complète; au lieu d'être le σύνολον il serait le résultat d'un certain événement organisateur survenu au sein du σύνολον et le partageant en deux réalités complémentaires: l'individu et le milieu associé après individuation; le milieu associé est le complément de l'individu par rapport au tout originel. L'individu seul n'est donc pas le type même de l'être; il ne peut pour cette raison soutenir de relation en tant que terme avec un autre terme symétrique. L'individu séparé est un être partiel, incomplet, qui ne peut être adéquatement connu que si on le replace dans le σύνολον d'où il tire son origine. Le modèle de l'être, c'est le σύνολον avant la genèse de l'individu, ou bien le couple individu-milieu associé après la genèse de l'individu”. SIMONDON Gilbert, *ILFI*, p. 63.

1835 Simondon insists several times that the milieu is an energetic system: “L'individu s'individue et est individué avant toute distinction possible de l'extrinsèque et de l'intrinsèque. La troisième réalité que nous nommons milieu, ou système énergétique constituant, ne doit pas être conçue comme un terme nouveau qui s'ajouterait à la forme et à la matière: c'est l'activité même de la relation, la réalité de la relation entre deux ordres qui communiquent à travers une singularité”. SIMONDON Gilbert, *ILFI*, p. 62.

1836 “Nous voudrions montrer que le principe d'individuation n'est pas une réalité isolée, localisée en elle-même, préexistant à l'individu comme un germe déjà individualisé de l'individu ; que le principe d'individuation, au sens strict du terme, est le système complet dans lequel s'opère la genèse de l'individu ; que, de plus, ce système se survit à lui-même dans l'individu vivant, sous la forme d'un milieu associé à l'individu, en lequel continue à s'opérer

environment, a sort of background to which the individual is supposed to be indifferent. In fact, the milieu is neither external nor internal, it is a sort of extension of the individual with which the latter communicates and exchanges energetically¹⁸³⁷. This amounts to say that the individual is not an absolute, a monade closed in itself; indeed, it is an incomplete reality that finds the conditions of its individuality (and thus, its complement) in the associated milieu¹⁸³⁸. However, this does not mean that the individual is simply an event without consistency, ready at any moment to vanish within the great totality of nature. Indeed, the complement of the individual is not the whole of nature (in this case, individuality would become an insignificant infinitesimal reality and would lose itself in the immense totality of nature). The associated milieu is a reality of the same order as individuality itself, and it is through such an intermediary that the latter is related with the entirety of the preindividual being¹⁸³⁹. It is the energetic dimension the associated milieu that is expressed in the first lines of Deleuze's text quoted above. In Deleuze's terms, the associated milieu is this system composed of sources of energy that are captured (*i.e.*, *contracted*) by the individual.

Other than being just energetic, and therefore merely a source of energy, associated milieus also form perceptive and active worlds that are constituted by living beings (human or not). Here, Deleuze's reading of Uexküll furnishes the content for this second dimension. For the author of *A Foray into the Worlds of Animals and Humans*, the relationship between organisms and their environment does not fall under the model of reflex arcs (*i.e.*, the path followed by an exterior excitation which is received by sensory cells, then relayed to motor cells, and finally to the effectors, effectors which react mechanically and produce a reflex action). In fact, an organism does not perceive (and does not act on) the totality of its environment but only (on) a few elements (it operates a "*discernement des matériaux*", writes Deleuze). The much discussed case of the tick is quite clear: in an environment of infinite richness, it selects just three *stimuli*: the butyric acid released by sebaceous follicle, the mechanic excitation caused by hairs, and the thermic excitation of the skin. To be more precise, sensory organs are like sieves (or filters) by which only physicochimic phenomenons that have meaning for the animal are selected¹⁸⁴⁰. These *phenomena*

l'individuation ; que la vie est ainsi une individuation perpétuée, une individuation continuée à travers le temps, prolongeant une singularité". SIMONDON Gilbert, *ILFI*, p. 63.

1837 "le système énergétique en lequel se constitue un individu n'est pas plus intrinsèque par rapport à cet individu qu'il ne lui est extrinsèque: il lui est associé, il est son milieu associé. L'individu, par ses conditions énergétiques d'existence, n'est pas seulement à l'intérieur de ses propres limites ; il se constitue à la limite de lui-même et existe à la limite de lui-même; il sort d'une singularité". SIMONDON Gilbert, *ILFI*, p. 62.

1838 "L'individu ne peut pas rendre compte de lui-même à partir de lui-même, car il n'est pas le tout de l'être, dans la mesure où il est l'expression d'une résolution. Il est seulement le symbole complémentaire d'un autre réel, le milieu associé". SIMONDON Gilbert, *ILFI*, p. 63-64.

1839 SIMONDON Gilbert, *ILFI*, p. 65.

1840 UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, *op. cit.*, p. 124; UEXKÜLL Jacob Von, *A Foray into the Worlds of Animal and Humans*, with *A Theory of Meaning*, trans. Joseph D. O'Neil, Minneapolis and London, University of Minnesota Press, 2010 [1934], p. 166.

are changed into nervous excitations, producing perceptive signs in the brain, *i.e.*, a set of qualitative sense signs (colour, odours, etc.)¹⁸⁴¹. Such signs are subsequently projected outside of the perceiving subject, on the object perceived. Uexküll calls these projected signs “perceptive marks”. For instance, perceptive marks are attributed to the sebaceous follicles, these marks being nothing more than the signs (caused by the nervous excitation in the brain) projected on the object.

The same is true for organs of action (“effectors”): they project effect marks (*Wirkmal*) on the external world's objects. These effect marks are similar to localised spots selected by the animal and on which it will act. For the scientist, these marks are easier to identify and study because the action of the animal causes modifications in the areas concerned (for example, the injury caused by the stoma of the skin when pierced) whereas areas on which perceptive marks are projected remain unchanged.¹⁸⁴² Indeed, in order to bring these marks to light, it is necessary to use indirect observational systems, as for example the experiment in which a black cat is substituted by a black cloth and is shacked to see if a jackdaw reacts to the colour only¹⁸⁴³.

It must be added that there is a complex set of alternations between the organs of perception and action. Effect marks are substituted for perceptive marks and *vis versa*. First, sebaceous follicles are covered over by a perceptive mark (the odour of rancid butter). The latter causes a release of the tick's legs. The tick, having let itself fall, attributes to the landing area (the animal's hairs). Such an effect mark we could name “collision”. Then, the perceptive mark “odour of the rancid butter” is replaced by the effect mark “tactile” attributed to the hairs, the same making the tick running about until it reaches the skin. Once again, a perceptive mark is projected: the warmth of the skin which cause a new action, the perforation¹⁸⁴⁴ (these multiple active and perceptive interconnections are called “functional cycles”)¹⁸⁴⁵.

According to Uexküll an associated milieu can be defined as an active and perceptive world shaped by the living being within its environment and is composed by the totality of perceptive and effect marks selected by the living being as having a stimulus value: “*Chaque milieu constitue une unité fermée sur elle-même, dont chaque partie est la signification qu'elle reçoit pour le sujet de ce milieu*”¹⁸⁴⁶. Associated milieus are, therefore, much like the bubble in which organisms live¹⁸⁴⁷.

It should be noted that Deleuze and Guattari's reading of *A Foray into the Worlds of Animals and Humans* does not lead him to a phenomenological comprehension of the milieu. Such

1841 UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, *op. cit.*, p. 123.

1842 *Ibid.*, p. 23.

1843 *Ibid.*, p. 73.

1844 *Ibid.*, p. 25.

1845 *Ibid.*, p. 24.

1846 *Ibid.*, p. 98.

1847 *Ibid.*, p. 40.

an interpretation is tempting because of the number of references in Uexküll's texts to a subject (or a transcendental *ego*) who intentionally constitutes his own perceptive world and thus of a life-world¹⁸⁴⁸. However, it would seem that Deleuze and Guattari are, in fact, more interested by the fact that an animal's milieu can furnish a cartography of their affects (for example the odour of butyric acid). Indeed, whatever the individual (man, animal, etc), it must be defined by what it is able to be affected by (and which affects of other bodies can it enter into composition with it). The study of theses "mode of existence" is called, by Deleuze and Guattari, "ethology". It consists in quantifying the different affects of an individual, instead of proceeding by gender, species or describing functions and organs¹⁸⁴⁹. Here, individuality is once again defined not only by its epidermic limits but by the connections it makes with exteriority¹⁸⁵⁰. Therefore, Deleuze and Guattari's reading of Uexküll is more ethological than phenomenological. Be that as it may, Deleuze and Guattari also fit their understanding of associated milieus into their own philosophical terminology and project. They thus also understand them as arising from repetition, especially in the case of Uexküll's animal world. That is, the repetition of external stimuli is selected and, then, captured. This repetition then ends up producing the world of perception and action.

I.2) Rhythms of milieus

Such a repetition, for Deleuze and Guattari, is also related to the idea of rhythm. Given that a rhythm is defined by a periodic repetition, it could be said that each milieu is defined by a specific rhythm which is peculiar to it. However, strictly speaking, rhythm is distinguished from the milieu. As we will see, Deleuze and Guattari seem to restrict the notion of rhythm to the communication of milieus. In this sense, rhythm is in the *middle of milieus*. Having said this, we agree with Sibertin-Blanc that milieus should, to a certain extent at least, be understood as rhythmic¹⁸⁵¹. Indeed, the rich

1848 *Ibid.*, pp. 13-14 ; *Ibid.*, pp. 28-37.

1849 "Tout comme on évitait de définir un corps par ses organes et ses fonctions, on évite de le définir par des caractères espèce ou Genre : on cherche à faire le compte de ses affects. On appelle "éthologie" une telle étude, et c'est en ce sens que Spinoza écrit une véritable Ethique. (...) Nous ne savons rien d'un corps tant que nous ne savons pas ce qu'il peut, c'est-à-dire quels sont ses affects, comment ils peuvent ou non se composer avec d'autres affects, avec les affects d'un autre corps, soit pour le détruire ou en être détruit, soit pour échanger avec lui actions et passions, soit pour composer avec lui un corps plus puissant." DELEUZE and GUATTARI, *MP*, p. 314 ; See also, DELEUZE Gilles, *Spinoza. Philosophie Pratique*, Paris, Minuit, 2003 [1981], p. 168 *sq* (from now, abbreviated as follows : DELEUZE Gilles, *SPP*).

1850 "L'Ethique de Spinoza n'a rien à voir avec une morale, il la conçoit comme éthologie, c'est-à-dire comme une composition des vitesses et des lenteurs, des pouvoirs d'affecter et d'être affecté sur ce plan d'immanence. Voilà pourquoi Spinoza lance de véritables cris : vous ne savez pas ce dont vous êtes capables, en bon et en mauvais, vous ne savez pas d'avance ce que peut un corps ou une âme, dans telle rencontre, dans tel agencement, dans telle composition". *Ibid.*, p. 168.

1851 SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, pp. 220-221.

literature used by Deleuze and Guattari contains such an idea, and the use he makes of these references in order to think through the problem of the coordination of milieus would be very difficult to understand if one were not to admit beforehand that milieus are themselves determined by rhythms.

This rich array of references belongs both to human sciences and biology. For example, Sibertin-Blanc mentions volume II of Leroi-Gourhan's *Le Geste et la Parole*¹⁸⁵², but it is also important to mention the works in chronobiology that Deleuze references (especially those of Alain Reinberg¹⁸⁵³), works which prove that internal milieus are determined by biological rhythms such as the famous “circadian rhythm”. For instance, such a rhythm has two functions: 1° to match a biological event to a precise moment of the nyctohemeral period, a function which enables the organism to be in line with the environmental changes tied to the alternation between days and nights (*i.e.*, to the external milieu's own rhythms); 2° to ensure the temporal and internal organisation of the organism and to distribute the different metabolic and physiological activities over a twenty-four hour scale, and then, to avoid the risk of an overlapping (since there are incompatibilities between some of these metabolic processes)¹⁸⁵⁴. It should be noted that the rhythms of these internal milieu are endogenous. As such, these rhythms persist even when the organism is isolated from its environment. Such an autonomy from the rhythms of external milieu confirms the fact that each milieu has its own rhythms, which defines it. For example, the marine annelida's rhythms (which consist in staying in its calcareous tube at low tide and going out to feed at high tide) remain the same even if it is isolated from the external milieu's (the sea) rhythms (the alternation of low tide and high tide)¹⁸⁵⁵.

It is important to note that Uexküll was one of the first to truly understand the constitution of internal milieus in terms of rhythms (well before chronobiology). For example, according to him, each living cell has its own tonality, and, as such, *ontogenesis* has to be conceived as a process in which these tonalities are connected by rhythms and melodies ruling the formation of the organism¹⁸⁵⁶. For example, the formation of slime-mold is not caused mechanically by the action of

¹⁸⁵²*Ibid.*, p. 221.

¹⁸⁵³DELEUZE and GUATTARI, *MP*, p. 404.

¹⁸⁵⁴BLAIS Catherine, LAFONT René, MILLET Bernard, REINBERG Alain, “Rythmes biologiques ou biorhythmes”, *Encyclopædia Universalis* [Online], connection the 6th September 2017.

¹⁸⁵⁵*Ibid.*

¹⁸⁵⁶“Un carillon qui serait composé de cloches vivantes devrait avoir la possibilité de faire sonner son jeu non pas simplement sous l'action impulsion mécanique mais également sous l'effet d'une simple mélodie. Alors chaque son induirait le suivant conformément à la ligne mélodique déterminée. C'est exactement ce qui se passe dans le corps vivant. On peut évidemment démontrer que dans beaucoup de cas cas – singulièrement dans la transmission d'une excitation du nerf au muscle, le jeu vivant et consonant des sons est remplacé par une connexion chimico-mécanique. Mais c'est toujours la conséquence d'une mécanisation ultérieure. A l'origine, tous les éléments de l'être vivant sont constitués de cellules protoplasmiques libres, qui n'obéissent qu'à l'induction mélodique de leurs sonorités individuelles”. UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, *op. cit.*, p. 104 ; “Les tonalités individuelles des cloches cellulaires vivantes sont reliées entre elles par des rythmes et des mélodies (...)”, *Ibid.*, p.

the environment, but proceeds from a complex articulation of various amoebas thanks to a common rhythm called “growth melodies” or “growth order”¹⁸⁵⁷. As Uexküll writes: “No one can doubt in this case that the finely worked-out mechanism of the fungal body is a product of free-living cells that obey only a melody which controls their self-tones”¹⁸⁵⁸.

One question that remains is whether the rhythms of the external and internal milieus can be related to the associated milieu? According to Uexküll, it seems that the rhythmic constitution of both perceptive and active milieu can be conceived as following: external *stimuli* are first selected by the external sensory organs (organs which function like sieves or filters). These *stimuli* are changed into nervous excitations, which then resonate the carillon, which is composed of the

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1857 *Ibid.*, p. 107; UEXKÜLL Jacob Von, *A Foray into the Worlds of Animal and Humans*, *op. cit.*, p. 152.

1858 UEXKÜLL Jacob Von, *A Foray into the Worlds of Animal and Humans*, *op. cit.*, p. 149. See the french translation:

“Personne ne peut douter que la mécanique finement structurée du corps du champignon ne soit le produit de cellules vivantes libres qui ne font qu'obéir à une mélodie dominant toutes leurs sonorités subjectives individuelles.”

UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, *op. cit.*, p. 105. See also the case of dandelion's formation: “En regardant des nuages dans le vent, nous attribuons volontiers à leurs formes changeantes des significations changeantes. Mais ce n'est là qu'un jeu de l'imagination, car ces formes diverses sont simplement le résultat des sautes du vent; elles obéissent strictement à la loi de la cause et de l'effet. Il n'en va pas de même quand nous suivons dans son vol le gracieux parachute du pissenlit, le tournoiement des graines d'érables ou des fruits du tilleul”. *Ibid.*, p. 107. It should be noted that, according to Uexküll, this melody which rules the ontogenesis is in fact nothing else than a “meaning plan”, such a finalism being absent from Deleuze's texts we are commenting: “toutefois, comme nous le savons tous mais l'oublions trop facilement, un être vivant, à l'inverse des machines, n'est pas composé de parties, mais d'organes. Un organe est toujours une structure composée de cellules vivantes qui possèdent toutes une 'tonalité individuelle'. L'organe comme ensemble possède une “tonalité d'organe” – comme nous pouvons le conclure des expériences de Spemann – qui régit les tonalités individuelles des cellules de l'organe, comme le plan de signification du myxomycète d'Arndt contraint les amibes à former le corps du champignon. La tonalité de signification intervient subitement et déclenche l'ordre de prendre configuration dans les tonalités individuelles des éléments cellulaires jusqu'alors semblables; ceux-ci se séparent désormais en tonalités distinctes mais accordées les unes aux autres et constituent la forme conformément à une mélodie fixée d'avance”. *Ibid.*, p. 113. To understand what this “meaning plan” means concretely, it is necessary to examine the development of an organism in detail. In order to do so, let's return to the example of the slime-mold described by *Ibid.*: “Les cellules de ce champignon sont d'abord des amibes mobiles, en train de brouter une flore bactérienne, sans se soucier les unes des autres. Les amibes se multiplient par division. La rapidité de la multiplication est proportionnelle à l'abondance de la nourriture. En conséquence cette nourriture diminue partout en même temps. Alors se produit un phénomène étonnant: toutes les amibes se répartissent en zones égales et dans chacune se dirigent vers son centre. Parvenues à ce point, elles grimpent les unes sur les autres, les premières arrivées se transformant en cellules d'appui et servant d'échelle aux suivantes. Dès que la mince tige atteint sa hauteur définitive, les dernières amibes se transforment en fruit dont les capsules séminales contiennent des semences vivantes. Les capsules séminales disséminées par le vent sont transportées à un nouvel emplacement de pâturage. (...) Le facteur de signification qui, chez les champignons adultes, régit tout, est le vent contre lequel le végétal pousse avec une précision étonnante”. *Ibid.*, p. 104-105. Here, the development of the slime mold (the distribution in various areas, the construction of a sort of scale, etc.) is directed toward an end, i.e., “the transportation of the living spores by the wind” (this natural element playing here the role of a meaning factor, i.e., a carrier of meaning): “Les amibes qui se réunissent en un nouveau sujet unitaire ne sont plus réglées sur le porteur de signification “nourriture” mais sur le facteur de signification “vent” dans la direction duquel leur croissance s'accomplit. Le carillon du stade amibien, qui se manifestait par le tintement désordonné des cloches cellulaires, compose soudain une mélodie unique, une nouvelle règle de signification qui relie entre elles les deux règles élémentaires du vent d'une part, de la libre formation cellulaire d'autre part et qui les promeut à une nouvelle unité subjective”. *Ibid.*, p. 129. In this sense, it seems that the equivalence between rhythm and end is much closer to the Ruyer's concept of “theme” than to the Deleuze's conception of “rhythm” which rids itself of the finalist dimension. On the notion of theme, see, RUYER Raymond, *La Genèse des Formes Vivantes*, Paris, Flammarion, Bibliothèque de Philosophie Scientifique, 1958.

sensory cells of the brain. These excitations are transformed into perceptive signs by the carillon in function to its own rhythms (rhythms thanks to which cells of the brain are connected). This rhythm is then projected onto objects, as various perceptive marks composing together an associated milieu. In this sense, this milieu is effectively building on a rhythm, which is the projection of brain's cells' own rhythm: "These self-tones of the living cellular bells are connected with each other through rhythms and melodies, and these are what allow them to sound in the environment"¹⁸⁵⁹.

To summarize this point, it can be said that rhythm has a power of synthesis, a power of giving a certain order within intensive matter, an order by which milieu are formed and consolidated. Notwithstanding this consolidation, this *order* is not equivalent to measure (*mesure*).

*"On sait bien que le rythme n'est pas mesure ou cadence, même irrégulière: rien de moins rythmé qu'une marche militaire. Le tam-tam n'est pas 1-2, la valse n'est pas 1, 2, 3, la musique n'est pas binaire ou ternaire, mais plutôt 47 temps premiers, comme chez les Turcs. (...) La mesure est dogmatique, mais le rythme est critique, il noue des instants critiques, ou se noue au passage d'un milieu dans un autre. Il n'opère pas dans un espace-temps homogène mais avec des blocs hétérogènes"*¹⁸⁶⁰.

Measure, for Deleuze, is the "*division régulière du temps, un retour isochrone d'éléments identiques*"¹⁸⁶¹. Indeed, a musician defines measure as a division of the musical time into strictly equal intervals by bar lines. On the contrary, much more freely, rhythms imply a certain inequality – that is the reason why Deleuze gives the example of the "oriental rhythm" in which asymmetry prevails¹⁸⁶². This difference is well illustrated by the example of walking¹⁸⁶³: contrary to the military march in which the distance between each step is perfectly equal, walking is defined as a succession of falls which the feet prevent and in which the distance is unequal¹⁸⁶⁴. It is by this prosaic activity that certain sort of milieu is formed. For example, Uexküll claims that "familiar paths" are milieu constituted by a subject which is walking. He describes how they stem from the rhythmicity of walking steps. These milieus are made up of three sorts of perceptive marks: 1° visual 2° the directional planes of a coordinate system 3° the directional step¹⁸⁶⁵. A path can be defined as a set of segments drawn in space with either our hands or feet, for example, when we feel our way along in the dark. The direction of each walking step is known by the sensation of direction. There are, in

1859 UEXKÜLL Jacob Von, *A Foray into the Worlds of Animal and Humans*, op. cit., p. 166. "les tonalités individuelles des cloches cellulaires vivantes sont reliées entre elles par des rythmes et des mélodies et ce sont ces rythmes et ces mélodies qu'elles font résonner dans le milieu." UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, op. cit., p. 125.

1860 DELEUZE and GUATTARI, *MP*, p. 385.

1861 DELEUZE Gilles, *DR*, p. 33.

1862 JARGY Simon, *La Musique Arabe*, Paris, PUF, Que sais-je?, 1988 3rd ed., [1971].

1863 Chronobiology perhaps gives us another example : it seems that in circadian rhythms, periods (i.e., time intervals between two identical aspects of the phenomena studied) are approximative and not strictly equals. This is why the term "circadian" is composed of the latin terms "*dies*" (jour) and the prefix "circa-" (environ). REINBERG, Alain, GUERIN Nicole and BOULENGUIEZ Suzanne, "La chronobiologie: organisation temporelle des êtres vivants", in *Enfance*, T. 47, n°4, 1994. pp. 370-376.

1864 MESSIAEN Olivier and SAMUEL Claude, *Entretiens avec Olivier Messiaen*, Paris, Belfond, Entretiens, 1967, p. 65 sq.

1865 UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, op. cit., p. 63.

total, six directions: the right, the left, upward, downward, forward and backward. This directional step and the repetition of the route makes it possible to remember the path already taken, such paths quickly become “familiar paths”¹⁸⁶⁶. The milieu is here made up of the unequal rhythms of the walker's steps. And here too lies the difference with military spaces where the road is marked with the same boundary markers at equal intervals,¹⁸⁶⁷ and the rest of the space is divided into equal squares (this is perhaps the reason why it is difficult to dwell in such spaces).

For Deleuze, it is precisely through such “repetition-rhythms”, in which intervals are unequal, that *a difference is produced*. The production of this difference likewise produces a milieu, which itself stems from the contraction of certain components. Lastly, such a repetition can be said to differ from a “measure-repetitions” by the fact that it is both productive and evolutive whereas the latter is reproductive (it always repeats and reproduces the same repetition)¹⁸⁶⁸.

I.3) Codes

As argued, milieu are determined by periodic repetition, thus, rhythms. What we will now demonstrate is why this type of repetition is identifiable to code, or, more precisely, why code is defined as a periodic repetition: “*chaque milieu est codé, un code se définissant par la répétition périodique (...)*”¹⁸⁶⁹.

Such a claim is quite strange since in other definitions of code, given by Deleuze, the

¹⁸⁶⁶*Ibid.*, p. 30. It should be noted that here, Uexküll gives a biological interpretation of the kantian doctrine of time and space: “(...) sans un sujet vivant, le temps ni l'espace n'existent. Par là, la biologie trouve accès à la doctrine de Kant qu'elle va scientifiquement exploiter dans la théorie des milieux en insistant sur le rôle décisif du sujet. (...) Trop souvent nous nous imaginons que les relations qu'un sujet d'un autre milieu entretient avec les choses de son milieu prennent place dans le même espace et dans le même temps que ceux qui nous relient aux choses de notre monde humain. Cette illusion repose sur la croyance en un monde unique dans lequel s'emboîteraient tous les êtres vivants. De là vient l'opinion commune qu'il n'existerait qu'un temps et qu'un espace pour tous les êtres vivants. (...) Qu'un tel espace ne puisse pas exister, c'est ce qui ressort déjà du fait que tout homme vit dans trois espaces qui ne se pénètrent, se complètent, mais se contredisent aussi dans une certaine mesure”. *Ibid.*, pp. 28-30. Here Uexküll refers to the active space, the visual space, and the tactile space. The role of walking steps in the formation of milieux will be confirmed by Leroi-Gourhan: “Au piétinement qui constitue le cadre rythmique de la marche, s'ajoute donc chez l'homme l'animation rythmique du bras; alors que le premier régit l'intégration spatio-temporelle et se trouve à la source de l'animation dans le domaine social, le mouvement rythmique du bras ouvre une autre issue, celle d'une intégration de l'individu dans un dispositif créateur non plus d'espace et de temps, mais de formes. La rythmicité du pas a finalement abouti au kilomètre et à l'heure, la rythmicité manuelle a conduit vers la capture et l'immobilisation des volumes, source d'une réanimation purement humaine”. LEROI-GOURHAN André *Le Geste et la Parole*, t. II: *La Mémoire et les Rythmes*, Paris, Albin Michel, Sciences d'aujourd'hui, 1965, p. 136.

¹⁸⁶⁷BACHELARD Gaston, *La Dialectique de la Durée*, Paris, PUF, Bibliothèque de Philosophie Contemporaine, 1963 [1936] p. 118: “M. Emmanuel montre le rôle exagéré de la barre de mesure: il faut, dit-il, “lui fermer la porte lorsqu'elle prétend pénétrer dans le sanctuaire rythmique. Elle ne remplit qu'un bas office ; elle est métronomique ; elle jalonne la route régulièrement et elle n'a, pas plus que les bornes militaires, le droit de se réclamer du paysage”

¹⁸⁶⁸DELEUZE and GUATTARI, *MP*, p. 386.

¹⁸⁶⁹*Ibid.*, p. 384.

repetitive dimension seems *quasi* absent. Generally, Deleuze defines code as an operation by which of hyletic flows are qualified:

“(…) l’opération propre à un code c’est d’opérer une qualification des flux, indépendamment de leur rapport, c’est à dire que le rapport entre flux codés va découler de la qualification de ces flux par le code. Par exemple, dans tel ou tel type de société primitive où l’on distingue par exemple une machine à trois ou quatre flux, c’est à dire : flux d’objets de consommation, flux d’objets de prestige, et flux de droits sur des êtres humains (mariages, descendance, femmes, enfants, etc.); je dis que le code opère un codage, c’est à dire une qualification de ce flux dont chacun a son circuit propre et les rapports entre ces flux, et les lieux où s’établissent le rapport dépendant étroitement de la qualification première qu’ils reçoivent en vertu du code, par exemple : en certains endroits, généralement à la périphérie du territoire du groupe, des échanges peuvent se faire entre objets de prestige et objets de consommation. De tels rapports entre prélèvements sur les flux sont étroitement déterminés par la qualité des flux et le circuit autonome que chacun possède. Il faudrait dire que le code est un système indirect de rapports qui découlent de la qualification des flux telle que le code l’opère”.¹⁸⁷⁰

Here, Deleuze bases his remarks on studies dealing with pre-capitalist society's economy as, for example, on writers such as Paul Bohannan, Richard Salisbury or Maurice Godelier. P. Bohannan claims that among the Tiv of North Nigeria, goods are divided in three categories : 1° subsistence goods (slaves, cattle, white cloth, metal bars) 2° prestige goods, 3° the right to persons other than slaves (especially women)¹⁸⁷¹. Each category has its own form of circulation, this circulation being relatively closed on itself. For Deleuze, these goods are hyletic flows (because they circulate within the social field) and, as such, different codes qualify different types of flows. For example, one code may qualify the hyletic flow of goods as a flow of prestige goods and not as a flow of consumer goods. On the contrary capitalism rids itself of such an operation by which different categories of goods (and their flow) are qualified, reducing all to a common denominator, *i.e.*, money¹⁸⁷². Qualifying the flows, codes perform the function of channelling them¹⁸⁷³. That is,

¹⁸⁷⁰DELEUZE Gilles, *Cours à l'Université de Vincennes* (07/03/1972), <https://www.webdeleuze.com/textes/160>. This text is quoted by SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, p. 658. See also: “un code en premier lieu détermine la qualité respective des flux qui passent par le socius (par exemple, les trois circuits de biens de consommation, de biens de prestige, de femmes et d'enfants) ; l'objet propre du code est donc d'établir des rapports nécessairement indirects entre ces flux qualifiés et, comme tels, incommensurables. De tels rapports impliquent bien des prélèvements quantitatifs sur les flux de différentes sortes, mais ces quantités n'entrent pas dans des équivalences qui supposeraient “quelque chose” d'illimité, elles forment seulement des composés eux-mêmes qualitatifs, essentiellement mobiles et limités, dont la différence des éléments compense le déséquilibre (ainsi le rapport du prestige et de la consommation dans le bloc de dette fini). Tous ces caractères du rapport de code, indirect, qualitatif et limité, montrent suffisamment qu'un code n'est jamais économique, et ne peut pas l'être : il exprime au contraire le mouvement objectif apparent d'après lequel les forces économiques ou les connexions productives sont attribuées, comme si elles en émanaient, à une instance extra-économique qui sert de support et d'agent d'inscription”. DELEUZE Gilles and GUATTARI Félix, *L'Anti-Œdipe. Capitalisme et Schizophrénie 1*, Paris, Minuit, Critique, Paris, 1972, 2nd edition (expanded) 1973, p. 294 (from now, abbreviated as follows : DELEUZE and GUATTARI, AO).

¹⁸⁷¹BOHANNAN Paul, “Some Principles of Exchange and Investment among the Tiv”, *American Anthropologist*, New Series, Vol. 57, n° 1, Part 1, Feb., 1955, pp. 60-70.

¹⁸⁷²“D'abord, la monnaie comme équivalent général représente une quantité abstraite indifférente à la nature qualifiée des flux. (...) Les études de Bohannan sur les Tiv du Niger, ou de Salisbury sur les Siane de la Nouvelle-Guinée, ont montré combien l'introduction de la monnaie comme équivalent, qui permet de commencer avec de l'argent et de finir avec de l'argent, donc de ne jamais finir, suffit à perturber les circuits de flux qualifiés, à décomposer les blocs finis de dette et à détruire la base même des codes.” DELEUZE and GUATTARI, AO, p. 296.

¹⁸⁷³“coder les flux du désir, les inscrire, les enregistrer, faire qu'aucun flux ne coule qui ne soit tamponné, canalisé, réglé.”, *Ibid.*, p. 40.

they either decrease the rate of flow or increase it (blocking a part of it and letting pass another, such as one does with the flow of water from the tap)¹⁸⁷⁴, they cross them or separate them into autonomous lines. It could be said that codes inform these flows, giving them a certain shape, a certain configuration, or a certain order.

The definition of code as a periodic repetition can likewise be found in the theory of Markoff Chains, a theory used by Deleuze to define the process of coding in *Anti-Oedipe*¹⁸⁷⁵: “*Le code ressemble moins à un langage qu'à un jargon, formation ouverte et polyvoque. (...) C'est tout un système d'aiguillages et de tirages au sort qui forment des phénomènes aléatoires partiellement dépendants, proches d'une chaîne de Markoff*”¹⁸⁷⁶. A Markoff chain is an “open” form that mixes chance and dependence¹⁸⁷⁷. It is an *algorithm*, an *iterative procedure* that connects and contracts various elements together, the relations between these elements being at the same time dependant and random. These machines were firstly applied to linguistic mechanisms: they were used to represent, through a probabilistic schema, the distribution of vowels and consonants in novels as well as to pastiche languages¹⁸⁷⁸. They are based on the idea that, for a given language (for example, French), there are constants in the succession of some letters as well as some words. In other words, for a given letter, there is a certain probability that another letter would follow it. For example, in French, *q* is always followed by *u* (therefore, in almost 100% of cases *u* follows if *q*); likewise, in 50% of the cases, *h* is placed before *c*, etc. A systematisation of these constants can be obtained by a statistical study of French.

Now, let's take the example of a Markoff chain which would pastiche Latin in order to figure out how the procedures are executed¹⁸⁷⁹. Various trigrams (a cryptologist term for an association of three letters) are written on pieces of paper, each trigram being repeated according to the frequency given by statistical study. Next, all these papers are placed in boxes arranged in the alphabetic order of the trigram's first two letters. For example, the box BU will contain the following trigram: IBA, IBL, IBR, IBU, etc. The box IB will contain IBA, IBL, IBR, IBU, etc.

Next, someone draws a trigram from one of these boxes chosen at random. Suppose that IBU is drawn. The last two letters are identified (BU) and the operation is repeated in the box called

1874“*Pour que des flux soient codables, il faut que leur énergie se laisse quantifier et qualifier — il faut que des prélèvements de flux se fassent en rapport avec des détachements de chaîne — il faut que quelque chose passe, mais aussi que quelque chose soit bloqué, et que quelque chose bloque ou fasse passer.*” *Ibid.*, p. 192.

1875For the interpretation of codes based on Markoff chains, see SAUVAGNARGUES Anne, *Deleuze et l'Art*, Paris, PUF, Lignes d'art, 2005, pp. 184-189.

1876DELEUZE and GUATTARI, *AO*, pp. 46-47.

1877RUYER Raymond, *La Genèse des Formes Vivantes*, *op. cit.*, p. 171. See also DELEUZE and GUATTARI, *AO*, pp. 46-47: “*Le code ressemble moins à un langage qu'à un jargon, formation ouverte et polyvoque. (...) C'est tout un système d'aiguillages et de tirages au sort qui forment des phénomènes aléatoires partiellement dépendants, proches d'une chaîne de Markoff.*”

1878GUILBAUD Georges Théodule, *La Cybernétique*, Paris, PUF, Que sais-je ?, 1957 [1954].

1879*Ibid.*, pp. 82-83.

BU. Suppose that the BUS is drawn: in this case another trigram will have to be drawn from the box called US, etc. At the end of the procedure the following sentence will be obtained:

“...IBUS. CENT. IPITIA. VETIS. IPSE. CVM. VITIVS. SE. ACETITI. DEVENTUR...”

Someone who has an idea of what Latin and is without ever having practised it will probably believe that he is reading the language of Tite-Live. Here, the succession of letters is semi-random because they are drawn by chance; nevertheless, because the trigrams and boxes are arranged according to the frequency of the language which is being imitated, there is a certain dependence between the letters and thus, a certain order. Indeed, if the succession of the letters was totally random, the result would never look like any language (as in this famous Cicero's text in which the Roman philosopher compares the atomist with someone who thinks he could write *The Annals* of Ennius by throwing on the floor, at random, some of the twenty one letters of the alphabet¹⁸⁸⁰). As we have already mentioned, it is a mix of both chance and dependence, of order and disorder.

Now, if code is thought of in terms of Markoff chains, it becomes easier to understand why Deleuze defines it as a periodic repetition. Indeed, the succession of letters are produced by a double repetition: the iteration of the procedure and the repetition of the last two letters. Consequently, the fact that repetition characterises code seems to be confirmed by such chains since the Markoff chain codes series of letters (flows of letters, should we say) by repetition. And it is through this repetition that the code gives a configuration, an organisation, an order to hyletic matter (intensive matter). It thus produces a *difference* by the contraction and synthesis of the basic components (here, the letters).

The question that arises in relation to milieu is how can coding of a milieu by a Markoff chain be illustrated? Raymond Ruyer, whose work is used by Deleuze to construct the concept of code, claims that Markoff chains can be applied to cultural as well as biological phenomenon, especially to morphogenesis. He takes, as an example, the wing patterns of a butterfly: in this intermediary milieu these patterns are produced both at random while also being characterised by a certain order. As such, the formation of the pattern is governed by a code, which mixes both random and ordered elements. As Ruyer writes, these forms have “*une unité non rigide, “où l'indécis au précis se joint”*”, i.e. code¹⁸⁸¹. Code, in this sense, does not only rule morphogenesis but also certain behaviours connected to these milieu. For instance, an animal (here, the internal milieu) performs such and such an action from a set of behaviour according to their frequency and their

1880CICERO, *The Nature of the Gods*, trans. P. G. Walsh, Oxford, Oxford University Press, Oxford World's Classic, 1998, p. 80. Quoted by GUILBAUD Georges Théodule, *La Cybernétique*, op. Cit., p. 77.

1881RUYER Raymond, *La Genèse des Formes Vivantes*, op. cit., p. 186.

probability. The chosen action leads to another which repeats the first one's theme, and so on. These actions are linked together in a behavioural chain determined by the code(it should be noticed that indigenous hunters mimic these chains in order to catch their preys)¹⁸⁸². Here, behaviour is not a succession of actions effectuated at random: faced with a non standardised *Umwelt* there is set of responses in which every sort of action is organised according to probabilities. Nevertheless, it is not totally stereotypical and predetermined since by responding to the milieu in which the animal lives, a certain margin for improvisation remains.

The concept of code has, therefore, two aspects: on the one hand, codes qualify flows, and on the other hand, much like Markoff chains, they proceed by repetition. The articulation of these two sides of the concept of code could be expressed as follows: through repetition, codes give a configuration to the flow. Following from this, we would like to offer a hypothesis and to reintroduce the notion of rhythm within this conceptual architecture. This task, is fairly straightforward since periodic repetitions are already forms of rhythms and rhythms are not restricted just to the combination of milieus (that is, a two series of repetitions). The problem, however, is that, to the best of our knowledge, there are no text in which Deleuze qualifies the repetitive aspect of codes (by which flows are informed) as a rhythmic. That being said, there is a passage from *Mille Plateaux. Capitalisme et schizophrénie 2*, in which the concept of flow is associated with the notion of rhythm:

“(…) les études récentes sur le rythme, sur l'origine de cette notion, ne nous semblent pas entièrement convaincantes. Car on nous dit que le rythme n'a rien à voir avec le mouvement des flots, mais désigne la 'forme' en général, et plus spécialement la forme d'un mouvement 'mesuré, cadencé'. Pourtant, rythme et mesure ne sont jamais confondus. Et si l'atomiste Démocrite est précisément un des auteurs qui emploient rythme au sens de forme, on ne doit pas oublier que c'est dans des conditions très précises de fluctuation, et que les formes d'atomes constituent d'abord de grands ensembles non métriques, des espaces lisses tels que l'air, la mer ou même la terre (magnae res). Il y a bien un rythme mesuré, cadencé qui renvoie à l'écoulement du fleuve entre ses rives ou à la forme d'un espace strié; mais il y a aussi un rythme sans mesure, qui renvoie à la fluxion d'un flux, c'est-à-dire à la façon dont un fluide occupe un espace lisse”.¹⁸⁸³

In this passage from the “Plateau” entitled “La Ritournelle”, Deleuze criticises one of Benveniste's articles in which the latter denies the etymological connection between the notions of rhythm and the regular movement of swells. Indeed, from the origin to the Attic period, *rythmos* never meant “rhythm”: it is never used to mean “swells of movement” and *rein* is never employed to mean “sea”. According to Benveniste, *rythmos* means “form”. Nevertheless, the same term differs from the other Greek terms we use to translate form (*skhêma*, *morphè*, *eidos*). Indeed, *rythmos* differs from *skhêma*, the latter being a fixed form, the former being a form of a movement. Plato, Benveniste claims, employs the substantive *rythmos* for the form of movement in dance.

1882 *Ibid.*, p. 172-173. It should be noted that these behaviour chains apply also to cultural behaviours : *Ibid.*, p. 179-180.

1883 DELEUZE and GUATTARI, *MP*, p. 450.

Here, corporal rhythm is associated to *metron* and is ruled by the law of number. Thus, this type of form is subjected to strict “measure”¹⁸⁸⁴. This connection between rhythm, form and measure is unacceptable for Deleuze. As we have already seen, rhythm cannot be reduced to the rigidity of measure. Rhythm, for him, has to be said of a flow: it is a way of flowing, the configuration taken by a flow. Indeed, a flow acquires a specific configuration, a certain way of flowing. But the configuration given to the flow is not the result of an external form applied onto the matter, something that constrains it from the outside. Instead, flow is informed by its own internal fluctuations, by the periodic repetition to which it is subject, in other words, by its own rhythm (the way a river flows is determined more by the rhythm of its variations and fluctuations than by the banks framing as a form moulds passive matter). It is more a question of the “fluxion of the flow”. Such a flow acquires immanently its own rhythm and thus acquires, by itself (and not by the external form of the riverbanks), a certain configuration within a specific space that Deleuze calls “smooth space”. For instance, it could be argued that a buffalo herd, considered as a flow, differs from the caribou herd more by the way in which it flows than by its components – and the same is to be said concerning flows of goods. To give another example, a lava slide is characterised by a rhythm that is its own and differs from another (for instance, a mudslide). Therefore, rhythm qualifies a flow, to gives it a certain configuration, a certain organisation, a certain order that makes it different from other flows.

In this sense, Deleuze and Guattari do not totally disagree with Benveniste (they only say that “*les études récentes sur le rythme, sur l'origine de cette notion, ne nous semblent pas entièrement convaincantes*”¹⁸⁸⁵). According to the French linguist, rhythm is a form taken by a mobile, moving, fluid (“*la forme de ce qui n'a pas de consistance organique*”); it is a pattern taken by a fluid element, a specific way of flowing (“*une manière particulière de fluer*”)¹⁸⁸⁶. Thus, it seems that Deleuze and Guattari reject Benveniste's concept of rhythm more because of the connection he makes between rhythm and measure (and additionally, the disconnection between rhythm and flow) than the connection between rhythm and form. Indeed, it would seem as though they admit idea that a rhythm in-forms a movement, a flow. However, if rhythm really can be defined as a form 1° it is not a fix form that stops the flow flowing, fixing it, but a form of movement; 2° and this form is not informing the flow from the outside: flows, by periodic repetition, takes a certain configuration from within¹⁸⁸⁷.

If our reading of this passage is correct, then, it becomes possible to understand how codes

1884BENVENISTE Emile, “La notion de “rythme” dans son expression linguistique”, in *Problèmes de linguistique générale*, T. I, Gallimard, Tel, 1976 [1966], pp. 327-335.

1885DELEUZE and GUATTARI, *MP*, p. 450.

1886BENVENISTE Emile, “La notion de “rythme” dans son expression linguistique”, *op. cit.*, p. 333.

1887DELEUZE and GUATTARI, *MP*, p. 404.

informs flow through rhythms. That is, though periodic repetitions, a code gives a rhythm to a flow and as a result gives it a specific configuration.

I.4) Transcoding and Communication between Milieu

We have thus far tried to explain why codes, and the codes that configure milieu, are defined both by rhythm and repetition. We have shown how codes qualify hyletic flows by giving them an internal rhythm. Importantly, the configurations of hyletic flows should be understood as Markoff chains that proceed by repetition. This clarification was essential to understand how codes give such a configuration to milieu. Nevertheless, as noted by Sibertin-Blanc, it is also necessary to note that such an explanation proceeds by abstraction¹⁸⁸⁸. Indeed, we described how a code works, how it configures a milieu, without taking into account its relations with other codes and other milieu. In other words, in order to define it, we abstracted code from its relation with other codes, whereas, a code and the milieu it shapes are always in a close interaction with others and each of them are constantly communicating together:

*“Nous avons vu dans une autre occasion comment toutes sortes de milieux glissaient les uns par rapport aux autres, les uns dans les autres, chacun défini par une composante.”*¹⁸⁸⁹

*“Chaque milieu est codé, un code se définissant par la répétition périodique ; mais chaque code est en état perpétuel de transcodage ou de transduction. Le transcodage ou transduction, c'est la manière dont un milieu sert de base à un autre, ou au contraire s'établit sur un autre, se dissipe ou se constitue dans l'autre. Justement la notion de milieu n'est pas unitaire : ce n'est pas seulement le vivant qui passe constamment d'un milieu à un autre, ce sont les milieux qui passent l'un dans l'autre, essentiellement communicants.”*¹⁸⁹⁰

The claim that milieus slide over one another and cannot be isolated from others may be understood in several ways. First, all milieu are intrinsically relative: *“La strate organique n'est pas plus séparable de milieux dits intérieurs, et qui sont en effet des éléments intérieurs par rapport à des matériaux extérieurs, mais aussi des éléments extérieurs par rapport à des substances intérieures”*.¹⁸⁹¹ For instance, an organism can be an external milieu for another living being which lives within it; and at the same time, the same organism can be an internal milieu if it is considered in relation to its own external milieu. For example, a cell is an external milieu for intracellular constituents, but it is at the same time an internal milieu living within the organism. Secondly, the cell constitutes an internal milieu when it is replaced within the organism that constitutes its external environment (*i.e.* its external milieu)¹⁸⁹². As Simondon writes, there are various levels of

1888SIBERTIN-BLANC Guillaume, *Politique et Clinique, op. cit.*, pp. 221-222.

1889DELEUZE and GUATTARI, *MP*, p. 384.

1890*Ibid.*, p. 384.

1891*Ibid.*, p. 66-67.

1892“Le rapport biologique entre l'être et son milieu est un rapport fonctionnel, et par conséquent mobile, dont les

interiority and exteriority, each of the levels being relative to a limit, *i.e.*, the membrane¹⁸⁹³. Indeed, in the case of a simple organism, the membrane produces a polarity defining a direction toward the inside and a direction toward the outside. But with complex organisms, the relation between interiority and exteriority become more complex: there is “*une médiation transductive d'intériorités et d'extériorités allant d'une intériorité absolue à une extériorité absolue à travers différents niveaux médiateurs d'intériorité et d'extériorité relative*”¹⁸⁹⁴. The first structure (the simple organism), in which an inside and an outside are delimited by the membrane, is reproduced and shifted by transduction along a chain of interiority and exteriority whose ends are an absolute exterior and an absolute interior. Here, the term “transduction” helps to understand Deleuze's concept of “transcodage”. Simondon defines it as “*une opération, physique, biologique, mentale, sociale, par laquelle une activité se propage de proche en proche à l'intérieur d'un domaine, en fondant cette propagation sur une structuration du domaine opérée de place en place*”¹⁸⁹⁵. The first structure spreads gradually (“*de proche en proche*”) and creates a great chain of interiorities and exteriorities. By the process of transduction, all levels communicate together. Here, we reach a dimension of transduction which is of particular interest to Deleuze: it brings disparate orders into communication¹⁸⁹⁶ (here, the different levels of interiority and exteriority, *i.e.*, the different milieus).

termes s'échangent successivement leur rôle. La cellule est un milieu pour les éléments infracellulaires, elle vit elle-même dans un milieu intérieur qui est aux dimensions tantôt de l'organe et tantôt de l'organisme, lequel organisme vit lui-même dans un milieu qui lui est en quelque façon ce que l'organisme est à ses composants”. CANGUILHEM Georges, “Le vivant et son milieu”, *op. cit.*, p. 184.

1893SIMONDON Gilbert, *ILF1*, p. 223-226. For Deleuze's commentary on this text, see the following passage of *Logique du Sens*: “*Tout se passe à la surface dans un cristal qui ne se développe que sur les bords. Sans doute n'en est-il pas de même d'un organisme; celui-ci ne cesse de se recueillir dans un espace intérieur, comme de s'épandre dans l'espace extérieur, d'assimiler et d'extérioriser. Mais les membranes n'y sont pas moins importantes : elles portent les potentiels et régénèrent les polarités, elles mettent précisément en contact l'espace intérieur et l'espace extérieur indépendamment de la distance. L'intérieur et l'extérieur, le profond et le haut n'ont de valeur biologique que par cette surface topologique de contact. C'est donc même biologiquement qu'il faut comprendre que “le plus profond, c'est la peau”. La peau dispose d'une énergie potentielle vitale proprement superficielle*”. DELEUZE Gilles, *Logique du Sens*, Paris, Minuit, Critique, 1969, pp. 125-126 (from now on, abbreviated as DELEUZE Gilles, *LS*).

1894SIMONDON Gilbert, *ILF1*, pp. 225.

1895SIMONDON Gilbert, *ILF1*, pp. 32-33.

1896This idea of communication between different orders is explained in the following text : “*Elle n'est pas non plus comparable à l'induction, car l'induction conserve bien les caractères des termes de réalité compris dans le domaine étudié, tirant les structures de l'analyse de ces termes eux-mêmes, mais elle ne conserve que ce qu'il y a de positif, c'est-à-dire ce qu'il y a de commun à tous les termes, éliminant ce qu'ils ont de singulier; la transduction est, au contraire, une découverte de dimensions dont le système fait communiquer celles de chacun des termes, et telles que la réalité complète de chacun des termes du domaine puisse venir s'ordonner sans perte, sans réduction, dans les structures nouvelles découvertes; la transduction résolutrice opère l'inversion du négatif en positif: ce par quoi les termes ne sont pas identiques les uns aux autres, ce par quoi ils sont disparates (au sens que prend ce terme en théorie de la vision) est intégré au système de résolution et devient condition de signification; il n'y a pas appauvrissement de l'information contenue dans les termes ; la transduction se caractérise par le fait que le résultat de cette opération est un tissu concret comprenant tous les termes initiaux; le système résultant est fait de concret, et comprend tout le concret; l'ordre transductif conserve tout le concret et se caractérise par la conservation de l'information, tandis que l'induction nécessite une perte d'information (...)*”. SIMONDON Gilbert, *ILF1*, p. 34. The following example illustrates quite well this idea: “*un végétal institue une médiation entre un ordre cosmique et un ordre infra-moléculaire, classant et répartissant les espèces chimiques contenues dans le sol et dans l'atmosphère au moyen de l'énergie lumineuse reçue dans la photosynthèse. Il est un nœud interélémentaire, et il se développe comme résonance interne de ce système préindividuel fait de deux couches de réalité primitivement sans*

To understand what this permanent connection between milieu is exactly, it is useful to analyse the examples given by Deleuze and Guattari:

*“Le premier cas renverrait au rapport feuille-eau, mais le deuxième au rapport araignée-mouche. On a souvent remarqué que la toile d'araignée impliquait dans le code de cet animal des séquences du code même de la mouche; on dirait que l'araignée a une mouche dans la tête, un “motif” de mouche, une “ritournelle” de mouche. L'implication peut être réciproque, comme dans la guêpe et l'orchidée, la gueule de loup et le bourdon. J. Von Uexküll a fait une admirable théorie de ces transcodages, en découvrant dans les composantes autant de mélodies qui se feraient contrepoint, l'une servant de motif à l'autre et réciproquement: la Nature comme musique. Chaque fois qu'il y a un transcodage, nous pouvons être sûrs qu'il n'y a pas une simple addition, mais constitution d'un nouveau plan comme d'une plus-value. Plan rythmique ou mélodique, plus-value de passage ou de pont (...)”*¹⁸⁹⁷

According to Uexküll, the spider includes into the web's form/function some dimensions of the fly's milieu, similar to a tailor who takes the measurements of the client's body. First, it integrates the internal milieu of the fly, that is to say, the size of its body: “it [the spider] determines the size of the mesh according to the size of the fly's body. It measures the resistance of the threads it spins by the living power of the fly's body in flight.”¹⁸⁹⁸ Beyond the internal milieu, the spider also includes the fly's associated milieu into the web's configuration. For instance, the arachnid spins fine threads in such a way that the fly's eyes cannot see them. Therefore, it takes into account the totality of the elements that possess signification for the fly and to which it reacts (for instance, in this perceptive world which is composed of the totality of the perceptive and active marks, only objects of a certain size are included, those which are visible to the fly's perceptive apparatus), and it spins a web whose structure has no signification for it (*i.e.* which is not part of its associated world). To be more precise, the fly's associated milieu is negatively included into the spider's web (into its own associated milieu). The spider manages to capture, in its own world, something of the fly's world. In Deleuze's terms, the spider includes some fragments of the fly's code into the code that determines its own milieu. Given that codes are rhythms by which a configuration of a milieu is given, it can be said that both the rhythm of the spider and the fly are connected¹⁸⁹⁹.

communication. Le nœud inter-élémentaire fait un travail intra-élémentaire.” Ibid., p. 34-35. See also DELEUZE and GUATTARI, MP, p. 78 : “Le développement de la strate en épistrates et parastrates se fait alors non plus par de simples inductions, mais par des transductions qui rendent compte, et de l'amplification de résonance entre moléculaire et molaire indépendamment des ordres de grandeur, et de l'efficacité fonctionnelle des substances intérieures indépendamment des distances, et de la possibilité d'une prolifération et même d'un entrecroisement des formes indépendamment des codes (les plus-values de code ou phénomènes de transcodage, d'évolution parallèle (...).”

¹⁸⁹⁷Ibid., p. 386.

¹⁸⁹⁸UEXKÜLL Jacob Von, *A Foray into the Worlds of Animal and Humans*, op. cit., p. 158. See the french translation : “elle détermine (...) la grosseur des mailles selon les dimensions du corps de la mouche. Elle mesure la résistance des fils qu'elle a tissés à la force vivante d'un corps de mouche en train de voler.” UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, op. cit., p. 117.

¹⁸⁹⁹“le processus du développement obéit à une partition qu'on ne peut observer sensoriellement, mais qui va constituer le monde sensoriel. Cette partition gouverne aussi bien l'étendue spatiale et temporelle de son matériel cellulaire qu'elle régit les caractéristiques. Il y a donc une partition originelle pour la mouche, comme il en existe une pour l'araignée. Or, je prétends que la partition originelle de la mouche (...) agit de telle sorte sur la partition originelle de l'araignée que la toile que tisse cette dernière peut être qualifiée de “mouchière”. Derrière le rideau des phénomènes, les divers images originelles ou les diverses mélodies originelles s'associent selon un plan de

Nevertheless, the nature of this association needs to be clarified. Indeed, according to Deleuze, rhythms are not associated by an subsumption under a superior form or by a common measure which is supposed to unify them. In other words, their difference is not reduced to a common denominator¹⁹⁰⁰. Consequently, another way of thinking this association of rhythms needs to be determined. Deleuze finds it in Uexküll theory of composition by counterpoint:

*“Uexküll développe une conception de la Nature mélodique, polyphonique, contrapuntique. Non seulement le chant d'un oiseau a ses rapports de contrepoint, mais il peut en trouver avec le chants d'autres espèces, et peut lui-même imiter ces autres chants comme s'il s'agissait d'occuper un maximum de fréquences. La toile d'araignée contient “un portrait très subtil de la mouche” qui lui sert de contrepoint. La coquille comme maison du mollusque devient, lorsqu'il est mort, le contrepoint du Bernard-l'hermite qui en fait son propre habitat, grâce à sa queue qui n'est pas natatoire, mais préhensible, et lui permet de capturer la coquille vide. La Tique est organiquement construite de manière à trouver son contrepoint dans le mammifère quelconque qui passe sous la branche, comme les feuilles de chêne rangées à la manière de tuiles, dans les gouttes de pluie qui ruissellent. Ce n'est pas une conception finaliste, mais mélodique, où l'on ne sait plus ce qui est de l'art ou de la nature (“la technique naturelle”): il y a contrepoint chaque fois qu'une mélodie intervient comme “motif” dans une autre mélodie, comme dans les noces du bourdon et de la gueule de loup.”*¹⁹⁰¹

The counterpoint is a method of composition: it is a set of rules and principles by which heterogeneous melodic lines are connected and superimposed in order to obtain a coherent system without homogenizing these lines and removing their heterogeneity. It is a rule by which disparate orders are connected without reducing their own heterogeneity to the homogeneity of a measure¹⁹⁰². The counterpoint relationship between the bumblebee and the snapdragon blossom gives a good example of this specific communication between two worlds:

*“Comment se fait-il que deux choses d'origine aussi différente, par exemple, que le bourdon et la gueule-de-loup soient constituées de telle façon que les caractères de l'un s'accordent à ceux de l'autre? C'est que les deux mélodies de développement exercent l'une sur l'autre une influence réciproque, que la mélodie de la gueule-de-loup intervient comme motif dans celle du bourdon et inversement. Ce qui s'applique à l'abeille s'applique également au bourdon; si son corps n'était pas 'pour la fleur', il ne serait pas viable.”*¹⁹⁰³

Here, the emphasis is placed on the fact that the heterogeneity of the terms is not removed

signification englobant”. Ibid., 1965, p. 117.

1900“Quitte à aller dans un tout autre domaine, je pense que actuellement, quand les biologistes parlent des rythmes, ils retrouvent des questions analogues. Ils ont renoncé à croire eux aussi, que des rythmes hétérogènes puissent s'articuler en entrant sous la domination d'une forme unifiante. Les articulations entre rythmes vitaux, par exemples des rythmes de 24 heures, ils n'en cherchent pas l'explication du côté d'une forme supérieure qui les unifierait, ni même du côté d'une séquence régulière ou irrégulière de processus élémentaires. Ils les cherchent tout à fait ailleurs, à un niveau sub-vital, infra-vital, dans ce qu'ils appellent une population d'oscillateurs moléculaires capables de traverser des systèmes hétérogènes, dans des molécules oscillantes mises en couplage qui, dès lors, traverseront des ensembles et des durées disparates. La mise en articulation ne dépend pas d'une forme unifiable ou unificative, ni métrique ni cadence ni de mesure quelconque régulière ou irrégulière, mais de l'action de certains couples moléculaires lâchés à travers des couches différentes et des rythmicités différentes. Ce n'est pas seulement par métaphore qu'on peut parler d'une découverte semblable en musique : des molécules sonores, plutôt que des notes ou des tons purs. Des molécules sonores en couplage capable de traverser des couches de rythmicité, des couches de durées tout à fait hétérogènes. Voilà la première détermination d'un temps non pulsé”. DELEUZE Gilles, *Deux Régimes de Fous. Textes et Entretiens 1975-1995*, ed. David Lapoujade, Paris, Minuit, Paradoxe, 2003, pp. 143-144 (from now, abbreviated as follows: DELEUZE Gilles, *DRF*). Bachelard had already criticize this idea that rhythm would be connected via a common measure: BACHELARD Gaston, *La Dialectique de la Durée*, op. cit.

1901DELEUZE Gilles and GUATTARI Félix, *QPh*, pp. 175-176.

1902See UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, op. cit., p. 130 et sq., p. 148.

1903Ibid., p. 167.

by their connection. The following example insists more on the fact that, in this contrapuntal relation, a milieu captures the rhythm of another one and includes it in its own:

*“L'incompressibilité de l'eau constitue une condition préalable à la construction d'une poche natatoire musculaire. Les mouvements de pompe de la poche natatoire exercent une action mécanique sur l'eau incompressible et poussent l'animal en arrière. La règle commandant la constitution de l'eau de mer intervient comme élément de composition dans le carillon vivant des cellules protoplasmiques de l'embryon de pieuvre et impose à la mélodie du développement les contrepoints correspondant aux caractères de l'eau. Ce qui est produit d'abord, c'est l'organe dont les parois musculaires exercent sur l'eau incompressible des mouvements de pulsions alternés. La nage fournit ici la règle de signification qui relie l'un à l'autre point et contrepoint.”*¹⁹⁰⁴

The *octopus* includes into its own codes – which determines the functioning of the muscular swimming sac, *i.e.*, its internal milieu – the codes of its external milieu, *i.e.*, the constitution of water. Each individual being composed by a rhythm and each relationship they have together being contrapuntal, the whole nature has to be understood as a music score¹⁹⁰⁵.

So far we have demonstrated how both individuals and collectives live in milieu that are determined by a code, a code which configures their form through repetitions and rhythms, each of them being always already in a state of transcoding. However, while all relations between animals and their environment can be understood under the concept of milieu, and while each an individual has its own milieu, some of them possess something more than a milieu: a territory. As Deleuze writes:

*“Le territoire excède à la fois l'organisme et le milieu, et le rapport entre les deux; ce pourquoi l'agencement dépasse aussi le simple “comportement” (d'où l'importance de la distinction relative entre animaux de territoire et animaux de milieu.”*¹⁹⁰⁶

Uexküll had already raised this question. Thus, apart from the relation with a milieu, an individual can also have a relation with a territory, which they themselves create. Notwithstanding the acknowledgment of territory as an important concept, Uexküll never really dealt with the difference in any depth, he merely indicated its existence without really explaining the conceptual necessity of the distinction. After all, what is the difference between the living world of the tick throwing itself on its prey and the space in which lions hunt? Why should we use the term “territory” for the latter and the term “milieu” for the former? Moreover, in other disciplines such as anthropology and geography, the distinction is not really thematised. What this indicates, if not only slightly, is the fact the concept of milieu does not exhaust all the possibilities of thinking our relation with the environment. It does not explain the conceptual need of two categories when a

¹⁹⁰⁴*Ibid.*, p. 133.

¹⁹⁰⁵For another exemple of the connection between different milieu, see also the articulation of the perceptive and organic synthesis in *Différence et Répétition* : “D'autre part, en profondeur, la différence nous fait passer d'un ordre de répétition à un autre, et d'une généralité à une autre, dans les synthèses passives elles-mêmes. Les battements de tête du poulet accompagnent les pulsations cardiaques dans une synthèse organique, avant de servir à picorer dans la synthèse perceptive du grain”. DELEUZE Gilles, *DR*, p. 104.

¹⁹⁰⁶DELEUZE and GUATTARI, *MP*, p. 629. On the difference between milieu and territory, see also *Ibid.*, p. 386 : “Toutefois, nous ne tenons pas encore un Territoire, qui n'est pas un milieu, pas même un milieu de plus, ni un rythme ou passage entre milieux”.

single one would be sufficient. Why do Deleuze and Guattari “go beyond” the concept of milieu with that of territory, whereas the former was favoured by the philosophy of the 20th century to conceptualise the relationship that individuals and collectives have with their environment? In this next section, we will first show how Deleuze developed the concept of territory at the crossroads between ethology and anthropology that is before clarifying the conceptual necessity that lead him to distinguish it from the notion of milieu.

II) Territories and Milieu

II.1) Animal Territory

It is important to clarify that, even if territory differs from the concept of milieu, one is not the negation of the other. Instead, it must be grasped that territories are built on milieu: “*le territoire est en fait un acte, qui affecte les milieux et les rythmes, qui les “territorialise”. (...) Un territoire emprunte à tous les milieux, il mord sur eux, il les prends à bras le corps (bien qu'il reste fragile aux intrusions). Il est construit avec des aspects ou des portions de milieu*”¹⁹⁰⁷. Furthermore, a territory is not just a portion of space exterior to the individual. While it is built through piecing together external and associated milieus, it is also constructed through intermediary and internal milieu. Territory is, therefore, formed *in* my environment as on my body or my membrane. Consequently, what has been argued for as being fundamental to associated milieus is likewise right for territory, if not to a greater extent: individuals and collectives always live outside of themselves, and their territory is an extension of themselves. Territory is, thus, a space in which the frontiers between the inside and outside are blurred.

If it is possible to build a territory from milieu, how does one do so? The answer would appear simple: by collecting components (“*des matériaux, des produits organiques, des états de membrane ou de peau, des sources d'énergie, des condensés de perception-action*”¹⁹⁰⁸) and turning them into something expressive, transforming them into matters of expression:

*“Précisément, il y a territoire dès que des composantes de milieux cessent d'être directionnelles pour devenir dimensionnelles, quand elles cessent d'être fonctionnelles pour devenir expressives. Il y a territoire dès qu'il y a expressivité du rythme. C'est l'émergence de matières d'expression (qualité) qui va définir le territoire.”*¹⁹⁰⁹

To understand what Deleuze means by the functionality of the component of a milieu, let us consider the following example taken from Lorenz (one of the more famous ethologists): the membrane of some fish (as the cichlid, the rainbow-coloured bitterling, the labyrinth-fish, etc.) turn into a multitude of colours when love or anger is felt¹⁹¹⁰. Interestingly, when these emotions cease,

1907DELEUZE and GUATTARI, *MP*, p. 386.

1908DELEUZE and GUATTARI, *MP*, pp. 386-387.

1909*Ibid.*, p. 387.

1910LORENZ Konrad, *On Aggression*, trans. Marjorie Kerr Wilson, London and New York, Routledge Classics, 2002,

their colour immediately disappears (hence why Deleuze argued that colour is “transitory”). In this case, a state (the colour) of an intermediary milieu (the membrane) is attached to an “organic function”.

Here, it would seem that function should be understood in the framework of the theory of evolution and in relation with Lorenz's theory of instinct. According to Darwin's theory, the function of a trait (an organ or a behaviour) is the effect for which that trait has been selected in the course of evolution¹⁹¹¹. If we take the example given by Lorenz in *On Aggression*, cat are said to “have sharp and curved claws to catch mice with”. In other words, “the function of the cat's sharp and curved claws is to catch mice”) does not mean that “to catch mice” is the final cause of these specific claws. It means that the function “to catch mice with” (or from a more general point of view, the function of nutrition) is the effect of the claws for which the same claws were selected because it had a survival value¹⁹¹². The same is true with instinctive behaviours which Lorenz likewise studied from an evolutionist perspective. The function of an instinctive behaviour (for example, the movement pattern of prey being hunted by the cat¹⁹¹³) is the effect (to catch the mice and then the nutrition) for which this same behaviour has been selected. The principal functions are sexuality, procreation, nutrition, aggressiveness¹⁹¹⁴. Here, the bright colours of the cichlid mean and express either an instinct of aggressiveness, sexual excitement, or the urge to flee. When the drive (the sexual drive, for example) is released, the instinctual behaviour (sexual behaviour) is performed and thus the function of this behaviour (reproduction) is fulfilled, the colour which expressed the function either softens or vanishes immediately since it no longer serves its purpose. Again, this is why colour is both “functional” and “transitive”.

Having said this, colours of coral fish serves a different purpose. First, their colour is not transitive: whatever the drive by which it is moved, its colour, which remains sparkling, acquires a temporal constancy and a spatial range. More importantly still, colour ceases to be attached to the function of aggressiveness but serves the purpose of making the fish recognisable from the greatest possible distance. Here colour allows other fish to know when it enters into its territory¹⁹¹⁵. Similarly, some species of monkey have brightly coloured testicles whose colour are not only

[1963], p. 16.

1911 NEANDER Karen, “The teleological notion of ‘function’”, *Australasian Journal of Philosophy*, Vol. 69, Issue 4, 1991, p. 459 According to Jean Gayon, this is the ethiologic definition of the function. Gayon Jean, “Les biologistes ont-ils besoin du concept de fonction ? Perspective philosophique”, *Comptes Rendus Palevol*, Vol. 5, Issues 3-4, March-April, 2006, pp. 479-487.

1912 LORENZ Konrad, *On Aggression*, *op. cit.*, p. 11.

1913 LORENZ Konrad, *On Aggression*, *op. cit.*, p. 89.

1914 DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 174. Lorenz calls these principles function “big drives” LORENZ Konrad, *On Aggression*, *op. cit.*, pp. 102-103. For a good explanation of this concept in Lorenz's work see LITZELMANN Jenny, “Redéfinition des notions d'instinct, d'inné et d'acquis chez Konrad Lorenz”, in BURGAT Florence (ed.), *Penser le Comportement Animal*, Paris, Editions Quæ, Natures sociales, 2010, pp. 305-318.

1915 LORENZ Konrad, *On Aggression*, *op. cit.*, p. 17.

attached to are productive function but are also expressive and are used to mark their territory. In other words, colour becomes autonomous from the internal milieu's drives and functions. It becomes territorial.

Territory is also founded on components taken from the external milieu. For example, each morning, the *scenopoietes dentirostris* (commonly named the bower bird) cuts off leaves from a tree, lets them fall to the ground and then turns them upside down in such a way that the paler underside contrasts with the dark colour of the soil. At the entrance of its bower (the nest of the bower bird), the bird also arranges coloured fruits, flowers and fungi, which are gathered in the rain forest (or stole human decoration). These items are then classified according to their colours¹⁹¹⁶. Such an arrangement of the display-ground has led many to the conclusion that this activity is connected to sexual reproduction (the male attempting to seduce the female), but in fact, some ethologists think that it is less motivated by a sexual urge than by aesthetic values, a desire of recreation and play:

“The elaborate activities of Bower Birds in their bowers are usually regarded as display in the strict sense, but Söderber (1929) thinks that some of the decorative habits are not a real sexual “but must be regarded as play in a more psychological sense, with a pre-aesthetic character”. Marshall (1954), while ascribing an essentially utilitarian function to the bower and its associated activities, emphasises that the bower display and “games” have passed beyond the bounds of strict utilitarianism. Moreau (personal communication) describes how Silvery-cheeked Horn-bills will repeatedly throw up and catch a small stick; and a good example of play with sticks and bunches of leaves, where the behaviour is incorporated into elaborate follow-my leader games, is provided by the Australian White-winged Chough (Chisholm, 1934). Many other instances could be cited, but enough has been said to show that play seems to be frequent in young birds and that something like it is quite general in adults”¹⁹¹⁷.

Interpreting the *data* provided by ethology, Deleuze claims that by arranging the space in this aesthetic way, the bower bird is less motivated by a drive connected with its internal milieu (here, the function of reproduction), but instead, by the need to mark its territory and build its home.

Moreover, this territorial behaviour, the formation of matter in an expressive fashion is not necessarily determined by the external milieu. That is, the animal which builds its territory is neither urged by a drive deriving from its internal milieu, nor by the external circumstances of its external milieu. It builds its territory rather as an autonomous act.

1916MARSHALL Alan John *Bower-birds. Their Displays and Breeding Cycles: a Preliminary Statement*, Oxford, Clarendon Press, 1954, pp. 154-161.

1917THORPE William Homan, *Learning and Instinct in Animals*, London, Methuen and Co, 1956, pp. 321-323.

II.2) Human Territory

The concept of territory provided by ethology may also serve as the basis to think about the way human groups dwell in their milieu. As Guattari writes:

“Les cas les plus simples de ritournelles de délimitation de Territoires existentiels peuvent être trouvés dans l'éthologie de nombreuses espèces d'oiseaux. *Certaines séquences spécifiques de chant opèrent au service de la séduction de leur partenaire sexuel, de la mise à distance des intrus, de l'annonce de la venue de prédateurs...* A chaque fois, il s'agit de définir un espace fonctionnel bien déterminé. Dans les sociétés archaïques, c'est à partir de rythmes, de chants, de danses, de masques, de marques sur le corps, sur le sol, sur des totems, à l'occasion de rituels et par des références mythiques, que sont circonscrits d'autres sortes de Territoires existentiels collectifs”¹⁹¹⁸.

At the end of this text, Guattari, quoting Barbara Glowczewski's book, *Les Rêveurs du Désert* also adds the following this note: “*Voir le rôle des rêves dans les cartographies mythiques chez les Aborigènes d'Australie*”. We will analyse this important reference, and the role of dreams, later. For the moment, let us note that, here, the domain of *ethnology* takes over from *ethology*, the former remaining however the model of the latter. Similar to birds, human societies territorialise through the use of rhythms and melodies that are strongly connected with the land. One of the best exemple of human territorialisation similar to use of bird song is the “*nomes*” of ancient Greece. The following passage perfectly expresses this shift from animal territorialisation to human territorialisation. Again, as Guattari writes, this time from *L'Inconscient machinique*:

“Chaque individu, chaque groupe, chaque nation s'“équipe” ainsi d'une gamme de base de ritournelles conjuratoires. Les métiers et les corporations, de la Grèce antique, par exemple, possédaient en propre une sorte de sceau sonore, une courte formule mélodique appelée “*nome*”. Ils s'en servaient pour affirmer leur identité sociale, leur territoire et leur cohésion interne; chaque membre du groupe “appartenant” au même shifter sonore, la ritournelle prenait ainsi fonction de sujet collectif et a-signifiant de l'énonciation”¹⁹¹⁹.

The beginning of the Plateau entitled *La Ritournelle*, should also be quoted alongside the above passage, since it gives a richer understanding to those texts:

*Un “nome” musical est un petit air, une formule mélodique qui se propose à la reconnaissance, et restera l'assise ou le sol de la polyphonie (cantus firmus). Le nomos comme loi coutumière et non écrite est inséparable d'une distribution d'espace, d'une distribution dans l'espace, par là il est ethos, mais l'ethos est aussi bien la Demeure*¹⁹²⁰.

In an article entitled “La messe et le motet en Italie” dedicated to polyphony, Joseph Samson defined the *nomes* as small melodic formula by which each trade (sailor, textile worker, soldier, etc.) was represented in ancient Greece. Each trade had its own *nome*, which operated in similar way to how heraldries function. The nome thus had a representative or symbolic value. Through

1918GUATTARI Félix, *Chaosmose*, Paris, Galilée, L'Espace Critique, 1992, p. 30-31. Author's highlight.

1919GUATTARI Félix, *L'Inconscient Machinique. Essais de Schizo-analyse*, Paris, Recherches, Encres, 1979, p. 109.

1920DELEUZE and GUATTARI, *MP*, p. 384.

generalising this notion, Samson claims that in every “primitive society”, the group possesses chants by which it is symbolically represented. Samson even claims that presence of these songs could alone be the basis of a psychological study of the population it belongs to. That is why the term *ethos* applies here: the *nome* represents the *ethos*, the way of being of the group. Samson also uses the case of the catholic community in Europe: their *nome* (thus church hymns) function as the representation, through sound, (*représentation sonore*), of what binds the individuals of the group together, *i.e.*, their faith. Even in the absence of any discursive element, alone song is sufficient to produce and keep alight in their mind the idea of their common belief. It must also be said that in this case habit also plays a fundamental role in the maintenance of their collective faith. The repetition of the associative relation between song and the sentiment of faith produces the aforementioned mechanism of evocation in the group.

It is this *nome* which, in the 13th century, formed the basis for the polyphonic edifice. Here, the *nomes*, this melody which is borrowed from the liturgic corpus, is sung by a voice called the *vox principalis* and all the other voices are related to this central theme through counterpoints. In the 16th century, the structure of this polyphony will come to be called *cantus firmus*. For the composer of this epoch, the idea was to incorporate a liturgic element within their music. Doing so, the liturgies strengthen, through song, the ties between the individuals of a certain catholic community. Indeed, those who listen to such polyphonic music recognise the liturgic melody that is intertwined with the other melodic lines. In doing so they feel the ties by which they are connected together and form a community¹⁹²¹. Importantly, *nomes* are also strongly related to a particular area, land or territory. Since *nomes* are proper to specific groups, they emanate both from the soil and the community which is attached to it. Each locality, each land has its proper *nome*: Lydia, Phrygia, etc., each with their own *nome*. Because *nomes* are proper to a specific group, they also represent the locality occupied by this collectivity.

*“Nous avons, tout à l'heure, présenté le nome comme la floraison musicale du sol, l'émanation de la race, l'expression de son caractère. Cette influence qu'il subit il va de soi qu'il la transmet. Comme le sol façonne le nome, le nome à son tour façonne l'homme. La nomatique fondamentale, la psalmodie, comment la pratiquer communément sans que, non seulement l'oreille, mais tout le mécanisme psychophysique en soit impressionné? Ce jeu rythmique si naturel et à la fois si particulier, comment ne conformerait-il pas à son image le goût, la manière d'être de ceux pour qui il est d'un habituel commerce?”*¹⁹²²

1921“En somme, même dans la composition libre, le *cantus firmus* reste l'assise fondamentale de la polyphonie sacrée, dans l'art de la Renaissance. (...). L'intérêt d'une pareil constatation est évidente : dès que l'oreille perçoit, au cours de l'oeuvre nouvelle, le timbre connu, une image se présente à l'esprit : il salue au passage une vieille et amicale connaissance. Ainsi la musique s'approche de l'auditeur, ainsi s'établit un lien entre elle et toute une hérédité de vie antérieure. Tous ceux qui l'écoutent sentent cela. Par là, entre eux, se crée une sorte d'intimité, de convergence d'idées et de sentiments, d'unité spirituelle”. SAMSON Joseph, “La messe et le Motet en Italie”, in ROLAND-MANUEL (ed.) *Histoire de la Musique*, T. I, *Des Origines à Jean-Sébastien Bach*, Paris, Gallimard, Encyclopédie de la Pléiade, p. 1171.

1922SAMSON Joseph, “La messe et le Motet en Italie”, *op. cit.*, pp. 1171-1172.

This passage indicates to what point soil, or land, conditions the primordial base on which the *nomes*, and thus the collective, are edified. The *nome* emanates from a specific land, and the community which is established on it. Finally through feedback, the *nome* song strengthens the internal cohesion of the group.

Deleuze and Guattari reinterpret the role of *nomes* within the processes of territorialisation and collective individuation. First, they remove the rather antiquated references to ‘soil’ and ‘race’ used by Samson in order to avoid a reactionary interpretation of the collective relation to land. In this respect, they also remove the emphasis placed by Samson on the religious dimension of these songs. Instead of generalising and extending the concept of the Greek *nomes* to religious music and then to the polyphony, they instead extend the concept to all “archaic” societies as well as to all types of social groups. Second, while Samson considers *nomes* as emanations of the soil and the group, Deleuze and Guattari insist on the power of the production of these melodies. The *nome* circumscribes at the same time the limits of the territory and those of the collective. Regarding the group, habit, as mentioned earlier, has a fundamental role in the evocation of faith, *i.e.*, what ties individuals together in a community of faith. The repetition of the songs sung by believers, who have in general nothing in common, produces a common habit, or, to use the words of the text quoted above, a *custom*. It is this custom that binds the group together. It is important to note that the same concept of habit that Deleuze used to explain the contraction of elements into a milieu reappears here. Habits draw out differences, something new, from repetition. That is, it draws out the limits of a collective in which the individual has been contracted and synthesised. This is why Deleuze uses the term *ethos*, the Greek term for *habitus*. The repetition of the *nomes* produces a collective *habitus*, which is also a common way of being, a style. But *ethos* does not only refer to the collective *habitus* or the custom by which individuals are bound into a group, the term also refers to the process of territorialisation: “*On peut appeler “éthique” une telle forme, qui s'impose d'ailleurs dans tous les genres, pour autant que l'ethos désigne à la fois le lieu ou le milieu, le séjour dans un milieu, et l'habitude ou l'habitus, la manière d'être*”¹⁹²³.

In a text entitled “*Ritournelles et affects existentiels*”, Guattari mentions the famous Marcel Granet book, *La Pensée Chinoise*, in which the French sinologist explains how Chinese graphic emblems are used indiscriminately to draw the contours of the social realm as well as to put in order the natural world. Granet insists much more on the practical dimension of Chinese writing than on its theoretical dimension. Indeed, Chinese writing can be read by different Chinese populations who speak different dialects, a characteristic which has been useful for the diffusion of

¹⁹²³DELEUZE Gilles, *Cinéma 1. L'Image-mouvement*, Paris, Minuit, 1983, p. 200 (from now on, abbreviated as DELEUZE Gilles, *CIIM*).

Chinese culture and civilisation. In short, the function of such a writing style is political. And politics means the ordering of the social world as well as the ordering of the natural world. Tradition recounts that writing was invented by Houang-ti, the first sovereign, in order to provide symbols to humans so as to give every being a personality, a place and a rank in the cosmos. These symbols and names were also used to singularise each family and their specific virtues. In other words, names were used for social classification. Granet concludes that “*les hommes ne forment point dans la nature un règne séparé, et les règles qui s'imposent à qui veut définir les familles humaines s'imposent aussi quand il s'agit d'adapter un signe à chaque chose. Le devoir essentiel de tout gouvernement est d'obtenir une répartition harmonieuse de l'ensemble des êtres*”¹⁹²⁴. As noted by Pierre Charbonnier, it is possible, here, to see the influence that the famous text by Durkheim and Mauss on primitive classifications, in which the categories through which the natural world is thought are the projection of social categories, had on Granet. However, in the section dedicated to Chinese writing it seems that the direction of the projection is not unilateral. In other words, it would seem as though is it not only the social order which is projected over the natural world but natural classification which is also projected on the social world. In other words, natural and social categories mutually define themselves. This point most likely had an impact on Guattari in particular since he does not conceive of the social and territory through a mechanism of projection that demarcates but instead intends to understand their formation as one and the same process. The second point which may have also interested Guattari is that in the case of Houang-ti, the double foundation of the social and the natural order is carried out by expressive marks as emblems but also by dance and flutes, thus by a *ritournelle*:

*“Houang-ti, le premier Souverain, commença par fonder l'ordre social ; il affecta aux différentes familles un nom destiné à singulariser leur Vertu. Il y réussit, dit-on, en jouant de la flûte. On sait que la vertu spécifique d'une race seigneuriale s'exprimait par une danse chantée (à motif animal ou végétal). Sans doute convient-il de reconnaître aux anciens noms de famille la valeur d'une sorte de devise musicale, — laquelle, graphiquement, se traduit par une espèce de blason, — l'entière efficace de la danse et des chants demeurant aussi bien dans l'emblème graphique que dans l'emblème vocal”*¹⁹²⁵.

The relation with Samson's article is striking. The *ritournelle* produces jointly both the territory and the group which lives in it. Therefore, it is as though the process of collective individuation does not differ from the act of territorialisation. It is as though the process of by which a group installs itself over a territory and the production of the group itself were one and the same process. In other words, circumscribing the limit of its territory, the group also delimits its own frontiers. Or to put it another way, territorializing itself, the group individuates itself. It is perhaps therefore the case that territory, its components, and the assembly (*agencement*) of bodies and

1924GRANET Marcel, *La Pensée Chinoise*, Paris, La Renaissance du Livre, L'Evolution de l'Humanité, 1934, p. 50.

1925GRANET Marcel, *La Pensée Chinoise*, op. cit., p. 49.

enunciations (what we use to call society) is, in fact, one and the same thing. We will come back to this point later.

The passage from Guattari's *Chaosmose* quoted above does not only refer to songs but also to dances, masks, marks on the body, totems and different actions which are performed as rituals with mythical references. As noted, this part of the text refers to the "Australian model" of territorialisation, a model that was discussed with the French anthropologist Barbara Glowczewski during Guattari's seminars from the 80s. In Walpiri cosmology, a cultural group from the Australian desert that Glowczewski had studied and done fieldwork on since 1979¹⁹²⁶, territoriality has to be understood through a complex indigenous concept called "dream", "dreaming" or even "dreamtime" (*jukurrpa*). *Jukurrpa* corresponds to what anthropologists used to call "totems", that is, those objects (generally an animal or a plant) to which a clan is strongly connected and by which it differentiates itself from other groups of the same society¹⁹²⁷. In each Walpiri clan, men and women share and bear the name of one or various of these totems that they consider to be their father. Thereby they form a "patriclan" (these name are transmitted by the father or the grandfather), which contain between fifteen and sixty members – it should be noted that *Jukurrpa* are also the fathers of animals and plants, each of them being considered as "brothers" by the rest of the group¹⁹²⁸. Nevertheless, totems have a lot of other functions other than social differentiation. *Jukurrpa* are both 1° a "mythical time" (which corresponds more to a virtual and parallel space-time than to a past origin of the world) 2° eternal beings and 3° itineraries those beings travelled along during those mythical times. Those paths form a wide spider web covering the Australian territory and are marked out by various sites considered to be stages of these being's travels¹⁹²⁹. These sites, which are temporary residential places, have been marked by these beings, giving them their names and leaving signs of their passage: for example, depressions in the land are considered to be places where they sat, water points are places where they ejaculated onto, limestone hill are made of the blood they left behind them and rocks are considered to be either individual organs or

1926GLOWCZEWSKI Barbara, *Du Rêve à la Loi chez les Aborigènes. Mythes, Rites et Organisation Sociale en Australie*, Paris, PUF, Ethnologies, 1991, p. 11.

1927DELIÈGE Robert, *Une histoire de l'Anthropologie. Écoles, Auteurs, Théories*, Paris, Editions du Seuil, 2006, pp. 177-178.

1928GLOWCZEWSKI Barbara, *Du Rêve à la Loi chez les Aborigènes*, op. cit., p. 26.

1929"En Australie, il y a cinq cents ethnies de langues différentes qui ont toutes un terme pour désigner quelque chose qui a été traduit en anglais par dream. En français, on dira : le rêve. Cette chose qui a été traduite par dream correspond en fait à un mélange de choses : c'est à la fois un temps mythique, une série d'itinéraires existant sur la terre qui quadrillent l'Australie en une vaste toile d'araignée, et ce sont aussi les héros que dans le langage anthropologique on appellerait totémiques, qui sont censés avoir voyagé selon ces itinéraires. Et cela veut dire aussi et désigne ce qu'en anthropologie on appelle totem, c'est-à-dire une force d'identité de ces héros qui ont pu avoir différentes formes (humaine, animale ou végétale) pour voyager à travers l'Australie et qui ont transmis cette identité à des clans. Voilà, c'est cela le rêve". GLOWCZEWSKI Barbara and GUATTARI Félix, "Les Warlpiri. Espaces de rêves (1): Les Walpiri. Exposé et discussion (18 janvier 1983), in *Chimères* n°1, 1987, p. 1.

whole parts of their body petrified¹⁹³⁰. Thus, the Walpiri's territories follow these itineraries and these sites, each path being continuous or discontinuous (when the dream interrupted it and went underground)¹⁹³¹.

As for ethological cases, Walpiri form territories with expressive qualities. These virtual territories drawn by eternal beings are actualised by territorial rituals: during various months, they perform rituals and travel along these ancestral itineraries, moving from site to site where they perform dance, paint and sing sacred songs.

Totems, tales and itineraries are sometimes named *Kuruwarri* by the Walpiri. These *Kuruwarri* consists in images or tracks which form the figuration of *totems*, their actions (related by the *tales*) and the marks that these mythical beings left behind them when they travelled along their *itineraries*. Nevertheless, *Kuruwarri* cannot be reduced to an image. Given that they are a kind of a vital force or a totemic essence Glowczewski prefers to name them by the term “force-image”. To be active, it is necessary that these force-image be exteriorised¹⁹³² and consequently, the Walpiri paint them on their body or the ground, referring both to the itineraries and their cartography as well as clan names. In this way, it can be said that paintings offers a map of the territory readable on the body. Indeed, concentric circles refer to sites or camps, sinuous lines to itineraries connecting them and bows to humans or ancestral beings. Nevertheless, even if these painting can be considered to be map, it must be said that they are very different from Western maps. First, each motif associated to a site gives access to the whole itinerary. In other words, the part (each site) represents the whole (the itinerary)¹⁹³³. Moreover, the respective position of each site is not always respected, the structure that connects all of them being more important, as in topology¹⁹³⁴. Besides, if these maps give an aerial view, they also gives a view from below, as though the point of view on the territory of the ancestral beings, buried in the ground, was included. This reversibility between the above and the below can also be inferred by another process: signs painted in red are always surrounded by white paintings in such a way that it is impossible to really distinguish which colour is surrounded by the other. By this method, motifs are merged and thus a passage between the above and the below is created. Thereby, the human word communicates with the dreaming beings¹⁹³⁵.

Likewise, though dance, Walpiri women stake the ground in order to connect with the virtual time-space and the *Jukurrpa*, a parallel dimension which is closed at the end of the ritual by throwing sand at the foot of the stick. Through these dances, which are executed by jumping in

1930 GLOWCZEWSKI Barbara, *Du Rêve à la Loi chez les Aborigènes*, op. cit., p. 28.

1931 *Ibid.*, p. 29.

1932 *Ibid.*, p. 32.

1933 *Ibid.*, p. 40.

1934 *Ibid.*, p. 310.

1935 *Ibid.*, p. 308.

single file, the peregrinations of the ancestral beings are performed and by raising sand the itineraries are drawing on the ground. Through these various rituals and performances, the geography of the mythical territories appears on the ground¹⁹³⁶. Finally, songs also have a great importance for their process of territorialisation because they relate the dreaming beings' peregrinations and trajectories to their own aboriginal territory.

In fact, the principal function of these complex rituals, and by which the components of the milieu are transformed into expressive matter, is not to simply *represent* the ancestral being's epics. But through painting, song and dance, the Walpiri *become* the Jukurrpa as well as the land they travelled along¹⁹³⁷. This process cannot, reduced to a mere identification with the landscape. According to this hypothesis of the identification, after the ancestral being became the land (shaping it by marks they left behind them), humans become with those beings and thus become the landscape, and finally spring up from it. This hypothesis only gives a partial account of the whole process. Indeed, Walpiri also “own” the land as its ritual guardians. More precisely, humans, as the offspring of the Jukurrpa's, originate from the land but, by becoming Jukurrpa (which are both ancestral beings and landscapes) through their rituals they also take care of it in return. Therefore, so much more than a process of identification, Walpiri rituals are a process that work through feedback system. In any case, the case of Australian totemism illustrates how societies, much like animals, draw and mark territories with expressive forms of matters such as: paintings, marks on the ground, and sounds, etc.

II.3) Territorial Rituals

Maybe the term ritual is a bit ambiguous to describe these territorial and behaviour chains. For example, as Deleuze and Guattari write:

*“les ethologues ont cerné l'ensemble de ces phénomènes sous le concept de “ritualisation”, et ont montré le lien des rituels animaux avec le territoire. Mais ce mot ne convient pas forcément à ces motifs non pulsés, à ces contre-points non localisés, et ne rend pas compte de leur variabilité ni de leur fixité”*¹⁹³⁸.

In this text, they refer to Lorenz' concept of ritual. On the basis of Julian Huxley's work on courtship activities among ducks, Lorenz defines ritualisation as those behavioural patterns which lose their original function during phylogenesis and as such become “symbolic”¹⁹³⁹. In other words,

¹⁹³⁶*Ibid.*, p. 74.

¹⁹³⁷*Ibid.*, p. 91.

¹⁹³⁸DELEUZE and GUATTARI, *MP*, p. 391.

¹⁹³⁹LORENZ Konrad, *On Aggression*, *op. cit.*, pp. 54-55. See also EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, trans. Schmitt O. and Violette Helmzeich, Jouy-en-Josas, Ed. Scientifiques Naturalia et Biologia, 1977, p. 103.

the motor pattern detaches itself from its primary function and ceases to be related with environmental necessities so as to acquire a communicative function.¹⁹⁴⁰ The paradigmatic case is that of the “inciting” ritual, which is strongly linked with the defence of territory¹⁹⁴¹. Some species of female duck make a series of aggressive gestures, charging at fellow ducks, turning round immediately and coming back to their male, without actually attacking. Here, the primary drive to attack is not released having disappeared throughout the phylogenesis of the animal; indeed, some female ducks even perform aggressive movements against non-existent enemies¹⁹⁴². The communicative function of these rituals appears obvious when inciting becomes an invitation to pair. In this case, through the ritual the female expresses to a drake a message which, in human words, could be expressing “love”¹⁹⁴³, a message to which the same male answers with head movements when it accepts the proposition. Lorenz especially emphasises the fact that the inciting ritual is not an invitation to mate and thus, has nothing to do with the sexual drive. Instead, it is an invitation to form a permanent life-long pairing. Grooming rituals among mammals should also be mentioned since they likewise express a social intention of contact¹⁹⁴⁴.

In conclusion, these behavioural patterns become autonomous from their initial drives (sexual, aggressive) and become expressive in the sense that a signal is delivered by an emitter and is transmitted to a receiver¹⁹⁴⁵. In this sense, ritualisation seems to be a concept appropriate for territorial behaviours which produce expressive motifs and are autonomous from functions and drives. However, Lorenz also claims that if the motor co-ordination of the ritualised behaviour becomes autonomous from the other “major drives” (aggression, sex, hunger, fear) it remains, nonetheless, an instinctive behaviour which has the same characteristic as other instinctual behaviours.

To understand this point, it is worth recalling that for Lorenz, an instinct (or more accurately, an instinctive behaviour) is a fixed action pattern which is innate, hereditary and highly stereotyped¹⁹⁴⁶. This model presupposes an energy which is endogenous to the animal and which

1940LORENZ Konrad, “Evolution of Ritualization in the Biological and Cultural Spheres” in *Philosophical Transactions of the Royal Society of London*, Series B, Biological Sciences, Dec. 29, 1966, Vol. 251, No. 772, A Discussion on Ritualization of Behaviour in Animals and Man (Dec. 29, 1966), p. 276 ; LORENZ Konrad, *On Aggression*, *op. cit.*, p. 82

1941For the relation of this pattern of behaviour with the defense of territory, see LORENZ Konrad, *On Aggression*, *op. cit.*, p. 60.

1942LORENZ Konrad, *On Aggression*, *op. cit.*, p. 59 and p. 60.

1943*Ibid.*, p. 61.

1944EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, *op. cit.*, p. 99.

1945This is why Eibl-Eibesfeldt deals with the question of ritualisation in the chapter he dedicates to the expressive movements and other social signals. These behaviours also have a function of channeling of aggression and as well as that of forming bonds. LORENZ Konrad, “Evolution of Ritualization in the Biological and Cultural Spheres”, *op. cit.*, p. 276; LORENZ Konrad, *On Aggression*, *op. cit.*, p. 72.

1946LORENZ Konrad, *The Foundations of Ethology*, trans. Konrad Z. Lorenz and Robert Warren Kickert, New York-Wien, Springer-Verlag, 1981, p. 7. Tinbergen's definition should also be quoted: “a hierarchically organized nervous

triggers the instinctive behaviour when it is released¹⁹⁴⁷. By contrast with the reflex theory of behaviourists, Lorenz claims that the release of the energy is not always caused by an external stimulus. Indeed, sometimes there is too much endogenous energy accumulated (because this energy has not been used), and the internal pressure becomes too high hence there is no need for an external stimulus to trigger the behaviour. That is what happens in the case of motions performed *in vacuo*, demonstrations which enable us to grasp the spontaneity of instinctive behaviour in all its purity (Lorenz quotes the case of a starling which had grown up in captivity and which, even in the absence of prey, performed a fly-catching movement *in vacuo*¹⁹⁴⁸). Such cases of behavioural chains performed without stimuli reveal the true the spontaneity of instincts, that is bearing in mind that this word should not understood as mystical vital force¹⁹⁴⁹. According to Lorenz, ritualised behaviours fall under the following model: “the newly arisen motor co-ordination of the ritualized behaviour pattern bears the character of an independent instinctive movement; the eliciting situation, too, which in such cases is largely determined by the answering behaviour of the addressee, acquires all the properties of the drive-relieving end situation, aspired to for its own sake”¹⁹⁵⁰. This is probably why Deleuze and Guattari implies that these ritualized behaviours, as conceptualised by “ethologists” (especially Lorenz), are “pulsed”, *i.e.*, driven by impulses. Indeed, the word drive (*trieb*) is often used to designate instinctive behaviours that are triggered by an endogenous energy (even if Lorenz warns about the problematic use of this term¹⁹⁵¹). Having said this, over and above the stimulation of movement *in vacuo*, ritualized behaviours are also triggered by the action of external stimuli (in the quote above, Lorenz mentions an “eliciting situation” to which the behaviour answers). Therefore, as other instincts, animal rituals are doubly triggered: by endogenous energy accumulated in the animal, and by exogenous stimuli that provoke the release of this energy. It is for this reason that perhaps ritualisation is not an adequate concept in the understanding of territorial behaviours. Indeed, as we will soon see, territorial behaviours are

mechanism which is susceptible to certain priming, releasing and directing impulses of internal as well as of external origin, and which responds to these impulses by coordinated movements that contribute to the maintenance of the individual and the species”. TINBERGEN Nikolaas, *The Study of Instinct*, Oxford, Clarendon Press, 1969 [1951], p. 112.

1947LORENZ Konrad, “Sur la formation du concept d'instinct”, in LORENZ Konrad, *Trois Essais sur le Comportement Animal et Humain. Les Leçons de l'Evolution et de la Théorie du Comportement*, trans. C. Fredet and P. Fredet, Paris, Seuil, Collection Points. Série Science, 1990, pp. 27-29 (pp. 9-69). On Lorenz's concept of instinct, see LITZELMANN Jenny, “Redéfinition des notions d'instinct, d'inné et d'acquis chez Konrad Lorenz”, *op. cit.* See also KREUTZER Michel, *L'Ethologie*, Paris, PUF, Que sais-je?, 2017, p. 54-72. More generally on the concept of instinct in ethology, see IMMELMANN Klaus, “Instinct”, in IMMELMANN Klaus and Beer Colin (eds.), *Dictionnaire of Ethology*, Cambridge-Massachusetts-London, Harvard University Press, 1989, pp. 151-152; THINÈS Georges, “Instinct”, *Encyclopædia Universalis* [Online], connection the 1st November 2021.

URL: <http://www.universalis-edu.com/janus.bis-sorbonne.fr/encyclopedie/instinct/>

1948LORENZ Konrad, *On Aggression*, *op. cit.*, p. 49.

1949Ibid., p. 48.

1950Ibid., p. 63.

1951LORENZ Konrad, “Sur la formation du concept d'instinct”, *op. cit.*, p. 10 and p. 65.

neither impulsive as drives are nor they triggered mechanically by external stimuli from the environment. In other words, territorial behaviours and the motifs they produce do not work in the same way as stereotyped and innate fixed action patterns do, that is, they are not what ethology designates by the name instinct.

As the case of human territorialisation developed above suggests, the anthropological definition of ritual – *i.e.*, sequences of standardised, ordered and prescribed acts which are, at first glance inexplicable in terms of rationality (means and end) and strongly linked to symbolic representations¹⁹⁵² – would be more suitable for those acts by territory is drawn, given the relative autonomy of these behavioural chain from the drives. As rituals, which are “modes of determined action”¹⁹⁵³ that fall under the practical sphere (opposed to mere symbolic representations), territorial behaviour should be understood as *acts*. Moreover, it is the repetition that characterises these rituals and defines them as acts (territory appears when rhythm and repetition become expressive). In the temporality of social life, rituals are cyclically repeated. For example the production of expressive matter is reproduced everyday by the bower bird and throughout various months by the Australian aborigines. Thus, the sequence of action is in itself repetitive: as Levi-Strauss writes, in this “orgy of repetition” the same formula is repeated at least dozens of times¹⁹⁵⁴. As we have already seen, both human and non-human songs are repetitive and composed by rhythmic sequences.

Furthermore, in anthropology, ritual is also very often linked to the sacred, which should be understood as that which must remain untouched and is, therefore, cut off from the rest of the world and whose opposition with the profane characterises religion. In this case, if religion is defined as a united system of beliefs and practices related to sacred things, rituals are “*des règles de conduite qui prescrivent comment l'homme doit se comporter avec les choses sacrées*”¹⁹⁵⁵. Ritual is the transposition of religious representations at the level of action. This is perhaps one of the reasons why, Deleuze and Guattari do not accept with ease the designation of territorial behaviours in

1952 SINDZINGRE Nicole, “Rituel”, in *Encyclopædia Universalis* [online], connection the 18th October 2017. URL: <http://www.universalis-edu.com/janus.biu.sorbonne.fr/encyclopedia/rituel/>.

1953 DURKHEIM Emile, *Les Formes Élémentaires de la Vie Religieuse. Le Système Totémique en Australie*, Paris, PUF, Quadrige, 1990, 1912, p. 42

1954 “Concurremment avec ces subtilités faisant un sort particulier aux phases les plus ténues de démarches dont le déroulement, détaillé comme à l’infini, s’étire jusqu’à prendre des proportions aberrantes, et donne l’impression d’un “ralenti” visuel qui frise le piétinement et l’immobilisme, on observe un autre procédé non moins frappant : au prix aussi d’une considérable dépense verbale, le rituel se livre à une débauche de répétitions : la même formule, ou des formules apparentées par la syntaxe ou l’assonance reviennent à intervalles rapprochés, ne valent, si l’on peut dire, qu’à la douzaine ; la même formule doit être répétée un grand nombre de fois consécutives, ou bien encore, une phrase où se concentre une maigre signification se trouve prise et comme dissimulée entre deux empilages de formules toutes pareilles mais vides de sens”. Levi-Strauss, C., *Mythologiques 4 : L’homme nu*, Plon, 1971, p. Note that another characteristic of the ritual is, according to Levi-Strauss its extreme fragmentation : “à l’intérieur des classes d’objets et des types de gestes, le rituel distingue à l’infini et attribue des valeurs discriminatives aux moindres nuances”. *Ibid.*

1955 DURKHEIM Emile, *Les Formes Élémentaires de la Vie Religieuse*, *op. cit.*, p. 56.

anthropological terminology, which, for them, is too linked with the notion of the sacred and with religion. Obviously, the problem is not critical but concerns more the sort of social operation that gives rise to territory and in this sense, religious rituals and the sacred structure of space are secondary. The religious intuition of territory seems to be more an effect (a secondary effect could we say) of territoriality than a characteristic defining it properly:

*“Cet autre effet, qui ne renvoie plus à des travaux, mais à des rites ou religions, consiste en ceci: le territoire regroupe toutes les forces des différents milieux en une seule gerbe constituée par les forces de la terre. C'est seulement au plus profond de chaque territoire que se fait l'attribution de toutes les forces diffuses à la terre comme réceptacle ou socle. (...) si le territoire, en extension sépare les forces intérieures de la terre et les forces extérieures du chaos, il n'en est pas de même en “intension”, en profondeur, où les deux types de forces s'étreignent et s'épousent en un combat qui n'a que la terre comme crible et comme enjeu. Dans le territoire, se réunissent, arbre ou bocage, dans un cors-à-cors d'énergies. La terre est ce corps-à-corps. Ce centre intense est à la fois dans le territoire même, mais aussi hors de plusieurs territoires qui convergent vers lui à l'issue d'un immense pèlerinage (d'où les ambiguïtés du “natal”). En lui ou hors de lui, le territoire renvoie à un centre intense qui est comme la partie inconnue, source terrestre de toutes les forces, amicales ou hostiles, et où tout se décide.”*¹⁹⁵⁶

Although the word is absent from the text quoted above, Deleuze is, nonetheless, referring to sacred places in this passage. He uses Mircea Eliade's history of religion and its analysis of hierophanic structures of sacred spaces. Eliade phenomenologically describes how a profane territory is consecrated and transfigured into a sacred place by hierophanies (*i.e.*, manifestations of the sacred whose multiplicity preserves the unity of the former). For the believer, space is not something homogeneous but is structured by ruptures: some portions of it, *i.e.* sacred spaces are qualitatively different from others. The believer experiences these spaces as a centre, an absolute fixed point, without which, no landmark, nor any orientation would be possible. In such a homogeneous and infinite space non-believers are thus said to live in chaos¹⁹⁵⁷. By the edification of a centre, a world is built: *“Pour vivre dans le Monde, il faut le fonder, et aucun monde ne peut naître dans le 'chaos' de l'homogénéité et de la relativité de l'espace profane. La découverte ou la projection d'un point fixe – le 'Centre' – équivaut à la Création du Monde”*¹⁹⁵⁸. This world protects the believer from the chaotic exterior inhabited by demons and abominations¹⁹⁵⁹. These sacred places are not chosen by humans but discovered instead. Through an initial and primordial

¹⁹⁵⁶DELEUZE and GUATTARI, *MP*, p. 395.

¹⁹⁵⁷ELIADE Mircea, *Le Sacré et le Profane*, Gallimard, 1969 [1965], p. 26.

¹⁹⁵⁸*Ibid.*, p. 26.

¹⁹⁵⁹Another comparable description of this chaos is found in the work of Leroi-Gourhan: *“Dans de nombreux mythes des différentes parties du monde, y compris dans le substrat préagricole des civilisations méditerranéennes, l'univers est initialement chaotique et peuplé d'entités monstrueuses. C'est au cours d'un itinéraire que le héros combat les monstres, règle la position des montagnes et des fleuves, donne aux êtres leur nom, par conséquent transforme l'univers en image symboliquement réglée, assimilable, contrôlable par l'homme. Les mythologies indienne de l'Amérique du Nord offrent de beaux exemples de tels itinéraires organisateurs, celui d'Hercule, parmi les exemples méditerranéens, montre que les premières civilisations citadines ont vraisemblablement assimilé les restes d'une idéologie antérieure”*. LEROI-GOURHAN André *Le Geste et la Parole*, t. II: *La Mémoire et les Rythmes*, *op. cit.*, p. 155-156. Nevertheless, it seems that the conjuration of the chaos is not understood here as a sacralisation but as a simple humanisation of space. If, as we will be seen, Deleuze does not really agree with this idea of humanisation, as Leroi-Gourhan, he clearly refuses to identify territorialisation with sacralisation. We have already seen that milieu, by rhythm, provides a beginning of order to chaos. Territory consolidates this order and keep at distance the forces of chaos. DELEUZE and GUATTARI, *MP*, p. 393.

revelation space is transfigured becoming isolating from the rest of the environment. This act of transfiguration must be understood as the transformation of chaos into Cosmos, in other words, the creation of the world by a divine act. Rituals are hence a repetition of this cosmogony: they assure the continuation of the time of this first hierophany. A space is consecrated by the rites that create it once again.

According to Eliade, hierophanic structures are not restricted to what we commonly call “sacred spaces” and, given the wide extension of the concept of the centre, it provides a model for other modes of territorialisations: *“ce symbolisme du centre (...) se trouve impliqué aussi bien dans la construction des villes que dans celles des maisons: est “centre”, en effet, tout espace consacré, c'est-à-dire tout espace dans lequel peuvent avoir lieu les hiérophanies et les théophanies et où se vérifie une possibilité de rupture de niveau entre le ciel et la terre.”*¹⁹⁶⁰ Holy places, temples, cities and homes, etc., operate such centres. Holy places like Jerusalem are considered to be the centre of the world; city's fortifications, before having a military function are considered to have magical properties that protect against chaotic forces that encircle the space and make it into a centre; city temples are also centres (sacred centres of worship), and people consider their own homes to be centres too. Every city, every house is at the centre of the world. The infinite multiplication of centres is not a problem for the believer given that these spaces are not geometrical but existential¹⁹⁶¹. Thus, the hierophanic structure of sacred spaces provides a general model of territorialisation¹⁹⁶². On the contrary, the desacralisation of space by modernity seems to lead to the impossibility of dwelling. Indeed, Eliade considers profane spaces to be experienced by non-believers as chaos, a geometrical space without any qualitative differentiation nor any orientation. With the desacralisation of space, there is no longer any world, nor is there territorialisation and no possibility of dwelling:

*“l'expérience profane maintient l'homogénéité et donc la relativité de l'espace. Toute vraie orientation disparaît, car le 'point fixe' ne jouit plus d'un statut ontologique unique : il apparaît et disparaît selon les nécessités quotidiennes. À vrai dire, il n'y a plus de 'Monde', mais seulement des fragments d'un univers brisé, masse amorphe d'une infinité de 'lieux' plus ou moins neutres où l'homme se meut, commandé par les obligations de toute existence intégrée dans une société industrielle.”*¹⁹⁶³.

The best image of deconsecration is the one given by Le Corbusier, who understands space

1960 Eliade, M., *Traité d'Histoire des Religions*, Paris, Payot, 1959, p. 320.

1961 ELIADE Mircea, *Le Sacré et le Profane*, op. cit., p. 55.

1962 See for example the highly significative extract: *“Les colons scandinaves, en prenant possession de l'Islande (land-náma) et en la défrichant, ne considéraient cette entreprise ni comme une œuvre originale, ni comme un travail humain et profane. Pour eux, leur labeur n'était que la répétition d'un acte primordial : la transformation du Chaos en Cosmos par l'acte divin de la Création. En travaillant la terre désertique, ils répétaient simplement l'acte des dieux qui avaient organisé le Chaos en lui donnant une structure, des formes et des normes. Qu'il s'agisse de défricher une terre inculte ou de conquérir et d'occuper un territoire déjà habité par d'“autres” êtres humains, la prise de possession rituelle doit de toute façon répéter la cosmogonie”*. Ibid., p. 34.

1963 Ibid., p. 27.

as totally utilitarian and functional (the home for modern man becomes simply the place to rest in order to reproduce his labour power). Men of industrial societies do not feel any ties to the place in which they live: “*on peut changer de 'machine à habiter' aussi fréquemment qu'on change de bicyclette, de frigidaire, de voiture. On peut également quitter sa ville ou sa province natales, sans autre inconvénient que celui qui découle du changement de climat.*”¹⁹⁶⁴. The moderns, according to Eliade, experience their relation to space as an uprooting (*déracinement*). Nevertheless, the purely profane is also said to not yet, at least, exist. Even in modernity, there are relics of the sacred : “*le paysage natal, le site des premières amours, ou une rue ou un coin de la première ville étrangère visitée dans la jeunesse*”¹⁹⁶⁵. Modern man still tries to recover the possibility of a dwelling space in which he lives. Such considerations reinforce Eliade's idea that territorialisation must be understood as a hierophanic process: in modernity the only way to dwell again is through its resacralisation.

As already mentioned, Deleuze narrows the scope of this analysis: sacred spaces are only one part and an effect of primordial territoriality. Firstly, hierophanic spaces can only be found/founded within the confines of a territory (hence the difficulty of reaching it). Moreover the reference to a multiplicity of centres (temples, homes, cities) disappears, meaning that the category is reduced to what we commonly call “sacred spaces”. Thus sacred places are localised at a specific point of the territory, but sacred place and internal territorial points are not identifiable. A point can be located outside the territory. For example, for the believer who leave his home to go to the holy land, this centre is outside his own territory – hence the ambiguity of its localisation. That which is sacred is at the same time inside the holy land and outside from the pilgrim's territory, which may also converge with the former¹⁹⁶⁶. Secondly, the experience of these places is very specific (and thus restricted): it is not no longer a matter of drawing a reference for orientation in order to build a world upon chaos, an operation which is proper to territorialisation in general. Since here, sacred places are centres, not because they are a fixed points but because they are experienced by believer as a nodal point in which the multiplicity of the milieu's forces are regrouped. The forces of the mountains, waters, forests, vegetation, birds and fishes are unified in this specific point, which become a point of great intensity. They are a field of intense forces. Given that, for the believer,

1964 *Ibid.*, p. 49.

1965 *Ibid.*, p. 28.

1966 Once again this analysis is not specific to humans: “*Cette équivoque entre la territorialité et la déterritorialisation, c'est l'équivoque du Natal. Elle se comprend d'autant mieux si l'on considère que le territoire renvoie à un centre intense au plus profond de soi; mais précisément, nous l'avons vu, ce centre intense peut être situé hors territoire, au point de convergence de territoires très différents ou très éloignés. Le Natal est dehors. On peut citer un certain nombre de cas célèbres et troublants, plus ou moins mystérieux, illustrant de prodigieux décollements de territoires, et les traversant de fond en comble: 1) les pèlerinages aux sources comme ceux des saumons ; 2) les rassemblements surnuméraires, comme ceux des sauterelles, des pinsons, etc. (des dizaines de millions de pinsons près de Thoun en 1950-1951); 3) les migrations solaires ou magnétiques ; 4) les longues marches, comme celles des langoustes*”. DELEUZE and GUATTARI, *MP*, 1980, p. 401.

these spaces present the highest level of reality and are “creational” (i.e., the only spaces where creation can begin). As such, they are full of energy:

*“dans diverses traditions voyons-nous la création partir d'un “centre”, parce que la se trouve la source de toute réalité et, partant, de l'énergie de la vie. Il arrive même que les traditions cosmologiques expriment le symbolisme du centre dans des termes qu'on dirait emprunté à l'embryologie: “le Très Saint a créé le monde comme un embryon. Tout comme l'embryon croît à partir du nombril, de même Dieu a commencé à créer le monde par le nombril et de là il s'est répandu dans toutes les directions”*¹⁹⁶⁷.

Instead of using phenomenological terms such as manifestation, hierophany or world, etc., Deleuze describe the experience of sacred place by employing his own concept of intensity, that is, the dynamism of differential processes that constitute being (or most simply “difference in itself”¹⁹⁶⁸, differences being nothing more than forces). A field of intensities has also to be understood as a field of individuation, a preindividual field from which individuation stems from and thus, in a certain sense, a field of creation¹⁹⁶⁹. Much like Eliade, Deleuze believes that embryology provides us with the model of intensity:

*“le monde est un oeuf. Et l'oeuf nous donne, en effet, le modèle de l'ordre des raisons (...) Nous considérons que la différence d'intensité, telle qu'elle est impliquée dans l'oeuf, exprime d'abord des rapports différentiels comme une matière virtuelle à actualiser. (...) C'est toujours l'individuation qui commande l'actualisation: les parties organiques ne sont induites qu'à partir des gradients de leur voisinage intensif; les types ne se spécifient qu'en fonction de l'intensité individuannte. Partout l'intensité est première par rapport aux qualités spécifiques et aux extensions organiques.”*¹⁹⁷⁰

Given that, every intensive field of individuation is characterised by what Simondon calls a “disparation” (i.e., “comme au moins deux ordres de grandeur ou deux échelles de réalité hétérogènes, entre lesquels des potentiels se répartissent”¹⁹⁷¹), it can be said that, in the case of sacred centres, the forces of the earth and chaos play the roles of heterogeneous poles which form the problematic field. Sacred places gather these two types of force in an intense centre, creating disparation (“les deux types de forces s'étreignent et s'épousent en un combat qui n'a que la terre comme crible et comme enjeu”). While Deleuze does not write a lot on the notion of rituals, it is possible to imagine that, given what Eliade says about it and given the conceptual framework used by the former, ritual action, for Deleuze, would be a way of reproducing this state of intensity.

1967ELIADE Mircea, *Traité d'Histoire des Religions*, Paris, Payot, 1959, p. 323.

1968DELEUZE Gilles, *DR*, p. 325.

1969 “Le processus essentiel des quantités intensives est l'individuation. L'intensité est individuannte, les quantités intensives sont des facteurs individuannts. Les individus sont des systèmes signal-signe. Toute individualité est intensive: donc cascadiante, éclusante, communicante, comprenant et affirmant en soi la différence dans les intensités qui la constituent. Gilbert Simondon montrait récemment que l'individuation suppose d'abord un état métastable, c'est-à-dire l'existence d'une “disparation”, comme au moins deux ordres de grandeur ou deux échelles de réalité hétérogènes, entre lesquels des potentiels se répartissent. Cet état pré-individuel ne manque pourtant pas de singularités: les points remarquables ou singuliers sont définis par l'existence et la répartition des potentiels.” *Ibid.*, p. 317.

1970 *Ibid.*, p. 317.

1971 *Ibid.*, p. 317.

Several reasons can be advanced to explain why Deleuze does not reduce territorialisation to hierophanic structures.

First, it is quite clear that for Deleuze, who makes quite radical claims for immanence, such a reduction would imply an unbearable contradiction: sacred spaces are places in which transcendence expresses itself and where communication with divinities is possible. It should therefore be noted that Deleuze takes good care of erasing transcendence from his theory, describing territorialisation only with concepts such as intensity and, in doing so, he describes in an immanent way a phenomena to which transcendence is generally attached. Secondly, defining territorialisation by sacralisation would lead Deleuze to a reactionary position regarding territory, understood as a lost paradise¹⁹⁷². That is, If territorialisation is identified simply with sacralisation, then, faced with modernity and the impossibility of inhabiting spaces described above, the only form of reterritorialisation would consist in the resacralization of the world. Consequently, territorialisation is strongly linked with the nostalgia of the past, with a lost land that needs to be found once again: “*il ne faut pas confondre la reterritorialisation avec le retour à une territorialité primitive ou plus ancienne*”¹⁹⁷³.

In a way, it could be said that a such an identification between territory and the sacred would mean an impoverishment of the category of territory since it leaves no room for other type of territorialities. In return, this would also means an impoverishment of religious experiences of space. If the experience of the sacred and of religious rituals are the only way for a group to territorialise itself, thus, it may be subject to being confounded with other modes of territorialisation. On the contrary, Deleuze tries to emphasis the specificity of the hierophanic structures of space, explaining why they are so singular and why they should not be confused with other experience of space.

Thus, rites and religions derive more from territory than the contrary. Does this mean that territorial behaviours described above cannot be understood under the anthropological category of ritual? Not if ritual is disconnected from the sacred and is only understood from its territorial function. In a certain sense, the collaboration between Guattari and Glowczewski could be understood as such an attempt. Since Durkheim the ethnographic data collected by Spencer and Gillen¹⁹⁷⁴ has often been analysed under the category of the sacred. Eliade himself bases his anthropological analysis of hierophanic spaces on this material: the first example he gives to illustrate an intense centre is actually the totemic centre. By contrast, Barbara Glowczewski's work

1972 For the idea that sacred spaces are conceived as lost paradise, see ELIADE Mircea, *Traité d'Histoire des Religions*, *op. cit.*, p. 327.

1973 DELEUZE and GUATTARI, *MP*, p. 214.

1974 GILLEN Francis James and SPENCER Baldwin, *The Native Tribes of Central Australia*, London, Macmilland and Co. Limited, New York, The Macmillan Company, 1899.

insists more on the territorial function of aboriginal rituals than on their role in the sacralisation of places. Although she highlights the close relation between mythology, mythical territory and the rituals that re/actualise them, she also sees her own work as a criticism of Durkheim's reading of the Australian studies: “*la lecture faite par Durkheim, et d’autres après lui, des données aborigènes disponibles, réduisit les descriptions minutieuses de Spencer et Gillen, ainsi que de quelques autres observateurs de terrain, à des questions de classification et de religion, qui relevaient du paradigme classificatoire et dualiste de leur époque, opposant individu et société, nature et culture, corps et âme, etc.*”¹⁹⁷⁵. Moreover, many anthropologists have more recently shown the limit of the category of the sacred to understand rituals and have highlighted their territorial functions. In other words, rituals do not connect men to a sacred world that is entirely separated from the rest of their social life therefore absolute transcendence is not suitable to describe these sequences of actions: ritual is more a way of organising co-action with beings of the environment¹⁹⁷⁶.

To summarise this point, chains of territorial behaviour 1° cannot be considered “rituals” from an ethological point of view, that is, because of their instinctive dimension, 2° they cannot be confused with religious rituals (the sacred is just a peripheral effect of a more profound process of territorialisation) 3° but it would not be wrong to assert that a more anthropological understanding of rituals would be more appropriate. Under the sacralisation of space by religious rites, there is a more fundamental operation by which territory is produced: “*nous devons reconnaître que la religion, commune à l’homme et à l’animal, n’occupe le territoire que parce qu’elle dépend, comme de sa condition, du facteur brut esthétique, se territorialisant*”¹⁹⁷⁷. This more fundamental operation or process, could be named, with Deleuze, a “aesthetico-territorial ritual”.

II.4) Matters of Expression and Assemblage Theory

In this section, we aim to offer some preliminary explications for the terms “expressive matter” and “expressive quality”, *i.e.*, the aesthetic marks by which a territory is formed. Indeed, *matter* here consists of all the materials used in artistic and aesthetic expressions: for example, colour (as used in painting), sound (as used in music), gesture (as under in dance or theatre). Once again, aboriginal paintings, songs and dance give us a good idea of what expressive matter is. Whether human or animal, artists, uses matter to create their territory. By the means of these

1975 GLOWCZEWSKI Barbara, “Rejouer les savoirs anthropologiques: de Durkheim aux aborigènes”, in *Horizontes Antropológicos*, Porto Alegre, year 20, n° 41, p. 381-403, jan./jun. 2014.

1976 PITROU Péric, “Bon voisinage avec la montagne. Entretien avec Péric Pitrou”, in *Wild Projet: Journal of Environmental Studies*, n°12, 2012, <http://www.wildproject.org/journal/12-entretien-perig-pitrou>.

1977 DELEUZE and GUATTARI, *MP*, p. 396.

materials, they separate *percepts* from perception. Percepts being sensations whose validity lies in themselves and which exceed any “lived-experience” (*erlebnis*)¹⁹⁷⁸. In other words, they are sensations which are independent from both the perceiving subject and the artist who creates them. The artist extracts a bloc of sensation (in other words, a compound of percepts and affects) that, to use a monument as an exemple, lasts and “stands up alone”, not because it raises itself toward the sky but because the compound is preserved in itself. It should be noted that the term “bloc” refers both to the consistence and the durability in time of this compound.

We will come back to this point later, however, for the moment it is necessary to point out that the idea of free aesthetic behaviour was once again developed by ethology, and more especially by Portman who was particularly interested in animals' aesthetics. In the 1950s he argued against many scientific studies on animal ornamentation that explained these solely by their preservative function. According to this latter explanation, a colour or a pattern on an animal may be explained by the following functions: to warn a fellow creature of a predator, to eliminate such or such toxins building up in the skin or thermic regulation.¹⁹⁷⁹ Portmann, on the contrary, tried to show that the functionalist explanation of animal patterns and colour is insufficient since these ornamentations are characterised by an excess, an excess that functionality cannot explain entirely. While a function may explain the coloration of an animal's skin, it cannot fully explain their proliferation and the complexity of the motifs. Given that these studies did not manage to explain this proliferation of forms from a functional point of view, they tended to neglect them, qualifying them as accessory¹⁹⁸⁰.

An abundance of ornamentation is useless for the conservation of the species. There is a disproportion of the means in comparison with the function, since this function could be fulfilled at a lesser cost. Secondly, many of the substances which are in the animal's skin and give colour to it are very ancient and appeared before it had any conservative function. Therefore, before these substances had any function, their only end was to colour the skin. It is not a matter of refusing the functional explanation of these aesthetic mode of appearing but of limiting it, highlighting its insufficiency and making the claim for another type of explanation¹⁹⁸¹.

Following on from the above argument it could seem as though an animal's appearance were both meaningless and totally free. Nevertheless, this is not the case. The myriad of colours is meaningless on if they are restricted to the conservation and the survival of the animal¹⁹⁸². In fact, far from being meaningless, these ornamentations are used by the animal in order to appear and

1978 DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 158.

1979 PORTMANN Adolf, *La Forme Animale*, trans. Georges Rémy and Jacques Dewitte, La Bibliothèque, L'ombre animale, 2013 [1948], p. 131.

1980 *Ibid*, p. 255 and p. 269.

1981 *Ibid*, p. 264.

1982 *Ibid*, p. 148.

reveal itself:

*“Nous devons voir dans l'image qu'offre la couronne tentaculaire le produit de processus particuliers qui sont intégrés à l'ontogenèse depuis la cellule-oeuf de manière à donner naissance à un motif ayant une prégnance spécifique. Notre conception suppose que sont incorporés à l'organisme des processus d'élaboration d'une grande complexité qui seraient inutiles, au sens courant, pour la conservation pure et simple. Nous soulignons par là que l'organisme a aussi apparaître, qu'il doit se présenter dans sa spécificité.”*¹⁹⁸³

Consequently, this excess is the way by which the organism presents itself and expresses its specificity: ornamentation thus has a “function” of self-presentation. This idea of self-presentation can only be truly understood if it is put in relation with the idea of an interiority (*Innerlichkeit*) or a self (*Selbst*), that is a subject, a centre of activity able to have a relation with the world. Indeed, a pure exteriority cannot have any relation to the world because it is precisely *the* world and, thus, only an interiority is able to have it. To be more precise, this relation to the world means that, as a centre of activity, the organism shapes the impressions coming from the external milieu, making them a part of its own inner life, and, in return, modifies some part of the environment in order to make it its “own”. Thus, an interiority, which is not reduced to consciousness, is not a state of mind localised purely in the interior: it goes beyond the corporal limits of the individual. (this is an idea already mentioned with the notion of an associated milieu)¹⁹⁸⁴. Organisms tend to express this interiority by self-presentation. In other words, interiority *appears* through a self-presentation. Appearance has to be understood in “its first sense”¹⁹⁸⁵. That is, it is not an appearance (*Schein*) in the sense that something shows itself as something which in itself it is not (for example, far away, I see someone but it is just a statue), but in the sense that it *is* what *appears*, it is a “showing-itself”. This corresponds exactly to what Heidegger called a phenomenon: “Thus we must *keep in mind* that the expression “*phenomenon*” signifies *that which shows itself in itself*, the manifest. Accordingly the φαινόμενα or “phenomena” are the totality of what lies in the light of day or can be brought to the light – what Greeks sometimes identified simply with τὰ ὄντα (entities)”¹⁹⁸⁶. As Heidegger notes, φαινόμενον (phenomenon) derive from the verb φαίνεσθαι (to show itself) which is itself a middle-voiced declination of φαίνω (to bring to the light of day), φῶς (the light) being the radical

1983PORTMANN Adolf, “L'autopresentation, motif de l'élaboration, motif de l'élaboration des formes vivantes”, trans. Jacques Dewitte, in *Etudes Phénoménologique*, n°23-24, 1996, p. 150.

1984PORTMANN Adolf, “Zur Philosophie des Lebendigen”, in Fritz Heinemann (Hrsg.), *Die Philosophie im XX. Jahrhundert: Eine enzyklopädische Darstellung ihrer Geschichte, Disziplinen und Aufgaben*, Stuttgart, Klett, 1959, p. 410 (quoted and translated by Roger Alfred Stamm in STAMM Roger Alfred, “L'intériorité, dimension fondamentale de la vie”, in *Revue européenne des sciences sociales*, T. 37, n° 115, *Animalité et Humanité Autour d'Adolf Portmann*: XVe colloque annuel du Groupe d'Etude “Pratiques Sociales et Théories”, 1999, pp. 55-73.

1985PORTMANN Adolf, *La Forme Animale*, op. cit., p. 279.

1986HEIDEGGER Martin, *Being and Time*, trans. by John Macquarrie and Edward Robinson, Oxford, Basil Blackwell, 1985 [1927], §7A, p. 51. See also Joan Stambaugh's translation: “Thus the meaning of the expression “phenomenon” is established as what shows itself in itself, what is manifest. The *phainomena*, “phenomena”, are thus the totality of what lies in the light of day or can be brought to light”. HEIDEGGER Martin, *Being and Time*. A Translation of *Sein und Zeit*, trans. Joan Stambaugh, Albany, State University of New York Press, 1996, p. 25.

of the latter. The etymology of the term “phenomenon” (and, thus, the term “appearance”) is probably the reason why Portmann insists on the closed connection between animal's appearances and the luminous field. Given this definition of appearance and interiority, one can say that an organism's appearances equate to bringing their own interiority to the light of the day. These beings-to-the-world show their interiority, show themselves through these forms, by these appearances. An animal's appearance is therefore a manifestation, an expression of interiority¹⁹⁸⁷. This equivalence between expression and appearance is finally linked by Portmann with the aesthetic: “*Les motifs de la crevette transparente Periclimenes et les dessins multiformes des opisthobranches ne sont pas des ornements qui seraient surimposés à une forme fonctionnelle. Ils sont tout aussi peu des ornements que ne le sont les aplats de couleur et les lignes rigoureuses de Piet Mondrian ou les hieroglyphes énigmatiques des dernières œuvres de Paul Klee*”¹⁹⁸⁸. In summary, an animal's appearance is an aesthetic form of expression by which they make their interiority appear.

Although Deleuze and Guattari do not quote Portmann in the plateau entitled “De la Ritournelle”, the concept of “matters of expression” seems to be both very close to as well as being very far from Portman's own understanding of expression. For both Portmann and Deleuze and Guattari, expression is understood as aesthetic. Moreover, they both consider expression as a non-functional component of a milieu: human and non-human beings do not express themselves for their own conservation but do so freely. In this sense, Portmann's claim for a non-utilitarian explanation of expressivity¹⁹⁸⁹ is a claim that Deleuze would wholeheartedly agree with.

Nevertheless, Portmann does not understand expression as a prerequisite for territorialisation. Indeed, while territory is not one of his principal preoccupations, if Portmann had written about this topic, it would probably be the case that territory would be categorised as just another function, much like aggressiveness, sexuality, nutrition, etc. On the contrary, Deleuze considers expression as essential to the process of territorialisation: “*le territoire n'est pas premier par rapport à la marque qualitative, c'est la marque qui fait le territoire*”¹⁹⁹⁰. Moreover, and above

1987 It should be added that these appearance are “non-addressed” and sent in the air without being related to any receptor, in the sense that, although they are highly visible, they are not necessarily made to be seen. PORTMANN Adolf, *La Forme Animale*, op. cit., p. 278. See also PRÉVOST Bertrand, “Les apparences inadressées. Usages de Portmann (doutes sur le spectateur)”, in PRÉVOST Bertrand and ROUGÉ Bertrand, (eds.), *L'Adresse*, XVI^e Colloquium du Cicada, Pau, Presse universitaire de Pau, 2011, pp. 171-180. From the same author see also: PRÉVOST Bertrand, “L'élégance animale. Esthétique et zoologie selon Adolf Portmann”, *Images Re-vues*, n°6, 2009, <https://imagesrevues.revues.org/379>.

1988 PORTMANN Adolf, “L'autopresentation, motif de l'élaboration, motif de l'élaboration des formes vivantes”, trans. Jacques Dewitte, in *Etudes Phénoménologique*, n°23-24, 1996, pp. 163-164.

1989 On the Portmann's anti-utilitarian point of view, see DEWITTE Jacques, *La Manifestation de Soi. Éléments d'une Critique Philosophique de l'Utilitarisme*, Paris, La Découverte, TAP/ Bibliothèque du MAUSS, 2010, p. 29-43.

1990 DELEUZE and GUATTARI, *MP*, p. 388.

all, Deleuze does not seem to understand expressivity as a phenomenon, as the manifestation of an interiority. Expression, for Deleuze, does not imply a dualistic structure where an expression is that which expresses an interiority: the movement of an interiority exteriorising and objectifying itself in an exteriority.

That is to say, this is far too Hegelian for Deleuze and Guattari. Deleuze and Guattari distance the notion of expression from that of Hegel's from the *Manuscripts of Jena*. As demonstrated in section two, Hegel conceives of labour (and thus the appropriation of nature) as a process of expression in which the subject exteriorises itself into an external object and contemplates itself through this exteriority. Firstly, for Deleuze, as we will see, the formation of a territory cannot be thought of as the appropriation of a piece of land actualised through the transformative action of labour. Secondly, the idea of the exteriorisation of an interiority into matter is far too close to a phenomenology of self-consciousness, something which is quite far from Deleuze's own philosophy.

In fact, expression does not have to be understood through a phenomenological or an "expressive model" but can be understood from the semiotic point of view of the Deleuzian theory of assemblages (*agencement*). The concept of assemblage is probably one of the most important concepts of *Mille Plateaux*. In *Dialogues*, Deleuze argues that the assemblage should be understood as the minima real unit (*l'unité réelle minima*)¹⁹⁹¹. It is not our intention to give a detailed exposition of this notion here. However, in order to obtain an approximate idea of what it refers to and, thus of what sort of problems it is related to, we shall recall that Deleuze identifies an assemblage with the finite existing modes of Spinoza's *Ethics*¹⁹⁹². In short, this means that it should not be confused with a substance or an individuated subject¹⁹⁹³. Like the mode which is made up of a great number of bodies – and also like the Nietzschean body which results from a multiplicity of forces – Deleuze defines the assemblage as a multiplicity whose terms are connected together but remain heterogeneous and disparate:

*"Qu'est-ce qu'un agencement? C'est une multiplicité qui comporte beaucoup de termes hétérogènes, et qui établit des liaisons, des relations entre eux, à travers des âges, des sexes, des règnes – des natures différentes."*¹⁹⁹⁴.

1991 DELEUZE Gilles and PARNET Claire, *Dialogues*, Paris, Flammarion, 1977, reedited and expanded 1996, p. 65 (from now, abbreviated as follows : DELEUZE and PARNET, *D*)

1992 SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, p. 79.

1993 SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, p. 74.

1994 DELEUZE and PARNET, *D*, p. 84. See also the following definition: "*Machine, machinisme, "machinique": ce n'est ni mécanique, ni organique. Le mécanique est un système de liaisons de proche en proche entre termes dépendants. La machine au contraire est un ensemble de 'voisinage' entre termes hétérogènes indépendants (le voisinage topologique est lui-même indépendant de la distance ou de la contiguïté). Ce qui définit un agencement machinique, c'est le déplacement d'un centre de gravité sur une ligne abstraite*". DELEUZE and PARNET, *D*, pp. 125-126.

Just like the mode, the concept of assemblage has a great (almost infinite) extension: a book¹⁹⁹⁵, the masochist¹⁹⁹⁶, Freud's little Hans and his horse¹⁹⁹⁷, Ravel's bolero¹⁹⁹⁸, the drug addict and his drug¹⁹⁹⁹, an army or a school²⁰⁰⁰, the narrator's love for Albertine in *La Recherche du temps perdu*²⁰⁰¹, the domestic squabble or a group of alcoholics in a pub²⁰⁰², all these multiplicities, all these conjunctions of forces are assemblages. This notion also applies to the subject we are dealing with, *i.e.*, the social field. Just as societies are finite modes in Spinoza's political philosophy²⁰⁰³, so too does Deleuze considers collective formations to be assemblages.

A machinic assemblage is made of two first dimensions: first, a machinic assemblage of bodies (understood not only as an apparatus of wealth production). In the case of the feudal assemblage, it implies an assemblage of the body of the earth, the social body, the body of the overlord and the serf, the weapons and tools, the body of the knight and the horse, etc. Secondly, an assemblage also includes a collective assemblage of enunciation (or statements) – that is, in the case already mentioned, an assemblage of juridical regimes of heraldry, oaths, etc. Deleuze, also refers to these two segments of an assemblage by the terms “content” and “*expression*”. He takes these concepts from the linguist Louis Hjelmselv, modifying somewhat their meaning: content and expression are no longer identified with the signifier and the signified (*i.e.*, according to Saussure, the concept and the acoustic image, the intelligible and the sensible part of the sign²⁰⁰⁴), they are respectively an assemblage of bodies and an assemblage of signs²⁰⁰⁵. Deleuze also borrows from Hjelmselv the idea that both sides of the sign, content and expression, have *a substance* (the shapeless mass of thoughts and meaning, in the case of the substance of the content, and the

1995 DELEUZE and GUATTARI, *MP*, p. 10.

1996 *Ibid*, p. 193.

1997 *Ibid*, p. 314.

1998 *Ibid*, p. 331.

1999 *Ibid*, p. 349.

2000 *Ibid*, p. 175.

2001 *Ibid*, p. 547.

2002 *Ibid*, p. 546. Cf also Deleuze Gilles, *Appareils d'Etat et Machines de Guerre*, Cours à l'Université de Vincennes, Séance 4, 27/11/1979, <https://www.webdeleuze.com/textes/238>.

2003 MATHERON Alexandre, *Individu et Communauté chez Spinoza*, *op. cit.*, p. 54 p. 57, and p. 58.

2004 “Le signe linguistique unit non une chose et un nom, mais un concept et une image acoustique”. SAUSSURE Ferdinand de, *Cours de Linguistique Générale*, Paris Grande Bibliothèque Payot, 1995 [1916], p. 98.

2005 “Les strates sont des formations historiques, positivités ou empiricités. “Couches sédimentaires”, elles sont faites de (...) contenus et d'expressions. Nous empruntons ces derniers termes à Hjelmslev, mais pour les appliquer à Foucault en un tout autre sens, puisque le contenu ne se confond plus avec un signifié, ni l'expression avec un signifiant”. DELEUZE Gilles, *Foucault*, Paris, Minuit, Critique, 1986, p. 55 (from now, abbreviated as DELEUZE Gilles, *F*). On the critique of the signifier: “la tâche de l'archéologie, c'est d'abord de découvrir une véritable forme d'expression qui ne peut se confondre avec aucune des unités linguistiques, quelles qu'elles soient, signifiant, mot, phrase, proposition, acte de langage. Foucault s'en prend particulièrement au Signifiant, “le discours s'annule dans sa réalité en se mettant à l'ordre du signifiant”. Nous avons vu comment Foucault découvrirait la forme d'expression dans une conception originale de l'“énoncé”, comme fonction qui croise les diverses unités, traçant une diagonale plus proche de la musique que d'un système signifiant. (...) Mais une opération analogue est nécessaire pour la forme de contenu; celui-ci n'est pas plus un signifié que l'expression un signifiant. Ce n'est pas non plus un état de choses, un référent.” *Ibid.*, p. 59.

amorphous chain of sounds, in the case of the substance of expression) and a *form* (in both cases, the sign gives an order to the shapeless material)²⁰⁰⁶. In the same way, assemblages of bodies and collective assemblages of enunciation have both a form and a substance²⁰⁰⁷. Deleuze illustrates this point using Foucault's analysis from *Surveiller et Punir*. Take the case of the prison-assemblage. On the “physicalist” face of the assemblage, the prison space (defined as a “place of visibility”) corresponds to the form of the content, and the prisoners its substance. Likewise, the expressive face articulates a form and a substance: the penal law (which is defined as a field of discipline) and delinquency (which is the object of the penal code)²⁰⁰⁸.

The thesis that both faces of an assemblage articulate the relation between form and substance means at least two things. First, it is a refutation of the form-content duality²⁰⁰⁹. We generally think of content as amorphous matter, which is yet to receive a form and, reversely, it is commonly admitted that expression is pure form without content. According to this opinion, expression plays the role of the form of the content. “Hjemslev’s thesis” positions itself against this prejudice since 1° expression has a substance and 2° content has form: “*La distinction des deux articulations ne passe pas entre formes et substances, mais entre contenu et expression, l'expression n'ayant pas moins de substance que le contenu, et le contenu, pas moins de forme que l'expression*”²⁰¹⁰. Secondly, the thesis that content and expression have their own respective forms means that there is no causality between the two sides of the assemblage. It is not an expression which formalises the content, since, precisely, the content has its own formalisation, and vice versa: “*les contenus ne sont pas des “signifiés” qui dépendraient du signifiant, d'une manière ou d'une*

2006See chapter 13 of HJELMSLEV Louis, *Prolegomena to a Theory of Language*, trans. Francis J. Whitfield, Madison-Milwaukee-London, The University of Wisconsin Press, 1969.

2007The following passage of *Mille Plateaux* gives the definition of each of these terms: “*On appelait matière le plan de consistance ou le Corps sans Organes, c'est-à-dire le corps non formé, non organisé, non stratifié ou déstratifié, et tout ce qui coulait sur un tel corps, particules submoléculaires et subatomiques, intensités pures, singularités libres préphysiques et prévitales. On appelait contenu les matières formées, qui devaient dès lors être considérées de deux points de vue, du point de vue de la substance en tant que telles matières étaient “choisies”, et du point de vue de la forme en tant qu'elles étaient choisies dans un certain ordre (substance et forme de contenu). On appelait expression les structures fonctionnelles qui devaient elles-mêmes être considérées de deux points de vue, celui de l'organisation de leur propre forme, et celui de la substance en tant qu'elles formaient des composés (forme et substance d'expression)*”. DELEUZE and GUATTARI, *MP*, p. 58.

2008“*Le contenu a une forme et une substance: par exemple la prison, et ceux qui y sont enfermés, les prisonniers (qui? Pourquoi? Comment?). L'expression aussi a une substance: par exemple le droit pénal, et la “délinquance” en tant qu'objet d'énoncés. De même que le droit pénal comme forme d'expression définit un champ de dicibilité (les énoncés de délinquance), la prison comme forme de contenu définit un lieu de visibilité (le “panoptisme”, c'est-à-dire un lieu où l'on peut à chaque instant tout voir sans être vu)*”. DELEUZE Gilles, *F*, p. 55. The same scheme works with *L'Histoire de la Folie à l'Age Classique*: “*l'hôpital général comme forme de contenu ou lieu de visibilité de la folie n'avait nullement sa source dans la médecine, mais dans la police; et la médecine comme forme d'expression, agent de production pour des énoncés de “déraisonné”, déployait son régime discursif, des diagnostics et ses soins, en dehors de l'hôpital.*”. DELEUZE Gilles, *F*, p. 69.

2009“*Hjemslev avait su constituer toute une grille, avec les notions de matière, contenu et expression, forme et substance. (...) Or cette grille avait déjà l'avantage de rompre avec la dualité forme-contenu, puisqu'il y avait une forme de contenu non moins qu'une forme d'expression*”. DELEUZE and GUATTARI, *MP*, p. 58.

2010DELEUZE and GUATTARI, *MP*, p. 59.

autre, ni des “objets” qui seraient dans un rapport de causalité quelconque avec le sujet. En tant qu'ils ont leur formalisation propre, ils n'ont aucun rapport de correspondance symbolique ou de causalité linéaire avec la forme d'expression”²⁰¹¹. Hence the classical question of the articulation between the two dimensions of an assemblage.

Here, Deleuze and Guattari claim to be challenging the two principal responses given to this problem: the response given by the school of Historical Materialism and classical Marxism (especially the concept of the mode of production) and the “idealist” response of Structuralism (in particular, the primacy of the signifier that is autonomous from the signified and which produces meaning through the relation of signifiers). By contrast with vulgar Marxism, there is no causal relation between the plan of expression and the plan of content and the former does not reflect the latter. To put it in Marxist terms, the relation between content and expression is not that of a determination of the superstructure by the material base (infrastructure)²⁰¹². The idealist model proposed by structuralism (the combination of signifiers into an autonomous system which produces meaning)²⁰¹³ does not account for the relation between content and expression either : the latter producing no form. To borrow from Spinozist terminology, it could be said that there is no “inter-attribute causality”, whatever the direction this causality takes (from the content to the expression or from the expression to the content): “*les deux formalisations [the formalisation of the content and the formalisation of the expression] ne sont pas de même nature, et son indépendantes, hétérogènes. (...) La forme d'expression sera constituée par l'enchaînement des exprimés, comme la forme de contenu par la trame des corps.*”²⁰¹⁴. In fact, as Deleuze's interpretation of Spinoza claims: there is a real distinction (*distinction réelle*) between the attributes of the substance²⁰¹⁵. As

2011 DELEUZE and GUATTARI, *MP*, p. 175. See also the following passage: “*Précisément parce que le contenu a sa forme non moins que l'expression la simple fonction de représenter, de décrire ou de constater un contenu correspondant: il n'y a pas correspondance ni conformité*”. DELEUZE and GUATTARI, *MP*, p. 109.

2012 “*L'erreur serait donc de croire que le contenu détermine l'expression, par action causale, même si l'on accordait à l'expression le pouvoir non seulement de “réfléter” le contenu, mais de réagir activement sur lui. Une telle conception idéologique de l'énoncé, qui le fait dépendre d'un contenu économique premier, butte sur toutes sortes de difficultés inhérentes à la dialectique*”. DELEUZE and GUATTARI, *MP*, p. 113.

2013 On the idea that the sense is a result of the combination of signifiers, see DELEUZE Gilles, “A quoi reconnaît-on le structuralisme?”, in CHÂTELET François, *La Philosophie au XXe Siècle*, T. 4, Verviers, Marabout, 1979, p. 300. pp.293-329: “*(...) si les éléments symboliques n'ont pas de désignation extrinsèque ni de signification intrinsèque, mais seulement un sens de position, il faut poser en principe que le sens résulte toujours de la combinaison d'éléments qui ne sont pas eux mêmes signifiants. Comme Lévi-Strauss le dit dans sa discussion avec Paul Ricoeur, le sens est toujours un résultat, un effet : non seulement un effet comme produit, mais un effet d'optique, un effet de langage, un effet de position. Il y a profondément un non-sens du sens, dont le sens lui même résulte. (...) Pour le structuralisme (...) il y a toujours trop de sens, une sur-production, une surdétermination du sens, toujours produit en excès par la combinaison de places dans la structure*”. In fact, the autonomy of the signifier corresponds to a particular regime of signs (the “signifying regime of the sign”) in which “*le signe renvoie au signe, et ne renvoie qu'au signe à l'infini*”, the content being put aside. DELEUZE and GUATTARI, *MP*, pp. 141-147.

2014 DELEUZE and GUATTARI, *MP*, p. 109.

2015 Deleuze defines the “real” distinction as follows: “*deux choses sont réellement distinctes lorsqu'elles sont conçues comme telles, c'est-à-dire “l'une sans le secours de l'autre”, de telle manière que l'on conçoive l'une en niant tout ce qui appartient au concept de l'autre*”. DELEUZE Gilles, *Spinoza et le Problème de l'Expression*, Paris, Minuit,

Spinoza, the authors of *Mille Plateaux* assert a real distinction between content and expression, which means that there is a distinction *in the thing itself* and not only *in the mind* (distinction of reason). The consequence of this distinction is that there is no causality nor relation of representation (or symbolisation) between the content and the expression. Yet this distinction is real while being formal: the distinction between content and expression is real but it is not *numeric*²⁰¹⁶ (even though there is a *distinction* in the thing itself, there is no *division* in being, hence the thesis of univocity). Indeed, content and expression are composed a single thing²⁰¹⁷. In other words, content and expression are the heterogeneous of gears and cogs of the same machine²⁰¹⁸, two faces of the same assemblage. It should be added (and it is important for the elucidation of what matters of expression are) that the heterogeneity of this semiotic machine, the independence of the two faces of the assemblage, is not contradicted by the fact that expressions are inserted into content without representing them: “*un agencement d'énonciation ne parle pas “des” choses mais parle à même les états de choses ou les états de contenu*”²⁰¹⁹. As such, the relation between content and expression is described by Deleuze as a reciprocal presupposition²⁰²⁰.

While the exposition of assemblages given so far could be sufficient for our purpose (the

Arguments, 1968, p. 28 (from now on, abbreviated as follows: DELEUZE Gilles, *SPE*). See also DELEUZE Gilles, *SPP*, p. 73: “*Les attributs sont réellement distincts : aucun n'a besoin d'un autre, ni de rien d'autre, pour être conçu. Ils expriment donc des qualités substantielles absolument simples*”.

2016 “*La distinction formelle est bien une distinction réelle, parce qu'elle exprime les différentes couches de réalités qui forment ou constituent un être. (...) Mais elle est un minimum distinction réelle, parce que les deux quiddités réellement distinctes se coordonnent et composent un être unique. Réelle et pourtant non numérique, tel est le statut de la distinction formelle*”. DELEUZE Gilles, *SPE*, p. 54-55.

2017 The distinction between content and expression is thus “real-formal”: “*Entre le contenu et l'expression il y avait bien une distinction réelle, puisque les formes correspondantes étaient actuellement distinctes dans la “chose” elle-même et pas seulement dans l'esprit de l'observateur. Mais cette distinction réelle était très particulière, elle était seulement formelle, puisque les deux formes composaient ou conformaient une seule et même chose, un seul et même sujet stratifié*”. DELEUZE and GUATTARI, *MP*, p. 76. The parallel with the Deleuze interpretation of Spinoza's attributes seems relevant: “1°) *Les attributs chez Spinoza sont réellement distincts, ou conçus comme réellement distincts. En effet, ils ont des raisons formelles irréductibles; chaque attribut exprime une essence infinie comme sa raison formelle ou sa quiddité. (...) 2°) Chacun attribue son essence à la substance comme à autre chose. Façon de dire que, à la distinction formelle entre attributs, ne correspond aucune division dans l'être. (...) 3°) Cette “autre chose” est donc la même pour tous les attributs. Bien plus: elle est la même que tous les attributs. Cette détermination ne contredit nullement la précédente. Tous les attributs formellement distincts sont rapportés par l'entendement à une substance ontologiquement une*”. DELEUZE Gilles, *SPE*, p. 56. On Deleuze's interpretation of Spinoza's theory of attributes, see RAMOND Charles, *Qualité et Quantité dans la Philosophie de Spinoza*, Paris, PUF, Philosophie d'Aujourd'hui, 1995, pp. 121-122. On the real-formal distinction of content and expression see SIBERTIN-BLANC Guillaume, *Politique et Clinique*, op. cit., pp. 292-294.

2018 DELEUZE and PARNET, *D*, p. 86 ; DELEUZE and GUATTARI, *MP*, p. 175.

2019 DELEUZE and GUATTARI, *MP*, p. 110.

2020 “*les deux formes ne cessent d'entrer en contact, de s'insinuer l'une dans l'autre, d'arracher chacun un segment de l'autre: le droit pénal ne cesse de reconduire à la prison, et de fournir des prisonniers, tandis que la prison ne cesse de reproduire de la délinquance, d'en faire un “objet”, et de réaliser les objectifs que le droit pénal concevait autrement (défense de la société, transformation du condamné, modulation de la peine, individuation). Il y a présupposition réciproque entre les deux formes. Et pourtant il n'y a pas forme commune, il n'y a pas conformité, ni correspondance.*” DELEUZE Gilles, *F*, p. 41. It should be noted that, if this last statement is right at the concrete assemblage level, the distinction between content and expression disappears at the virtual level of the diagram (or abstract machine). Such an abstract machine “*ignore toute distinction de forme entre un contenu et une expression, entre une formation discursive et une formation non-discursive.*” DELEUZE Gilles, *F*, p. 42.

explanation of the concept of matters of expression), further clarifications regarding the concept of assemblage, especially the theory of *abstract machines*, needs to be explored. These clarifications will be useful for what follows, but they also give a more complete explanation of the articulation of the two first aspects of an assemblage, content and expression.

An abstract machine designates the level of an assemblage which is “more profound” than its content and expression (the first two sides of the concrete machine previously identified). It is the fourth aspect of assemblage, the edges of deterritorialisation and decodage²⁰²¹ (the third aspect being the axis of territorialisation)²⁰²². At this level, there is no longer any distinction between expression and content and their respective substance and form “disappear”. What remains is pure matter and pure function or unformed matter and unformed (or non-formalised) function: “*Nous définissons la machine abstraite par l'aspect, le moment où il n'y a plus que des fonctions et des matières. Un diagramme où il n'y a plus que des fonctions et des matières*”²⁰²³.

As already mentioned, the examples given in *Foucault* of concrete assemblages are probably the most detailed as well as being the most explicit. On the one hand, there is the prison, the hospital, and the school, which are all formed matters (in this case, the form organises matters). All these formed matters constitute the content of an assemblage. On the other hand, there are articulable functions (*fonction énonçables*), which are formalised or rather finalised: to punish, to cure, to educate (here the form gives specific objectives to the functions, it give them particular purposes)²⁰²⁴. Here we have the expressive level of the same assemblages. As stated, there is a mutual presupposition between formed matter (content) and articulable functions (expression). For example, between the prison and the function of punishment (penal law). This mutual presupposition forms a concrete assemblage. According to Deleuze, Foucault also takes into consideration another level of those concrete assemblage, a level which is destratified and abstract: Panopticism. Foucault defines it as follows:

*“Le panopticon au contraire doit être compris comme un modèle généralisable de fonctionnement; une manière de définir les rapports du pouvoir avec la vie quotidienne des hommes. Sans doute Bentham le présente comme une institution particulière, bien close sur elle-même. On en a fait souve une utopie de l'enfermement parfait. (...) Mais le Panopticon ne doit pas être compris comme un édifice onirique: c'est le diagramme d'un mécanisme de pouvoir ramené à sa forme idéal; son fonctionnement, abstrait de tout obstacle, résistance ou frottement, peut bien être représenté comme un pur système architectural et optique; c'est en fait une figure de technologique politique qu'on peut et qu'on doit détacher de tout usage spécifique”*²⁰²⁵.

2021DELEUZE and GUATTARI, *MP*, pp. 636-637.

2022DELEUZE and GUATTARI, *MP*, p. 112.

2023“Les machines abstraites opèrent dans les agencements concrets: elles se définissent par le quatrième aspect des agencements, c'est-à-dire par les pointes de décodage et de déterritorialisation”. DELEUZE and GUATTARI, *MP*, p. 176

2024The form is said to opearete in at different way: 1° it forms or organizes matters 2° it forms or gives ends, objectives to functions: “*Non seulement la prison, mais l'hôpital, l'école, la caserne, l'atelier sont des matières formées. Punir est une fonction formalisée, et aussi soigner, éduquer, dresser, faire travailler*”. *Ibid.*, p. 41.

2025FOUCAULT Michel, *Surveiller et Punir. Naissance de la Prison*, Gallimard, Tel, 1975 p. 239.

The panopticon, Deleuze writes, is used to impose *a* conduct (an unfinalized function) to *some* multiplicity (unformed matter). In other words, 1° *its function is unfinalized*. This means that it has no specific use: it may be used to punish, to care, to educate or to enforce work. Whatever its concrete use, its function is to “impose a conduct” (whatever this conduct might be). 2° *its matter is unformed*. As mentioned, this apparatus of power deals with a multiplicity whose nature remains unspecified: it could be a multiplicity of prisoners, of patients, pupils, or workers. Likewise, the space in which this multiplicity must be distributed is not specified: it might be a prison, a hospital, a school or a factory²⁰²⁶. Here, we understand the meaning of the term “abstract”. The panopticon is an abstract machine because it has no specific content. Here, abstract does not mean beyond the real, transcending the real. The abstract is not a transcendent idea²⁰²⁷ because, as we shall see, it is immanent to the social field. Nor does abstract means that the machine is a pure theoretical abstraction or even a fictive abstraction which would have no concrete effect. When Foucault points out that the panopticon is not a utopia, he means that it is abstract but *real*²⁰²⁸. Indeed, this machine is not simply an ideal theory (which would have no concrete effect), but it is coextensive with all social fields (here disciplinary societies) in which it exerts real effects²⁰²⁹. Take the following functions of the panopticon: to distribute a multiplicity in a gridded space, to compose and combine this space in a certain way, to isolate the detail (in a word, to impose a conduct to that multiplicity). All these operations may take a specific and concrete form in such or such an institution (here, a prison); they may organise such or such a multiplicity (prisoners); and, at the same time, they are not reduced to a specific sector but run throughout the whole social field. Deleuze uses the Nietzschean terminology of forces to qualify these *relations of power*: “une force s'exerce sur d'autres forces”²⁰³⁰. In concrete terms, the operation of gridding amounts to the exercise of force on

2026 “Il [the panopticon] est polyvalent dans ses applications ; il sert à amender les prisonniers, mais aussi à soigner les malades, à instruire les écoliers, à garder les fous, à surveiller les ouvriers, à faire travailler les mendiants et les oisifs. C'est un type d'implantation des corps dans l'espace, de distribution des individus les uns par rapport aux autres, d'organisation hiérarchique, de disposition des centres et des canaux de pouvoir, de définition de ses instruments et de ses modes d'intervention, qu'on peut mettre en œuvre dans les hôpitaux, les ateliers, les écoles, les prisons. Chaque fois qu'on aura affaire à une multiplicité d'individus auxquels il faudra imposer une tâche ou une conduite, le schéma panoptique pourra être utilisé”. FOUCAULT Michel, *Surveiller et Punir*, op. cit., pp. 239-240.

2027 DELEUZE and GUATTARI, *MP*, p. 177.

2028 “C'est un Abstrait-Réel qui s'oppose d'autant plus à l'abstraction fictive d'une machine d'expression supposée pure”. DELEUZE and GUATTARI, *MP*, p. 177.

2029 DELEUZE Gilles, *F*, p. 42. Cf also KRTOLICA Igor, “Diagramme et agencement chez Gilles Deleuze: l'élaboration du concept de diagramme au contact de Foucault”, in *Filozofija I Društvo*, 20, 3, 2009, p. 105 (pp. 97-124). This is how Deleuze understand Foucault's thesis that omnipresence of the power is everywhere: “Omniprésence du pouvoir: non point parce qu'il aurait le privilège de tout regrouper sous son invincible unité, mais parce qu'il se produit à chaque instant, en tout point, ou plutôt dans toute relation d'un point à un autre. Le pouvoir est partout; ce n'est pas qu'il englobe tout, c'est qu'il vient de partout”. FOUCAULT Michel, *Histoire de la Sexualité*. I, *La Volonté de Savoir*, op. cit., p. 122.

2030 DELEUZE Gilles, *F*, p. 42. In his book on Nietzsche, Deleuze defined the “Will to power” by this relation between forces: “La généalogie n'interprète pas seulement, elle évalue. Jusqu'à maintenant, nous avons présenté les choses comme si les différentes forces luttèrent et se succédaient par rapport à un objet presque inerte. Mais l'objet lui-

other forces. All of these relations of power are disseminated within a disciplinary society and the panopticon is just the cartography of those relations: “*le diagramme ou la machine abstraite, c’est la carte des rapports de forces, carte de densité, d’intensité, qui procède par liaisons primaires non-localisables, et qui passe à chaque instant par tout point (...)*”²⁰³¹. To speak of power relations means that the interactions at stake here are unstable, vanishing and extremely mobile. Foucault often insists on the fact that the characteristic of a relation between forces is its reversibility: a power relation at any time may be reverted and the outcome of the conflict between forces is always unsettled²⁰³². Hence, the labile and undetermined nature of those relations:

“(…) *les rapports de forces ou de pouvoir ne sont que virtuels, potentiels, instables, évanouissants, moléculaires, et définissent seulement des possibilités, des probabilités d’interaction, tant qu’ils n’entrent pas dans un ensemble macroscopique capable de donner une forme à leur matière fluente et à leur fonction diffuse*”²⁰³³.

This passage identifies an essential characteristic of the diagram that outlines the cartography of power relations immanent to the social field: it is a *virtual* not an actual process. Once again, this does not mean that it is not real. It is well known that, according to the Deleuze’s commentary on Bergson, the virtual is not the possible²⁰³⁴. The possible is, by definition, that which lacks existence but could exist (or not). The concept of something is possible because it does not exist but, because it is not contradictory in itself, could become real. The possible is then that which does not yet exist yet but may exist (or not) if it became *real*. In this sense, the possible is opposed to the real. On the contrary, the virtual possesses a reality. It is not opposed to the real but to the actual: the virtual is not what realises itself (it is already real) but what actualises itself. In *Le Bergsonisme*, the notion of the virtual appears in relation to duration (*la durée*) which is defined as

*même est force, expression d’une force. C’est même pourquoi il y a plus ou moins d’affinité entre l’objet et la force qui s’en empare. Il n’est pas d’objet (phénomène) qui ne soit déjà possédé, puisqu’en lui-même il est non pas une apparence, mais l’apparition d’une force. Toute force est donc dans un rapport essentiel avec une autre force. L’être de la force es le pluriel ; il serait proprement absurde de penser la force au singulier. Une force est domination, mais aussi l’objet sur lequel une domination s’exerce. (...) Le concept de force est donc, chez Nietzsche, celui d’une force qui se rapport à une autre force : sous cet aspect, la force s’appelle volonté. La volonté (volonté de puissance) est l’élément différentiel de la force. Il en résulte une nouvelle conception de la philosophie de la volonté. Le vrai problème n’est pas dans le rapport du vouloir avec l’involontaire, mais dans le rapport d’une volonté qui commande à une volonté qui obéit, et qui obéit plus ou moins”. DELEUZE Gilles, *Nietzsche et la Philosophie*, Paris, PUF, Quadrige, 2010 [1962], pp. 7-8 (from now, abbreviated as follows, DELEUZE Gilles, *NPh*).*

2031 DELEUZE Gilles, *F*, p. 44. This idea of a cartography of power relations appears in the following text : “*Le panoptisme est l’un des traits caractéristiques de notre société. C’est un type de pouvoir qui s’exerce sur les individus sous forme de surveillance individuelle et continue, sous forme de contrôle, de punition et de récompense, et sous forme de correction, c’est-à-dire de formation et de transformation des individus en fonction de certaines normes. Ce triple aspect du panoptisme – surveillance, contrôle et correction – semble être une dimension fondamentale et caractéristique des relations de pouvoir qui existent dans notre société*”. FOUCAULT Michel, “La vérité et les formes juridiques”, FOUCAULT Michel, *Dits et Ecrits*. I, Paris, Gallimard, Quarto, 2001, p. 1474.

2032 FOUCAULT Michel, *Surveiller et Punir*, op. cit., p. 35; FOUCAULT Michel, “Nietzsche et la Philosophie”, in FOUCAULT Michel, *Dits et Ecrits*. I, Paris, Gallimard, Quarto, 2001, p. 1016.

2033 DELEUZE Gilles, *F*, p. 45.

2034 DELEUZE Gilles, *Le Bergsonisme*, Paris, PUF, Quadrige, 2004 [1966], p. 100 (from now, abbreviated as follows : DELEUZE Gilles, *B*). See also DELEUZE Gilles, *DR*, pp. 269-276.

a “continuous and qualitative multiplicity”. This specific sort of multiplicity must be distinguished from another, the numerical and quantitative multiplicity²⁰³⁵. The latter is a multiplicity that consists of a juxtaposition of parts *partes extra partes* and which does not change in kind when it is divided. A number such as 6 can be divided by 6, the nature of the result, 1, does not change from the initial number which have been divided (6). Indeed, the number 6 and the number 1 do not differ in kind since 6 is made of six 1s²⁰³⁶. Space is a multiplicity of that sort. By contrast, a qualitative multiplicity is intensive and changes in kind when it is divided. Deleuze takes the example of a complex feeling which has not reached the level of consciousness: a mix of hatred and love, for example. These heterogeneous elements (which form a multiplicity) virtually coexist in the same feeling and when they are actualised and become conscious, they finally change in kind²⁰³⁷. With the actualisation, hatred and love differ in kind from one another and differ from the unconscious complex multiplicity itself. It is this sort of multiplicity, which is at the same time heterogeneous, simple and continuous, that Deleuze calls virtual²⁰³⁸. And the process by which this multiplicity differentiates itself and changes in kind is the actualisation of the virtual: “*l'actualisation se fait par différenciation, par lignes divergentes, et crée par son mouvement propre autant de différences de nature*”²⁰³⁹.

Consequently, when Deleuze claims that the diagram is virtual, it means that it is the sort of

2035DELEUZE Gilles, *B*, p. 33.

2036The multiplicity is qualified as “numerical” because “*le nombre, et d'abord l'unité arithmétique elle-même, sont le modèle de ce qui se divise sans changer de nature. C'est la même chose de dire que le nombre n'a que des différences de degré, ou que ses différences, réalisées ou non, sont toujours actuelles en lui.*” DELEUZE Gilles, *B*, p. 34-35.

2037DELEUZE Gilles, *B*, p. 35. The example of Leibniz's small perceptions is also very suggestive: “*(...) nous disons que les petites perceptions sont elles-mêmes distinctes et obscures (non claires) : distinctes parce que saisissant des rapports différentiels et des singularités, obscures parce que non encore “distinguées”, non encore différenciées – et ces singularités se condensant déterminent un seuil de conscience en rapport avec notre corps, comme un seuil de différenciation, à partir duquel les petites perceptions s'actualisent, mais s'actualisent dans une aperception qui n'est à son tour que claire et confuse, claire parce que distinguée ou différenciée, et confuse parce que claire. Le problème alors ne se pose plus en termes de parties-tout (du point de vue d'une possibilité logique), mais en termes de virtuel-actuel (actualisation de rapports différentiels, incarnation de points singuliers).*” DELEUZE Gilles, *DR*, p. 276.

2038On the concepts of the actual and the virtual see SAUVAGNARGUES Anne, “Actuel/Virtuel”, in SASSO Robert and VILLANI Arnaud (eds.), *Le Vocabulaire de Gilles Deleuze*, Paris, Vrin, Cahiers de Noesis, 2003 pp. 22-29. See also BADIOU, Alain, *Deleuze, “La Clameur de l'Etre”*, Pluriel, 2013, pp. 65-81. This book provides a critique of Deleuze's philosophy. Among other things, Badiou considers that the concept of virtual paradoxically reintroduces a thinking of the ground while one of the significant pretensions of Deleuze was precisely to have done with this notion. BADIOU, Alain, *Deleuze, “La Clameur de l'Etre”*, *op. cit.*, pp. 68-69. Now, the merit of this book remains that it gives a very clear presentation of some of Deleuze' most difficult to understand theses. For a defense of Deleuze's thesis on the question of ground, see LAPOUJADE David, *Deleuze. Les Mouvements Aberrants*, Paris, Minuit, Paradoxe, 2014, pp. 24-61.

2039DELEUZE Gilles, *B*, p. 36. Deleuze use the terms “differentiation” to designate the process of actualisation and the term “differentiation» to designate the content of the virtual: *Tandis que la différenciation détermine le contenu virtuel de l'Idée comme problème, la différenciation exprime l'actualisation de ce virtuel et la constitution des solutions (par intégrations locales). La différenciation est comme la seconde partie de la différence, et il faut former la notion complexe de différen (t / c) iation pour désigner l'intégrité ou l'intégralité de l'objet*”. DELEUZE Gilles, *DR*, p. 270.

multiplicity which changes in kind when it is divided and which actualises itself by differentiation²⁰⁴⁰. A diagram exposes the multiplicity of forces and relations of forces which run through the social field. And it is those virtual multiplicities which actualise themselves into concrete assemblage or apparatuses (*dispositifs*) such as prisons, schools, factories, etc. In other words, virtual and molecular micropowers take form and are actualised into macroscopical and molar wholes:

*“(…) l'actualisation est une intégration, un ensemble d'intégration progressives, d'abord locales, puis globales ou tendant à être globales, opérant un alignement, une homogénéisation, une sommation des rapports de forces: la loi comme intégration des illégalismes. Les agencements concrets de l'école, de l'atelier, de l'armée... opèrent des intégrations sur des substances qualifiées (enfants, travailleurs, soldats) et des fonctions finalisées (éducation, etc.), jusqu'à l'Etat qui vise une intégration globale, à moins que ce ne soit l'universel Marché”*²⁰⁴¹.

Here, Deleuze appropriates Foucault's methodology, which consists in focusing first on the analysis of microscopic and disparate relations, rather than postulating that stabilised institutions and macrostructures of domination such as the State are given at the outset. The state is rather explained by the centralisation of pre-existing micro-powers disseminated within the whole social field. In short, “the” power, insofar as it is permanent and stable, is an effect of this molecular and mobile level of power relations²⁰⁴². This point is perfectly illustrated by what Foucault calls “statisation” (*étatisation*) of groups of control²⁰⁴³. During the 18th century, England saw the spontaneous emergence of groups of control, which exerted power from below. Popular groups such as the Quakers and Methodists exerted moral control on the rest of the social body, repressing inebriation, debauchery and other vices. Other groups such as paramilitary self-defence groups, which are independent from the state power, appeared and began to repress social turmoil by the end of the century. Finally, the bourgeoisie employed private police to monitor and protect the wealth accumulated in warehouses, docks and roads. What we see here is a heterogeneous multitude of groups, which is immanent to the social field and which exerts power at a local level. However, by the end of the century, a shift takes place. These groups, which arose both from a popular and

2040 “S'il y a beaucoup de fonctions et même de matières diagrammatique, c'est parce que tout diagramme est une multiplicité spatio-temporelle”. DELEUZE Gilles, *F*, p. 42.

2041 DELEUZE Gilles, *F*, p. 45.

2042 FOUCAULT Michel, *Histoire de la Sexualité*. I, *La Volonté de Savoir*, op. cit., pp. 121-124. see also FOUCAULT Michel, *Naissance de la Biopolitique. Cours au Collège de France. 1798-1979*, Paris, Gallimard/Seuil, 2004, p. 79 : “l'état n'a pas d'essence. L'état ce n'est pas un universel, l'Etat ce n'est pas en lui-même une source autonome de pouvoir. L'Etat, ce n'est rien d'autre que l'effet, le profil, la découpe mobile d'une perpétuelle étatisation, ou de perpétuelles étatisations, de transactions incessantes qui modifient, qui déplacent, qui bouleversent, qui font glisser insidieusement, peu importe, les sources de financement, les modalités d'investissement, les centres de décision, les formes et les types de contrôle, les rapports entre pouvoirs locaux, autorités centrales, etc. Bref, l'Etat n'a pas d'entrailles, on le sait bien, non pas simplement en ceci qu'il n'aurait pas de sentiments, ni bons ni mauvais, mais il n'a pas d'entrailles en ce qu'il n'a pas d'intérieur. L'Etat, ce n'est rien d'autre que l'effet mobile d'un régime de gouvernementalités multiples”.

2043 FOUCAULT Michel, “La vérité et les formes juridiques”, op. cit., pp. 1464-1468.

petty bourgeois milieu, are subsequently recruited by the aristocracy, the bishops and people of large wealth. The state appropriates these groups, by putting them at the service of the uppers classes so as to exploit the low classes²⁰⁴⁴. Here we see how local relations of power are progressively integrated into a more centralised and structured form of power. We also see how virtualised relations of forces are actualised into concrete assemblages. Foucault explains that the generalisation of these micro powers within the social field gives birth to the society of panoptism: *“c'est la reprise par le pouvoir central des mécanisme populaires de contrôle qui caractérise l'évolution du XVIIe siècle et qui explique comment débute, à l'aube du XIXe siècle, l'ère du panoptisme qui va recouvrir toute la pratique et, jusqu'à un certain point, toute la théorie du droit pénal”*²⁰⁴⁵. And it is this abstract machine which concretises itself into assemblages as such as schools, prisons, factories, etc. Therein, the abstract machine is the immanent cause of the concrete assemblage:

*“(…) le diagramme agit comme une cause immanente non-unifiante, coextensive à tout le champ social: la machine abstraite est comme la cause des agencements concrets qui en effectuent les rapports; et ces rapports de forces passent “non pas au-dessus” mais dans le tissu même des agencements qu'ils produisent. Que veut dire ici cause immanente? C'est une cause qui s'actualise dans son effet, qui s'intègre dans son effet, qui se différencie dans son effet. Ou plutôt la cause immanente est celle dont l'effet s'actualise, l'intègre et la différencie. Aussi y a-t-il corrélation, présupposition réciproque entre la cause et l'effet, entre la machine abstraite et les agencements concrets (c'est à ceux-ci que Foucault réserve le plus souvent le nom de “dispositifs”)”*²⁰⁴⁶.

Insofar as it is made up of the totality of the power relations immanent to the social field (the groups of control which exert local power), the diagram is the cause of concrete assemblages. It is the agglomeration, the integration, the centralisation and the consolidation of these disparate and molecular relations of power into stabilised structures which leads to the formation of molar apparatus of power such as schools or prisons. And this cause (virtual multiplicities of force) is immanent because it is not exterior to its effect (concrete assemblage).

The concept of abstract machines is fundamental for the understanding of the general theory of assemblages since it provides an original solution to the problem of the articulation of expression and content. As previously stated, the distinction between content and expression ceases to be valid, once understood as diagrammatic. and that only pure matter and pure function remained. Now, it is precisely the movement from the virtual to the actual that accounts for the apparition of the content and expression of an assemblage. This movement can be explained by the process of actualisation. The actualisation of the virtual has nothing to do with the realisation of the possible. The process of realisation follows two rules: 1° *resemblance*: from the point of view of the concept, the real is the image of the possible (it is exactly the same but it is now in existence).

2044See also FOUCAULT Michel, *Surveiller et Punir*, op. cit., pp. 103-125.

2045FOUCAULT Michel, *“La vérité et les formes juridiques”*, op. cit., p. 1475.

2046DELEUZE Gilles, *F*, pp. 44-45.

2° *limitation*: all possibilities cannot be realised and thus some possibilities are rejected, while others pass into the real. In other words, realisation does not create something new, we move from the same (the possible) to the same (the real). On the contrary, the actual does not resemble the virtual it actualises and thus, actualisation has nothing to do with resemblance. Actualisation is the production of a difference, a divergence (and in that it is a creation²⁰⁴⁷). Indeed, “*le propre de la virtualité, c'est d'exister de telle façon qu'elle s'actualise en se différenciant, et qu'elle est forcée de se différencier, de créer ses lignes de différenciation pour s'actualiser*”²⁰⁴⁸. This is precisely what happens with the virtual multiplicities that pervade the social field: they actualise themselves and create lines of divergence. And this is how Deleuze accounts for the two first aspects of the concrete assemblage: the abstract machine. That is, virtual multiplicities differentiate themselves, creating two lines of differentiation, the discursive form of the apparatus and the non-discursive form (in short, expression and content).

It is not necessary for our purpose to say more about the concept of assemblage²⁰⁴⁹. The most important here is to note that expressions are neither manifestations, nor signifiers referring to other signifiers autonomous from the content, nor ideologies reflecting relations of production, but signs that are located “on the same level as” (*à même le*) the machinic assemblage of bodies (although independent from it in term of causation).

Thus, we are now able to describe what matter of expression are: they are the component of milieu “semiotised” in an aesthetic way. Components of a milieu that become expressive when they cease to be produced by a function or a drive and that become closely and inextricably intertwined with expressions, that is signs. They are characterised by a “*chevauchement du sémiotique et du matériel*”²⁰⁵⁰: “*les mots mêmes “matière d'expression” impliquent que l'expression ait avec la matière un rapport original. Au fur et à mesure qu'elles prennent consistance, les matières d'expressions constituent des sémiotiques; mais les composantes sémiotiques ne sont pas séparables des composantes matérielles, et sont singulièrement en prise sur des niveaux moléculaires.*”²⁰⁵¹.

It should be noted, here, that matter seems to be much more intensive and molecular than it is stratified and formed²⁰⁵². Concerning this, Deleuze is much closer to an economic anthropology's

2047 “*La vie est production, création de différence*”. DELEUZE Gilles, *B*, p. 101.

2048 DELEUZE Gilles, *B*, p. 100.

2049 For further development on the concept of assemblage, see the first exposition of the concept in the last chapter of *Kafka*. On this concept, also see : KRTOLICA Igor, “Diagramme et agencement chez Gilles Deleuze...”, *op. cit.*

2050 DELEUZE and GUATTARI, *MP* p. 415.

2051 *Ibid.*, p. 412.

2052 In *Mille Plateaux*, Deleuze has already used the term “matter of expression” to refer to these unformed matter and function the diagram deals with. (*Ibid.*, p. 182). At the diagrammatic level, he claimed, there is not longer any distinction between content and expression, just function or “*trait d'expression*” semiotically unformed and matter

understanding of territoriality, according to which material and symbolic dimensions are inextricably bound. From a more Marxist point of view, Godelier criticises both the idealist and materialist understanding of the social field. For the former, he argues that the symbolic world takes precedent, shaping social realities whereas for the latter, he argues that there is a primacy of the base (infrastructures) over superstructures, and that expression is understood as nothing more than an ideological reflection of these material realities²⁰⁵³. Arguing against the “traditional Marxist” idea that the social is structured like a cake composed of superimposed layers, with the hard base (infrastructures) sustaining more inconsistent parts (the superstructure), Godelier states that what Deleuze calls expression is not a mere reflection of the content. He argues that expression “*n'existe pas comme une instance séparée des rapports sociaux, comme une superstructure où viendraient se refléter après coup de façon déformée les autres composantes de la réalité sociale, réalité née hors d'elle et sans elle et sur laquelle elle n'exercerait qu'une action-en-retour, action d'autant moins efficace qu'elle partirait de représentations plus déformées du réel*”²⁰⁵⁴. According to this idea, it would be wrong to claim that the modes of actions on environment and the social relationships which shape them are previously constituted, that is, with the symbolic level emanating from them. Indeed, this would even be this case in which a feed-back action of the former on the latter would be postulated, as in Althusser theory of an “*action en retour*”, a hypothesis that would presuppose the previous separation between the two levels. In fact, “*idéel*” is always immanent to the social base (infrastructure). The immaterial part of reality is located at the heart of the relations of production, but it is also located within the forces of production, forces of production by which men act on nature and appropriate it (forces of production which are activated by relations of production). Concerning social relationships, Godelier gives the case of how the Incas' represent their social environment: because the Sapa Inca, the Inca emperor endowed with supernatural capacities, is in charge of the reproduction of nature and society (he ensures the fertility of both women and the soil), the peasants, who think they owe him their existence, give him in return a part of their production. Here, what one would usually call “ideology” does not merely remain on the

or “*trait de contenu*” physically unformed. (*Ibid.*, p. 176). Nevertheless, it seems that expressive matters by which territory is formed cannot be identified with these intensive and unformed matters. Indeed, expressive qualities are “*indexés*” (i.e., territorial signs) (*Ibid.*, p. 386) and diagram has to be distinguished from them. (*Ibid.*, p. 177).

2053 GODELIER Maurice, *L'Idéal et le Matériel*, op. cit., p. 168.

2054 GODELIER Maurice, *L'Idéal et le Matériel*, op. cit., p. 22. There is an astonishing proximity between Godelier's critics on the theory of reflection and Deleuze's texts on the relationship between content and expression. See for example: “*On ne peut pas plus poser un primat du contenu comme déterminant qu'un primat de l'expression comme signifiante. On ne peut pas faire de l'expression une forme qui refléterait le contenu, même si on la dote d'une “certaine” indépendance et d'une certaine possibilité de réagir.*”. DELEUZE and GUATTARI, *MP*, p. 88. The Godelier's idea that social field “*n'a ni haut ni bas*” is shared with Deleuze: “*Un agencement ne comporte ni infrastructure et suprastructure, ni structure profonde et structure superficielle, mais aplatit toutes ses dimensions sur un même plan de consistance où jouent les présuppositions réciproques et les insertions mutuelles*”. Godelier maintains the distinction between infrastructure and superstructure (the difference being always functional and not institutional), whereas Deleuze get rid of it. GODELIER Maurice, *L'Idéal et le Matériel*, op. cit., p. 181 and 201.

surface of the social relationships but gives them an internal framework: this symbolic dependence on the Sapa Inca founds and legitimises the unequal access to the means of production and social wealth²⁰⁵⁵. Regarding the forces of production and their social utilisation to act on the environment, Godelier shows that horticulture among the Maenge is not perceived as a transformation of nature but as an exchange with the ancestors and the gods (that is, invisible beings)²⁰⁵⁶.

Deleuze and Godelier's shared criticism of the ontological division between the base (infrastructures) and the superstructure should not make us forget that there is, nonetheless, a marked difference between their respective understanding of the social field. Godelier maintains the distinction between the base (infrastructure) and the superstructure, claiming that difference is functional and not institutional (a thesis that implies a hierarchy between the functions, with the economic function having a primacy over the others). Whereas Deleuze does not share such an idea. Moreover, for Godelier, "content" remains structured by relations of production (even if, of course, this economic function can be embodied by institutions such as kinship, politics or religion) whereas, for Deleuze content is never only economic²⁰⁵⁷ and never only determined by forces of production²⁰⁵⁸.

Nevertheless, it seems that their criticisms as well as their specular understanding of the ideological superstructure led them both to a very similar concept of territory in which its materiality is never separated from its expressive dimension: "*dans aucune société, y compris la nôtre où sont développées diverses visions matérialistes de la nature, les réalités naturelles ne paraissent se réduire à leurs aspects sensibles. Partout l'homme se les représente aussi comme composées de forces et de pouvoirs qui échappent à l'emprise des sens et en constituent la partie la plus importante pour sa propre reproduction.*"²⁰⁵⁹ For instance, a forest is not seen by the Congolese Mbuti as set of natural resources but also as a "whole" which includes both animated and non-animated beings. This whole, which is referred to by the terminology of kinship, is conceived by the Mbuti as a person who provides them with games and honey and protects them

2055 *Ibid.*, p. 48-50.

2056 *Ibid.*, p. 180.

2057 "Si les contenus sont dits économiques la forme de contenu ne peut pas l'être, et se trouve réduite à une pure abstraction, à savoir la production de biens et les moyens de cette production considérés pour eux-mêmes." DELEUZE and GUATTARI, *MP*, p. 113.

2058 "On ne croira pas pourtant que l'invention de l'étrier suffise. Jamais un agencement n'est technologique, c'est même le contraire. Les outils présupposent toujours une machine, et la machine est toujours sociale avant d'être technique. Il y a toujours une machine sociale qui sélectionne ou assigne les éléments techniques employés." DELEUZE and PARNET, *D*, p. 84. There are so many other points of discrepancy between Godelier and Deleuze. For example, their definition of expression seems to be quite different. For Godelier the *part idéale* of the social is an internal organizing scheme by which the forces of production have four functions: to represent, to interpret, to organize, to legitimate. Such a view on expression does not correspond to Deleuze's.

2059 GODELIER Maurice, "Territoire et propriété dans quelques sociétés précapitalistes", in GODELIER Maurice, *L'Idéal et le Matériel*, *op. cit.*, p. 114.

from their neighbourhood, the *bantous*²⁰⁶⁰. This is the reason why the appropriation of nature is never only material but is also carried out by symbolic means through which men act on the invisible background of their territory (in the case of the Mbuti, these means consist of rituals related to hunting, to the fertility of soil, etc.). However, this does not mean that the materiality of the territory is placed to one side. For instance, Godelier's point of view concerning the controversy between Radcliffe-Brown and Meggitt is particularly relevant in this case²⁰⁶¹. Criticizing Radcliffe-Brown's idea that each Australian patriclan had the exclusive right to a specific land, Meggitt claims that aborigines had no territory in the economic sense of the term since land would have been, above all else, understood as totemic sites. In relation to this debate, Godelier argues there that is the opposition between totemic territories and economic territories is not a necessary distinction. In other words, the fact that aboriginal territory is "sacred" does not imply that it has no economic dimension. Thus it is possible for humans to be in charge of both the material and symbolic reproduction of territory.

Godelier's economic anthropology offers a good idea of the inseparability of this double dimension of territory. In a sense, this idea of territory has become so common and familiar to the contemporary reader that one could quite easily doubt its originality. But as Descola writes, commenting on Godelier's work (a statement that could easily be applied to Deleuze and Guattari), to understand this proposition one must resituate it into the context from which it derives, that is, the debate between the materialist and symbolic analysis of territory. To briefly summarise this debate exposed by Descola in *L'Écologie des Autres*, the symbolic approach concerned itself with the "semiology of indigenous discourse" and, as a result, the materialistic dimension of nature was only understood as a being a reservoir for symbolisation. For the more materialist orientated cultural ecology, the symbolic level was conceived as an epiphenomena of the environmental constraints that determine the constitution of the social²⁰⁶². In other words, the symbolic and the material were separated. In this sense, both Godelier's and Deleuze's contributions can be seen as two different ways of maintaining a close connection between both expression and content in their understanding of territory. Nevertheless, as mentioned above, the difference between both remains important, especially because Godelier conceives of territory through the concept of property whereas Deleuze attempt to rid himself of this concept.

2060 GODELIER Maurice, *Horizon, Trajets Marxistes en Anthropologie. I*, Paris, Petite collection Maspero, 1977 [1973], p. 129.

2061 For a clear presentation of this controversy, see, TESTART Alain, *Le Communisme Primitif*, op. cit., pp. 85-87.

2062 DESCOLA Philippe, *L'écologie des autres*, op. cit.

II.5) The Consolidation of Expressive Matter

Earlier, the process of territorialisation was said to occur through the constitution of expressive matter with various elements of the milieu. Notwithstanding this, the becoming-expressive of territory constitutes only the first step in territorialisation. In other words, expressive matter has simply showed us the way toward what is meant by a “territorial assemblage”. First, it is necessary to clarify this term. In other words, it is necessary to ask the question: why is an assemblage “territorial”? If expression and content are two of the four dimensions composing an assemblage, territory is its first : *“le territoire est le premier agencement, la première chose qui fasse agencement, l'agencement est d'abord territorial”*. This means that territory is a fundamental part of the social field²⁰⁶³.

To arrive at point, the constitution of expressive matter is necessary but not sufficient: expressive marks have to be combined in order to form an assemblage of signs. Doing so, we swiftly move from the “infra-assemblage” (expressive matter) to the “intra-assemblage” (the connection between expressive matters). The expressive matters which compose this assemblage are fundamentally heterogeneous: *“dans l'intra-agencement, toutes sortes de composantes hétérogènes interviennent: non seulement les marques de l'agencement qui réunissent des matériaux, des couleurs, des odeurs, des sons, des postures, etc., mais les divers éléments de tel ou tel comportement agencé qui entrent dans un motif”*²⁰⁶⁴. To come back to the paradigmatic case of the *Scenopoietes dentirosis*, this bird does not only form a territory through the constitution of a display on the ground made up of leaves and coloured objects. Perched on a branch, he also sings and, in doing so, reveals the yellow roots of its feathers that were hidden underneath his beak²⁰⁶⁵. Colours, song and gesture each play their part in forming a territorial assemblage. In the case of human territorialisation, expressive matters are no less heterogeneous. As we have seen with the Aboriginals of Australia, the process of territorialisation is also given through song, painting and dance.

Nevertheless, in order to form a such assemblage, these heterogeneous marks do not only have to coexist but they also have to be held together. This opens up the problem of consistency:

*“Une première question serait de savoir ce qui fait tenir ensemble toutes ces marques territorialisantes, ces motifs territoriaux, ces fonctions territorialisées dans un même intra-agencement. C'est une question de consistance: le “tenir-ensemble” d'éléments hétérogènes. Ils ne constituent d'abord qu'un ensemble flou, un ensemble discret, qui prendra consistance...”*²⁰⁶⁶

2063 DELEUZE and GUATTARI, *MP*, p. 397.

2064 *Ibid.*, p. 398.

2065 *Ibid.*, p. 408.

2066 *Ibid.*, p. 398.

Deleuze resolves this problem with recourse to Dupréel's theory of consolidation, *i.e.*, the theory that explains how heterogeneous components (here, expressive marks) can hold together:

*“Le philosophe Eugène Dupréel avait proposé une théorie de la consolidation ; il montrait que la vie n'allait pas d'un centre à une extériorité, mais d'un extérieur à sa consolidation.”*²⁰⁶⁷

Here, Deleuze finds in Dupréel the conceptual resources necessary to be rid of the arborescent model, *i.e.*, a hierarchical model of unification in which components are articulated from a centre which occupies a transcendent position in regard to them²⁰⁶⁸. With consolidation, articulation does not proceed from a centre that fans out to its components but the articulation derives from the components themselves, by an articulation from within. The paradigmatic example used by Dupréel is that of cement setting. Firstly, the mould joins and holds together the elements from the exterior; it gives them an order but the force that maintains the order is exterior since if one were to remove the mould the cement would return to a shapeless mass. Nevertheless, his external action is not sufficient. It is necessary that the sustaining power of the mould become useless and that the components hold themselves by themselves. It is only at this point that the cement can be said to be set. The process starts with each part of the mould determining the order of the parts of the object to be set; but subsequent to this, the order or form of the object is maintained internally, only by the part themselves, without any external intervention. Here, we move from an external and contingent order to an internal and necessary order. This process is called “consolidation” by Dupréel:

*“Nous appellerons consolidation toute opération où l'on discerne un transport de cette sorte, où un ordre, maintenu d'abord par sa dépendance à l'égard d'un ordre extérieur, arrive à se soutenir par une capacité interne, de telle sorte que le rôle sustentateur de l'ordre extérieur, devenu superflu, peut s'abolir.”*²⁰⁶⁹

It should be noted that there are two forms of consolidation. There are consolidated aggregates of coexistence (that is, a spatial order which is a relation between various parts of the extension, existing simultaneously or together)²⁰⁷⁰; and there are also consolidated aggregates of succession (a temporal order, in which the elements in relation are facts – A, A', A'' – or a relation of different facts that are reproduced various times – A and B, A' and B', etc.)²⁰⁷¹. Using this theory of consolidation, Dupréel argues that living bodies result from the combination of the two orders²⁰⁷².

²⁰⁶⁷*Ibid.*, p. 405.

²⁰⁶⁸Deleuze takes the example of the scheme used by Tinbergen to explain the hierarchical organisation of centres that control instinctive behaviours *Ibid.*, p. 403

²⁰⁶⁹DUPRÉEL Eugène, *Théorie de la Consolidation. Esquisse d'une Théorie de la Vie d'Inspiration Sociologique*, in *Revue de l'Institut de Sociologie*, Vol. 3, 1934, p. 484. (pp. 1-58).

²⁰⁷⁰*Ibid.*, p. 484.

²⁰⁷¹*Ibid.*, p. 488.

²⁰⁷²“Il va sans dire que les consolidés de l'ordre chronologique se combinent inmanquablement avec des consolidés de l'ordre spatial; des consolidations rendant durables par elle-mêmes des formes, apparaissent comme la condition des consolidés de succession, fonctions, activités déterminées, lesquels apparaissent régulièrement plus compliqués et plus précaires. Disons donc que les corps vivants sont une combinaison de consolidés de coexistence et de consolidés de succession. L'opération spécifique dont résulte l'institution de la vie serait, dans toute sa

This theory provides an explanation of vital phenomena but also of the constitution of the social²⁰⁷³. Dupréel explains how social celebrations and spectacles are, little by little, institutionalised. The explanation goes as follow. To begin with, every year, an ancient brotherhood used to organise a mystery play²⁰⁷⁴ far from the village. Because of its popularity, storekeepers begin to join the show. Nevertheless, after a while, the brotherhood can no longer organise the show because of the distance and because of a lack of funding. The storekeepers decide to create a syndicate and to finance the plays. Finally, there is no longer any need of the brotherhood and the syndicate ends up to organising it themselves. Dupréel analyses this social phenomena as follows: In the beginning, a collection of individuals were gathered by external causes *i.e.*, the brotherhood, the place. After this, the syndicate inserted itself between these causes (“coexistence level”) and between their repetition in time (“succession level”), and as result, the social group “*est désormais un tout organique et qui se tient par le dedans*”²⁰⁷⁵. What we could call a “sociology of consolidation” gives Deleuze a plausible explanation of the constitution of social relationships.

Indeed, Deleuze summarises (and interprets) this process of consolidation, discerning three types of operation. First, there is the operation of densification or intercalation:

*“la vie n'est pas allée d'un noyau primitif vers un épanouissement indéfini, elle semble être résulté d'un progrès de l'extérieur vers l'intérieur, d'un état de dispersion vers un état final de continuité. Elle n'a jamais été comme un commencement dont résulte une suite, mais fut dès le principe comme un cadre qui se remplit, ou comme un ordre qui a gagné en consistance, si l'on ose dire, par une sorte de “truffage” progressif (...) ce que la vie est essentiellement, c'est une croissance par densité, un progrès intensif”*²⁰⁷⁶.

As demonstrated, the consolidation creates a relationship (a “vital relationship” according to Dupréel²⁰⁷⁷) between two objects or two events in time. Between these elements there are temporal intervals, intervals which give the object in process of consolidation an alveolar structure²⁰⁷⁸. Material elements or events begin to insert themselves (*s'intercaler*) between the initial elements or events connected by consolidation. In other words, the alveolus is filled. If V and V'

généralité, l'opération de consolidation. C'est la possibilité de sa production qui fait le pont entre la matière brute et le monde organique.” Ibid., p. 492-493.

2073 It should be noted that this continuation between the vital and the social does not imply a primacy of the biological level on the social level: biology is not the model of the social. *Ibid.*, p. 475. It is necessary to add that for Dupréel, comparison between biology and sociology does not mean the reduction of the former to the latter. Indeed, the mechanism of “emergence by consolidation” is not peculiar to biology and thus, applying it to sociology he does not reduce it to the biological level. In fact, this mechanism is a formal and general scheme, that, without belonging to any plan, could be applied to every one of them in order to describe how various elements are hold together and acquire and order: “*dans tous ces plans il y a émergence par consolidation d'ordre: le mécanisme que nous étudions n'est pas particulier à une catégorie de phénomènes ni à un domaine scientifique délimité, c'est un mécanisme général, un schéma formel, à base de relations logiques entre termes quelconques, considérées dans leur application à l'espace, au temps et à l'activité au changement d'ordre.*” *Ibid.*, p. 498.

2074 Mysteries were a theatrical genre that appeared at the 15th century and which mixed realism and popular beliefs.

2075 *Ibid.*, p. 490.

2076 *Ibid.*, p. 511.

2077 *Ibid.*, p. 493.

2078 *Ibid.*, p. 504.

begin to be connected by a process of consolidation, elements a, b, c, d, e will necessarily fill in the intervals between them. This gives the structure : V, a, b, c, d, e, V'. In the above case of the production of the social given by Dupréel, the syndicate and the crowd fill the intervals between each mystery play. These elements, having inserted themselves between the intervals, end up supporting themselves and the “vital relationship”, between V and V'.

The second operation, according to Deleuze, consists in the organisation of the intervals themselves. This operation, though present in the text of Dupréel, is perhaps best explored by Bachelard, who really insists on this point in his reading of the *Théorie de la consolidation*. Furthermore, Deleuze's reading stems, in part, from Bachelard's own concept of negation as well as his critique of Bergson's thesis of continuism (a critique based on the proposition that there are holes within duration). Deleuze emphasises Bachelard's reading of Dupréel. Since “*durée*” (duration) is made up of rests, according to Bachelard, consolidation works only if empty intervals are organised. As Deleuze writes, “*il faut parfois faire un trou*”²⁰⁷⁹. The social process of schooling gives a good idea of the importance of these holes. The child, who is forced by his parents to go to school hardly ever becomes accustomed to this periodic repetition imposed from the exterior. Nevertheless, through making friends and playing with them during recreation, he finally develops a taste for this social life, and the external force which forced him to go to school in the first place suddenly becomes superfluous. The organisation of intervals stabilises the integration of the child and makes possible an articulation of social relationships from within. Here, the question of rhythm and its synthetic power reappears with the presence of repetition and the intervals between two repeated elements²⁰⁸⁰. It is also here that Deleuze adds something that is absent from Dupréel's text: That is, the fact that these intervals remain unequal and that the whole rhythm is characterised by asymmetries.

Finally, we arrive at the third dimension of the process of consolidation as understood by Deleuze. Once again, this dimension seems to be totally absent from Dupréel's *Théorie de la consolidation*. Deleuze argues that these rhythms, and the relation between each rhythmic line, does

²⁰⁷⁹DELEUZE and GUATTARI, *MP*, p. 405.

²⁰⁸⁰Bachelard had understood the importance of these rhythms to such an extent that he thought about a pedagogy based on this organisation of intervals: “*De même qu'un traitement héliothérapeutique, guidé par la Rythmanalyse, conseillera des périodes alternatives de pigmentation et de dépigmentation, une pédagogie rythmanalytique instaurera la dialectique systématique du souvenir et de l'oubli. On ne sait bien que ce qu'on a oublié et réappris sept fois, disent les pédagogues indulgents, les bons. Cependant, ces pédagogues, confiants dans la réaction naturelle qui saura défendre heureusement l'esprit contre la surcharge des connaissances non assimilables, n'ont pas encore entrepris d'aider sur ce point la nature en apportant des méthodes d'oubli, des méthodes de “dépigmentation”. Les vacances n'y suffisent point. Elles sont à trop longue échéance. Elles ne sont pas incorporées dans la culture, dans le tissu temporel scolaire. Le rythme scolaire est ainsi tout déséquilibré ; il contredit les principes élémentaires d'une philosophie du repos. C'est dans l'heure même du travail qu'il faut mettre l'oscillation. On peut faire des mathématiques au métronome. C'est là une manière de profiter des oscillations de l'émergence spirituelle*”. BACHELARD Gaston, *La Dialectique de la Durée*, op. cit., p. 140.

not accord with idea of measure. While, it is unnecessary further explore this dimension, since Deleuze's critique of measure has already been previously developed; it just should be noted that, in this context, the rejection of measure is a way of affirming an internal and immanent articulation against a centralised and hierarchical model of organisation.

It is by conceiving the articulation of expressive marks through the theory of consolidation that Deleuze is able to offer a solution to the problem of how heterogeneous territorial marks articulate, that is, it answers the question: how can fundamentally disparate marks remain held together? Matters of expression do not hold together, therefore, by the action of an external and transcendent measure and thus the articulation is not carried out by a reduction of heterogeneity to identity. On the contrary, disparate materials take "shape", by themselves, through an immanent process that conserves the heterogeneity:

*"il n'y a pas une forme ou une bonne structure qui s'impose, ni du dehors ni par en haut, mais plutôt une articulation par le dedans, comme si des molécules oscillantes, des oscillateurs, passaient d'un centre hétérogène à l'autre, même pour assurer la dominance de l'un"*²⁰⁸¹.

"Il ne s'agit plus d'imposer une forme à une matière, mais d'élaborer un matériau de plus en plus riche, de plus en plus consistant, apte dès lors à capter des forces de plus en plus intenses. Ce qui rend un matériau de plus en plus riche, c'est ce qui fait tenir ensemble des hétérogènes, sans qu'ils cessent d'être hétérogènes; ce qui fait tenir ainsi, ce sont des oscillateurs, des synthétiseurs intercalaires à deux têtes au moins; ce sont des analyseurs d'intervalles; ce sont des synchroniseurs de rythmes (le mot 'synchroniseur' est ambigu, puisque ces synchroniseurs moléculaires ne procèdent pas par mesure égalisante ou homogénéisante, et opèrent du dedans, entre deux rythmes)."2082

To begin with there are elements (expressive matter) that consist of an indeterminate 'fuzzy' aggregate. Then, through the process of consolidation, (which implies intercalation, intervals and inter-rhythmicity), the aggregation of elements takes on consistency²⁰⁸³. Using the language of *Différence et répétition*, one could argue that, if a so-called 'good' repetition is one which repeats difference and, in doing so, produces a difference, then, the problem of the articulation between heterogeneous expressive matters is resolved by a rhythmical (and expressive) repetition of difference that itself produces a difference (the constitution of a territory).

It must be added that the theory of consolidation offers Deleuze a means of criticising the way structuralism conceives of the articulation of signs. Since in structuralism, such an articulation is based on two fundamental characteristics, both of which Deleuze and Guattari reject²⁰⁸⁴: hierarchy and homogeneity. Regarding hierarchy, we have sufficiently shown how Deleuze and Guattari reject this concept. Concerning homogeneity, it would be wrong to argue that structuralism

2081 DELEUZE and GUATTARI, *MP*, p. 404 .

2082 *Ibid.*, p. 406.

2083 *Ibid.*, p. 406 "C'étaient des éléments d'un ensemble flou, ou discret; mais elles se consolident, prennent de la consistance".

2084 There are four other characteristics: constants, universals, the competence and synchrony.

does not take into account the fundamental heterogeneity of the variables organised in a regime of signs, nevertheless, structuralism “*taille dans cet ensemble un système homogène ou standard, comme condition d'abstraction, d'idéalisation, rendant possible une étude scientifique (...)*.”²⁰⁸⁵ Thus, for Chomsky, if, *de facto*, there is heterogeneity, *de jure*, the homogeneity of the system prevails. On the contrary, Deleuze and Guattari want to find an order able to conserve the heterogeneity of expressions themselves, and they find such an order in the concept of consolidation. That is, a theory in which the connections between elements are carried out within heterogeneity itself. Furthermore, to the invariability inherent to the homogeneity of these system of signs, Deleuze and Guattari oppose Labov's theory of “inherent variation” in which “*c'est la variation elle-même qui est systématique, au sens où les musiciens disent “le thème, c'est la variation”*”: in the variation, there is “*une composante de droit qui affecte chaque système du dedans, et le fait filer ou sauter par sa puissance propre, interdisant de le fermer sur soi, de l'homogénéiser en principe*.”²⁰⁸⁶ Deleuze uses the term “style” to designate the peculiar order by which signs are organised. A style, he claims, “*ce n'est pas une structure signifiante, ni une organisation réfléchie, ni une inspiration spontanée, ni une orchestration, ni une petite musique. C'est un agencement, un agencement d'énonciation*”²⁰⁸⁷ characterised by a “continuous variation process”²⁰⁸⁸. With style, variations are not related and then reduced to a static and homogeneous structure that would order transformations in a strict sense, but they operate within the assemblage of the enunciation itself.

The example of the songs dedicated and sung by the Fõ and Gu people to *vodou* divinities in the Dahomey (Benin) demonstrates such an order of expression that is penetrated by a continued variation²⁰⁸⁹. In these songs, the diatonic scale of the first part is followed by a chromatic part. Chromaticism is a system of organisation of sounds (opposed to the diatonic scale) in which “*s'organisent en série une suite de petits intervalles, de demi-tons*”²⁰⁹⁰. This dividing up produces the effect of a “*continuum cosmique virtuel, dont même les trous, les silences, les ruptures, les coupures font partie*”²⁰⁹¹. The system diatonic determines stable centres, whereas the peculiarity of chromaticism is to “*étendre l'action du centre aux tons les plus lointains, mais aussi de préparer la désagrégation du principe central, de substituer aux formes centrées le développement continu*

2085 *Ibid.*, p. 117.

2086 *Ibid.*, p. 118.

2087 DELEUZE and PARNET, *D*, p. 10.

2088 DELEUZE and GUATTARI, *MP*, p. 123.

2089 *Ibid.*, p. 122.

2090 ROUGET Gilbert “Un chromatisme africain”, in *L'Homme*, T. 1 n° 3, 1961, pp. 32-46. On chromaticism, see also LÉVI-STRAUSS Claude, *Mythologiques*. T. I: *Le Cru et le Cuit*, Paris, Plon, 1964, p. 286.

2091 DELEUZE and GUATTARI, *MP*, p. 121.

d'une forme qui ne cesse pas de se dissoudre ou de se transformer"²⁰⁹². Ritual songs, whose importance for territorialisation has been previously described, are thus organized by an order penetrated by an intensive and virtual part that makes it vary continuously, and as such, prevents it from being identified with a structure.

II.6) Territorial Motifs and Internal Milieu

By holding together without any structure through the process of consolidation, matters of expression form a web closely related to and at the same time distant from the milieu:

*"Qu'est-ce que fait une matière comme matière d'expression? Elle est d'abord affiche ou pancarte, mais elle n'en reste pas là. Elle passe par là, c'est tout. Mais la signature va devenir style. En effet, les qualités expressives ou matière d'expression entrent, les unes avec les autres, dans des rapports mobiles qui vont "exprimer" le rapport du territoire qu'elles tracent avec le milieu intérieur des impulsions, et avec le milieu extérieur des circonstances."*²⁰⁹³

This web composed of matters of expression is first related to an internal milieu which consists of impulsions. As we have already seen, matters of expression are not produced by particular urges nor are they functional. They hold themselves together and enter in internal relations that are autonomous from the drives of the internal milieu. Thereby, they form a *territorial motif*, an autonomy which seems to be double.

On the one hand, the territorial motif plays with internal impulsions: *"tantôt ceux-ci surplombent les impulsions internes, tantôt les superposent, tantôt fondent une impulsion dans une autre, tantôt passent et font passer d'une impulsion à une autre, tantôt s'insèrent entre les deux, mais il ne sont pas eux-mêmes "pulsés"*²⁰⁹⁴. As such, the motif has an effect on the organisation of the drives since motifs are less incited by certain drives than drives are by motifs. On the other hand, internal relations between matters of expression which form a motif acquire a certain stability (they arise in a fixed form) and, at the same time, they may be transformed (*"ces motifs (...) ont une vitesse et une articulation variable"*). This fixity and variability of the articulation, and *in fine*, of the relations between expressions are not dependant on urges or drives.

To illustrate these two aspects, Deleuze takes the example of the stickleback's territorial dance which, according to him, constitutes a territorial motif. Each time a female approaches its territory, the male fish swims fast toward her and, then, in the opposite direction, it swims back toward its nest, this operation being repeated in an incessant back and forth motion. In ethological

²⁰⁹²*Ibid.*, p. 120.

²⁰⁹³*Ibid.*, p. 390.

²⁰⁹⁴*Ibid.*, p. 390.

studies, this sort of behaviour was first classified as an “irrelevant movement” – which took as its paradigmatic case that of the domestic cock which, when fighting with another, begins by picking up some food. For Van Iersel and Tinbergen, the only solution which explained these strange movements was to add a second drive to the first: the drive of aggression that pushes the stickleback to attack the mate (zig) is counterbalanced by the urge of sexuality that leads him to the nest (zag)²⁰⁹⁵. Lorenz agrees with this analysis but adds a further argument, basing his remarks on two types of data²⁰⁹⁶: first, he notes that this double movement is very regular, similar to that of ritualised movement. Indeed, the alternation between these two fundamental drives (aggression and sexuality) could not have a such a regular rhythm without the intervention of a third drive. And this third drive is understood as ritualistic. Secondly, executing the “zag”, the fish seems to forget that inward movement is aiming toward the nest and proceeds to execute a jagged circle round the female. We have seen that, according to Deleuze and Guattari, these “ritual movements” are not just considered as another drive: there are not pulsed like other drives. Thus, he claims that this expressive and territorial dance is autonomous from urges. Nevertheless, Deleuze and Guattari do not entirely remove the presence of drives. That is to say, the autonomy of the expression does not mean that it is entirely detached from, or has no relation at all, to the drives. It is as if the drives were included into the movement of expression, the latter remaining at the same time autonomous from the former and not caused by it. Indeed, the two matters of expression (the zig and the zag) composing the territorial motif (the zigzag) accent differently the two drives they are tied to: the rhythm of these drives ceases to be irregular and accented in a more regular way. Likewise, the movement which normally results from these impulsions is oriented in a different way: the jagged circle that, nevertheless, includes both drives. Here, we see how fixity (the accentuation, the regular rhythm) and variability (the constant possibility of the reorientation of the movement) of the motif's internal relation are autonomous from drives, although not entirely cut from them. This is the second aspect of autonomy: the territorial motive (zigzag) acquires a fixity and a variability which does not depends on the drive. The first aspect, as argued, is the capacity of expression to play with and organise urges: for Lorenz, the “ritual movement” coordinates movements (the zig and the zag) as caused by the two impulsions (aggressiveness and sexuality). This passage of *On aggression* summarises the two aspects, which are distinguished by Deleuze: “An alternation between the dominance of two opposing impulses hardly ever produces such regular oscillation unless a new motor co-ordination, formed by ritualization, is involved. Without this, little thrusts in different directions of space follow in very typical, irregular distribution, as we all know from the behaviour

2095 TINBERGEN Nikolaas and VAN IERSEL, J. J. A., “ "Displacement Reactions" in the Three-Spined Stickleback”, *Behaviour*, Vol. 1, n° 1, 1947, pp. 56-63.

2096 LORENZ Konrad, *On Aggression*, *op. cit.*, p. 103.

of human beings in situations of extreme indecision”²⁰⁹⁷. It is interesting to note that in contrast with Hegel, instincts are never restrained but only ever reorganised. In the *Jena Writings*, commented on in the previous section, the subject which takes possession of an object, through a process of labour, does not consume it immediately by restrains his desire. Here, there is no such a thing as a detachment from the drives.

II.7) Landscapes and External Milieu: The Case of Acoustic Space in Anthropology

Internal relations between matters of expression are also relatively independent from the circumstances of the external milieu. Nevertheless, as we have already noted, independence does not mean absence of relation.

*“Les rapports entre matières d'expression expriment des rapports du territoire avec les impulsions internes, avec les circonstances externes: ils ont une autonomie dans cette expression même. En vérité, les motifs et les contre-points territoriaux explorent les potentialités du milieu, intérieur ou extérieur”*²⁰⁹⁸

Deleuze once again uses the theory of counterpoints to formulate this non-absolutised autonomy (matters of expression are autonomous from the milieu but maintain a relation with them). Indeed, internal articulations between matters of expression draw counterpoints with the points of the external milieu. If, as already demonstrated, Uexküll conceives of the peculiar relation between two living-worlds (transcoding phenomena) through the theory of counterpoints, he also uses it to understand the interactions between subjects and their environments (the relation between living-worlds being just a modality of these more general interactions). As Uexküll writes: “The behaviour of meaning factor in plants and of carriers of meaning in animals toward their meaning utilizers shows this especially clearly. As, in the composition of a duet, the two voices have to be composed for each other note for note, point for point, the meaning factors in Nature stand in a contrapuntal relation to the meaning utilizers.”²⁰⁹⁹ In this sense, there is a harmony between the carrier of meaning (the object) and the those that use these meanings, the utilizers (the subject). Or, to put it another way, there is a relation between the objective pole and the pole of meaning. This does not mean, however, that their heterogeneity is suppressed, but rather means that the object and the meaning are in a contrapuntal relationship. According to Deleuze, it seems that the connection between disparate orders also applies to the relation between external milieu and internal relation between matters of expression. If expressive matters are autonomous from the external milieu – as

²⁰⁹⁷ *Ibid.*, p. 104

²⁰⁹⁸ DELEUZE and GUATTARI, *MP*, p. 391.

²⁰⁹⁹ UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, *op. cit.*, p. 130.

is the case with the relation between internal milieu – then the variability and the fixity of the articulation between matters of expression do not depend on external circumstances – both are connected in an “harmonic” way. It is as if matters of expression were superimposed onto the external circumstances without depending on them in a causal sense.

The thrush birds of the Jura mountains, observed by Olivier Messiaen, are said to sing freely to “greet” the sunrise²¹⁰⁰. This territorial song is, interestingly, not caused by the rising sun but by the birds free will to “greet” its beauty. Indeed, when the sunrise is colourless, the birds keep quiet. In this case, the same external circumstances are given, the rising of the sun, but the matter of expression changes, or here, is not expressed at all. Furthermore, there are also cases where the bird sings even though the sun does not shine. In other words, there is expression without circumstance. It is as if the bird is calling the sun by its song, as if the territorial motifs are calling forth the circumstances to arrive. Here, the relations between the songs, their variability and fixity (the fact that the relation between two songs is regular, constant, or absent) are not dependent on the variability and the fixity of the circumstances (the regularity of the sunrises or the variation of the rain). The external milieu, understood as a set of circumstances (for example, the sunrise), does not provoke the relation between territorial motifs. On the contrary, circumstances are rather given in the assemblage of expressive matters: the relation to the sun is given in the song. In other words, through its song, the bird opens itself up to the sun and other elements of the external milieu. Territory is not determined by the influence of external conditions but opens up individuals and collectives to their external environment²¹⁰¹.

These territorial motifs form a landscape (*paysage*) in counterpoint with the external milieu. Here, Deleuze seems to cross the geographical definition of landscape with that of semiology and anthropology. Landscape is, indeed, one of the most important objects of study for geography. Maurice Ronai devoted two articles to it in the two first issues of the famous French journal called *Herodote*. In these articles, landscape is defined as a fragment of space presented to the eye, the gaze (*regard*) being less subjective than it constitutes a production of structural conditions, historically analysable. Here, the gaze is not only identified with sight but it also produces meaning: the gaze codes, arranges, or even, structures “nature” (geographers, who are suspicious of such a

2100MESSIAEN Olivier and SAMUEL Claude, *Entretiens avec Olivier Messiaen*, op. cit., p. 97: “il existe une troisième catégorie de chants, qui sont absolument admirables et que je place au dessus de tous les autres, ce sont les chants gratuits, sans fonction sociale, généralement provoqués par les beautés de la lumière naissante et de la lumière mourante. Ainsi, j’ai remarqué dans le Jura une Grive musicienne spécialement douée dont le chant était absolument génial quand le coucher de soleil était très beau avec de magnifiques éclairage rouges et violets. Lorsque la couleur était moins belle ou que le coucher de soleil était plus bref, cette Grive ne chantait pas ou chantait des thèmes moins intéressants.”

2101 DELEUZE and GUATTARI, *MP*, p. 392.

term, prefer to us the word “space”) through a succession of mental and cultural operations. This gaze not only grasps forms and volumes but also makes them significant. To the infinity of referents (the portions of space which pre-exist the gaze) corresponds an infinity of signs that are not organized randomly; indeed, the infinity of signs “*ne doit pas masquer la fréquence, la répétition, la récurrence de certaines associations qui structurent cette dispersion et cette multiplicité en système. Ce réseau de messages est en effet stabilisé par une série de conventions (...)*”²¹⁰². Ronai, for example, prefers to call this system of signs “*sémie*” rather than use the term “language” since it does not fall under the category of verbal language. These *sémies* form a “semiotic of the natural world”, an expression invented by Greimas²¹⁰³, which refer to a system of signs whose components are natural. This idea seems quite common sensical, however, it is not self-evident. Indeed, linguistic presupposes and hypostases a closed and self-sufficient universe of signs and sometimes is even tempted to identify the world to language. The definition of the sign given by Saussurian linguistics confirms this exclusion of the natural world: the signified (the concept) takes the place of the world; and, if the signifier (the acoustic image) is “material” this is because it functions in opposition to the concept. Thus, defining the sign as a correlation between an acoustic image and a concept, the material world (what is generally called the “referent”) tends to be excluded²¹⁰⁴. Moreover, as Bordron notices²¹⁰⁵, unlike the common opinion that objects of the world do not speak, think or desire, the semiology of the natural world claims that components of nature, even if they do not speak, come under a plan of expression, the natural world being thus a place of semiosis. This does not means however that the natural word is the “absolute referent” for signs: “*il suffit (...) de considérer le monde extra-linguistique non pas comme un référent absolu, mais comme le lieu de la manifestation du sensible, susceptible d’être la manifestation du sens humain, c’est-à-dire, de la signification pour l’homme, de traiter en somme ce référent comme un ensemble de système sémiotique plus ou moins implicites*”²¹⁰⁶. Thus, natural world is inhabited by an infinity of signs: “*le monde visible, au lieu de se projeter devant nous comme un écran homogène de formes, nous apparaît comme constitué de plusieurs couches superposées, ou parfois même juxtaposées, de signifiants*”²¹⁰⁷. Greimas adds that this natural world, which is entirely cultural, is

2102 RONAI Maurice, “Paysage”, *Hérodote*, n°1, January-March, 1976, p. 140 (pp. 125-159).

2103 GREIMAS Algirdas Julien, “Conditions d’une sémiotique du monde naturel”, in *Langages*, 3rd Year, n°10, 1968, pp. 3-35. On semiotic of the natural world see the following article: MARRONE Gianfranco, “Le monde naturel, entre corps et cultures”, in *Protée*, vol. 34, n° 1, 2006, p. 47-55.

2104 In fact, Saussure himself seems to have faced this issue of natural: “*quand la sémiologie sera organisée, elle devra se demander si les modes d’expression qui reposent sur des signes naturels – comme le pantomime – lui reviennent de droit*”. SAUSSURE Ferdinand de, *Cours de Linguistique Générale*, op. cit., p. 100.

2105 BORDRON Jean-François, “Le statut sémiotique du monde naturel et la question de l’objet”, *Actes Sémiotiques* [Online], 110, 2007, connection the 01/11/2021, URL : <https://www.unilim.fr/actes-semiotiques/1572>, DOI : 10.25965/as.1572.

2106 GREIMAS Algirdas Julien, “Conditions d’une sémiotique du monde naturel”, op. cit., p. 5.

2107 *Ibid.*, p. 6.

the object of a wide semiotics produced by cultures, each of these natural semiotics being considered as a “vision of the world”²¹⁰⁸ – it should be noted that this capacity of semiotisation is not the privilege of humankind, as zoo-semiotics confirms²¹⁰⁹. Indeed, if, in modern culture, a “cloud” relates to “rain” and “autumn”, this causal link between signs and phenomena, which postulates a unique level of reality, is not universal: other cultures interpret these natural signs as a reference to a second level of reality. For instance, the “archaic code” (an expression used by Ronai in the articles already mentioned) gives an order to nature by a magic and mythical semiotisation.

With Deleuze, the fundamental role of the gaze in the constitution of landscapes is curtailed, probably because of the phenomenological connotation inherent to this notion (despite the Ronai's structural concept of the gaze and his rejection of phenomenology). He also places to one side the structural point of view according to which natural signs would be ordered by a structure, the concept of assemblage of enunciation being in charge of explaining the arrangement of signs within the landscape. Nevertheless, he maintains the idea that the process of territorialisation implies a creation of expressive matters that form a landscape on (and with) milieu, a “system” of signs inscribed in space:

*“Il faudrait dire plutôt que les motifs territoriaux forment des visages ou personnages rythmiques, et les contre-points territoriaux des paysages mélodiques. (...) le paysage mélodique n'est plus une mélodie associée à un paysage, c'est la mélodie qui fait elle-même un paysage sonore, et prend en contre-point tous les rapports avec un paysage virtuel.”*²¹¹⁰

The Eskimo's territory gives an idea of what is an acoustic landscape:

*“C'est dans les mêmes termes qu'on décrit le désert des sables et celui des glaces: aucune ligne n'y séparer la terre et le ciel ; il n'y a pas de distance intermédiaire, de perspective ni de contour, la visibilité est restreinte; et pourtant il y a une topologie extraordinairement fine, qui ne repose pas sur des points ou des objets, mais sur des heccétés, sur des ensembles de relations (vents, ondulation de neige ou du sable, chant du sable ou craquement de la glace, qualités tactiles des deux); c'est un espace tactile, ou plutôt “haptique”, et un espace sonore, beaucoup plus que visuel.”*²¹¹¹

In this text, ethnology is used to define first and foremost the smooth space but the idea of acoustic landscape also appears clearly. Thanks to both ethnographic studies on the Eskimos as well as comparative anthropology, Deleuze and Guattari are able to give a precise idea of what an acoustic landscape is. Indeed, given that, in these societies, space is better defined by sound than visual images, its acoustic aspect is thus isolated from the rest and is, as a result, revealed and identified as such. Here, Deleuze and Guattari use the work of Edmund Carpenter and McLuhan's,

2108 GREIMAS Algirdas Julien and COURTÈS Joseph, “Monde naturel”, in GREIMAS Algirdas Julien and COURTÈS Joseph, *Sémiotique. Dictionnaire Raisonné de la Théorie du Langage*, Paris, Hachette supérieur, Hachette Université. Linguistique, 1993, pp. 233-234.

2109 GREIMAS Algirdas Julien and COURTÈS Joseph, “Zoosémiotique”, in GREIMAS Algirdas Julien and COURTÈS Joseph, *Sémiotique. Dictionnaire Raisonné de la Théorie du Langage*, op. cit., p. 424.

2110 DELEUZE and GUATTARI, *MP*, p. 391.

2111 *Ibid.*, p. 474. See also *Ibid.*, p. 597, 598, 616.

two American ethnologists who laid the foundations for the concept of acoustic landscapes²¹¹², a program that later gave birth to what it is commonly called “anthropology of the senses”²¹¹³. Carpenter shows that, among the Aivilik Eskimo of Southampton Island (in the Canadian Arctic), space is less visual than it is acoustic. This is contrary to western societies, where a thing is real the moment it is visible and constant, an empty space being a field in which there is nothing to see (as Aristotle argued, the sense of sight is above all the most important). Acoustic space is, therefore, more spheric with no fixed boundaries. Sound fills a space contrary to visual spaces whose principal feature is localisation. The Eskimo's environment suggests, therefore, a relativisation of sight²¹¹⁴: “in winter, the horizon recedes into the immense distance and, except when the sun hovers close on the horizon and orange rays briefly define the profile of the monotonous plain, there is no line dividing earth from sky”²¹¹⁵. In this monotonous and homogeneous space made of snow, ice and darkness, there is no stable form and nothing juts out. Nevertheless, this does not mean that it is an undifferentiated chaos: to reference Hegel from the Preface of the *Phenomenology*, such a space has nothing to do the night of the Absolute in which all cows are black. On the contrary, such an environment is occupied by intensities, winds, noises, forces and tactile and acoustic qualities, in short, by “*des événements ou heccéité, beaucoup plus que par des choses formées et perçues*” – “*craquement de la glace et chant des sables*”²¹¹⁶. This environment, which encourages one to apprehend the space in its acoustic dimension rather than in its visual aspect, is semiotised by Eskimos, who set up a system of moving coordinates based on sounds and other invisible components of the landscape:

“Of course, what appeared to me as a monotonous land was, to the Aivilik, varied, filled with meaningful reference points. When I travel by car I can, with relative ease, pass through a complex and chaotic city, Detroit for example, by simply following a handful of highway markers. I begin with the assumption that the streets are laid out in a grid and the knowledge that certain signs mark my route. By and large these are not actual objects or points, but relationships: relationships between say, contour, type of snow, wind, salt air, ice crack”²¹¹⁷.

2112See for example, CARPENTER Edmund and McLUHAN Marshall, “Acoustic space”, in CARPENTER Edmund and McLUHAN Marshall, *Explorations in Communication. An Anthology*, Boston, Beacon Press, 1960, pp. 65-70. In his lecture at the Collège de France entitled *Les Formes du Paysage*, Descola draws a typology of the different approaches to the landscape and mentions Carpenter and MacLuhan's theory of acoustic landscape as belonging to the phenomenological tradition. DESCOLA Philippe, *Les Formes du Paysage*. I., in *Cours et travaux du Collège de France*. Annuaire, 112th year, Collège de France, Paris, April 2013, p. 649-669. Here, Deleuze and Guattari gives an interpretation of this theory in term of semiotisation and the production of expressive matters.

2113STOLLER Paul, *The Taste of Ethnographic Things: the Senses in Anthropology*, Philadelphia, University of Pennsylvania Press, Contemporary Ethnography Series, 1989.

2114CARPENTER Edmund, “Image making in Arctic Art”, in KEPES György, (ed.) *Sign, Image, Symbol*, New York, G. Braziller, Vision + Value Series, 1966, pp. 206-225; CARPENTER Edmund, “La création d'images dans l'art arctique” in KEPES György, (ed.), *Signe, Image, Symbole*, trans. Danièle Panchout, Bruxelles, La Connaissance, Weber, cop, Bibliothèque de Synthèse, 1968, pp. 160-179.

2115CARPENTER Edmund, VARLEY Frederick and FLAHERTY Rober, *Eskimo*, Toronto, University of Toronto Press, Explorations, 1959.

2116DELEUZE and GUATTARI, *MP*, p. 598.

2117CARPENTER Edmund, VARLEY Frederick and FLAHERTY Rober, *Eskimo*, *op. cit.*, p. 4.

The Aivilik select sounds and other moving elements of the landscape, assigning them signs and, from this, produce referent points so as to orientate themselves in an environment where boundaries are more than blurry. It would also seem that this semiotisation of the space also serves a mythical function: “form is temporary, transient (...) Bears turns into Fox, Fox reforms into Caribou; nothing has a definite invariable shape”²¹¹⁸. These beings, visible or invisible, human or not, appear and establish their presence by sounds that are no more than the echo of their action, acts being more important than their stable being, in a world where existence is the only thing which does matter²¹¹⁹. In this sense, as already argued, it is possible to understand the ritual songs as a way of making this acoustic world emerge, with the auditory having the power to make present absent things²¹²⁰.

Deleuze does not reduce the landscape to the acoustic space, as we have seen, the matters of expression that spin these semiotic webs are not only acoustic but also visual and tactile, etc. It should be noted that this concern regarding the diversity of the expressive matters that compose the landscape forms the basis of the anthropological criticisms of the “theory of sense”, a theory which will try to show that vision and audition cannot be so easily separated in the definition of space²¹²¹.

2118 *Ibid.*, p. 20. It should be noted that, Carpenter, worried about of the precision of its ethnographic description, and uses the comparative tool to show that such a process could hardly be called “metamorphosis”: “There is a significant difference between Eskimo and Northwest Coast Indian masks. Neither culture is much concerned with change or “becoming” but North west Coast artists do emphasize metamorphosis or “coming-to-be”. A wolf mask may suddenly open revealing bear; this springs apart-within is the face of another spirit. Nothing has a definite, invariable shape. Like Echo, the mythical being who successively comes to be all things, the mask is shape-shifting: by a sudden metamorphosis, it is first this, then that. Eskimos, however emphasize “is”; they depict these elements together, simultaneously, and they accept in the most casual way this blurring of human-animal-spirit forms”. CARPENTER Edmund, “Image making in Arctic Art”, *op. cit.*, p. 224.

2119 CARPENTER Edmund, “Image making in Arctic Art”, *op. cit.*, p. 208. See also INGOLD Tim, *The Perception of the Environment. Essays in Livelihood, Dwelling and Skill*, London and New York, Routledge, 2000, p. 249.

2120 CARPENTER Edmund and MCLUHAN Marshall, “Acoustic space”, *op. cit.*

2121 Contesting the anthropology of science from the point of view of ethnographic facts, Tim Ingold argues that, among the Inuit, shamans have extraordinary powers of vision by which they can open up pathways into the parallel world of non-human beings. He is a seer rather a spectator. Therefore, “the Eskimo cosmos, it transpires, teems with ever-watchful eyes”. These ethnographic data lead him to the following conclusion: “Why, in the face of overwhelming evidence for the centrality of eyesight to the Inuit perception of their environment, did Carpenter nevertheless insist to the contrary that, for them, the eye is subservient to the ear ? Could it be because he took with him into his study a preconceived notion of vision, as analytic and reflective rather than active and generative , that was fundamentally incompatible with his fine appreciation of the dynamic potential and spherical topology of the Inuit lifeworld?” INGOLD Tim, *The Perception of the Environment*, *op. cit.*, p. 252-253. See also DESCOLA Philippe, *Les Formes du Paysage*. I., *op. cit.*, pp. 653-655.

II.8) Milieu and Territories

Having explored the notion of territory above, it is now possible to demonstrate with more precision the reason which led Deleuze and Guattari to distinguish territories from milieus and to identify the *criteria* on which this conceptual distinction is based. What is, therefore, at stake at the beginning of the Plateau entitled *La ritournelle* is the distinction between two modalities of the relationship that individuals and collectives have with their environment and, most of all, the different degrees of freedom that they experience when facing an external and internal nature (*i.e.*, material exteriority and biological and physical determinisms).

The implicit reference to Canguilhem's works on milieu seems to confirm that the non-deterministic understanding of the interactions with the environment is one of Deleuze and Guattari's main concerns. In a famous article already quoted, Canguilhem traced the history of this concept from the beginning of the 19th century to the contemporary epoch. Indeed, as Canguilhem shows, the evolution of the concept was characterised by a reversal (*renversement*), that is, the concept was reformulated against a tradition that defined the relations between individuals and their environment in a mechanistic way – the world acting mechanically on the individual, the latter being reduced to a “crossroads of influence” (*un carrefour d'influence*). A “counter-movement” against this understanding thus inverted this relation. The living became a subjective centre expressing its normative power and imposing vital values to its milieu. According to Uexküll (one of the main agents of this reversal), the living does not passively receive *stimuli* coming from an exteriority, but it actively operates a selection from the infinite forest (so to speak) of excitations. The milieu is here a set of selected excitations that have the value and signification of signals. Nonetheless, such idea is not totally free from the mechanistic point of view:

“Our sensory organs of the eye, ear, nose, palate, and skin are built according to the principle of a Swedish box of matches, in which the matches only respond to certain effects of the outside world. These produce waves of excitation in the nerves, which are conducted to the cerebrum. To this extent, everything proceeds according to the law of cause and effect.”²¹²²

Admittedly, the inner and incorporeal function of the organs (at the phenomenological level) is to interpret and give a signification to the *stimulus*. However, it remains the case that, at the start of this process, there is a physicochemical excitation acting mechanically on the outer and corporeal surface. Moreover, a careful reading of the passages dedicated to the tick reveal that once the

2122 UEXKÜLL Jacob Von, *A Foray into the Worlds of Animal and Humans*, *op. cit.*, p. 164. See also the french translation: “Nos organes sensoriels, l'oeil, l'oreille, le nez, le palais et la peau, sont bâtis selon le principe des allumettes suédoises qui ne répondent qu'à certaines actions du monde extérieur. Ces actions suscitent des ondes d'excitation qui sont conduites au cerveau. A cet égard, tout se produit mécaniquement selon la loi de la cause et de l'effet” UEXKÜLL Jacob Von, *Mondes Animaux et Monde Humain*, *op. cit.*, p. 122.

excitation is selected and transformed into a signal, the reaction of the animal and the triggered chain of perception-action are described by Uexküll through the cause-effect pattern. For example, once the *stimulus* of butyric acid is transposed into an olfactory feature, these processes “bring about corresponding *impulses by induction* (...) in the [tick's] effect organ, which then bring about the releasing of the leg and falling.”²¹²³ In this sense, if Uexküll criticises the reductionist mechanism of Loeb's theory of tropism and tends to claim for a certain vitalism, he nevertheless does not totally reject a certain determinism nor does he lock himself into a the vitalism²¹²⁴. In a sense, Cassirer has already noted that Uexküll's animals were still reacting mechanically to the stimulus when he remarked that in the case of an organic reaction, “a direct and immediate answer is given to an outward stimulus”²¹²⁵ – although this remark was founded on the double distinction between human-animal realms and signal-symbol, as will be shortly shown.

Therefore, if milieu are composed of a subjective dimension (effect and perceptive marks), they also work according to a mechanical model. In fact, the former does not exclude the latter. Deleuze insists more on this second dimension when he refers to milieu. Milieus are always associated with mechanical excitations: internal milieu are defined by their internal impulsion and external milieu by the pressure of circumstance. Of course, as we have seen, Deleuze does not reduce the relation with milieu to a set of physicochemical reactions but, he is led to emphasis this dimension by contrast with another mode of relation to the environment, that is, territoriality. Territorial marks and their conjunctions are not determined by internal or external impulsions. Even in the absence of the impulsion, territorial marks can be given. It is as if this new relation with exteriority was characterised by a superior degree of liberty. Indeed, in the case of milieu, even if the subject actively selects the excitation, there is no perception nor action without impulsion, that is, without a certain degree of passivity. *A contrario*, even if territorial motifs and counterpoints are immanent to the external and internal impulsions, the former are not the result of the latter's mechanical action: they “conquer their own plane” and become autonomous. Therefore, if the individual's relation with the milieu is always active, a certain form of passivity remains. On the contrary, another degree of independence is acquired with territory. This hypothesis seems to be confirmed by the gap between the code and territory:

“L'essentiel est dans le décalage que l'on constate entre le code et le territoire. Le territoire surgit dans une marge de liberté du code, non pas indéterminée, mais autrement déterminée. S'il est vrai que chaque milieu a son code, et qu'il y a perpétuellement transcodage entre les milieux, il semble au contraire que le

2123 Ibid.

2124 On Uexküll's stance about the vitalism and mechanism debate, see GENS Hadrien, *Jakob Von Uexküll, Explorateur des Milieux Vivants. Logique de la Signification*, Paris, Hermann, Visions des sciences, 2014, pp. 42-57.

2125 CASSIRER Ernst, *An Essay on Man. An Introduction to a Philosophy of Human Culture*, Garden City, New York, Doubleday, Doubleday Anchor Books, 1953, p. 43.

territoire se forme au niveau d'un certain décodage."²¹²⁶

*"Le territoire est fait de fragments décodés de toutes sortes, empruntés aux milieux, mais qui acquièrent alors une valeur de "propriétés": même les rythmes prennent ici un nouveau sens (ritournelles)."*²¹²⁷

As already argued, code is an order that organises milieu as well as behaviours. If this order is in part random, behaviours configured by codes remain stereotyped and somewhat mechanical. Thus, milieu are defined by this partial determinism which is imposed by the code, and codification distinguishes them from territorialisation. On the contrary, territory is a process of decoding: the code ceases to determine the behaviour and its relations with the exterior. Behaviour is, in a way, freed from stereotypical movements guided by impulses and is opened to free variation: *"la distinction la plus évidente entre les animaux à territoire et les animaux sans territoire, c'est que les premiers sont beaucoup moins codés que les autres"*²¹²⁸. The creation of a territory, and the behaviours adopted within it, are freed from any blind automatisms.

Nevertheless, this does not mean that territories transcend the milieu. Indeed, Deleuze specifies that it arises at the margin of its code²¹²⁹. Moreover, it is necessary to point out that this freedom is not synonymous with the indeterminate freedom of a spiritual and subjective self-consciousness – transcending materiality and exteriority in order to dominate them – but with *another way of being determined*.

2126 DELEUZE and GUATTARI, *MP*, p. 396.

2127 *Ibid.*, p. 629.

2128 *Ibid.*, p. 397.

2129 Deleuze gives two other cases of these "margins of decoding" that are both situated at different levels. The first case is related to the modern theory of mutation as put forward by François Jacob. If the genetic program is like a "text without author" which is reproduced for billions of years, sometimes, it happens that it is incorrectly copied. These errors bring about a change in the genetic message called "mutation". The mutation can happen by a transfer of the genetic material or during the reproduction of the chromosomes. In this case, a segment of the chromosome is copied twice. If one of the two segment is forced to be replicated identically, the second *"peut varier à loisir et la mutation y surgir en toute liberté"* (JACOB François, *La Logique du Vivant. Une Histoire de l'Hérédité*, Paris, Gallimard, Tel, 1976 [1970], p. 311-312). For Deleuze, these free variations happen in the margins of the code: *"s'il est vrai que chaque milieu a son code, et qu'il y a perpétuellement transcodage entre les milieux, il semble au contraire que le territoire se forme au niveau d'un certain décodage. Les biologistes ont souligné l'importance de ces marges déterminées, mais qui ne se confondent pas avec des mutations, c'est-à-dire avec des changements intérieurs au code: il s'agit cette fois de gènes dédoublés ou de chromosomes surnuméraires, qui ne sont pas pris dans le code génétique, sont fonctionnellement libres et offrent une matière libre à la variation"*, DELEUZE and GUATTARI, *MP*, p. 396. See also *Ibid.*, p. 69. The other case is differentiation between species produced by the geographical territorialisation. For Deleuze, there are two factors of differentiation: *"les uns, du type mutations, mais les autres, processus d'isolement ou de séparation, qui peuvent être génétique, géographique ou même psychique"* (*Ibid.*, p. 396). See also DELEUZE Gilles, *DR*, p. 280: *"Un vivant ne se définit pas seulement génétiquement, par les dynamismes qui déterminent son milieu intérieur, mais écologiquement, par les mouvements externes qui président à sa distribution dans l'étendue. (...) un processus géographique d'isolation n'est pas moins formateur d'espèce"*. He refers here to Lucien Cuénot's explication of specific differentiations in which spatial separation plays a key role. CUÉNOT Lucien, *L'Espèce*, Paris, G. Doin & Cie, 1936). On this topic see also the interesting article of Diego Julian Ferreyra : FERREYRA Diego Julian, "Lucien Cuénot y el aspecto territorial del esquema espacio-temporal", in KRESTSCHER Verónica and OSSWALD Andrés, (eds.), *Deleuze y las Fuentes de su Filosofía*, T. II, Rajgif ediciones, Buenos Aires, 2015, pp. 16-25.. Here, the territorialisation operates in the margins of the codes and gives the possibility of a free specific variation: *"la territorialisation est précisément un tel facteur qui s'établit sur les marges de code d'une même espèce, et qui donne aux représentants séparés de cette espèce la possibilité de se différencier"*. In both cases, territorialisation makes the free variation possible in the marge of the code. DELEUZE and GUATTARI, *MP*, p. 396.

In a text, published prior *Mille Plateaux*, and which deals with ethology, Guattari uses the term “machinic liberty” (*liberté machinique*) to designate territorial behaviours and the creation of expressive marks²¹³⁰. This apparent oxymoron is used to reject the problematic alternative between a spiritual and undetermined liberty that floats over matter – something reserved for human and is inaccessible for non-human being chained to the material realm – and a deterministic automatism – reserved for animals²¹³¹. “*La question de la liberté, says Guattari, ne saurait concerner uniquement le domaine de l'esprit, c'est-à-dire celui d'une sémiotisation prétendument indépendante des choses de la matière. Considérée indépendamment du jeu rhizomique inter-agencement que nous évoquions précédemment, elle est vide de sens*”²¹³².

Here, one cannot help but think of Cassirer's conception of symbolisation which is based on this idea of an extraction from a milieu of mechanical stimuli. More precisely, Cassirer distinguishes the signal from the symbol. “Signals and symbols belong to two different universes of discourse”, which presuppose those signals fall under the category of language. However, by contrast with the symbol, the signal “is a part of the physical world of being”²¹³³. As Benveniste writes, the signal is a physical fact tied to another physical fact²¹³⁴: smoke is the signal of fire, the dog-lead announces to the dog that it time to go for a walk, or, to take the example of Uexküll, the odour of butyric acid announces to the tick that its prey is close. The particularity of the signal is that its occurrence provokes an automatic reaction: the odour of the animal automatically causes the fall of the tick. In that, the theory of signals is close to the theory of conditioned responses²¹³⁵. While animals are able to detect signals in their milieu, Cassirer argues, symbolisation is proper to the man. With a signal the response is direct and immediate, whereas with the symbol interposes itself between the human subject and its environment and, as such, the answer is delayed. Furthermore, one of the particular characteristic features of the symbol is its universality: it is not tied to a specific sensation of stimuli but has a universal scope. This fact was the discovery of Hellen Keller, the famous blind deaf-mute child, who when she learnt that “everything has a

2130GUATTARI Félix, *L'Inconscient Machinique*, op. cit., p. 130.

2131 “il nous semble qu'une conception 'rhizomatique' des relations inter-agencement (...) devrait autoriser la possibilité aussi bien d'une ouverture innovatrice des programmations comportementales du monde animal que, le cas échéant, une fermeture “déterministe” de celles du monde humain. Or ce qui paraît devoir être retenu, avec les composantes de visagèité et de ritournelle, c'est qu'elles jouent précisément sur les registres animaux et humains sans plaquer sur eux une opposition rigide inné-acquis, sans projeter sur l'homme une liberté fictive et sur l'animal un déterminisme étroit”, GUATTARI Félix, *Lignes de Fuite. Pour un Autre Monde de Possibles*, La Tours d'Aigues, L'Aube, Essai, 2011, p. 265.

2132GUATTARI Félix, *L'Inconscient Machinique*, op. cit., p. 130

2133CASSIRER Ernst, *An Essay on Man*, op. cit., p. 51.

2134BENVENISTE Emile, “Coup d'œil sur le développement de la linguistique”, in BENVENISTE Emile, *Problèmes de linguistique générale*, T. I, Gallimard, Tel, 1976 [1966], pp. 18-31.

2135ORTIGUES Edmond, *Le Discours et le Symbole*, Paris, Beauchesne, Prétontaine, 2007 [1962], p. 66.

name”²¹³⁶ stated that “the symbolic function is not restricted to particular cases but is a principle of *universal* applicability which encompasses the whole field of human thought”²¹³⁷. The second characteristic of symbols, their versatility, also proceeds from its emancipation from milieu that consist of mechanical stimuli. In contrast to the signal, which is “related to the thing to which it refers in a fixed and unique way”, the same thing can be designated by various symbols (belonging to various languages, for example). Susanne Langer, a close disciple of Cassirer²¹³⁸, adds that symbols have the capacity to designate a thing in absentia²¹³⁹. Each of these characteristics prove that with symbolic systems, man detaches himself (*s'arrache*) from the natural world of impulsions. Instead of living in a physical universe, man lives in a symbolic world in which he converses more with himself than he deals with things themselves²¹⁴⁰. As Benveniste writes, “*il n'y a pas de relation naturelle, immédiate et directe entre l'homme et le monde, ni entre l'homme et l'homme. Il y faut, un intermédiaire, cet appareil symbolique, qui a rendu possible la pensée et le langage. Hors de la sphère biologique, la capacité symbolique est la capacité la plus spécifique de l'être humain*”²¹⁴¹. This detachment to the natural milieu of impulsions is experienced by the human subject as liberation: “Without symbolism the life of man would be like that of the prisoners in the cave of Plato's famous simile. Man's life would be confined within the limits of his biological needs and his practical interests; it could find no access to the “ideal world” which is opened to him from different sides by religion, art, philosophy, science”²¹⁴².

This is precisely the understanding of freedom and semiotisation that Guattari stands against when he uses the term “machinic liberty”. The liberty which manifests itself in territorial behaviours is not a power of extraction, emanating from a pure signifying subjectivity (*pure subjectivité signifiante*); semiotisation does not occur apart from matter; and it is not the sole privilege of human beings, given that animals also produce a semiotisation of the world through the production of expressive matters. This liberty remains “machinic” because it is not independent from the machinic assemblages of the body nor from machinic chains of behaviour, as would be the free will of self-consciousness. Guattari claims provocatively that liberty also exists at the most organic level, within the nervous system or the digestive system. Guattari uses as example studies on the social behaviour of baboons. Among certain species of baboon, some individuals stay at the

2136CASSIRER Ernst, *An Essay on Man, op. cit.*, p. 53.

2137*Ibid.*, p. 54.

2138Ruyer Raymond, *L'animal, l'Homme, la Fonction Symbolique*, Paris, Gallimard, *L'avenir de la science*, 1964, p. 94; COLONA Fabrice, “L'homme Ruyérien”, in *Les Etudes Philosophiques*, PUF, n° 80, 2007/1, p. 72 (pp. 63-84).

2139LANGER Susanne K., *Philosophy in a New Key. A Study in the Symbolism of Reason, Rite and Art*, Cambridge, Harvard University Press, 1957, p. 24.

2140CASSIRER Ernst, *An Essay on Man, op. cit.*, p. 43.

2141BENVENISTE Emile, “Coup d'œil sur le développement de la linguistique”, *op. cit.*, p. 29.

2142CASSIRER Ernst, *An Essay on Man, op. cit.*, p. 62.

periphery of the group and seem to play the role of sentinels. In fact, they delimit the territory with expressive marks: facing the other groups, they expose their sexual organs which are generally colourful and when a stranger approaches their territory, an erection occurs²¹⁴³. Here, the territorial semiotisation does not occur separately from the “mechanical components” (*composantes mécaniques*), notably sexual components: “voilà donc un mode de sémiotisation collectif de défense du territoire en interconnexion avec des composantes sexuelles 'd'origine' intrinsèques”²¹⁴⁴. In other words, the components of the body (here the sex organs) which are generally considered as being the most governed by automatisms (an erection is automatic) are diverted from their organic function (to satisfy the sexual strive) and are used as a means of semiotisation, as expressive marks to delimit a territory: “on peut déjà tirer de cet exemple, contre le bon sens dogmatique des fonctionnalistes, qu'il existe des cas où la verge ne se rapport pas de façon univoque à une strate de l'organisme et à une fonction de reproduction, et la grimace hostile à un état de tension sociale”²¹⁴⁵. As such, sex organs and “visageity” (*visagéité*) should be considered as

“des opérateurs, des machines concrètes concourant à la sémiotisation collective et individuelle d'un certain extérieur. Ils ne sont ici que des ponts, des tunnels de déterritorialisation, qui articulent des agencements particuliers de hiérarchie interne et de défense collective (la délimitation externe d'un territoire, la bordure au-delà de laquelle il y a cessation de la sémiotisation collective et effet de trou noir) et divers agencements individués comme ceux de la fuite”²¹⁴⁶.

The fact that semiotisation is not autonomous from matter is also true among human societies, Guattari writes: “il ne fait pas de doute, par exemple chez l'homme, que les sémiotiques linguistiques, parallèlement à leur fonction de conjuration magique et d'assujettissement social, ont contribué à l'agencement d'une “toute puissance” instrumentale et machinique d'un nouveau genre sur son propre comportement, sur son environnement et sur les autres espèces vivantes”²¹⁴⁷.

Therefore, liberty has to be conceived within a series of heterogeneous sequences of behaviour articulated in a machinic way. This statement is paradoxical only if machines and “machinism” are reduced to the mechanical understanding of technical machines, a thesis that *Anti-Oedipe* strongly criticized²¹⁴⁸. In fact, such biológico-behavioural engineering is not ruled by automatisms, stereotyped repetitions or mechanical impulsions. Instead territorial behaviours give

2143EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, op. cit., pp. 449-450 and p. 326.

2144GUATTARI Félix, *L'Inconscient Machinique*, op. cit., p. 126.

2145Ibid., p. 126.

2146Ibid., p. 127.

2147Ibid., p. 146.

2148“En règle générale, le problème des rapports parties-tout reste aussi mal posé par le mécanisme et par le vitalisme classiques, tant que l'on considère le tout comme totalité dérivée des parties, ou comme totalité originnaire dont les parties émanent, ou comme totalisation dialectique. Le mécanisme, pas plus que le vitalisme, n'a saisi la nature des machines désirantes, et la double nécessité d'introduire la production dans le désir autant que le désir dans la mécanique”. DELEUZE and GUATTARI, *AO*, p. 52. See especially *Ibid.*, pp. 347-342.

room, inside the machine itself, for “ruptures of the mechanism”, for free variations and creation.

In the text quoted above, Guattari concludes that, considered apart from inter-assemblies, liberty ends up meaning very little. Here, he refers to the very famous examples of the wasp and orchid, a case he developed a few pages earlier²¹⁴⁹ and one he takes from the French ethologist Rémy Chauvin²¹⁵⁰. In a conference he gives in a colloquium on sexuality, Chauvin gives a case of perverted sexuality, *i.e.* a deviant sexuality²¹⁵¹. Because orchids do not produce nectar, says Chauvin, and because they do not interest bees, they had to employ another adaptive strategy in order to reproduce: certain parts of the plant have evolved to look like wasps, which are then attracted by the flower. The wasp enters its reproductive organs in the calix of the orchid, the pollen sticks to the abdomen of the insect and, in this way, is transported to another flower which is then pollinated. The wasp ensures the function of the reproductive organs of the orchid. One might interpret this form of hybrid sexuality in mechanist terms of the theory of evolution. That is, through selective pressure, a fortuitous encounter between the animal and the vegetal realm becomes a structured and encoded reproductive system. This interaction is then inscribed in the genome of the species and reproduced mechanically during ontogenesis. However, even Chauvin seems to be reluctant to use these terms and prefer to speak of an “*évolution apartallèle*” to designate this type of co-evolution that does not proceed from any genetic filiation. In *Mille Plateaux*, Deleuze and Guattari will finally term this coevolution between two heterogeneous terms “involution”, insisting on the fact that this encounter is *creative*²¹⁵². Indeed, this symbiosis is no more than a simple pooling (*mise en commun*) of the information contained in the genes of the two species: *it produces something new*. There is a surplus value of code, which means that the wasp and the orchid's respective codes (the function of reproduction and the function of nutrition) are not simply added. There is no evolution in the sense of an evolution by descent, which postulates an unilinear evolution in which the passage from a living organism to another occurs by vital variation on the same and unique line²¹⁵³

2149GUATTARI Félix, *L'Inconscient Machinique*, *op. cit.*, p. 123-124.

2150On this example, the classical text is in DELEUZE and GUATTARI, *MP*, p. 17.

2151CHAUVIN Remy, “Récent progrès éthologiques sur le comportement sexuel des animaux”, in ARON Max, COURRIER Robert and WOLFF Etienne, *Entretiens sur la Sexualité*, Centre Culturel International de Cerisy-la-Salle, 10 July-17 July 1965, Paris, Plon, 1969, p. 204-205 (pp. 201-233).

2152DELEUZE and GUATTARI, *MP*, p. 292.

2153DELEUZE and GUATTARI, *MP*, p. 291. In this plateau entitled “*Devenir-intense, devenir-animal, devenir-imperceptible*” Deleuze opposes becoming to two ways of conceiving the relation between animals inside natural history. First, there is “serialism”, which classifies animals into series according to their resemblances. It is the idea of a chain of beings perpetually imitating one another (DELEUZE and GUATTARI, *MP*, p. 287; FOUCAULT Michel, *Les Mots et les Choses. Une Archéologie des Sciences Humaines*, Paris, Gallimard, Tel, 2010 [1966], p. 162 and 164). Second, there is structuralism, which orders the characters according to their differences: “*les branchies sont à la respiration dans l'eau ce que les poumons sont à la respiration dans l'air*” writes Cuvier (FOUCAULT Michel, *Les Mots et les Choses*, *op. cit.*, p. 277; DELEUZE and GUATTARI, *MP*, p. 286). However, it seems that Deleuze distinguishes these two forms of classifications from the theory of evolution (or at least a certain form of evolutionism), which is defined in terms of genealogy, descent, filiation and kinship (DELEUZE and GUATTARI, *MP*, p. 286). It seems that it is this peculiar form of evolutionism (which should be distinguished from the neo

going from the least to the most differentiated, from the simplest to the most complex²¹⁵⁴. Here, there is not any common filiation possible since there is an association of two very different realms (and therefore two different evolutive lines²¹⁵⁵). Symbiosis leads to a new mutant species, the “wasp-orchid”, which evolves on its own via a “new evolutive line of flight” (to use a Guattari's pun)²¹⁵⁶. Thus, liberty means the possibility of escaping from mechanism, a flight which makes possible mutation, creation. But this flight is not a detachment (*arrachement*) from repetitive mechanisms and the mechanised and innate genetic encoding since the mutation takes place within the inter-assemblage.

Machinic liberty is manifest in behaviours which are machinic without being mechanical

evolutionism) which is aimed at in the text we have just quoted, when Deleuze says that becoming cannot be reduced to evolution and filiation. It should be noted that this text is extracted from a section entitled “Souvenirs d'un bergsonien”. In his *Le bergsonisme*, Deleuze had already noted that “il y a du mécanisme jusque dans l'évolutionnisme, dans la mesure où celui-ci postule une évolution unilinéaire, et nous fait passer d'une organisation vivante à une autre par simples intermédiaires, transitions et variations de degré”. DELEUZE Gilles, *B*, p. 13. Further, he notes that “Le tort de l'évolutionnisme est donc de concevoir les variations vitales comme autant de déterminations actuelles, qui devraient alors se combiner sur une seule et même ligne. (...) l'évolution ne va pas d'un terme actuel à un autre terme actuel dans une série unilinéaire homogène, mais d'un virtuel aux termes hétérogènes qui l'actualisent le long d'une série ramifiée”. DELEUZE Gilles, *B*, p. 103. On the history of evolutionism, see also CANGUILHEM Georges *et al.*, “Histoire de la biologie: du développement à l'évolution au XIXe siècle”, in *Thalès*, Vol. 11, 1960), p. 34 (pp. 3-63.): “En dehors de cette pseudo-unité dans l'instantané, il ne subsiste, pour l'univers de Darwin, qu'une unité dans le successif réduite presque au minimum: celle d'une filiation continue, à la fois au sens généalogique (toutes les espèces dérivent d'une même souche) et un en sens quasi mathématique (petites variations élémentaires)”. See also CANGUILHEM Georges, “Sur l'histoire des sciences de la vie depuis Charles Darwin”, in CANGUILHEM Georges, *Idéologie et Rationalité dans l'Histoire des Sciences de la Vie*, Paris, Vrin, Problèmes et Controverses, 2000 [1977], pp. 101-120.

2154 It is correct that this progressist evolutionary schema had already been questioned by Darwin. If there is progress, it is not in the perfection of the organism but in its capacity to survive. The criterium of progress has changed. Progress in the differentiation of the structures is an indirect consequence of adaptative progress. Cf CANGUILHEM Georges *et al.*, “Histoire de la biologie...”, *op. cit.*, p. 35. But it seems that in Darwin's work there is still an ambiguity (evolution still goes from the simplest to the more complex). In an article of the *Encyclopædia Universalis* on Taxonomies, François Dagognet attacks these progressivist understandings of phylogeny. He states for example that the monocotyledon is derived from the dicotyledon. DAGOGNET François, “Taxinomie”, in *Encyclopædia Universalis*, Corpus 22: Tacite-Trust, *Encyclopædia Universalis* France S.A., Paris, October 1995, pp. 84-86.

2155 Another example of this sort of connection between two different evolutive lines is the transmission of genetic information between two species by the intermediary of a virus, a case which has been studied by R. E. Benveniste and J. Todaro (Deleuze and Guattari uses reports that Yves Christen wrote about their investigations in an issue of the french magazine *La Recherche*: CHRISTEN Yves, “Le rôle des virus dans l'évolution” in *La Recherche*, n°54, March 1975, pp. 270-271). Benveniste and Todaro show that over the course of evolution the DNA of a type C virus has been integrated itself into the germ cells of some baboon. Consequently, all monkeys of this species became bearers of this virus which has been integrated in their genome. When they transmitted the virus to domestic cats, the DNA of the virus brought with it some genetic information belonging to the baboon and which were transmitted to the new host (the cat). Therefore, genetic information passed from one species to another. Here, the transmission of the genetic information is independent of the phylogenesis since information is not transmitted within the same evolutive line but it passes from one line to another by the intermediary of the virus. Benveniste and Todaro even hypothesise that information may be transmitted from a more evolved to a less evolved species. With this phenomenon of connections of evolutive lines, the image of evolution itself is changed: “si de tels passages d'informations avaient eu une grande importance, on serait même amené dans certains cas à substituer des schémas réticulaire (avec communications entre rameaux après leurs différenciations) aux schémas en buisson ou en arbre qui servent aujourd'hui à représenter l'évolution”. (CHRISTEN Yves, “Le rôle des virus dans l'évolution”, p. 271). For that reason, Deleuze and Guattari prefers the model of rhizome to the arborescent model of descent. DELEUZE and GUATTARI, *MP* p. 17.

2156 GUATTARI Félix, *L'Inconscient Machinique*, *op. cit.*, p. 124.

and stereotyped²¹⁵⁷. This is the case of “free actions” as animal play. Indeed, the animal turn to play when he is replete, when its behaviour is no longer motivated by need. For instance, after having eaten and feeling replete, the chaffinches of the Galapagos Islands sometime play with mealworms much like children who play with their food²¹⁵⁸. Here, it would seem that the animal is not motivated by any drive and the behaviour cannot be assimilated to instinct. In other words, the animal is in a release state (*état de détente*). Because this specific behaviour is not motivated by a drive and does not fulfil a biological function, ethologists says that animal play, much like human play, is characterised by the absence of seriousness²¹⁵⁹. While the animal may borrow some sequences of instinctive behaviour when it plays, its behaviour, nonetheless, remains very different from pure instinct. For example, the rat which flees to play quasi immediately comes back, whereas areal flee from danger is characterised by the fact that the animal remains, for certain time, in its hiding place. Likewise, when it plays, the movements of a dog’s jaw are inhibited, so as to not really bite as it would in the case of real aggressive behaviour. Because it is autonomous from the vital functions, it would seem that the animal can select randomly various behavioural sequences and combine them. In contrast with instinctive behaviours, which are highly stereotyped and repetitive, these random combinations of sequences seem to give room for improvisation and a variation of activities²¹⁶⁰. Because the behaviour is not determined by biological needs, there is more liberty in the field of action and the animal can vary its activities²¹⁶¹. This possibility of changing activities enables the animal to distance itself from the objects of the environment. The animal ceases to be “stuck on” the object, it ceases to be “fascinated” by it. Indeed, it does not relate to the object through stereotyped action (for example, the suction of the object by the human baby)²¹⁶², but it approaches the object, it goes back and examines it from every angle. Driven by curiosity, the animal explores the object and initiates a dialogue with it. In a word, it plays with it. It is this capacity to distance itself from the object that makes learning possible. Indeed, it is by varying its attitudes toward the object and trying new sorts of behaviour, that the animal is likely to learn something new. Entering into dialogue with the objects around it, the animal learns the characteristics of its environment but also the extent of its capacity for movement. Consequently, play may be opposed to serious functional behaviours such as eating and reproducing, having said

2157 “La ritualisation d’un agencement comportemental n’est pas synonyme d’automatisation. Une sémiotisation peut devenir machinale sans être pour autant mécanique”. GUATTARI Félix, *L’Inconscient Machinique*, op. cit., p. 144.

2158 EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, op. cit., p. 252.

2159 EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, op. cit., p. 250.

2160 *Ibid.*, p. 253.

2161 THORPE William Homan, “Le jeu chez les animaux”, in HUXLEY Julian (ed.), *Le Comportement Rituel chez l’Homme et l’Animal*, trans. Paulette Vielhomme, Paris, Gallimard, Bibliothèque des Sciences Humaines, 1971, p. 103 (pp. 99-111.)

2162 EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, op. cit., p. 248.

this, there is also nothing more serious than play since it is play that makes learning possible. It is for this reason that Eibl-Eibesfeldt claims that play it at the root of human liberty.

It is this machinic liberty which is at work in territorial behaviours. As already argued, the behaviour of the bower bird, which turns the leaf upside down and produces territorial marks is a form of play that is not motivated by sexual drive. Doing so, the bird becomes autonomous from its urges, but it also distances itself from its environment without detaching itself from it. It plays with the object of its environment and ceases to have a unilateral relation with them (a functional and stereotyped relation motivated by drives). It is not that the animal liberates itself from the environment rather it adopts another (a multiplicity of) perspectives concerning its surrounding. This free relation to the environment also appears in the birds observed by Messiaen and it why he uses the term “free song” (*chants gratuits*²¹⁶³) to designate the songs sung by the thrushes of the Jura mountain when provoked by the beauty of the sun. These territorial songs were not the mechanical response to a stimulus coming from the environment but demonstrated how the motifs of these refrains draw counterpoints with the external milieu. Therefore, within a territory, the relation with environment is not governed by mechanical rules and impulses but the possibility is given for the individual or the collective to improvise and invent, a possibility that is strongly limited with coded milieus.

The main reason for the difference between milieu and territories is thus the necessity for Deleuze and Guattari to show that territoriality offers more liberty to the individual in his relation with space. This liberty should not be understood as a transcendent conquest and domination of the environment but as the possibility of variation that may take place inside of machinic interactions themselves.

2163MESSIAEN Olivier and SAMUEL Claude, *Entretiens avec Olivier Messiaen*, op. cit., p. 97.

III) Beyond Detachment and Rootedness

In this chapter, we come to what constitutes the fundamental point of the Deleuzian concept of territory. In the two last chapters, we demonstrated how territory institutes a specific relationship with the environment that is synonymous with more freedom, a freedom that is not reducible to any form of transcendence. To summarise, it constitutes, therefore, freedom without transcendence, freedom without detachment or even better, *freedom and immanence*. In fact, these last two terms open what is to come next. As explained at the beginning of part four, the reason for focusing on Deleuze and Guattari's theory of territory is because it contains an antidote against the principal pitfalls that block the elaboration of a true a grammar of attachment. One of those traps was a conceptual polarity whose terms are the exact opposite of freedom and immanence. We refer here to the alternative between rootedness and detachment, which appeared several times in the philosophical literature reviewed in the three first part of this thesis. In other words, the opposition is the following: freedom and immanence against rootedness and detachment. Territorialisation is a free interaction with the environment whereas rootedness enchains individuals and collectives to the soil (for example, the peasant tied to the glebe). Nonetheless, this freedom should not be confused with a detachment from external and internal natures, since it consists in a variation immanent to the machinic process. Consequently, the previous developments concerning the distinction between milieu and territory were a preparation to what can be considered as one of the main contributions that Deleuze and Guattari offer to the discussion on territoriality; that is, the possibility of thinking our relation with the earth beyond rootedness and detachment. In the following chapters, we would like to go deeper into this conceptual counterpoint. We would like to show precisely how Deleuze and Guattari disconnect territory from the notions of detachment and rootedness.

In addition, we shall demonstrate that their theory of territorial assemblage challenges the third trap in which the grammars of conflict already reviewed have fallen: the confusion of the process of territorialisation with a process of the appropriation of land. Indeed, we saw that the

reduction of the collective relationship to the earth to the process of appropriation obfuscates the aspect of our interactions with the world called attachment. As mentioned several times before, this does not mean that appropriation and attachment are diametrically opposed and exclude each other. Instead, what this means is that the sense of priority should be reversed. Appropriation does not prevail over attachment. Our relation with the world must be first defined in terms of attachment, and other times, attachments take the form of the appropriation. The argument is that their reading of the anthropological literature led, in part, Deleuze and Guattari to relativise the role that the process of appropriation plays in the collective interaction with land.

In this chapter we shall see how Deleuze and Guattari's concept of territory challenges the alternative pair of terms, detachment and rootedness. In the following chapter, we will focus on the problematic definition of territorialisation as a process of the appropriation of land.

III.1) Territory Beyond Detachment

We have thus far demonstrate how far the notion of territory is from any idea of a detachment from nature. On the one hand, territorial behaviours are free movements but they are, properly speaking, they not entirely detached from drives. On the other hand, the semiotisation of the environment (*i.e.*, the creation of expressive marks) is an act of freedom that has nothing to do with the detachment from the natural world of impulses. In other words, the relation with the internal nature (drives) and the external nature (the environment) is not characterised as by the notion of detachment. In what follows, we will return to this second relation. Given that the question has been partially treated in the ultimate chapter, we will be brief on the question of detachment in order to focus on the other term of the alternative pair: rootedness.

At the beginning of the *Plateau* entitled “*De la Ritournelle*”, Deleuze and Guattari describe the interaction that individuals and groups have with their external “environment” as a relation with chaos. This *Plateau* starts with three *aspects* that are said to characterise the refrain, the rhythm through which a territory is established. Let us first recall these three aspects. Firstly, the individual faces a chaos in which they sketch out a centre that gives a certain stability to this infinite and vertiginous space without directions. Secondly, the individual draws a circle around the centre and organises a space that is qualitatively different from the rest. Finally, the circle is opened to let someone in or out. Deleuze specifies that these are not three successive moments but three dimensions of the same process of territorialisation. This means, among other things, that the creation of the circle and its opening are contemporaneous. In other words, the circle is opened from

the beginning and, as such, it cannot be said to function as an enclosure. We shall now examine in detail this process of territorialisation.

First comes the notion of chaos which, in this text, is partially elaborated from a reading of the French philosopher Henri Maldiney²¹⁶⁴. Space is first a chaos in the sense it has no directions, no point of reference, no coordinates. Consequently, as Maldiney writes, “being-lost” (*l'être-perdu*) is for man the initial experience related to space. In other words, man is disoriented in an infinite space without any reference system²¹⁶⁵. Hence, the experience of vertigo and the necessity of implementing landmarks. However, by contrast with Maldiney, Deleuze refuses to reduce chaos to an undifferentiated space deprived of any determination. Chaos is not the night in which all cows are black and it is not a synonym of disorder. On the contrary, chaos is made of a multitude of determinations that, nevertheless, take shape and vanish at the same time – Deleuze says that this multitude is made of “infinite speed” because of the evanescence and instability, which would make any consistency impossible²¹⁶⁶.

*“On définit le chaos moins par son désordre que par la vitesse infinie avec laquelle se dissipe toute forme qui s'y ébauche. C'est un vide qui n'est pas un néant, mais un virtuel, contenant toutes les particules possibles et tirant toutes les formes possibles qui surgissent pour disparaître aussitôt, sans consistance ni référence, sans conséquence. C'est une vitesse infinie de naissance et d'évanouissement”*²¹⁶⁷.

For that reason, chaos is unbearable and inhabitable. Nonetheless, if all forms of life cannot really dwell in chaos, it remains that this mass of evanescent determinations is not nothingness or a vacuum. Instead, it is the virtual itself, a dimension of the real, full of preindividual potentialities from which creation can emerge. Therefore, chaos is characterised by a paradox: it is at the same time an unbearable evanescence and a reservoir of potentialities open to creation²¹⁶⁸. This is why it

2164MALDINEY Henri, “L'esthétique des rythmes”, in MALDINEY Henri, *Regard, Parole, Espace*, Lausanne, L'Age d'Homme, Amers, 1973, pp. 147-172.

2165Maldiney gives a phenomenological description of this experience : “Voici un homme debout dans un polder de Hollande. Qu'est-il, dès qu'il s'éprouve dans son environnement ? – Un homme débordé par l'espace qui de toutes parts l'enveloppe et le traverse, et qu'il hante lui-même de toute sa présence, perdu entre l'immensité découverte du ciel et l'étendue rayonnante de la terre au large de ses pas”. MALDINEY Henri, “L'esthétique des rythmes”, *op. cit.*, p. 151. We saw that Mircea Eliade had already describes this experience of space. However, because Eliade reduced the opposition chaotic space-territory to the opposition between sacred and profane, Deleuze had distanced himself from his concept of territoriality.

2166DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 44.

2167*Ibid*, p. 111-112. In the note p. 111, refers to Isabelle Stengers and Ilya Prigogine's example of the process cristallization of a supersaturated liquid. PRIGOGINE Ilya and STENGERS Isabelle, *Entre le Temps et l'Eternité*, Paris, Ed. Fayard, 1992, p. 162-163 . Stengers and Prigogine do not quote Simondon, but it would seem as though it is to him that they are refering since he had used crystallization to thematise the preindividual. Chaos is here a synonym of thepreindividual.

2168Thoughts which appear and disappear in the mind provide a good image of this paradox: “Rien n'est plus douloureux, plus angoissant qu'une pensée qui s'échappe à elle-même, des idées qui fuient, qui disparaissent à peine ébauchées, déjà rongées par l'oubli ou précipitées dans d'autres que nous ne maîtrisons pas davantage. Ce sont des variabilités infinies dont la disparition et l'apparition coïncident. Ce sont des vitesses infinies qui se confondent avec l'immobilité du néant incolore et silencieux qu'elles parcourent, sans nature ni pensée”. DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 189.

must be faced and cannot be avoided. Territorialisation and art (but also science and philosophy), are one of the ways of facing this chaos²¹⁶⁹.

In order to do so, it is necessary to go through the chaos, to give a stability to its evanescent determinations, to actualise some of them and to exclude others. This is the role of the centre and the circle just mentioned. But this circle is not only the circle drawn in the sand, which functions as the foundation of a town. One should not think that the circle is reducible to geometric borders, borders such as State boundaries or the limits of a property. In fact, this circle, which produces marks and stability within the chaotic environment, is another manner of designating the constitution of expressive matters, and, in that, it has little to do with geometrical lines. They are instead the territorial marks which, stabilising the chaos, create a familiar environment in which the animal or the social group get their bearings, feel at home or manage to reassure themselves²¹⁷⁰. These marks are, therefore, stabilising and calming because they produce a certain durability within this chaos whose determinations are evanescent and frightening. As previously argued, territory, as art, creates “blocs of time-space” and sensations – the term of “bloc” indicating a duration that resists the instability of determinations. Admittedly, Deleuze and Guattari say that territorialisation and art are “conservative” because the thing created conserves itself independently 1° from the model (*“la chose est dès le début devenue indépendante de son “modèle”*), 2° from the spectator who experiences it (*“elle n'est pas moins indépendante du spectateur ou de l'auditeur actuels, qui ne font que l'éprouver par après, s'ils en ont la force”*) 3° and finally from the creator himself (*“elle est indépendante du créateur, par l'auto-position du créé qui se conserve en soi”*)²¹⁷¹. In that sense, conservation means independence. Nevertheless, it also means that through the composition of expressive into a bloc, a certain consistency has been given to some evanescent determinations of the chaos²¹⁷².

2169Philosophy, science and art are three ways of dealing with chaos : *“Ce qui définit la pensée, les trois grandes formes de la pensée, l'art, la science et la philosophie, c'est toujours affronter le chaos, tracer un plan, tirer un plan sur le chaos. Mais la philosophie veut sauver l'infini en lui donnant de la consistance (...) La science au contraire renonce à l'infini pour gagner la référence (...) L'art veut créer du fini qui redonne l'infini : il trace un plan de composition, qui porte à son tour des monuments ou sensations composées, sous l'action de figures esthétiques”*. *Ibid.*, p. 111.

2170*“Les marques odorantes sont en un certain sens, des signes chimiques de propriété (...). Comme telles elles lui servent dans l'orientation et. lui rendent familier son territoire. Un blaireau qui devient agité et inquiet sur un terrain étranger peut être calmé en lui faisant renifler un objet qu'il avait antérieur marqué. Un hamster mâle, qui à la saison de reproduction, rentre dans le territoire d'une femelle, marque tout d'abord ce terrain qui lui est étranger avant de commencer à s'occuper de la femelle”*. EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, *op. cit.*, p. 325.

2171 *Ibid.*, p. 154.

2172That is certainly why Deleuze rejects the idea that drugs would help the artist to create : *“la question de savoir si les drogues aident l'artiste à créer ces êtres de sensation, si elles font partie des moyens intérieurs, si elles nous mènent réellement aux “portes de la perception”, si elles nous livrent aux percepts et aux affects, reçoit une réponse générale dans la mesure où les composés sous drogue sont le plus souvent extraordinairement friables, incapables de se conserver eux-même, se défaisant en même temps qu'ils se font ou qu'on les regarde”*. DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 156. In this respect, with drugs, we plunge back into the evanescence of chaos.

These territorial blocs are “monuments”. It should be clarified that this monument is not necessarily a material and solid edifice or a strong and visible mark in the environment. Indeed, a lot of societies leave few imprints in the places they live. Deleuze argues that duration is more due to the constitution of these spatiotemporal blocs of sensation than the materiality or solidity of any particular edifice²¹⁷³. The examples given by Deleuze prove that the term “monument” is not reducible to an edifice and has a wider extension: sonorous blocs (human and non-human songs, the sound wall of the household²¹⁷⁴), ritual monuments (ritual dances, zigzags, exhibitions of colours), etc. are not edifices but spatiotemporal blocs, which are *not only* defined by their materiality but also by signs and forms of semiotisations. Moreover, Deleuze suggests that territory and home are not always one and the same. This means that monuments are abodes (*demeures*) whose extension is never reduced to the home (*i.e.*, a nest or human housing). For instance, the nomad who lives in the desert or the steppe dwells in the space beyond his own tent. These blocs are monuments not because they are identified with an edifice but because they form wider time-spaces whose consistency gives a stability within the chaos.

Oddly, here, Deleuze and Guattari seem to be quite close to Arendt's understanding of dwelling²¹⁷⁵. Indeed, according to the author of *The Human Condition*, what humans must face up to is nature *qua* the realm of evanescence. In this precarious world, the process of consumption makes each object appear and disappear immediately: “life is a process that everywhere uses up durability, wears it down, makes it disappear, until eventually dead matter (...)”²¹⁷⁶. Against this chaotic instability, *homo faber* has to create a durable world made up of objects. They are the product of *work* :

“the world, the man-made home erected on earth and made of the material which earthly nature delivers into human hands, consists not of things that are consumed but of things that are used. If nature and the earth generally constitute the condition of human life, then the world and the things of the world constitute the condition under which this specifically human life can be at home on earth (...) without being at home in the midst of things whose durability makes them fit for use and for erecting a world whose very permanence stands in direct contrast to life this life would never be human”²¹⁷⁷.

Nevertheless, there are important differences between Deleuze's concept of territory and Arendt's concept of world. First, the evanescent field which is confronted is not the same: for Arendt Nature is the place of an eternal repetition of the same: repetition of the destruction by consumption, repetition of the individual's life cycles, repetition of the gigantic circle of nature

2173 DELEUZE Gilles and GUATTARI Félix, *QPh*, pp. 174-175.

2174 DELEUZE and GUATTARI, *MP*, p. 382.

2175 On the concept of territory in Arendt's thought, see GOETZ Benoît and YOUNÈS Chris, “Hannah Arendt: Monde – Déserts – Oasis”, in PAQUOT Thierry and YOUNÈS Chris, *Le Territoire des Philosophes*, Paris, La Découverte, Recherches, 2009, pp. 29-46.

2176 ARENDT Hannah, *The Human Condition*, *op. cit.*, p. 96.

2177 *Ibid.*, p. 134-135.

herself²¹⁷⁸. Nature is unproductive and boring. Here we have one of the two aspects of the notion of rootedness developed by the philosophies of detachment, especially Kojève's: men are enchained to external nature and nature is itself the repetition of the same. By contrast, if for Deleuze there is some repetition in the chaos, it is a repetition of difference, a repetition which is open to creation²¹⁷⁹. These two different conceptions of the evanescence of nature involve two different ways of dealing with chaos. For Arendt, if nature is sterile the only way out is a violent movement of separation and detachment (*arrachement*). Indeed, an

“element of violation and violence is present in all fabrication, and *homo faber*, the creator of the human artifice, has always been a destroyer of nature. (...) *Homo faber* conducts himself as lord and master of the whole earth. Since his productivity was seen in the image of a Creator-God, so that where God creates *ex nihilo*, man creates out of given substance, human productivity was by definition bound to result in a Promethean revolt because it could erect a man-made world only after destroying part of God-created nature”²¹⁸⁰.

If something remains of nature, it is only the inert material that is extracted from it²¹⁸¹. And in order to get this material, it is necessary to either kill a life process or to interrupt one of nature's slower processes. Once the material is obtained an exterior model is imposed on it.

The process of territorialisation does not correspond to such a transcendence. Given that the chaos is full of potentialities, and that there is nothing more than this, the process of stabilisation is not achieved by a detachment: “*Et si le chaos prend tout ? Alors et si le chaos prend tout, bon il faut passer par le chaos mais il faut que quelque chose en sorte*”²¹⁸². Therefore, it is necessary to plunge into the chaos in order to exploit its potentialities: “*La philosophie, la science et l'art veulent que (...) nous plongeons dans le chaos*”²¹⁸³. This is precisely what animals and societies do when they form territories, it is an initial, first form of art. Above. It was argued that territorial motives and counterpoints explore the potentialities of internal and external milieus²¹⁸⁴. This is exactly the sort of exploration we are talking about here. Because chaotic milieu does not consist of Arendt's boring and repetitive nature, because they are full of potentialities, the relation we have with them has nothing to do with a detachment. The general attitude humans and non-human beings adopt toward chaos is the exploration of its potentialities and the actualisation of these virtualities.

Obviously, it would be impossible to let this chaotic field just be as it is, a field in which any form of life could not survive because of the constant disappearance of any determination. This is

2178 *Ibid.*, p. 96.

2179 “*Le monde intense des différences, où les qualités trouvent leur raison et le sensible, son être, est précisément l'objet d'un empirisme supérieur. Cet empirisme nous apprend une étrange “raison”, le multiple et le chaos de la différence (les distributions nomades, les anarchies couronnées)*”. DELEUZE Gilles, *DR*, p. 80.

2180 ARENDT Hannah, *The Human Condition*, *op. cit.*, p. 139.

2181 “The same nature seen through the eyes of *homo faber*, the builder of the world, “furnishes only the almost worthless materials as in themselves”, whose whole value lies in the work performed upon them”. *Ibid.*, p. 135.

2182 DELEUZE Gilles, *Sur la Peinture, Cours à l'Université de Vincennes*, 31/03/81, <https://www.webdeleuze.com/textes/250>.

2183 DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 190.

2184 DELEUZE and GUATTARI, *MP*, p. 391.

why we must go through chaos but also protect ourselves from it at the same time. As said, one sketches a stable centre within the chaos itself; around this point, a circle is drawn with landmarks and marks, *i.e.*, expressive matters such as songs, colours, paintings, dances, or gestures – the centre itself was already a mark but it was too precarious, hence the need for delimitation that occurs through drawing an interiority. This delimitation must not be understood as a cadastral operation by which “mine” is delimited from “yours”: it is rather the organisation of a singular space that differs qualitatively from the others. The marks distinguish qualitatively the territory from the rest of the environment and other forms of space. The circle makes a section out of the chaos. It acts as a kind of sieve, separating germinative forces from the forces of chaos. Accordingly, these germinative forces are the selected potentialities, brought back from the chaotic environment and kept into the circle for later actualisations and creations of forms (*“les forces germinatives d’une tâche à remplir, d’une oeuvre à faire”*)²¹⁸⁵. In other words, these potentialities, which are called “terrestrial” because they have to do with territory, are the virtual conditions of any form of life (individual, social, etc) and any creation. The forces of chaos are rejected to the outside in order to hold off an unbearable instability. Indeed, the totality of these potentialities cannot be used since their number is too great for a single individual or even a group. Terrestrial forces constantly run the risk of being submerged by the chaotic forces, such a catastrophe would make any form of creation impossible, that is, any creative relationship with the environment. Protected from this chaos by the circle, one feels at home. Here lies another difference between territories and milieu: it would seem that this sort of relation with the environment is not synonymous to a way of dwelling. This is not to say that milieu do not have any relation with chaos or that they are absorbed by it. On the contrary, *“les milieux sont ouverts dans le chaos, qui les menace d’épuisement ou d’intrusion”*²¹⁸⁶. They riposte to the chaos by rhythm but at the same time this riposte seems too weak and they remain too close to the field of evanescence: *“le chaos n’est pas le contraire du rythme, c’est plutôt le milieu de tous les milieux”*²¹⁸⁷. With milieu, rhythm has not yet become expressive and thus, the matters of expression are still missing with which to draw a real circle that may protect ourselves from instability. Indeed, this is precisely the function of the circle: to protect ourselves from the realm of evanescence in which infinite speeds are unbearable. However, this does not mean that territory implies a form of detachment from the chaos or any form of transcendence. The process of territorialisation is not the establishment of a human world which goes beyond the natural world. This process takes place within the chaos itself. Deleuze and Guattari specify that art (and thus the creation of expressive

2185 DELEUZE and GUATTARI, *MP*, p. 382.

2186 *Ibid*, p. 385.

2187 *Ibid*, p. 385

matter) is a way of “populating” (*peupler*) the chaos²¹⁸⁸. Territory wards off perpetual evanescence, but the whole process takes place in the immanence of chaos itself.

Two other arguments can be put forward in favour of the hypothesis that Deleuze does not understand territorialisation as a form of detachment from nature. First, in the texts examined in the first three parts of this thesis, we found that the notion of detachment was strongly connected to the notion of labour. Roughly speaking, it is through the process of work and the transformation of nature that I detach myself from my natural condition. Doing so, I erect a human world beyond the natural world, and I contemplate myself in it. By contrast with this notion of work, Deleuze and Guattari in *De la Ritournelle*, tend to push the role of work into the background. Indeed, in one of the few texts in this plateau that is dedicated to this question, Deleuze and Guattari state that work derives from territorialisation, not the reverse. They base their argument on the thesis previously evoked that the process of territorialisation reorganises the functions attached to the milieu (sexuality, nutrition, hunting, etc.). Something already pointed to in the section dedicated to territorial motifs: territoriality recombines the functions of aggressiveness and sexuality (the zigzag of the stickleback). This rearrangement also applies to work since it is nothing more than a functional activity performed in a milieu through which an individual or a group sustains its livelihood. Indeed, these functional activities are spatially distributed: “*si la ritournelle territoriale passe si souvent dans les ritournelles professionnelles, c'est que les professions supposent que des activités fonctionnelles diverses s'exercent dans un même milieu, mais aussi que la même activité n'a pas d'autres agents dans le même territoire*”²¹⁸⁹. Once again, a difference between milieu and territory can be located here. Activities of *different* natures can be performed in one and the same milieu but territorialisation reorganises the distribution of these activities within the space. Indeed, activities of the same nature cannot be performed in the same place and, as such, are allocated to distinct territories. Deleuze and Guattari conclude that, much like religions, work stems from territoriality: “*le facteur territorialisant (...) conditionne l'émergence de la fonction*”²¹⁹⁰. Therefore, if it is the process of territorialisation which produces the “work-function”, it also means (at least implicitly) that work does not produce territory. Consequently, by contrast with the philosophy of detachment which presupposes that, through work, man creates his own world in which he gains consciousness of himself as himself, Deleuze and Guattari admit (at least implicitly) that territorialisation is not the result of such an activity of transformation. On the contrary, territorialisation comes first: it is the pre-condition of the “work-function”. Moreover, this relativisation of work also means that subsistence is understandable only if it is replaced within a

2188 DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 64.

2189 DELEUZE and GUATTARI, *MP*, p. 394.

2190 *Ibid*, p. 395.

process of territorialisation. In short, subsistence is never separated from the territorialisation of the group. Subsistence is always embedded in the territory.

There is one final important reason why territorialisation should not be confused with a form of detachment from nature. In the second part of this thesis, we saw that anthropogenesis is one of the main characteristics of any philosophy of detachment: transforming nature, the subject restrains his drives, becomes a self-consciousness and, in this detachment from his internal nature, he becomes human. This transformation of exteriority appears, therefore, as a sort of humanisation of external nature. Now, the originality of *De la Ritournelle* is that territorialisation is defined as a process that humans and animals share in common. As a matter of fact, the concept of territory is elaborated in the framework of the scientific discussions on animal ethology (this, however, does not mean that Deleuze's concept territorialisation should be reduced to those discussions). From there, the decodification of behaviours (the fact that some behaviours cease to be functional) could hardly be considered as a detachment from instincts by which a subject becomes human precisely because this process firstly occurs within the animal realm. Likewise, this begs the question: how can territorialisation be confused with the humanisation of nature (*i.e.*, the creation of a human world beyond the natural world) when the beings which first form territories are not humans but animals? To apply the model of detachment to Deleuze's philosophy of territory would amount to saying that animals detach themselves from nature, which would be somewhat paradoxical.

III.2) “The land and the dead”. Some Clarifications on the Concept of Rootedness

Does this mean that territorialisation should be assimilated to a form of rootedness? In the three first parts of this thesis, we demonstrated that the notion of detachment has been the matrix of the grammars of conflict developed by political modernity. We also noticed that the notion of detachment was built in opposition with that of rootedness. The opposition between detachment and rootedness constitute the matrix of the traditional grammars of conflicts. It is because man is rooted in nature that he must free himself from these chains and detach himself from the constraints of materiality. However, at odds with this “negative” vision of rootedness, this concept has also been interpreted in a “positive” way. Just like there is a philosophy of detachment (*arrachement*), there is also a “philosophy” of rootedness (*enracinement*), *i.e.* a philosophy which reverses the order of values and makes the roots one of its cardinal values. Generally, everyone regards Maurice Barrès and Marshal Pétain as the representative of this reactionary view, the partisans of detachment are much like the partisans of attachment. In his book *Le “nouvel Ordre écologique”* in which

environmentalism is accused of glorifying rootedness, Luc Ferry quotes Barrès as a major reference of this love of roots²¹⁹¹. Partly in reaction to this book, Latour proposed a notion of attachment which goes against this modernist way of thinking about land but also goes against this Barresian concept of soil²¹⁹². Like for the notion of detachment, the precise content of such of rootedness is not always totally clarified. For instance, is there anything in common between Barrès and Pétain, the second of whom declared to France on the 25th of June 1940 (three days after the signature of the armistice on the 22nd June 1940) that “*la terre, elle, ne ment pas*”? Furthermore, does the Barresian notion of land have anything to do with the Nazi idea of *boden* already evoked? The question should be raised since some historians of the right-wing, such as René Rémond, refuse to see in Barrès a precursor of fascism in France²¹⁹³. In addition, Simone Weil also lauded the virtues of rootedness when she claimed that “*l'enracinement est peut-être le besoin le plus important et le plus méconnu de l'âme humaine*”²¹⁹⁴. Are we allowed to associate her with Barrès or Pétain, when colonisation and Nazism are some of the forms that uprooting historically took²¹⁹⁵? This is not the place to give a systematic presentation of the reactionary concept of rootedness. We will confine ourselves to briefly recall some of the main characteristics of this specific view on land in order to emphasise the contrast with what Deleuze and Guattari call territory.

In contrast with Renan, who defined the nation by the desire to live together (a “*plébiscite*”

2191 FERRY Luc, *Le Nouvel Ordre Ecologique. op. cit.*, p. 134. See also FERRY Luc, “Maurice Barrès. Des Vertus Contestées de l'Enracinement”, in *Le Magazine Littéraire*, n° 574, December 2016, p. 35.

2192 LATOUR Bruno, “Arrachement ou détachement à la nature”, in *Ecologie Politique*, n°5, 1993, pp. 15-26; see also LATOUR Bruno, *Face à Gaïa. Huit Conférences sur le Nouveau Régime Climatique*, Paris, La Découverte, Les empêcheurs de penser en rond, 2015 and LATOUR Bruno, *Où atterrir ? Comment S'Orienter en Politique*, Paris, La découverte, Cahiers libres, 2017. In a recent interview with Pierre Charbonnier and Baptiste Morizot, Latour explicitly refers to Barrès : “*Ce qui ne manque pas de poser des problèmes pour toute orientation politique, puisque, évidemment, jusqu'à cette période actuelle, ceux qui parlent du sol, du terroir, de l'appartenance à la terre, ce sont les réactionnaires, c'est le sol barrésien! Je sais bien que ce n'est pas de ces sols-là dont vous voulez parler, mais enfin, dès qu'on se revendique d'un sol, on est obligé de se coller à l'histoire de la liaison du sol avec la droite. Et surtout de ce poison, développé en même temps que ce sol barrésien, qui a fait des déracinés, des sans-patrie, des hors-sols la cible de toute la critique de droite contre les apatrides, c'est-à-dire évidemment les juifs. Donc, dès qu'on revendique à nouveau la lutte entre les zones à défendre et les mondialisateurs, on risque de se retrouver sur ces terrains qui, si j'ose dire, ont été déjà labourés... Il va donc falloir préciser de quel sol on parle. Celui de la droite, et celui, plus encore, de l'extrême droite, sont des sols rêvés, des sols rétrospectifs, ceux qu'on invente parce qu'on les a quittés*”. CHARBONNIER Pierre, LATOUR Bruno, MORIZOT Baptiste, “Redécouvrir la terre”, *Tracés. Revue de Sciences humaines* [Online], 33, 2017, online since 19th September 2017, connection the 17th October, 2017. URL : <http://traces.revues.org/7071>.

2193 René Rémond's general argument regarding the “french fascism problem” is that fascism had no historical roots in France and was a foreign importation. See the chapter 10 of RÉMOND René, *Les Droites en France*, Paris, Aubier-Montaigne, Collection Historique, 1982 [1954]. for a critique of this thesis, see SOUCY Robert, “Barrès and Fascism”, *French Historical Studies*, Vol. 5, n°1, Spring, 1967, pp. 67-97. For a presentation of these debates on the french fascism hypothesis, see: LEYMARIE Michel, “Un fascisme français ?”, *Après-demain, Histoire: les racines du Mal*, Ed. Fondation Seligmann, n°36 NF, 2015/4, pp. 16-17 and WINOCK Michel, “Retour sur le fascisme français. La Rocque et les Croix-de-Feu”, *Vingtième Siècle. Revue d'histoire*, Presses de Sciences Po, n° 90, 2006/2, p. 3-27.

2194 WEIL Simone *L'Enracinement. Prélude à une Déclaration des Devoirs envers l'Etre Humain*, Paris, Gallimard, Folio-Essais, 1990, p. 61.

2195 See Valérie Gérard's very interesting article on that point : GÉRARD Valérie, “Simone Weil, L'enracinement, la Décolonisation”, in *Esprit*, August-September, 2012/89, pp. 52-68. Regarding Vichy, she explicitly dissociates her concept of rootedness from Pétain's valorisation of land. See WEIL Simone *L'Enracinement, op. cit.*, p. 128.

de tous les jours”)²¹⁹⁶, Maurice Barrès claims that the constitution of this community is not a result of a choice but of a determinism of roots. The nation is rooted in the “land and the dead”, *i.e.*, in a common territory and past (a history)²¹⁹⁷. In fact, this nationalism of roots is a reaction against so-called “French decadence”: the lack of a national consensus, the loss of tradition, the disdain for hierarchy and authority, the decrease of natality, and the constant confrontation between factions are some of the main symptoms of this crisis. In a word, France is “dissociated and leaderless” [*dissociée et décérébrée*]²¹⁹⁸, according to the terms used in chapter IX of *Les déracinés*. The cause of this decadence is what Barrès calls the uprooting (*le déracinement*), *i.e.*, the separation of individuals from their native soil and community. It is precisely this pathological process that is illustrated in *Les Déracinés* which narrates the history of seven young men who, under the influence of their Kantian professor, Mr. Bouteiller, leave their native Lorraine to go to Paris. This Kantian professor, who teaches them Kantian universalism of the moral law, is accused by Barrès of uprooting his pupils: “*Déraciner ces enfants, les détacher du sol et du groupe social où tout les relie pour les placer hors de leurs préjugés dans la raison abstraite, comment cela le générerait-il, lui qui n'a pas de sol, ni de société, ni, pense-t-il, de préjugé?*”²¹⁹⁹. The migration to Paris, which is the concrete and physical expression of this intellectual uprooting, leads finally to a tragedy: Moucheffrin and Racadot, two of the young men, descend into crime, and the second is eventually guillotined (hence, the title of chapter XIX “uprooted, beheaded”). After the publication of the novel, Gide published an article against Barrès's notion of rootedness in which he sang the praise of travel and uprooting²²⁰⁰. He argued that travel leads to a change of scene (*dépaysement*), a confrontation with the unknown, the new, and thus to change. In a word, travel can educate the youth. And education, being an incorporation of foreign elements and *in fine*, is a form of

2196 RENAN Ernest, *Qu'est-ce qu'une Nation?*, Paris, Mille et une nuits, 1997 [1882]. For a presentation of the discussion about nation, see CANIVEZ Patrice, *Qu'est-ce que la nation ?*, Paris, Vrin, Chemins philosophiques, 2004.

2197 STERNHELL Zeev, *Maurice Barrès et le Nationalisme Français*, Paris, Presses de Sciences Po, Académique, 1972, p. 286. As noted by Sternhell, Barrès relation with Renan is complex since the one borrows this “cult of ancestors” from the other. See also SCHENKER Maud Hilaire, “Le nationalisme de Barrès : Moi, la terre et les morts”, *Paroles gelées*, UCLA French Studies, n° 23 (1), 2007 pp. 5-25 ; LEYMARIE, Michel, “Maurice Barrès, Les racines et la “race””, *Après-demain*, Fondation Seligmann, 2020/4, N ° 56-57, NF, pp. 8-10; DETIENNE Marcel, *L'Identité Nationale, une Enigme*, Paris, Gallimard, Folio histoire, 2010, pp. 99-104.

2198 We follow Soucy's translation. SOUCY Robert, “Barrès and Fascism”, *op. cit.*, p. 85.

2199 BARRÈS Maurice, *Le Roman de l'Energie Nationale*. I, *Les Déracinés*, Paris, Emile-Paul, 1911 [1897], p. 19 (from now, abbreviated as follows: BARRÈS Maurice, *Les Déracinés*, *op. cit.*). On Bouteiller's education, see also the following passage : “*Si cette éducation leur a supprimé la conscience nationale, c'est-à-dire le sentiment qu'il y a un passé de leur canton natal et le goût de se rattacher à ce passé le plus proche, elle a développé en eux l'énergie. Elle l'a poussée toute en cérébralité et sans leur donner le sens des réalités, mais enfin elle l'a multipliée. De toute énergie multipliée, ces provinciaux crient : “A Paris !”*” BARRÈS Maurice, *Les Déracinés*, *op. cit.*, p. 38. On the barrésian critique of kantism, see STERNHELL Zeev, *Maurice Barrès et le Nationalisme Français*, *op. cit.*, p. 295.

2200 GIDE André, “A propos des Déracinés de Maurice Barrès”, December 1897, in GIDE André *Prétextes. Réflexions sur Quelques Points de Littérature et de Morale*, Paris, 7th edition, Mercure de France, 1919, pp. 51-60. Barrès' novel gave rise to the poplar quarrel (*la querelle du peuplier*), a controversy Gide and Charles Maurras on the rootedness problem. See MASSON Pierre, “L'Arbre jusqu'aux racines: ou la Querelle du Peuplier”, *Bulletin des Amis d'André Gide*, Vol. 33, n° 145, 145, January, 2005, pp. 23-28.

uprooting. “*Instruction, dépaysement, déracinement*”, Gide writes at the end of his article. This critique reveals another aspect of the rootedness thematic: the *rejection of mobility* and the taste for an extreme “*sedentary lifestyle*”. Furthermore, attachment to the past, hatred of progress and *nostalgia of a lost homeland* are other leitmotifs connected to the reactionary discourse concerning land. Eliade, mentioned in chapter 2 of this part, is another representative of this tradition. For Eliade, industrial societies prevent men from dwelling in space, and the only solution to survive this uprooting is to resacralise the place people live in. Similarly, Barrès recommends “rerooting” (*réenracinement*) as a method against modernity: “*pour permettre à la conscience d'un pays tel que la France de se dégager, il faut raciner les individus dans la terre et dans les morts*”²²⁰¹. Undoubtedly, one of the specificities of this return to the land is that it is based on a *double exclusion of the other*. First, the exclusion of “outside enemies” (*ennemi extérieur*), *i.e.*, other nations: as we said in the first part of this thesis, a certain relation to land may constitute an *aggressive attitude* toward those who live outside of it (beyond my land, lies the enemy). The boundaries that delimit my land are a sharp limit between an “Us” and the “Others”, *i.e.*, between our friends and our enemies. But exclusion also means the rejection of “internal foreigners” (this especially means the Jewish community, who are, according to this view, the archetype of the uprooted)²²⁰². In *La Terre et les Morts*, Barrès writes that “*des Français trop récents ont, dans ces dernières années, beaucoup troublé la conscience nationale. On épurerait celle-ci par une loi prudente sur les naturalisations*”²²⁰³. Finally, roots are also symbolically related to *discipline, hierarchies and authority*. According to Barrès, these values have been flouted by a wild desire for liberty which is characteristic of the Parisian way of life²²⁰⁴. Hence, the hatred for travel, which provides such a freedom and for those who enjoy it, they are led to catastrophe (here, the death of Racadot). For this reason, only a return to the land will restore the order: “*la terre nous donne une discipline*” writes Barrès in his lecture given in 1889²²⁰⁵. 1° Aggressiveness and exclusion 2° an extreme sedentary lifestyle and attachment to the past 3° and hierarchy and authority are some of the main characteristics of this specific relation to the earth called rootedness.

Thanks to this brief overview of Barrès’s doctrine, we are now able to estimate to extent to which is Deleuze and Guattari's general notion of territory is different from this reactionary concept of land. As a matter of fact, it can be argued that Deleuze and Guattari elaborated a conception of

2201BARRÈS Maurice, *La Terre et les Morts : sur quelles Réalités fonder la Conscience Française. Troisième conférence*, Paris, Bureaux de “La Patrie française”, 1899, <https://gallica.bnf.fr/ark:/12148/bpt6k54482341.texteImage>, p. 27.

2202BARRÈS Maurice, *La Terre et les Morts*, *op. cit.*, p. 30.

2203Ibid., p. 23.

2204BARRÈS Maurice, *Les Déracinés*, *op. cit.*, p. 53.

2205BARRÈS Maurice, *La Terre et les Morts*, *op. cit.*, p. 20.

territory that contains an implicit criticism of this understanding of rootedness. Or, it can be demonstrated, at least, that Deleuze and Guattari's territory cannot be reduced to this specific form of relation with land. Indeed, their concept of territory opens to a form of territorialisation that has nothing to do with the reactionary concept of rootedness.

III.3) Territoriality and Aggression

Deleuze and Guattari's discussion of Lorenz' thesis at the beginning of the *plateau* dedicated to the *ritournelle* seems to confirm this hypothesis. Discussing his theory of aggression, which places aggressiveness at the basis of territoriality, they write: “*nous ne pouvons pas suivre une thèse comme celle de Lorenz, qui tend à mettre l'agressivité à la base du territoire*”²²⁰⁶. In *On Aggression*, Lorenz's intention is to elaborate the notion of aggressiveness as an intra-species instinct within the framework of Darwin's theory of evolution. In other words, Lorenz applies the Darwinian question “What for?” to aggressive behaviours. In other terms, what is aggressiveness good for? Why is aggressiveness beneficial to the survival of the species? Lorenz starts by noticing that intra-species aggressiveness is the aggressiveness in the narrow sense of the word²²⁰⁷. In other words, the struggle for existence is not a struggle between species (inter-species aggressiveness) but a fight between the members of the same species²²⁰⁸. For Lorenz, the problem is that, while inter-species aggressiveness is easily explained in terms of survival value, this explanation is far from being evident regarding the behaviours of intra-specific aggressiveness²²⁰⁹. Given that certain conflicts may lead to death, why would such aggressive behaviours have a species-preserving function? It seems paradoxical to claim that a behaviour, which produces destruction, would have any survival value. Lorenz argues that the function of aggressiveness is to avoid resource depletion. Indeed, a population of an animal species that is too dense and which settles in one part of the same available biotope exposes itself to resource exhaustion. The best way to avoid this catastrophe is the distribution of the members of the same species all over the available space so that each of them might have its own place. That is precisely what intra-species aggression makes possible: mutual repulsion leads (via aggression) to a physical distancing, which in turns leads to a distribution over the space and thus to the appropriation of a portion of the biotope (production of a territory). In other words, territorialisation is the producer of aggressiveness. The case of the cichlids perfectly illustrates how the struggle between fish progressively generates stabilised territories. In this case,

2206 DELEUZE and GUATTARI, *MP*, p. 388.

2207 LORENZ Konrad, *On Aggression*, *op. cit.*, p. 26.

2208 *Ibid.*, p. 20.

2209 *Ibid.*, p. 21.

four of these fish are firstly put into a large tank. The strongest (A) chases the other and very soon occupies the whole tank. However, one of the three others (B) counterattacks and recovers half of space. However, the next day, Lorenz notices that the same fish (B) has lost most of the space he had recuperated. The explanation is that the fish (A) made an alliance with one of the females and the same fish recovers his territory he had gained at the beginning. Then, B does the same and so on until an equilibrium is reached. Therefore, Lorenz concludes: “This territorial aggression, is really a very simple mechanism of behaviour-physiology, it gives an ideal solution to the problem of the distribution of animals of any one species over the available area in such a way that it is favourable to the species as a whole”²²¹⁰. It is difficult to determine whether Deleuze and Guattari criticise Lorenz himself or whether the criticism is concerned with the possible political interpretations that his hypothesis might induce: “*Cette thèse ambiguë, aux résonances politiques dangereuses, nous paraît mal fondée*”²²¹¹. It is right to say that Lorenz's thesis are ambiguous. Admittedly, not only does he argue that aggressiveness is an innate instinct, but he also claims that this instinct plays a fundamental role in the survival of the species. Consequently, he seems to naturalise aggression and, as such, justify it. However, Lorenz retorts immediately that, by inquiring into the species-preserving function of aggressiveness, he is not intending to vindicate it. Warning of the great dangers related to this instinct in humanity (above all the historical context in which men equipped themselves with weapons of mass destruction), he claims that the study of its natural causes may help to control it²²¹². However, what probably attracted Deleuze's attention is the fact that Lorenz repeatedly emphasises the question of the “living space” (*Lebensraum*) that animals struggle for²²¹³.

As it is well known, this term has a charged connotation. The biologist and geographer Friedrich Ratzel had defined it as the “geographical surface area required to support a living species at its current population size and mode of existence”²²¹⁴. Spatializing the Darwinian struggle for existence, Ratzel stated that a living species (man included) tends to spread indefinitely over space and thus to enter into conflict with others present in this space, producing a type of collision. It is this struggle for *lebensraum* that helps to explain the form taken by human States and their conflictual interactions. His concept also contained a justification for his attachment to agrarianism

²²¹⁰*Ibid.*, p. 35.

²²¹¹DELEUZE and GUATTARI, *MP*, p. 388.

²²¹²LORENZ Konrad, *On Aggression*, *op. cit.*, p. 26.

²²¹³In the original german text, Lorenz uses several times the word *Lebensraum*. See LORENZ Konrad, *Das Sogenannte Böse. Zur Naturgeschichte der Aggression*, Wien, G. Borotha-Schoeler, 1963, p. 48. English translator translated by “natural surroundings” or “available habitat”. LORENZ Konrad, *On Aggression*, *op. cit.*, p. 27. However, in the french translation, *Lebensraum* is translated by “*espace vital*”. LORENZ Konrad, *L'Aggression. Une Histoire Naturelle du Mal*, trans. Vilma Fritsch, Paris, Flammarion, Champs science, 2010 [1963]. Deleuze and Guattari read Lorenz in french thus it is the translation of the term that carries the stronger connotation.

²²¹⁴SMITH Woodruff D., “Friedrich Ratzel and the Origins of *Lebensraum*”, *German Studies Review*, Feb., Vol. 3, n° 1, Feb., 1980, pp. 51-68.

and his promotion of “emigrationist colonialism” (the idea that Germany should establish colonies of farmers in oversea countries)²²¹⁵. The notion of *Lebensraum* was subsequently appropriated by the German geopolitician Karl Haushofer, who paved the way to Nazi expansionist terminology (especially their slogans)²²¹⁶. He defines *lebensraum* in practical terms: to guarantee its own existence, a nation has to adjust the size of its territory to the size of its constant growing population, which implies a constant territorial expansion (rather than “checks”). In other words, a nation has the right and the duty to expand and appropriate ample space and resources for its population that increasingly grows, even if it is at the cost of other groups of people. *Lebensraum* is, thus, closely associated with notions of “Autarky” (national self-sufficiency), “panregion” (huge geopolitical territorial units which integrate people of similar language and culture), and, lastly, “fluid frontiers”. This last notion is especially connected with the expansionist definition of *lebensraum*. By contrast with an exact and fixed borderline, these boundaries are moving living beings: the State on the march to expansion constantly pushes back its limits that end up clashing with other nations' borders. Consequently, these frontiers are the object of an eternal struggle. In other words, they are battles zone. It is most likely this notion of *Lebensraum* that is based on an aggressive nationalist expansionism that Deleuze and Guattari have in mind when they claim that Lorenz's thesis has “dangerous political overtones”. They may well have seen in Lorenz's example of the four fish (who fight for their living space and repeatedly push back a fluid frontier) importation of the political ideology of *lebensraum* from geopolitics to ethology²²¹⁷, especially if we keep in mind that the author of *On aggression* was fond of an uncritical parallelism between human and animal realms.

In addition, even if the Austrian ethologist was an important reference for the elaboration of their concept of territory, they were likewise most probably wary of his connections with National Socialism. Indeed, Lorenz applied for membership to the NSDAP in 1938 (right after the *Anschluss*)²²¹⁸ and participated in Nazi eugenic policies²²¹⁹. From this date until 1943, we wrote a

2215SMITH Woodruff D., “Friedrich Ratzel and the Origins of *Lebensraum*”, *op. cit.* On Ratzel and colonialism, see also LOPRENO Dario and PASTEUR Yvan, “La pensée ratzélieenne et la question coloniale (avec la collaboration de Gian Paolo Torricelli)”, *Cahiers de géographie du Québec*, Vol. 38, n° 104, 1994, pp. 151–164. JUREIT Ulrike, “Mastering space: laws of movement and the grip on the soil”, *Journal of Historical Geography*, Vol. 61, July 2018, pp. 81–85.

2216HERWIG Holger H., “Geopolitik: Haushofer, Hitler and lebensraum”, *Journal of Strategic Studies*, Vol. 22, Issue 2–3, 1999, pp. 218–241. This article analyses the complex relationship between Haushofer and the nazis and provides a good overview of his geopolitical doctrine that we summarise in the following lines. On the Nazi's *Lebensraum*, see also : JUREIT Ulrike, “Mastering space: laws of movement and the grip on the soil”, *op. cit.*

2217In fact, if there is truly a transfer of the notion of *lebensraum* from german geographers to Lorenz's ethology it more complex than suggested. Indeed, the notion is elaborated by Ratzel in the frame of a spatialised interpretation of Darwinism and then applied to geography.

2218KALIKOW Theodora J., “Konrad Lorenz on human degeneration and social decline: a chronic preoccupation”, *Animal Behaviour*, Vol. 164, June 2020, p. 270 (pp. 267–272).

2219CHALVOT Philippe, *Histoire de l'éthologie. Recherches sur le Développement des Sciences du Comportement en*

series of papers in which he expressed a strong obsession with the degeneration of both animals and human beings. After having observed that the domestication of animals caused abnormal behavioural and physical changes (changes in stature, size, colouration, instinctive behaviour patterns, etc.), he added that civilised life and urban life (overcrowding, poor nutrition but also race mixing) led to similar phenomena of decay in humans. Interestingly, Lorenz suggests that the alteration of the living space (*lebensraum*) induces an alteration of the innate behavioural patterns, turning it into a varied and degenerated pattern more suited to modern life. Thereby, he reactivated one of the themes dear to the *Volkisch* movement²²²⁰, the opposition between the degenerate man of the big-city and the racially pure peasant, who is close to the soil and lives the true life of a human being²²²¹. Hence, according to him, the necessity of racial hygiene measures is geared toward the elimination of the “degenerates”. After the war, Lorenz maintained the thesis of degeneration, but he replaced the Nazi terminology by a concern with ecological destruction, overpopulation, nuclear weapons and capitalism²²²². It is suffice to say that his political entanglement in the third Reich (which caused a polemic when he won the Nobel Prize of physiology in 1973) and the ambiguity of some of the statements in *On Aggression* probably led Deleuze and Guattari to draw some parallels between his theory of aggression and the earlier nationalist and warlike theories of territory.

For these reasons, they reverse Lorenz hypothesis: territory is not based on aggression but the function of aggression is one of the effects of an anterior process of territorialisation. Here, the thesis of the primacy of territorialisation over other factors such as sexuality, religion, work, aggression, etc., can be seen as work. To fully understand Deleuze and Guattari's statements on aggression, this thesis should be better clarified. When Deleuze and Guattari state that territory is primary to aggressiveness, they mean that the production of expressive marks (colours, odours, songs, etc) holds primacy over factors such as aggression. Put another way, the aesthetic factor prevails over the others (aggressiveness, sexuality, etc.). More concretely, it means that the bower birds (to take a paradigmatic example) do not form a territory to appropriate and defend a living space against their congeners, to attract a female or even to provide themselves with food (function of subsistence); instead they first *freely create aesthetic qualities* and “fill the space” with them as an artist would do. Doing so, they produce an abode (*demeure*) and dwell in their environment. As demonstrated earlier, this is the same with men who, through songs, paintings and other expressive

Allemagne, Grande-Bretagne et France de 1930 à nos Jours, PhD Thesis, Under the direction of Baudouin Jurdant, Strasbourg, Louis Pasteur University, 1994, p. 85.

2220 On this ethno-racist movement born at the end of the 19th century and its cult of the native soil, see DUPEUX Louis, *Histoire Culturelle de l'Allemagne (1919-1960)*, PUF, Questions, 1989, p. 51 *et sq.*

2221 KALIKOW Theodora J., “Konrad Lorenz's Ethological Theory: Explanation and Ideology, 1938-1943”, *Journal of the History of Biology*, Vol. 16, n° 1, Spring, 1983, p. 59 (pp. 39-73).

2222 See for example the two last chapters of *On Aggression*.

matters constitute territories. Contrary to Malthusian anthropologists (and, in general, the reactionary conception of land), territory is not firstly the result of conquest or an aggressive attitude toward other tribes. In the first part of this work, we said that in numerous societies, territorialisation and war were disconnected. We saw how, in his article “*Malheur du guerrier sauvage*” (which Deleuze and Guattari quote in their *Treaty of Nomadology*²²²³), Clastres showed that “primitive societies” do not go to war to extend their territories but for glory. This does not mean that war is never aimed at territorial conquest (such a statement would be absurd), it only relativises the reactionary thesis that territorialisation is warlike by nature. It would be wrong to say that in all societies territories necessarily imply war against the other because in most of them, war has nothing to do with the appropriation of a piece of land but is connected to other motives. Consequently, if the connection between war and territorialisation is not universal, the general concept of territory cannot be based on aggression. As such, the condition of the being of territory has to be sought elsewhere: thus, territorialisation is first the aesthetic creation of an abode.

Of course, aggressiveness, nutrition, sexuality is not simply removed. Once the territorial and aesthetic basis have been created, these other functions stem from them or are reorganised in relation to them. Aggression does not escape these rules. With territorialisation, aggressiveness changes pace, becoming intra-species. It has already been suggested that ethologists distinguish between inter-species and intra-species aggressiveness²²²⁴. The first concern conflict between different species: predation, counter-offensive action against predation (especially the behaviour of “mobbing” which consists of the prey forming a group and attacking the predators intensively), critical reactions such as “fighting like a cornered rat” are another one of these aggressive behaviours directed toward other species²²²⁵. However, it must be noted that from the moment that the function of aggression becomes territorialised, its nature changes: it ceases to be inter-species and is turned against other members of the same species²²²⁶. Turning its aggressiveness against the other, the animal marks its distance with the other. Here, we should avoid any misunderstanding.

That the animal expresses aggressiveness toward the other, keeping him a guard’s distance does not mean that his congener is its mortal enemy. Ethology shows that the congener who approaches the territory of an animal may be seen as rival but likewise as a partner²²²⁷. Indeed, there exist likewise a set of behaviours by which the aggressive behaviour is calmed down: gestures of

2223DELEUZE and GUATTARI, *MP*, p. 442.

2224LORENZ Konrad, *On Aggression*, *op. cit.*, pp. 20-21; EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, *op. cit.*, p. 329.

2225LORENZ Konrad, *On Aggression*, *op. cit.*, pp. 21-25. See also EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, *op. cit.*, p. 286-305.

2226DELEUZE and GUATTARI, *MP*, p. 388 and p. 394-395.

2227EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, *op. cit.*, p. 319.

submission, gestures of welcome or even courtship behaviour²²²⁸. Through such gestures, the status of the other quickly switches from rival to partner. Moreover, it would be wrong to identify an animal's aggressive territorial behaviour with the merciless war for territory. First, quarrels with neighbouring territories are pretty rare²²²⁹. Second, those animals that do enter into conflict are not defending the integrality of their territory but only some localised areas. The other parts of their territory often have the status of neutral areas in which other congeners may enter at leisure. This is especially the case with watering holes where contact with other groups is frequent²²³⁰. Finally, and above all, the aim of aggression is rarely the destruction of the other. Ethologists even mention inhibitory mechanisms that prevent certain behaviours which may result in a fatal outcome²²³¹. We are, therefore, far from the notion of a total primitive war that described in the first part of this work.

Indeed, it would seem as though the “critical distance”, which comes with territorialisation, should not be understood as the rejection of the other. After all, distance and relation are not opposed. This is demonstrated in an article by Evelyne Sznycer on the dance of schizophrenics, an article which Deleuze and Guattari quote to elaborate the notion of distance²²³². In this article, entitled “*Droit de suite Baroque*”, the author intends to explore the affinities between mannerism and schizophrenia. As a product of mannerism, baroque dance, she argues, is both an encounter of dancing bodies and a phenomenon of distancing. In this dialectic of relation (*rapprochement*) and distancing, the “*pathos* of distance” always prevails. The establishment of a distance between my body and the other's is not contradictory with the coordination of bodies and movements, and thus, with a form of encounter. Indeed, the distance is great enough so that the other does not invade my own sphere and prevents any sort of collision; at the same time, this distance is not so far, so that, through the same gesture, isolation and exclusion are also avoided²²³³. Consequently, the distance is

2228Ibid., pp. 122-142.

2229Ibid., p. 323.

2230Ibid., p. 321.

2231LORENZ Konrad, *On Aggression*, op. cit., p. 44; EIBL-EIBESFELDT Irenäus, *Ethologie. Biologie du Comportement*, op. cit., pp. 330-331.

2232DELEUZE and GUATTARI, *MP*, p. 393.

2233“(…) la danse baroque montre au schizophrène comment, dans le cadre même de ses possibilités limitées de mouvement, les partenaires peuvent quand même se rencontrer tout en gardant une certaine distance : distance suffisamment grande pour que le mouvement ne mette pas en danger la structure d'intégration que le malade veut préserver ou construire, sans être trop grande pour que celui-ci ne puisse sombrer dans l'isolement”. SZNYCER, Evelyne, “Droit de suite baroque. De la dissimulation dans la Schizophrénie et le maniérisme”, in NAVRATIL Léo, *Schizophrénie et Art*, suivi de *Les Traits de Plume du Patient O. T.*, trans. Evelyne Sznycer, Bruxelles, Editions Complexe, De la Science, 1978, p. 324 (pp. 321-347). Interestingly, it is this model of encounter based on the pathos of distance that Deleuze will use again to think about the relation between Leibniz' monads in his book entitled *Le pli*: “*Telles sont les monades, ou les Moi chez Leibniz, automates dont chacun tire de son fond le monde entier, et traite le rapport à l'extérieur ou le rapport aux autres comme un déroulement de son propre ressort, de sa propre spontanéité réglée d'avance. Il faut concevoir les monades dansantes. Mais la danse est la danse baroque, dont les danseurs sont des automates: c'est tout un “pathos de la distance”, comme la distance indivisible entre deux monades (espace) ; la rencontre entre elles deux devient parade, ou développement de leur spontanéité respective*

not an exclusion of the other, but a mode of encounter:

*“Bien plus, il faut tenir compte simultanément de deux aspects du territoire: non seulement il assure et règle la coexistence des membres d'une même espèce, en les séparant, mais il rend possible la coexistence d'un maximum d'espèces différentes dans un même milieu, en les spécialisant”*²²³⁴.

This text is remarkable because it deconstructs the thesis that territory is synonym of the exclusion of the other in a twofold manner. It expresses the idea just dealt with: that distancing, which derives from territorialisation, renders possible a peaceful relation with other members of the species. Furthermore, the text adds a second idea: territory is also the condition of possibility of the coexistence with other species and their own territoriality.

III.4) Territorial Coexistences

With the idea of coexistence further proof that territoriality is not necessarily something that turns one set against the other: territories are often intertwined with other forms of territorialities. As Deleuze and Guattari write in *Qu'est-ce que la philosophie?* “chaque territoire englobe ou recoupe des territoires d'autres espèces, ou intercepte des trajets d'animaux sans territoire, formant des jonctions inter-spécifiques”²²³⁵. In a previously quoted text from *Mille Plateaux* on professional refrains, they also refer implicitly to the analogy that Lorenz draws between the specialisation of professions within the same delimited area and the occupation of the same biotope by different species. Lorenz takes the example of coral reef. This biotope, he says, is similar to a delimited area in which an individual chooses different professions in order to avoid the competition. In the coral reef, a multitude of species “choose” a different activity so that they do not compete: some of fish hunt defenceless organisms, others develop an immunity to poison and are able to eat creature that are poisonous (some fish have evolved a strong chisel-like dentition to devour amour-plated organisms). All these different species and their specific form of territorialities coexist in the same biotope. The coral reef provides a good example of interlaced territorialities.

Once again this intertwining of territories has an equivalent among humans. Regarding this point, the case of itinerant territoriality is very instructive since it is embedded in two other territorialities, the smooth space (*espace lisse*) of the nomads and the striated space (*espace strié*) of the sedentaries. Since Deleuze and Guattari dedicate several very rich pages on territorial

en tant qu'elle maintient cette distance; les actions et réactions font place à un enchaînement de postures réparties de part et d'autre de la distance (maniérisme)”. DELEUZE Gilles, Le Pli. Leibniz et le Baroque, Paris, Minuit, 1988, p. 93 (from now, abbreviated as follows, DELEUZE Gilles, PLB).

²²³⁴DELEUZE and GUATTARI, *MP*, p. 394.

²²³⁵DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 175.

coexistences it is necessary to dwell on this point for a moment.

Deleuze and Guattari elaborate on itinerant territoriality to solve a problem regarding the war machine of nomads: “*comment les nomades inventent-ils ou trouvent-ils leurs armes?*”²²³⁶, weapons being a fundamental piece of the nomadic assemblage (man-animal-weapon). Deleuze and Guattari take the case of the sabre and how it was invented, and its use by nomads. Who invented the sabre used by nomads? To this question the Iranian historian Aly Mazaheri argues that the empires of the Ch'in (221-206 B.C.) and the dynasties of the Han (206 B.C.- 220), who were the masters of crucible steels (*acier au creuset*), were the true inventors of these weapons²²³⁷. After this, certain deserters from the imperial army revealed the secret of their fabrications to the Scythian nomads, who diffused it in India and Persia and finally to the oriental Arabs. Deleuze and Guattari notice the implicit disdain that the historian Mazaheri holds for these nomads for he claims that the Scythian could not have invented sabres since they were just poor nomads, and that only the sedentary way of life of the Chinese civilisation was conducive to such an invention. Yet, crucible steel, is not an activity of empires but of metallurgists, who managed to maintain a relative autonomy, even though it happened that they were captured by the State apparatus:

*“Et de plus: pourquoi dire que l'acier au creuset est la propriété nécessaire de sédentaires ou d'impériaux, alors qu'il est d'abord une invention de métallurgistes? On suppose que ces métallurgistes sont nécessairement contrôlés par un appareil d'Etat; mais ils jouissent forcément aussi d'une certaine autonomie technologique, et d'une clandestinité sociale, qui font que, même contrôlés, ils n'appartiennent pas plus à l'Etat qu'ils ne sont eux-même nomades. Il n'y a pas de déserteurs qui trahissent le secret, mais des métallurgistes qui le communiquent, et en rendent possibles l'adaptation et la propagation: un tout autre type de “trahison””*²²³⁸.

Here, Deleuze and Guattari refer to the archaeological works of Gordon Childe, especially to his *The prehistory of European Society*, a book in which he argues that Europe saw a substantial progress five thousand years ago and hence did not remain in the Stone Age because of its proximity with Egypt and Mesopotamia, where the metallurgical industry had started. One of Gordon Childe's theses is that the condition of possibility of the emergence of metallurgists as group of specialised craftsmen (*artisans spécialisés*) was the existence of agriculture. Thanks to the surplus that agriculture provided, this group was liberated from the preoccupation of subsistence and could devote their whole time to metallurgy²²³⁹. In addition, it is argued that only the Near Orient's farming by irrigation was productive enough to provide this surplus (neolithic villages of

2236 DELEUZE and GUATTARI, *MP*, p. 502.

2237 MAZAHERI Aly, “Le Sabre contre l'Epée, ou l'origine chinoise de l'“Acier au creuset”, in *Annales. Economies, Sociétés, Civilisations*, 13th year, n° 4, 1958, pp. 669-686.

2238 *Ibid*, p. 504.

2239 CHILDE Vere Gordon, *The Prehistory of European Society. How and Why the Prehistoric Barbarian Societies of Europe Behaved in a Distinctively European Way*, Harmondsworth, Penguin Books, Pelican Book, 1958, p. 78. On the surplus as the condition of possibility of craftsmen, see LEROI-GOURHAN André, *Milieu et Techniques*, Paris, Editions Albin Michel, 1973 [1945], p. 239 and 252.

among the forest of Europe were to small). The urban revolution, which occurs firstly in the valleys of the Nile and the Tigris-Euphrates and was the precondition for the future progress of science and technology, coincided with the division of the social body and the apparition of Kings, who were able to concentrate the social surplus to sustain a population of metallurgists²²⁴⁰. The paradox is that this liberation from the quest for food (the necessary condition for the development of metallurgy) went hand in hand with the forced capture of these craftsmen by the oriental empire's apparatus, a State apparatus that consigned them to become an exploited class²²⁴¹. However, moving from the Near East to the territories of the Aegean Sea, metallurgists became freemen²²⁴². Benefiting from the accumulation of wealth that the Oriental civilisation provided them, the early Aegean economy sufficed to guarantee the livelihood of specialised craftsmen without generating an enormous surplus and thus the division of society into classes²²⁴³.

Even if they coexisted with sedentary societies, these craftsmen had a very different mode of territorialisation. Sedentary space is a striated space, that is, a homogeneous closed and centred space, which is gridded by parallel lines and furrows: *“l'espace sédentaire est strié, par des murs, des clôtures et des chemins entre les clôtures”*²²⁴⁴. A good example of this specific territoriality is given by the programs of land redistribution which, as seen in the first part of this thesis, transformed the space into a wide chess²²⁴⁵. By contrast, the craftsmens' territoriality is characterised by their relation with the metal and more generally with matter: they follow the matter-flow (wood, metal, etc.). This “following process” (*ce “suivre”*) has at least two meanings. First, the artisan does not impose a form onto the matter but follows an energetic materiality in movement (*une matérialité énergétique en mouvement*) carrying singularities that are already have implicit forms: *“par exemple, les ondulations et torsions variables des fibres de bois, sur lesquelles se rythme l'opération de refente à coins”*²²⁴⁶. This matter, which is full of singularities, must be followed: *“il s'agit de suivre le bois, et de suivre sur le bois, en connectant des opérations et une matérialité, au lieu d'imposer une forme à une matière”*²²⁴⁷. However, to follow matter has to likewise have a geographical meaning: *“l'artisan est bien forcé de suivre aussi d'une autre manière, c'est-à-dire d'aller chercher le bois où il est, et le bois qui a les fibres qu'il faut”*²²⁴⁸. Craftsmen are therefore itinerants: *“on définira donc l'artisan comme celui qui est déterminé à suivre un flux de*

2240CHILDE Vere Gordon, *The Prehistory of European Society*, op. cit., p. 92.

2241CHILDE Vere Gordon, *The Prehistory of European Society*, op. Ibid., p. 93 and 96.

2242DELEUZE and GUATTARI, *MP*, p. 516.

2243CHILDE Vere Gordon, *The Prehistory of European Society*, op. cit., p. 110.

2244DELEUZE and GUATTARI, *MP*, p. 472.

2245For the image of chess, see DELEUZE and GUATTARI, *MP*, p. 436.

2246DELEUZE and GUATTARI, *MP*, p. 508.

2247Ibid, p. 508.

2248Ibid, p. 509.

*matière, un phylum machinique. C'est l'itinérant, l'ambulant. Suivre le flux de matière, c'est itinérer, c'est ambuler*²²⁴⁹.

This form of territoriality differs from transhumance since the activity of transhumance does not follow the flow of matter, but draws a circuit instead. Admittedly, the transhumant leaves the land when it is worn out and looks for more fertile lands; in a word, he follows a land flow. But in the case of transhumance, itinerancy is secondary since the itinerary is first circular (hence, the term of “circuit”): the transhumant undertakes a rotation which, from the start, is meant to return to the initial point. By contrast, in the case of the itinerant, itinerancy is fundamental. The craftsman does not follow a predefined circuit, which is closed in on itself, but wanders according to the geographical distribution of mineral deposits that are often very far from the centres of production: “(...) *il n'y a pas de mines dans les vallées alluvieuses des agriculteurs impérialisés, il faut traverser des déserts, aborder des montagnes (...)*”²²⁵⁰. Deleuze and Guattari refer to the fact that, since Antiquity, there were no copper deposits in Egypt, and that the minerals had to be imported from Caucasia²²⁵¹. Be that as it may, the flow of matter followed by the itinerant differs from the circuit: the itinerary is not predetermined in advance but depends on the geographical localisation of deposits, their quality and quantity, their exploitability and often, their depletion. These “metallic wanderings” can be illustrated by the case of the Asûr, a half-nomad tribe of smiths who lived in India and remained on spots where there were metal ore deposits until they had exhausted them, thereby wandering from deposit to deposit²²⁵².

Finally, the craftsmens' territoriality is not the same as the smooth space of other nomads – an open and unlimited space without borders or enclosures – but a “holey space” (*espace troué*)²²⁵³. This term must be understood in its literal sense. Through extracting metal, craftsmen make holes in the lands. Furthermore, their habitat is also made of holes (to give an idea of this form of holey habitat, Deleuze and Guattari take the example of those sedentary gypsies who are troglodytes and live in the mountain itself). Deleuze and Guattari emphasise that, in fact, these populations are not really sedentary since, during a long period of the year, smiths and locksmiths leave their homes uninhabited and comb the countryside²²⁵⁴. Moreover, the group rarely remains in the same town for

2249 *Ibid*, p. 509.

2250 *Ibid*, p. 513. On that point, see FORBES Robert James, *Metallurgy in Antiquity. A Notebook for Archaeologists and Technologists*, Leiden, E. J. Brill, 1950, p. 17 and 71.

2251 LOMBARD Maurice, *Les Métaux dans l'Ancien Monde du Ve au XIe siècle*, Paris, Editions de l'Ecole des Hautes Etudes en Sciences Sociales, Les ré-impressions, 2001, p. 126 ; LEROI-GOURHAN André, *Milieu et Techniques*, *op. cit.*, pp. 132-133.

2252 FORBES Robert James, *Metallurgy in Antiquity*, *op. cit.*, p. 70 and 78.

2253 Here we use the Brian Massumi's translation of the term. DELEUZE Gilles, *A Thousand Plateaus: Capitalism and Schizophrenia*, trans. Brian Massumi, London-New York, Continuum, Continuum impacts, 2004 [1980], p. vii.

2254 DELEUZE and GUATTARI, *MP*, p. 515.

more than four years²²⁵⁵. Neither nomads, nor sedentary, these societies have their own territoriality based on itinerancy and the hole like nature of the spaces they inhabit. Interestingly, and without much explanation, Deleuze and Guattari draw a parallel with the itinerant peoples of medieval India, who carved monolithic temples into the mountains, edifices that are excavated from a single piece of material. This parallel, which is somewhat speculative, is probably based on the fact that gypsies come from India, an origin which is attested by the similarities between their language and Indo-Aryan dialects²²⁵⁶. The case of monolithic temples is of a special interest since it gives a concrete idea of what the first sense of the “following of the matter-flow” means. Those who carve temples in the rock do not impose an ideal and external form to the matter, but it is the matter which itself proposes and suggests to the form it must take. In short, the craftsmen actualise potentialities which are already in the matter²²⁵⁷.

While this form of porous territoriality peppered with holes is different from the smooth space of nomads, the striated space of sedentary peoples and the circular space of the transhumant, it nonetheless coexists with both. As Deleuze argues, the craftsman, this “man of the subsoil” (*l'homme du sous-sol*), is in relation with those of the soil, *i.e.*, the sedentary: “*le métallurgiste est en rapport avec les “autres”, ceux du sol, de la terre ou du ciel*”²²⁵⁸. A part of the craftman’s itinerant territory remains on this striated space that produces a surplus he depends on to dedicate himself entirely to his activity. But he also coexists with the transhumant foresters since he must establish his workshop near the forest in order to obtain the charcoal necessary. Finally, the holey space can also be said to be in relation with the smooth space of the nomads. Indeed, as just mentioned there are no mines in the alluvial valley of the Nile, which is striated by the sedentary farmers and the empires. Consequently, in order to obtain the metal, metallurgists have to follow the matter to the Caucasian mountains, an itinerary which implies crossing the desert, *i.e.*, the

2255BLOCH Jules, *Les Tsiganes*, Paris, PUF, Que sais-je ?, 1953, p. 49.

2256BLOCH Jules, *Les Tsiganes*, *op. cit.*, p. 25. In his typology of metallurgists, Forbes identifies a specific group called “itinerant smith or tinker”, gypsies who probably come from India, their language being very similar to the Sanskrit. FORBES Robert James, *Metallurgy in Antiquity*, *op. cit.*, p. 77.

2257“*C'est dans ces temples monolithes, sur leurs parois sombres ou sur leur façade embrasée que se déploie, dans toute sa puissance épouvantable, le vrai génie indien. Ici se fait entendre tel qu'il est le langage confus de multitudes confuses. L'homme, ici, consent sans combat à sa force et à son néant. Il n'exige pas de la forme l'affirmation d'un idéal déterminé. Il n'y enferme aucun système. Il la tire brute de l'informe, telle que l'informe la veut. Il utilise les enfoncements d'ombre et les accidents du rocher. Ce sont eux qui font la sculpture. S'il reste de la place, on ajoute des bras au monstre, on lui coupe les jambes si l'espace est insuffisant. Un pan de mur démesuré rappelle-t-il la masse sommaire et monstrueuse roulant par troupes moutonnantes sur les bords des fleuves, à la lisière des forêts, on le taille par grands plans purs pour en tirer un éléphant. Au hasard des creux, des saillies, les seins se gonflent, les croupes se tendent et se meuvent, l'accouplement humain ou bestial, le combat, la prière, la violence et la douceur naissent de la matière qui paraît elle-même enivrée sourdement. (...) Tout le génie indien est dans ce besoin toujours inassouvi de remuer la matière, dans son acceptation des éléments qu'elle lui offre et son indifférence à la destinée des formes qu'il en a tirées*”. FAURE Elie, *Histoire de l'Art. L'Art Médiéval*, Paris, Les éditions G. Crès & Cie, 1921, pp 10-16.

2258DELEUZE and GUATTARI, *MP*, p. 513.

smooth space of nomads. Moreover, the metallurgists do not only pass through the nomads' territories, but they also have complex and specific relationships with them within the smooth space. Indeed, smiths provide weapons that the nomads need to defeat the states into which they carry their raids²²⁵⁹. This entanglement of territorialities forms a very complex territorial system within which two extremes (empires and nomads) communicate through the mediation of metallurgists: “*Dans son espace, il [the metallurgist] est en rapport avec les nomades, puisque le sous-sol unit le sol de l'espace lisse à la terre de l'espace strié*”²²⁶⁰.

There is more complexity present in this relationship, since, between the striated space and the smooth space there is not one but several groups of metallurgists, each with their own specificities. While historically some of them are captured by the oriental empires, others lived as freemen when they arrived in the Aegean world. Robert James Forbes details the list of the different type of metallurgists resulting from the specialisation that the “ore stage” brought along²²⁶¹. It is at this stage that the miner (who prospects and extracts the ore) and the metallurgist (who produces the metal with the ore) cease to be one and the same person. A further specialisation then occurs and three different types of metallurgists appear: the smelter (who produces the crude metal and the alloy), the blacksmith (who manufactures mass products), and the metal worker (who produces the art object and decorates the metal)²²⁶². Now, each of these segments that are situated between the nomad assemblage and the sedentary assemblage (the metallurgists that are captured by empires, the freemen and the prospectors, etc.) should not be analysed as separate cases since they are interrelated. The metallurgist, who belongs to the empire, obtains metal from merchants who in turn bought it from the metallurgist-prospector. Consequently, “*le rapport que le métallurgiste entretient avec les nomades et avec les sédentaires passe donc aussi par le rapport qu'il entretient avec d'autres métallurgistes*”²²⁶³.

The complexity of this system of intertwined territorialities is not only due to the number of actors involved but also to the nature of the communication between the different forms of spatialities. The relation the craftsman has with the nomad is not symmetric with the relation he has with the sedentary. To qualify these forms of spatial connection, whose nature differ qualitatively,

2259DELEUZE and GUATTARI, *MP*, p. 517; FORBES Robert James, *Metallurgy in Antiquity, op. cit.*, p. 98 and 79.

2260DELEUZE and GUATTARI, *MP*, p. 513.

2261On the different stages of metallurgy proposed by Forbes (“native metal as stones”, native metal stage, ore stage, iron stage,) see FORBES Robert James, *Metallurgy in Antiquity, op. cit.*, pp. 8-10. By contrast with the periodisation formerly accepted by the historians of metallurgy (Bronze Age, Iron Age, etc.), these “true stages of metallurgy” are not characterised by a particular metal but by processes, methods and inventions (FORBES Robert James, *Metallurgy in Antiquity, op. cit.*, p. 9). Forbes considers that true metallurgy begins with the ore stage, when the reduction of ores (the transformation of ores into metal) is discovered (FORBES Robert James, *Metallurgy in Antiquity, op. cit.*, p. 10).

2262FORBES Robert James, *Metallurgy in Antiquity, op. cit.*, pp. 74-76.

2263DELEUZE and GUATTARI, *MP*, p. 517.

Deleuze and Guattari ask which level of analysis is the most relevant to in approaching what is generally designated as an interethnic interaction.

“L'étude des mythes, et même les considérations ethnographiques sur le statut des forgerons, nous détournent de ces questions politiques. C'est que la mythologie et l'ethnologie n'ont pas une bonne méthode à cet égard. On se demande trop souvent comment les autres “réagissent” au forgeron: on tombe alors dans toutes les platitudes concernant l'ambivalence du sentiment, on dit que le forgeron est à la fois honoré, redouté et méprisé, plutôt méprisé chez les nomades, plutôt honoré chez les sédentaires. Mais ainsi l'on perd les raisons de cette situation, la spécificité du forgeron lui-même, le rapport non symétrique qu'il entretient lui-même avec les nomades et avec les sédentaires, le type d'affects qu'il invente (l'affect métallique). Avant de chercher les sentiments des autres pour le forgeron, il faut d'abord évaluer le forgeron lui-même comme un Autre, et comme ayant à ce titre des rapports affectifs différents avec les sédentaires, avec les nomades”²²⁶⁴.

The first approach is that of the ethnologists, who account for territorial interactions in terms of feelings (*sentiments*). Here, it is necessary to clarify that Deleuze and Guattari do not heap imprecations on the ethnology as a discipline. In fact, the object of their criticism is much more restricted since they target a very specific corpus of ethnological studies, ones conducted on the guild of smiths. In other terms, it is not a general criticism of the ethnological approach of interethnic interactions that is at stake here but very specific studies on the social situation of the smiths of Africa (notably the studies of W. Cline and Pierre Clément²²⁶⁵). In his book, Forbes also gives a review of academic works which highlight the ambiguous status of the smiths among African, Asian and European tribes²²⁶⁶. In short, the overview of this dry and contradictory literature makes reveals the fact that smiths are simultaneously despised and honoured. Among the nomads, they are generally a social outcast whereas the smith is at home among sedentaries²²⁶⁷. In other words, ethnology focuses on the way that other groups *feel* about smiths, *i.e.*, their *personal and subjective experiences*. According to Deleuze and Guattari, an analysis that functions in terms of the subjective perceptions of others fails to account for the interactions between smiths, nomads, sedentaries and their respective territoriality. As such they prefer to approach this intertwining of territories in the frame of their Spinozist theory of modal assemblages²²⁶⁸. In Spinozist terminology, the assemblage is a finite mode. A mode is first a singular essence, *i.e.*, a degree of power or an intensive quantity which corresponds to a part of God's own power²²⁶⁹. Now, while it *exists*, the mode is made of a great number of extensive parts, a multiplicity of simple bodies,²²⁷⁰ which enter

²²⁶⁴DELEUZE and GUATTARI, *MP*, p. 514.

²²⁶⁵CLINE Walter Buchanan, *Mining and Metallurgy in Negro Africa, General Series in Anthropology*, Paris, P. Geuthner, n° 5, 1937; CLÉMENT Pierre, *Le Forgeron en Afrique noire. Quelques Attitudes du Groupe à son Egard, La revue de Géographie Humaine et d'Ethnologie*, Paris, Gallimard, n°2, April-June, 1948, pp. 35-58.

²²⁶⁶FORBES Robert James, *Metallurgy in Antiquity, op. cit.*, pp. 62-69.

²²⁶⁷*Ibid.*, p. 79.

²²⁶⁸On the identification of the theory of assemblage with Deleuze's interpretation of Spinoza's concept of finite modes, see SIBERTIN-BLANC Guillaume, *Politique et Clinique, op. cit.*, pp. 71-87.

²²⁶⁹DELEUZE Gilles, *SPE*, p. 173-182.

²²⁷⁰In fact, the nature of simple bodies is reinterpreted by Deleuze in the frame of his theory of assemblage. Sibertin-Blanc shows that, although simple bodies are extensive parts (*partes extra partes*), they form intensive

into characteristic relations of movement and rest²²⁷¹ (relations which express the essence of the mode²²⁷²). To this *assemblage* of heterogeneous bodies that appear through characteristic relations, corresponds a power of affecting and being affected, a power which is filled by affection²²⁷³. This means that a body is not defined by its organs and functions or by genus and species but by a list of affects this body is capable of²²⁷⁴. In turn, the concept of affect should be understood in relation with the notion of affections, as the famous passage from *Spinoza* argues. If affection (*affectio*) is the state of the body, affect (*affectus*) is defined by the passage from a state of that body to another, a passage which is characterised by an increase or a decrease in the power of acting²²⁷⁵. Thus affect is a degree of power, not a personal feeling: “*l'affect n'est pas un sentiment personnel, ce n'est pas non plus un caractère, c'est l'effectuation d'une puissance*”²²⁷⁶. In other words, it is an objective determination of the mode, *i.e.*, the assemblage²²⁷⁷. Deleuze calls “ethology” the study of existing modes according to 1° their characteristic relation and 2° their capacity to affect and to be affected – in other words, the study of singular ways of life or modes of existence. It is on the ethological level, the level of affects, that the territorial interactions between smiths, nomads and sedentary assemblages must be analysed. In other words, what really matters is not the sedentaries’ and nomads’ subjective perception of the smith, but the objective level of the affective relations these assemblages have together. It is also the specificity of the smith in its irreducibility to other assemblages that must be considered in such a way.

If a body is defined by the affect it is capable of, the specificity of the metallurgist assemblage can only be determined through a cartography of its affects. That is the *first step* of the study they call ethology: “*l'éthologie, c'est d'abord l'étude des rapports de vitesse et de lenteur, des*

multiplicities, that is sets whose nature changes when divided. SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, p. 224. Assemblage is a field of individuation within which characteristic relations select those virtual and material multiplicities and actualise them. SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, p. 82.

2271 DELEUZE Gilles, *SPE*, p. 190.

2272 *Ibid.*, p. 187.

2273 “*Un individu, c'est d'abord une essence singulière, c'est-à-dire un degré de puissance. A cette essence correspond un rapport caractéristique ; à ce degré de puissance correspond un certain pouvoir d'être affecté. Ce rapport enfin subsume des parties, ce pouvoir d'être affecté se trouve nécessairement rempli par des affections*”. DELEUZE Gilles, *SPP*, p. 40. See also, DELEUZE Gilles, *SPP*, p. 165. DELEUZE and GUATTARI, *MP*, pp. 313-314. Those different aspects of the modal assemblage constitute two “expressive triads”: the “essence (as a degree of power)-characteristic relations-extensive part subsumed by those relations” and the “essence (as a degree of power)-capacity of being affected-affection”. DELEUZE Gilles, *SPE*, p. 197. Deleuze calls “longitude” the first triad and “latitude” the second one : “*Nous appelons longitude d'un corps quelconque l'ensemble des rapports de vitesse et de lenteur, de repos et de mouvement, entre particules qui le composent de ce point de vue, c'est-à-dire entre éléments non formés. Nous appelons latitude l'ensemble des affects qui remplissent un corps à chaque moment, c'est-à-dire les états intensifs d'une force anonyme (force d'exister, pouvoir d'être affecté)*”. DELEUZE Gilles, *SPP*, p. 171. DELEUZE and GUATTARI, *MP*, p. 314.

2274 DELEUZE and PARNET, *D*, pp. 74-75.

2275 DELEUZE Gilles, *SPP*, p. 69.

2276 DELEUZE and GUATTARI, *MP*, p. 294.

2277 SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, p. 86.

*pouvoir d'affecter et d'être affecté qui caractérisent chaque chose*²²⁷⁸. Characteristic relations select a set of elements (multiplicities) that a thing (for example, an animal) affects and is affected by. Those elements are captured and integrated into the world of the thing:

*“Par exemple, un animal étant donné, à quoi cet animal est-il indifférent dans le monde infini, à quoi réagit-il positivement ou négativement, quels sont ses aliments, quels sont ses poisons, qu'est-ce qu'il “prend” dans son monde? Tout point a ses contre-points: la plante et la pluie, l'araignée et la mouche. Jamais donc un animal, une chose, n'est séparable de ses rapports avec le monde: l'intérieur est seulement un extérieur sélectionné, l'extérieur, un intérieur projeté; la vitesse ou la lenteur des métabolismes, des perceptions, actions et réactions s'enchaînent pour constituer tel individu dans le monde”*²²⁷⁹.

According to the famous example of Uexküll, already explored, in the immensity of nature, the tick selects three elements by which it is affected (light, heat and the hair and the odour of a mammal)²²⁸⁰. These three components constitute the world of the tick. What Uexküll calls “animal worlds” consist in those set of affects. Yet, the notion of world remains ambiguous here. Deleuze generally use the case of the tick (and more generally, Uexküll's animal world) to illustrate the notion of milieu. Consequently, it seems that world is here a synonym of milieu. Nonetheless, animal worlds are also used by Deleuze in texts dedicated to territory²²⁸¹. Moreover, it should be noted that the process of territorialisation is very similar to the selection which is operated here by the characteristic relations. We saw that territorialisation implies sectioning off a part of chaos by means of a circle which, like a sieve, separates the generative forces from the forces of the chaos. It is a process of selection of forces. This is precisely what happens here with the tick, which selects and captures certain forces of the forest (light, heat, etc.). From this point of view, there is no fundamental difference between milieu and territories. The important point, here, is that the characteristic relations of movement and rest (rhythms) capture material multiplicities, assemble them and make them enter into the world of the animal. Even more interestingly, this world is not external to the animal but is integrated as a part of its being. Interiority thus consists in all of those external elements which have been incorporated, and exteriority, those which have been provisionally rejected. Consequently, this means that milieu and territory are never external to the thing (animal, group, etc.) but are the part of the being of that thing. In that sense, it is not wrong to say with Christian Gros that territory is an extension of the thing itself²²⁸². Or, to put it another way,

²²⁷⁸DELEUZE Gilles, *SPP*, p. 168.

²²⁷⁹*Ibid*, p. 168.

²²⁸⁰*Ibid*, p. 167.

²²⁸¹DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 175-176.

²²⁸²See the short but very insightful lines that Frédéric Gros writes on the subject: “*Déjà le territoire ne se confond pas avec un simple milieu extérieur qu'on viendrait habiter, remplir, occuper. Le territoire pour le vivant est un prolongement de lui-même, ou plutôt une réserve qu'il se forge afin de se protéger d'une extériorité menaçante. Ainsi la ritournelle de l'enfant contre la nuit. Le territoire en ce sens est une intériorité déployée depuis laquelle seulement le vivant commence à exister, une fois qu'il a pu se constituer comme centre et tracer le cercle d'un territoire propre. Avant d'être quelque chose, il faut avoir un territoire. Par ailleurs, la danse matinale de l'oiseau fait assister à la naissance de l'art : les choses de la nature (les feuilles, la couleur plus sombre du sol) se mettent à*

multiplicities are captured into the assemblage. The remark that metallurgists invented a metallic affect must be interpreted in such a way. Beyond the alluvial valley and the deserts, in the Caucasian mountains, they captured a part of this environment, the subsoil, and integrated into their own world, forming with it an assemblage. This group is affected by the metal to the point that their way of life becomes centred around this specific matter that they tirelessly followed. Even their habitat and their spatiality is adapted to this metal. Consequently, their specificity lies in this metallic mode of existence. It is through the cartography of affect, that we are able to evaluate the smith as an Other (“évaluer le forgeron lui-même comme un Autre”), i.e., to determine what makes this metallic assemblage so different from the others (nomads and sedentaries). In other words, that which makes the smith so specific and so different from other social formations or groups is not how they are perceived by the other, but the objective relation they have with the world, especially with the matter of the subsoil.

Now, it is not sufficient to establish a cartography of the effect of the thing (in short, what is taken into the assemblage). *Another task of ethology consists in explaining the interaction between the modal assemblages and others.* First, the mode may meet other bodies, which decompose partially or totally the characteristic relations of the former. This does not mean that those characteristic relations have disappeared since they are eternal; but the relation which subsumed the extensive part is no longer realised by them. In other words, actual parts enter into other relations. The example of poison fits this description, that which destroys my characteristic relations leads me to death. Now, I can also meet another body whose relations com-pose with my own, and in this case, our power increases. Indeed, sometimes respective relations enter into an agreement to such an extent that they form a third relation from out of this initial relation. In this case, two bodies form a third much bigger body:

*“Enfin, l'éthologie étudie les compositions de rapports ou de pouvoirs entre choses différentes. (...) il s'agit de savoir si des rapports (et lesquels?) peuvent se composer directement pour former un nouveau rapport plus “étendu”, ou si des pouvoirs peuvent se composer directement pour constituer un pouvoir, une puissance plus “intense”. Il ne s'agit plus des utilisations ou des captures, mais des sociabilités et communautés. Comment des individus se composent-ils pour former un individu supérieur, à l'infini? Comment un être peut-il en prendre un autre dans son monde, mais en en conservant ou respectant les rapports et le monde propres? Et à cet égard, par exemple, quels sont les différents types de sociabilité? Quelle est la différence entre la société des hommes et la communauté des êtres raisonnables? Il ne s'agit plus d'un rapport de point à contrepoint, ou de sélection d'un monde, mais d'une symphonie de la Nature, d'une constitution d'un monde de plus en plus large et intense. Dans quel ordre et comment composer les puissances, les vitesses et les lenteurs?”*²²⁸³

From this passage it becomes clear how the theory of inter-modal relations provides the

exprimer depuis le geste qui trace un territoire. Le territoire que se donne le vivant, c'est peut-être la première forme créée”. GROS Frédéric, “Entre pouvoir et territoire: Deleuze, Foucault”,

<http://libertaire.free.fr/pouvoirterr.html>.

2283 DELEUZE Gilles, *SPP*, pp. 169-170.

analytical frame of the affective relations of smiths with other groups. It is from this affective perspective (and then objective) concerning interactions between modal assemblages that the analyst is able to account for the non-symmetrical relations metallurgists have with nomads and sedentaries:

*“l'espace troué communique par lui-même avec l'espace lisse et avec l'espace strié. (...) Mais ce n'est pas du tout de la même façon, et les deux communications ne sont pas symétriques. (...) On dirait ici que le phylum a simultanément deux modes de liaison différents: toujours connexe à l'espace nomade, tandis qu'il se conjugue avec l'espace sédentaire”*²²⁸⁴.

Let us focus first on the second mode of liaison whose intelligibility requires a reference to the theory of the apparatus of capture:

*“(...) les agencements sédentaires et les appareils d'Etat opèrent une capture du phylum, prennent les traits d'expression dans une forme ou dans un code, font résonner les trous ensemble, colmatent les lignes de fuite, subordonnent l'opération technologique au modèle du travail, imposent aux connexions tout un régime de conjonctions arborescentes”*²²⁸⁵.

This text illustrates concretely (although in only a few lines) one of the operations that the apparatus of capture performs. In a later chapter we shall revisit this notion but for moment we may say the apparatus of capture is a virtual machinic process or an abstract machine. We saw that abstract machine are the virtual dimension of the assemblage, and that it actualises itself by differentiation into concrete assemblages (or concrete machines). We also said that at this level of the assemblage, there are neither expressions, nor content, only pure functions and pure matters. As an abstract machine, the apparatus of capture is effectuated by the State apparatus. However, one should not be confused with the other²²⁸⁶. Indeed, the State apparatus is the concrete assemblage which actualises the apparatus of capture. This virtual machine has three heads: 1° *rent* by which land is captured 2° *profit* which captures labour, and 3° *taxation* which captures money²²⁸⁷. In addition, the apparatus of capture is characterised by two operations: *comparison* and *monopolistic appropriation*, both of which are executed by the three heads of the apparatus. The first process is of specific interest in understanding the text just quoted above. That is, the capture of land by rent.

This first operation implies a comparison of lands. In order to account for this operation, Deleuze and Guattari combine an abstract version of differential rent with the archaeological data on the ancient State formations. Let us recall that Deleuze and Guattari argue that the apparition of the State does not depend on an agricultural surplus (an interpretation proposed by the Marxist archaeologists such as G. Childe), instead, they argue that it is rather the State itself which creates agriculture (and metallurgy) and thus a surplus (in other words, the mode of production is not the

²²⁸⁴DELEUZE and GUATTARI, *MP*, p. 517.

²²⁸⁵*Ibid*, p. 517.

²²⁸⁶*Ibid*, p. 272.

²²⁸⁷*Ibid*, p. 554.

material condition of possibility of State, it is rather the State which creates the mode of production)²²⁸⁸. In support for this argument, they refer to Jane Jacobs' interpretation of the archaeological data given by James Mellaart concerning *Çatal Hüyük* (7000 B.C.), one of the largest Neolithic sites in the Near East (thirty-two acres)²²⁸⁹. On the basis of Mellaart's report of this Anatolian town, Jane Jacobs draws an imperial model she calls the "New Obsidian"²²⁹⁰. She constructs this model in order to refute the thesis that cities are not built upon a rural economic base, intending to prove that the reverse is true: "rural economies, including agricultural work, are directly built upon city economies and city work"²²⁹¹. According to her model, the social formation she calls the New Obsidian (which is inspired from *Çatal Hüyük*) is established from an amalgam of Obsidian trader tribes, who lived at the foot of volcanoes, as well as hunting peoples²²⁹². Regarding the city of *Çatal Hüyük*, she writes that "the presumption must be that this civilization came directly – without a break – from the hunting life, not only because so many of the crafts were obviously derived from hunters' materials and hunters' skills, but also because of the city's art"²²⁹³. Indeed, paintings discovered in the archaeological site shows that a part of the population of the town originated from hunter-gatherers of the Upper Palaeolithic²²⁹⁴. Deleuze concludes that imperial formations and States did not emerge from the generation of an agricultural surplus precisely because they precede agriculture. They did not appear in a milieu in which agriculture preexisted but were immediately created in a milieu of hunter-gatherers. According to Jane Jacobs's model of, the New Obsidian imports its foods from old hunter-gatherers' territory and from the Obsidian "owing tribes" territories. A flow of animals and seeds converge on the city and are managed by stewards. Seeds of very different kinds, coming from very different sorts of soil (wet soil and dry, sandy soil and loamy, soil of the highlands, valleys, riverbanks and forest glades) are mingled together and placed into the same basket. When seeds remain after the winter, they are sown all around the city, a practice which produces cross breeds and hybrids. To summarise, different kinds of seeds are imported from different territories. They are gathered, cross with other seeds making hybrids, and then sown in the territory of the New Obsidian. We see here that the emergence of the State makes possible the formation of a stock which then leads to the production of a surplus. In other words, it is not the formation of a surplus which leads to a State stock and then to the creation of State (the Marxist model), but the emergence of a State which produces a State stock and then

2288 *Ibid.*, p. 534. See SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, p. 401 *sqq.*

2289 MELLAART James, *Earliest Civilizations in the Near East*, London, Thames & Hudson, 1965, p. 81.

2290 JACOBS Jane, *The Economy of Cities*, New York, Vintage Books, 1970 [1969].

2291 JACOBS Jane, *The Economy of Cities*, *op. cit.*, 1970, pp. 3-4.

2292 *Ibid.*, p. 9-10.

2293 *Ibid.*, p. 34.

2294 *Ibid.*, p. 34.

leads to the surplus. The State produces the surplus and not the reverse. Now, the sowing of seeds in the lands of the State amounts to an operation of comparison:

“Il fout tout ça dans un sac avec des fonctionnaires gardiens du sac, les fonctionnaires du despote. Qu’est-ce qui se passe ? Tout le monde le sait. A plus ou moins longue échéance se produit des phénomènes d’hybridation. Des phénomènes d’hybridation. Et Jane Jacobs insiste beaucoup là, elle est très brillante sur ces hybridations dans le sac. Et qu’est-ce qui se passe ? Et bien l’empire et la capitale Catal-hüyük, la grande capitale, c’est elle qui crée l’agriculture. C’est elle qui est en situation d’avoir des semis et des semis comparatifs. C’est-à-dire elle va foutre ces hybrides de graine, elle va les foutre sur les territoires où ça ? Mais elle va les mettre sur sa propre terre à elle. En d’autres termes l’agriculture elle naît dans la ville et sur les terres de la ville. Elle ne naît pas à la campagne, jamais, jamais. Elle naît à la ville, dans la ville, sur les terres de la ville. Alors vous voyez que là l’évolutionnisme en effet, est tout à fait court-circuité. Vous avez vos territorialités de cueilleurs chasseurs, c’est-à-dire vos territorialités itinérantes. Vous avez l’appareil de capture, empire archaïque qui ne présuppose aucune agriculture. Et puis l’agriculture va sortir de l’appareil de capture. Alors vous aurez deux cas en effet, lorsque vous mettez des semis, lorsque vous plantez vos semis sur les terres de la ville, vous pouvez le faire deux manières. Ou bien le même semi sur des terres différentes ou bien des semis différents sur la même terre successivement. C’est les deux cas intéressants. Cela correspond si vous vous rappelez ce que l’on a vu les dernières fois, cela correspond absolument déjà aux formules en effet de la terre et de la rente foncière. La rente foncière qui revient au despote c’est-à-dire il y a une comparativité des terres ou des semis sur une même terre, tout va très bien”²²⁹⁵.

It is at this point that Deleuze and Guattari use the abstract model of Ricardo's differential rent, which is based on the comparison of lands whose qualities are different²²⁹⁶. Deleuze and Guattari summarise this theory as follows: *“la plus mauvaise terre (ou la plus mauvaise exploitation) ne comporte pas de rente, mais fait que les autres en comportent, en “produisent” comparativement”²²⁹⁷*. Let us suppose that the value of products amounts to the quantity of labour which is necessary to its production (general law). How does this general law apply to the case of agricultural labour? Here, natural factors enter into play since the fertility of land is not always the same. Now, what was supposed is that the value of agricultural products (for example a quarter of wheat) amounts to the quantity of work necessary to its production (let us say that this quantity amounts to 60) on the land which is the least productive and fertile. The value of the agricultural product is then calculated according to which land is the least productive (*“le prix (...) s’établit d’après la terre la moins productive”²²⁹⁸*). Now, if the same quantity of work and capital is applied

2295DELEUZE Gilles, *Appareils d’Etat et Machine de Guerre*, Cours à l’Université de Vincennes, 22/01/1980, <https://www.webdeleuze.com/textes/240>. Here, we quote Deleuze lectures in Vincennes which is much more explicit than *Mille Plateaux*. DELEUZE and GUATTARI, *MP*, p. 549.

2296This theory of differential rent was first established by Ricardo in 1817. RICARDO David, *The Principles of Political Economy and Taxation*, London, J.M. Dent & Sons LTD, 1911 [1817], pp. 33-46. Marx dedicates the §6 of the Book III of the *Capital* to this theory. See especially MARX Karl, *Capital*, vol. III, *op. cit.*, p. 642 *sq.* Marx intend to prove that the production of the ground rent does not contradict his theory of surplus value. The problem is the following: the production of a ground rent necessarily implies a material data, the fact that the fertility of soils is unequally distributed. Consequently, the ground rent and then, the production of the part of the surplus-value, is explained by a natural factor and not by the theory of exploitation (and the fact that surplus-value is levied on living work. On Marx interpretation of the theory of differential rents, see the very clear explanations of Raymond Aron, in ARON Raymond, *Le Marxisme et Marx*, Paris, Editions de Fallois, 2002, pp. 423-432. In what follows, we use his commentary. See also AZOULAY Elisabeth, “Rente”, in BENSUSSAN Gérard and LABICA Georges, *Dictionnaire Critique du Marxisme*, Paris, PUF, Quadrige, 1999, pp. 988-990.

2297DELEUZE and GUATTARI, *MP*, p. 549.

2298Ibid, p. 550.

to lands whose productivity is not the same, thus the yields will be different. For the application of a quantity of work and capital which amount to “60”, land A will yield one quarter of wheat, whereas land B will yield two quarters. Consequently the value of the agricultural land of A is 60 whereas the value of the land of B is 120. In the case of land B, a surplus-profit of 120 is generated. It is on this surplus that rent is levied. “RENT IS ALWAYS THE DIFFERENCE BETWEEN THE PRODUCE OBTAINED BY THE EMPLOYMENT OF TWO EQUAL QUANTITIES OF CAPITAL AND LABOUR” writes Marx, quoting an economist who summarises Ricardo's definition of differential rent²²⁹⁹. Deleuze and Guattari extract from this theory the idea of a common measure (*un critère quantitatif commun*²³⁰⁰), which makes it possible to compare different pieces of land. The nature of each piece of land is very different: not only from the point of view of their fertility, but also from the point of view of how the soils are composed (whether they are wet, dry, sandy, loamy, clayey?)²³⁰¹ as well as their geographical situation (whether they are situated in the highlands or the valleys). Furthermore, it must be noted that these lands are inhabited by different groups, which all have their specific modes of territoriality. Now, with differential rent, these lands are qualitatively different (more or less productive) and are, therefore, reduced to a common quantitative criterium (a quantity of work applied to land). *In fine*, differential rent produces a homogenisation of territories: “*la rente foncière homogénéise, égalise les productivités différentes en rapportant à un propriétaire du sol l'excès des plus fortes productivités par rapport à la plus basse: comme le prix (profits compris) s'établit d'après la terre la moins productive, la rente capte le surprofit afférent aux terres les meilleures*”²³⁰². Differential rent provides an abstract model for one of the operations concerning the apparatus of capture, a comparison that works across different social formations. As Sibertin-Blanc argues, Deleuze and Guattari use this model to thematise the idea of a form of semiotisation, which is specific to the state apparatus and which consists in an abstraction and homogenisation of primitive territoriality²³⁰³. In terms of archaic state formation, Mellaart and Jane Jacobs describe this operation of comparison concretely as: “la coexistence de territoire exploités simultanément, ou bien la succession des exploitations sur un seul et même territoire”²³⁰⁴. In the first case, we switch from the local territoriality of hunting-gatherers to the global and simultaneous exploitation of those territories (territories becomes Land). Seeds coming from different territories are gathered into the same stock and crossed. The same seeds are, hence, sown in different lands and exploited simultaneously. This produces a homogenisation of

2299MARX Karl, *Capital*, vol. III, *op. cit.*, p. 642.

2300DELEUZE and GUATTARI, *MP*, p. 550.

2301MARX Karl, *Capital*, vol. III, *op. cit.*, p. 644.

2302DELEUZE and GUATTARI, *MP*, p. 550.

2303SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, p. 480.

2304DELEUZE and GUATTARI, *MP*, pp. 548-549.

exploitations (different lands are reduced to the same stock of the same seeds). However, the contrary also works: different seeds are sown on the same land. Here the homogenisation consists in the reduction of different seeds to the same land. In the first case, we have an extensive system of cultivation, in the second, an intensive system of cultivation. Such an operation of comparison would not be possible if there was no correlation between lands and only the monopolistic appropriation of lands existed. Indeed, the comparison of lands is possible only if a centre of convergence (a directing centre) located outside them, appropriates them and make them resonate together: “*C'est la seconde potentialité [monopolistic appropriation] qui conditionne la première [appropriation] (...) La terre appropriée et comparée dégage des territoires un centre de convergence situé au-dehors, la terre est une idée de la ville*”²³⁰⁵. It should be noted that the identification of the apparatus of capture with the operation of appropriation is not anodyne. To claim that its most fundamental operation is the appropriation of land (at least, at the level of the first head of this virtual machine) amounts to say that the State behaves as the owner of the land²³⁰⁶.

We shall return to this point later, however, for the moment what we are being presented with here is an explanation of the second sort of coexistence between territorialities, that which implies a communication between the holey spaces of the metallurgists and the sedentaries' striated space. It seems that the double operation of appropriation and comparison applies both to the soil as well as to the metallurgists' territoriality, which is, in part, related to the subsoil. The State apparatus captures the phylum (the flow of matter), which is pursued by the metallurgists and provokes a resonance between the holes that com-poses these holey spaces (principally mines). The resonance between these holes is synonymous with the comparison of these holes, it homogenises them, subordinates them and directs them toward a transcendent centre²³⁰⁷. This means a reorganisation of the itinerant spaces, something which subjects them to a spatial hierarchisation. The itinerant metallurgist still pursues the flow of matter but each point of his trajectory (the holes) is related to this centre. Hence, the arborescent model (“*un régime de conjonctions arborescentes*”²³⁰⁸): 1° different holes are joined together through the mediation of a transcendent, vertical and unique centre they are refer to (“*la racine qui fixe un point, un ordre*”²³⁰⁹) 2° these sort of conjunctions are homogenising since the multiplicity of holes refer to one and the same centre. Centralised and vertical conjunctions on the one hand, and homogeneity on the other hand, are the

2305 *Ibid*, p. 551.

2306 Regarding the Asiatic mode of production (model that Deleuze and Guattari use to build their concept of apparatus of capture), Tökei writes that “*Le despote et ses percepteurs se conduisent en Asie en propriétaires de la terre*”. TÖKEI Ferenc, *Sur le Mode de Production Asiatique*, Budapest, Akadémiai Kiadó, Studia Historica Academiae Scientiarum Hungaricae, 1966, p. 27.

2307 On the vocabulary of “resonance” see Deleuze, *Mille Plateaux*, p. 539-540 and p. 555.

2308 DELEUZE and GUATTARI, *MP*, p. 517.

2309 *Ibid*, p. 13.

main principles of model of the tree.

By contrast, it is the model of the rhizome that is used to think about the coexistence between holey spaces and the smooth space of the nomads: “*Du côté des agencements nomades et des machines de guerre, c'est une sorte de rhizome, avec des sauts, ses détours, ses passages souterrains, ses tiges, ses débouchés, ses traits, ses trous, etc*”²³¹⁰. The principles of this model are the exact opposite of those we have just enumerated regarding the “arborescent regime of conjunctions”: 1° connexion (“*le rhizome connecte un point quelconque avec un autre point quelconque*”) 2° and heterogeneity (“*chacun de ses traits ne renvoie pas nécessairement à des traits de même nature, il met en jeu des régimes de signes très différents et même des états de non-signes*”²³¹¹). Here, the liaison with the smooth space is not ensured and organised by a transcendent centre but a certain horizontality. There is no order imposed on the connexion which, because it is not referred to a transcendent term, becomes horizontal. Moreover, since there is no directing centre to order the holes and the liaison, there is no comparison, nor homogenisation. In other words, the connection of smooth spaces and holey spaces preserves their heterogeneity. What does this mean concretely? Early we spoke of the metallurgist who crosses the desert (in other words the space of nomads) to reach their flow of metal. Given that the rhizomatic mode of liaison has no order, we can easily imagine a multitude of itinerant trajectories running through the immense smooth space of the desert without a preestablished order, routes being constantly renegotiated with nomads. The smooth space lets itself be penetrated from all sides by a myriad of routes which whose trajectories are full of bends and never predefined. Deleuze says little on this second mode of liaison, but the text strongly suggests a mode of spatial coexistence that is more horizontal and more equalitarian. It was shown earlier how itinerant craftsmen constantly escape the capture of the State that constantly attempts to block these lines of flight. Moreover, the Aegean world was said to be the symbol of this escape, and a more mobile and freer mode of existence. There is, therefore, every reason to believe that the liaison with the smooth space allows the itinerant lines of flight to continue on their path instead of blocking them. As a matter of fact, it is because metallurgists escape from the apparatus of the State that they enter in contact with the nomads²³¹². It is worth recalling that the initial problem that was at the root of this reflection on metallurgy was the question of the nomads' weapons, and that Deleuze and Guattari argued that the horsemen were supplied by the metallurgists who escaped the state. Therefore, this coexistence of territorialities should be

²³¹⁰*Ibid*, p. 517.

²³¹¹*Ibid*, p. 31. These first principles are clearly enounced a few pages before (DELEUZE and GUATTARI, *MP*, p. 13). The other principles of the rhizome are 3° the principle of multiplicity (DELEUZE and GUATTARI, *MP*, p. 14) 4° the principle of asignifying rupture (DELEUZE and GUATTARI, *MP*, p. 16) 5° the principle of cartography 6° the principle of decalcomania (DELEUZE and GUATTARI, *MP*, p. 19).

²³¹²DELEUZE and GUATTARI, *MP*, p. 504.

understood as a sort of secrete and clandestine alliance between metallurgists and nomads²³¹³. This alliance is marked by the seal of horizontality and reciprocity since metallurgists provide weapons to nomads and nomads allow them to pass through their territory in order to reach their mines.

Presenting diverse modes of territorial intertwinement, Deleuze and Guattari echo the anthropological studies on territorial coexistence. Indeed, anthropologists have studied how territories consist of complex system in which territorialities cross each other. These studies pay particular attention to the interaction between sedentary groups and nomads who live in the interstice of the former. In this regard, the work of Fredrik Barth on the ecological relations between ethnic groups in North Pakistan is particularly representative²³¹⁴. The Norwegian anthropologist (known for his criticism of structuralism²³¹⁵ and his works on ethnic groups and their boundaries²³¹⁶) depicted the complex territorial interactions between three groups which are distributed in the Swat and Indus valleys (State of Swat): *Pathans* (sedentary agriculturists), *Kohistanis* (who practice agriculture and transhumant herding) and *Gujars* (nomadic herders). Schematically, Kohistani live in high mountains whereas the Pathan occupy the valleys since beyond a certain altitude, the double crop per year required by the economy and the political organisation (based on a considerable agricultural surplus) becomes impossible. Gujars are found in both Pathan and Kohistani territories, and the division into mountains and valleys is irrelevant. On the Pathan side, the interaction between groups is symbiotic. the flank of the mountain is used by Pathans only as a source of firewood thus this area leaves an unoccupied ecological niche in which Gujar are allowed to practice transhumance. On the Kohistani side, the relations are less peaceful and the territorial interaction is a bit different. Indeed, Gujars and Kohistanis seem to use the same natural resources. The question arises concerning how they manage to occupy the same ecological niche without major conflict. The Kohistani areas are divided between the Indus River (East) and the Swat River (West). In the West, because of certain ecological factors, agricultural production is restricted, which has for effect the limitation of animals that can be kept during the winter. As a consequence of the limitation of the number of animals, the mountain pastures are not fully exploited during the summer. In other words, during the summer, those upper areas are left *partly* vacant for the nomads who pass their winter in the low valleys outside this area. These ethnographical observations allow Barth to refute Kroeber's "culture area concept", which presupposes that the distribution of ethnic

2313 *Ibid*, p. 517.

2314 BARTH Fredrik, "Ecologic Relationships of Ethnic Groups in Swat, North Pakistan", in *American Anthropologist*, New Series, Vol. 58, n° 6, Dec., 1956, pp. 1079-1089.

2315 BARTH Fredrik, *Political Leadership among Swat Pathans*, London, University of London, Athlone Press, London School of Economics monographs on Social Anthropology, n° 19, 1959.

2316 BARTH Fredrik (ed.), *Ethnic Groups and Boundaries: The Social Organization of Culture Difference*, Boston, Little, Brown and Company, The little, Brown Series in Anthropology, 1969, pp. 9-39.

groups and natural areas coincide. On the contrary, Barth's ethnography shows that ethnic groups are often distributed over the same area according to a mosaic principle. This argument should be set in the context of Barth's reflection on ethnic groups when he proposes to challenge the opinion that a group maintains its identity only if it remains geographically isolated, since every form of intercultural contact is the cause of acculturation. By contrast, Barth intends to prove that cultural differences persist despite the interaction, and that it is even the interaction itself which is a moment that ethnical identities assert themselves²³¹⁷.

This approach to territoriality is not only interesting from an epistemological point of view but has political implications. Notably, the thesis that territories are not enclosed in themselves but are open to other forms of territorial intertwinement provides a strong argument against the thematic of rootedness and its excluding vision of territory. Territories are not based on aggression against the outside enemy nor on the exclusion of an internal foreigner. This is precisely what Deleuze and Guattari mean when, at the beginning of 'Ritournelle' they write: "*Maintenant enfin, on entrouvre le cercle, on l'ouvre, on laisse entrer quelqu'un, on appelle quelqu'un, ou bien l'on va soi-même au-dehors, on s'élance*"²³¹⁸. As specified above, the centre, the circle and the opening of the circle are not three chronological moments but describe three aspects of the same process, the *ritournelle*. This means that the circle is open from the beginning. One might even be able to say that it was never totally closed. While circle closes itself off from the forces of chaos, which have been rejected to the outside (the operation of the selection of forces), it always remained open to the other (whether this other be another species or another group). In the case of the complex territorial coexistence presented above, this opening of the territory finds an equivalence on the semiotic level of the assemblage to the mark of Cain: "*Le signe de Caïn est le signe corporel et affectif du sous-sol, traversant à la fois la terre striée de l'espace sédentaire et le sol nomade de l'espace lisse, sans arrêter à aucun, le signe vagabond de l'itinérance, le double vol ou la double trahison du métallurgiste en tant qu'il se détourne de l'agriculture et de l'élevage*"²³¹⁹. Deleuze refers to the mark of Cain which was borne by itinerant metallurgists. According to Gordon Childe, this mark signifies the demand for hospitality and is addressed both to nomads and sedentary peoples. This demand carries more or less the following meaning: "This stranger is not an enemy to be slain at sight but the bearer of things you want and knowledge useful for you"²³²⁰. This expressive mark may be interpreted as a claim for the welcome of foreigners.

Nonetheless, Deleuze and Guattari do not idealise this territorial coexistence. Co-residency

2317 BARTH Fredrik (ed.), *Ethnic Groups and Boundaries*, op. cit., pp. 9-39.

2318 DELEUZE and GUATTARI, *MP*, p. 382.

2319 *Ibid*, p. 516.

2320 CHILDE Vere Gordon, *The Prehistory of European Society*, op. cit., p. 169.

in the same space is not always synonym for symbiosis. The first case presented, the coexistence of metallurgists with sedentaries, is an example of a conflictual coexistence. Territorial interactions between the two groups may easily be described as an interaction of territorial domination since the holes of the holey spaces are subordinated to the directing centre of the imperial formation, which transcends them. Ethnological literature is full of territorial embeddedness in which a group lives in the interstices of another territory, the latter exploiting the former. In that respect, the territorial system of the Vaupés region (astride Brazil and Colombia), presented by the Brazilian ethnologist Renato Athias, illustrates the asymmetrical and hierarchical relations that exist between territories. In broad outline, the Vaupés Basin is occupied by the Hupd'äh-Maku (a semi-nomadic group) and the Tukano (a sedentary group), who share the same space, the former living in the interstices of the latter. The Tukano build their villages and cultivate big plantations on the bank of the big rivers, whereas the Hupd'äh-Maku live in the inter-fluvial forests. It is not possible to detail the entirety of this interactional system, by Athias claims that it is based on a “hierarchical opposition”²³²¹. The spatial hierarchy appears, in particular, in a Tukano myth which narrates how the demiurge O'äkhë travelled along the rivers in an anaconda-canoe and placed progressively the different groups in their current locations. Those who first got off of the canoe (the Tukano) occupy the top of the hierarchy whereas the last passengers (the Hupd'äh-Maku) were relegated to the bottom²³²². The myth express how the Tukano perceive the Maku, *i.e.*, as a group of intruders whose presence is tolerated if they remain in the interstice of their territory²³²³. This ethnographic case warns us against being too naive when trying to understand territorial coexistence.

And yet, the interest of Deleuze and Guattari's complex schema of coexistence is that it opens up another form of territorial interaction, which is less based on domination and hierarchy. Early it was argued that the Spinozist model of intermodal interaction was the conceptual framework presupposed by Deleuze to think about territorial coexistences. This framework applies to the distinction between two forms of embeddedness. As Deleuze remind us, Spinoza identifies two cases of encounter²³²⁴. In the first case, a mode encounters another whose characteristic relations then combines with its own. Such an encounter contributes to conserving the overall relation of the mode and aids its power of action, which produces an affect of joy. Sometimes the composition is such that two modes form a third characteristic relation and an individual at a

2321ATHIAS Renato, *Hupd'äh/Tukano – Les Relations Inégales entre deux Sociétés du Uaupés Amazonien (Brésil)*, Recife, 2008, p. 134.

2322ATHIAS Renato, *Hupd'äh/Tukano*, *op. cit.*, p. 122. See also ATHIAS Renato, “Territoriality and Space Among the Hupd'äh and Tukano of the River Uaupés Basin”, *Estudios Latinoamericanos*, Varsovia-Poznan, Vol. 23, 2003, p. 5-30.

2323DESCOLA Philippe, *Les Usages de la Terre...* 2015-2016, *op. cit.*, p. 487.

2324DELEUZE Gilles, *SPE*, p. 218.

superior level. In the second case, the individual encounters another that decomposes its characteristic relations and destroys its body. Interestingly, this second form of interaction leads Deleuze to a reflection on the struggle of modes whose nature are contrary and which destroy each other for that very reason²³²⁵. Deleuze explains that the outcome of this struggle cannot be known abstractly and *a priori* on the sole basis of the difference of the level of power contained in the essence (the mode whose essence has the greater power is not always victorious) and victory depends on concrete factors which are likewise related to the circumstances of the encounter. The important point is that this model of conflict opens a grammar of conflict centred on destruction and, as such, it is of interest from the point of view of our research on ecological struggles. We will return to this point later, however, for the moment, let us just say that this second form of encounter finds a concrete exemplification in the first form of territorial interaction described above. Captured by the imperial formation, the metallurgist assemblage experiences a decrease in its power of action. One could even see some correspondence with the definitions that Deleuze gives of the slave and the despot in his work on Spinoza. The slave is he who is separated from its power of action and the despot, or the priest, is he who performs the separation²³²⁶. The metallurgists and the imperial despot, who exploits him, could be seen as the concrete figures of this abstract relation.

The first form of modal encounter applies perfectly (and maybe even more so) to the territorial imbrication between itinerants and nomads. In this respect, the texts of *Mille Plateaux* that are dedicated to this specific case of spatial coexistence become even more profound when it is read in light of the passage located at the end of Deleuze's book on Spinoza's practical philosophy. Here it was said that the science of ethology was not only the study of modal assemblages and their power to affect and be affected but also of the composition of their characteristic relations. This is precisely what has just been argued: sometimes two modes combine their characteristic relations and form a bigger individual as a result. In the text cited, this fertile and peaceful form of intermodal interaction is described as a form of sociability which takes the form of an encounter between two worlds. In short, a mode "captures" the other's world into its own. But this form of "capture" has nothing to do with the virtual function of the apparatus of capture due to the fact that it respects the other's world and even enriches it. One could even say that this capture implies a certain form of reciprocity and that, in turn, the other takes the mode's world into its own so that mutual capturing occurs. Even if Deleuze and Guattari say a lot less about the interaction of metallurgist with nomads, they suggest that the intertwinement of the smooth space and the holey space should be described in such a way. The itinerants' territoriality is not submitted to an

²³²⁵*Ibid*, p. 220-222.

²³²⁶*Ibid*, pp. 248-249.

apparatus of capture (which would homogenise it and perhaps diminishes it); this territory full of holes integrates itself within the infinite space of the nomads who preserve it, enriches it and increase its power. In this sense, it seems right to speak of a symbiosis as Fredrik Barth argue. In any case, this case examined by Deleuze and Guattari provides a model of territorial coexistence in the full sense of the term. It would be tempting to say that there is real co-existence only when sufficient room is left to each territoriality.

III.5) The Triple Chains of Rootedness

Thus far, unlike more reactionary notions of rootedness, Deleuze and Guattari refuse to found territoriality on aggression and exclusion. Furthermore, in the reactionary vision of territory, the relation with land is also characterised by its fixity. Men are stuck to the land and any form of distancing from the soil is experienced as an irremediable uprooting. Hence, the hatred for voyage, nomadism or cosmopolitanism, modes of life which provide excessive freedom and which, according to this conception, lead to catastrophe. According to conservative authors such as Barrès, this excess of freedom is caused by a “*montée à la ville*”, a movement, typically depicted in bildungsroman, by which provincials leave their native province and settle in the great urban centres. Moreover, according to these authors this movement is intolerable since it violates the principle of authority. Hence, the often repeated complaints concerning the loss of authority and the nostalgia for a past in which order still reigned. *Fixity*, *authority* and *nostalgia* of the past are the other characteristics of such a notion of rootedness. Arguably, Deleuze and Guattari's concept of territory contrasts with such a rooted vision of the collective relationship with the earth.

Before coming to this point, some precisions should be given concerning this aspect of rootedness. Accordingly, it would not be wrong to say that the three elements just mentioned (*fixity*, *authority* and *nostalgia*) express one and the same aspect of rootedness, the fact that the root amounts to a chain: an individual is enchained 1° to the land, 2° to the bearer of authority and 3° to the past. This appears significantly in the laments of the defeated aristocracy which, after the French revolution, rues the collapse of the Ancien Régime. This much lamented system involves a relation to the earth which articulates the three elements we have just enumerated.

Examples of this complaint can be found in the work of counter-revolution writers such as Louis de Bonald and Joseph de Maistre. The system of the Ancien Régime was founded on a philosophy of authority based on the idea of authoritarianism, *i.e.* a pyramidal regime whose principle is transcendent²³²⁷. Authority is first the authority of God (the author of history), secondly

²³²⁷PRANCHÈRE Jean-Yves, *L'Autorité contre les Lumières. La Philosophie de Joseph de Maistre*, Genève, Droz,

the authority of the Church and the Pope (the soles keeper of the truth) and finally, the divine authority of the sovereign²³²⁸. It is on the basis of this political theology that Maistre denounces the French Revolution as being “satanic”. Indeed, the revolt against monarchic sovereignty is a revolt against its author, *i.e.*, God himself. Revolution is a catastrophe because it destroys authority, monarchic sovereignty and social cohesion²³²⁹ (indeed, without sovereignty, there is no society since the former is the ground of the latter²³³⁰). Maistre's nostalgia for the Ancien Régime is so extreme that, sometimes he even pronounces himself in favour of maintaining serfdom²³³¹. In 1811, in a text entitled *Quatre chapitres sur la Russie*, Maistre advises the Tsar to restrain from the emancipation of serfs²³³². His argument is based on the general thesis that sovereignty cannot govern men without the support of religion or slavery: “*on peut soutenir, en thèse générale, qu'aucune souveraineté n'est assez forte pour gouverner plusieurs millions d'hommes, à moins qu'elle ne soit aidée par la religion, ou par l'esclavage, ou par l'une et l'autre*”²³³³. This is the same principle which justified slavery in Antiquity. Indeed, because in general man is too wicked to be free, he should not be left to his own devices. Christianity abolished ancient slavery but managed to canalise the degenerate will of man that, without any restraint, would always lead to revolt²³³⁴. Indeed, in the West, while men were freed from slavery, they were not just left to fend for themselves since they remained under the priests' watchful eye²³³⁵. Maistre, using this logic, argues that unfortunately, today the defences that were built against the desire for freedom have collapsed: “*De nos jours, les deux ancrs de la société, qui sont la religion et l'esclavage, ayant manqué à la fois, le vaisseau a été emporté par la tempête et s'est brisé*”²³³⁶. It could not be clearer: the French Revolution swept away the auxiliaries of monarchic sovereignty and tore down authority. However, according to Maistre, The circumstances remain very different in Russia. Indeed, in this country, the seigniors maintain the order on their lands but religion does not have the same force as it has in the West. Religion's strength comes from its ministers, namely the clergy which is weak in Russia. In the absence of a real supporting religion, the Tsar should maintain the second auxiliary of sovereignty, *i.e.*, serfdom,

Bibliothèque des Lumières, 2004, p. 18. On Bonald's concept of authority, see PRANCHÈRE Jean-Yves, “Totalité sociale et hiérarchie. La sociologie théologique de Louis de Bonald”, *Revue Européenne des Sciences Sociales*, n° 49-2, 2011/2, pp. 145-167. See also KARSENTI Bruno, *D'une Philosophie à l'Autre. Les Sciences Sociales et la Politique des Modernes*, Paris, Gallimard, NRF essais, 2013, pp. 57-90.

2328PRANCHÈRE Jean-Yves, *L'Autorité contre les Lumières*, *op. cit.*, p. 96.

2329PRANCHÈRE Jean-Yves, “Le Progrès comme catastrophe. La pensée contre-révolutionnaire face à la déhiscence de l'histoire”, *Archives de Philosophie*, Centre Sèvres, T. 80, 2017/1, pp. 13-32.

2330PRANCHÈRE Jean-Yves, *L'Autorité contre les Lumières*, *op. cit.*, p. 133.

2331*Ibid.*, p. 12.

2332MAISTRE Joseph de, *Quatre Chapitres Sur la Russie*, in *Œuvres Complètes*, Vol. 8, Lyon, Librairie Générale Catholique et Classique, Vitte et Perrussel, Editeurs-Imprimeurs, 1884, p. 355.

2333MAISTRE Joseph de, *Quatre Chapitres Sur la Russie*, *op. cit.*, p. 288.

2334MAISTRE Joseph de, *Quatre Chapitres Sur la Russie*, *op. cit.*, p. 282.

2335*Ibid.*, p. 285.

2336*Ibid.*, p. 284.

otherwise rebellion may arise:

*“C'est à quoi il faut bien réfléchir avant de rien entreprendre relativement à l'affranchissement des serfs; car dès qu'une fois l'impulsion légale sera donnée, il se formera une certaine opinion, un certain esprit général qui entraînera tout; ce sera une mode, puis une passion, puis une fureur. La loi commencera et la rébellion achèvera. (...) Donnons la liberté par la pensée à trente-six millions d'homme de cette trempe (plus ou moins), jamais on ne l'aura assez répété, dans l'instant même on verrait s'allumer un incendie général qui consumerait la Russie”*²³³⁷.

Even if serfdom could eventually be removed in certain conditions, Maistre asserts the social function of this institution since it guarantees the authority of the Tsar against the desire of freedom. Even if all conservative authors should not be conflated under the label of “reactionary thought”²³³⁸, it should be noted that Maurice Barrès often shows a similar sympathy for serfdom. For example, in the passage of *Les Déracinés* in which he gives a portrait of the family of Honoré Racadot whose grandfather was a serf²³³⁹, Barrès emphasises the contrast between the grandfather, who was respectful of social discipline and authority, and Honoré who was animated by violent desires and let himself be guided by the love of freedom. This difference is explained by the fact that, from one generation to the next, the French Revolution abolished serfdom and then authority. Racadot is the stereotype of the emancipated person (“*C'est l'affranchi classique*”²³⁴⁰), i.e., he who always defies authority.

Our point here is that these conservative lamentations about the collapse of authority and its auxiliaries (especially serfdom) is also a lamentation about the certain relation to the land in which the three attributes of rootedness are intertwined: the relation of personal dependence, nostalgia of the past and subjection to the soil. A passage of Marx's *1844 Manuscripts* reveals this rooted relation to the land that emanates from a counterrevolutionary thought whose broad outlines have just been presented. Regarding the transformation of landed property into a commodity and the overthrow of the old aristocracy, Marx claims that he will “not join in the sentimental tears wept over this by romanticism”²³⁴¹. Indeed, in the framework of landed feudal property, the earth is already estranged from man. Marx wants to show that there is no rupture between the landed feudal property and private property: the former is the basis of the latter. In order to establish this point, Marx describes with precision “nobility's relationship to landed property”, that which the aristocracy weeps over. This description of the nobility's relationship with land, being itself related to rootedness and soil, provides a good example of the articulation of the three attributes already

²³³⁷*Ibid.*, pp. 288-289.

²³³⁸Pranchère warns about the tendency to tar Novalis' and Schlegel's romanticism with the same brush and Bonald's or Maurras' neoclassicism. That is why he proposes a typology of the counterrevolutionary thought. PRANCHÈRE Jean-Yves, *L'Autorité contre les Lumières*, *op. cit.*, p. 24.

²³³⁹BARRÈS Maurice, *Les Déracinés*, *op. cit.*, p. 52.

²³⁴⁰*Ibid.*, p. 53.

²³⁴¹MARX Karl, *Economic and Philosophic Manuscripts of 1844*, *op. cit.*, p. 266.

mentioned. First, there is a fixed relation to the land that enchains man to the soil: “the domination of the land as an alien power over men is already inherent in feudal landed property. The serf is the adjunct of the land”²³⁴². Here, we have a figure that has already presented itself several times, the serf who is tied to the soil. This expression means that the peasant is an integral part of the landed property. This means that the serf cannot leave the land to which he is ascribed. This also means that the land cannot be sold without the serfs which belong to it²³⁴³. In any case, such a subjection to the land prevents any form of mobility for those that work on it. Secondly, there is the relation of the seignior with his land. He and his first-born son belong to the land, but in a very different way: the land is passed down from generation to generation. This generational continuity allows Marx to speak of a relation of belonging. Regarding the relation that the seigniors have with their estates, Marx adds that it should not be reduced to a relation between possessors and material wealth. He has an intimate and personal connection with his estate: “feudal landed property gives its name to its lord, as does a kingdom to its king. His family history, the history of his house, etc. – all this individualises the estate for him and makes it literally his house, personifies it”²³⁴⁴. Marx specifies that this affective relation to the land is an appearance which is destined to disappear with private property. The personal connection with property ceases and land becomes a mere objective and material wealth²³⁴⁵. However, this appearance explains the lamentations of the landed aristocracy who cries for its land which is transformed into a simple commodity. Even if, in fact landed feudal property was the root of private property, even if the former already prepared the advent of the latter, Marx accounts for the subjective experience of the feudal class, who experience this transformation as a rupture of the personal connection they had with this land. Hence, the nostalgia of the past and the lost connection with the land that is so characteristic of all rootedness. At the same time, this past is a product of aristocratic fantasy since it omits the history domination connected to the land. Marx reveals the illusions of the feudal class who believe themselves to be mourning their intimate connection with the feudal estate whereas, in fact, this connection already implies that man is estranged from the earth. What, the landed aristocracy is, therefore, really nostalgic of is the system of domination. It is hence not only the relation that the seignior has with land that is of personal significance but also the relation he has with the serf: “those working on the estate have not the position of *day-labourers*; but they are in part themselves his property, as are serfs; and in part they are bound to him by ties of respect, allegiance, and duty. His relation to them

2342Ibid., p. 266.

2343FUSTEL DE COULANGES Numa, *Histoire des Institutions Politiques de l'Ancienne France. Première Partie. L'Empire Romain, les Germains, la Royauté Mérovingienne*, Paris, Librairie Hachette et Cie, 1875, pp. 212-215.

2344MARX Karl, *Economic and Philosophic Manuscripts of 1844*, op. cit., p. 266.

2345Ibid., p. 267.

is therefore directly political, and has likewise a human, *intimate* side”²³⁴⁶. Indeed, because the serf is a part of the landed property, the seigniors possess those people who are connected to the land through serfdom. In other words, the relation that the seigniors have with their serf is a relation of personal dependency. Here, the relation of authority, already mentioned above, reveals itself. Rootedness articulates, therefore, a subjection to the land, to other men and to the past.

In *The Great Transformation*, Polanyi claims that the countermovement which took charge of the protection of land against its commercialisation in the 19th century was principally driven by the reactionary class. In fact, it is because the feudal aristocracy incarnated the defence of land that they managed to maintain their sway over the middle-class state even after having lost their traditional functions (military, judicial, administrative)²³⁴⁷. Indeed, restricting the disastrous effects of the mobilisation of land, landed conservatism performed a socially useful function, retrieving a part of the prestige it had lost:

“The stupendous industrial achievements of market economy had been bought at the price of great harm to the substance of society. The feudal classes found therein an occasion of retrieving some of their lost prestige by turning advocates of the virtues of the land and its cultivators. In literary romanticism nature had made its alliance with the past; in the agrarian movement of the nineteenth-century feudalism was trying not unsuccessfully to recover its past by presenting itself as the guardian of man's natural habitat, the soil. Had the danger not been genuine the stratagem could not have worked”²³⁴⁸.

Now, it is precisely under the banner of rootedness that the reactionary classes grouped together. In other words, the vision of land which was defended against the market society was that which intertwined the subjection to the soil, to the past and to feudal authority. A grammar of ecological struggle based on the defence of territory should guard against such reactionary conceptions of land. We believe that Deleuze and Guattari's concept of territory precisely provides a good shield against the risk of confusion between territorial attachment and rootedness.

First of all, they do not define territoriality as the subjection to land. As argued several times, territorialisation establishes a freer relationship with the environment. In continuation of that point, we would like to show that territorialisation does not amount to a rigid fixation of the individual on the soil. From the moment of its conception, territory should be understood as open. What is principally meant by this is that territory is not necessarily a synonym of the exclusion of the other. That the territorial circle is open means that it is open to the other as well as for those who live in and have the possibility leave. In other word, territory is open not only because it welcomes strangers but also because its inhabitants generally remain free to leave it. In other words, territory always implies a vector of moving out, a movement by which I may leave. This vector of

2346MARX Karl, *Economic and Philosophic Manuscripts of 1844*, op. cit., p. 266.

2347POLANYI Karl, *The Great Transformation*, op. cit., pp. 192-193.

2348Ibid., p. 195.

movement by which I leave is what Deleuze and Guattari call deterritorialisation: “*D est le mouvement par lequel “on” quitte le territoire*”²³⁴⁹. Territoriality is, therefore, inseparable from those vectors of deterritorialisation which are contained in it: “*le territoire n'est pas moins inséparable de la déterritorialisation que le code ne l'était du décodage*”²³⁵⁰. Indeed, we saw that the assemblage was made of 1° a content (assemblage of bodies) 2° expression (assemblage of signs) but also of 3° vectors of territorialisation and 4° deterritorialisation, with the abstract machine conjugating all points of deterritorialisation (*pointes de deterritorialisation*). In fact, the relation between territorialisation and the movement by which a territory is left is even more complex than a simple movement of in and out since deterritorialisation also implies reterritorialisation:

*“Il nous semble qu'un champ social comporte des structures et des fonctions, mais ne nous renseigne pas directement pour autant sur certains mouvements qui affectent le Socius. Déjà, chez les animaux nous savons l'importance de ces activités qui consistent à former des territoires, à les abandonner ou en sortir, et même à refaire territoire sur quelque chose d'une autre nature (l'éthologue dit que le partenaire ou l'ami d'un animal “vaut un chez-soi”, ou que la famille est un “territoire mobile”). A plus forte raison l'hominien: (...) Il faut voir comme chacun, à tout âge, dans les plus petites choses comme dans les plus grandes épreuves, se cherche un territoire, supporte ou mène des déterritorialisations, et se reterritorialise presque sur n'importe quoi, souvenir, fétiche ou rêve. Les ritournelles expriment ces dynamismes puissants: ma cabane au Canada... adieu je pars..., oui c'est moi il fallait que je revienne...”*²³⁵¹.

Far from the image of a peasant tied to the glebe, territory implies a triple movement: there is no territorialisation without a movement of deterritorialisation, and there is no deterritorialisation without a movement of reterritorialisation. In order to illustrate this movement of deterritorialisation-reterritorialisation, which is correlative to territorialisation, Deleuze and Guattari takes the example of animal migrations²³⁵², especially the mysterious processions of the spiny lobster filmed by Jacques-Yves Cousteau in *La Marche des Langoustes*²³⁵³. The documentary shows how, each year, the lobsters of North Yucatan, suddenly leave their territory, gather together, and walk in single file, travelling hundreds of kilometres. Several hypotheses have been put forward to explain these mysterious migrations, none of which seem to convince Deleuze and Guattari. While many animal migrations of this sort are related to the reproduction cycle and egg-laying, for these lobsters, the march carries another purpose. Indeed, the lobsters start their migration when the winter storms begin, whereas egg-laying takes place during springtime, *i.e.*, five months later. Consequently, this strange behaviour cannot be explained by any reproductive function. Due to this

2349DELEUZE and GUATTARI, *MP*, p. 634.

2350*Ibid*, p. 630.

2351DELEUZE Gilles and GUATTARI Félix, *QPh*, p. 66.

2352DELEUZE and GUATTARI, *MP*, p. 401; Deleuze, *Qu'est-ce que la philosophie*, p. 176.

2353COUSTEAU Jacques-Yves and COUSTEAU Philippe, *La Marche des Langoustes*, Collection “*L'Odyssée sous-marine de l'équipe Cousteau*”, Paris, France Télévision Distribution, Neuilly, Film office, 1992. Deleuze and Guattari dedicates a note to the lobsters' peregrination. For a commentary of that note see GENOSKO Gary, *Felix Guattari: An Aberrant Introduction*, London and New York, Continuum, 2002, pp. 116-118. Gary Genosko did not have access to Cousteau's documentary but his reading is based on the William Herrnkind's scientific work.

fact, Cousteau, at the end of the documentary, argues that the Lobsters do not obey their own life cycles. William Herrnkind, a specialist of lobsters, who participated in Cousteau's expedition, puts forward the hypothesis that the march remains as a vestige of the last ice age. He believes that 10 000 years ago winter storms produced a decrease in temperature in the shallow banks and forced the lobsters to migrate to the warmer waters of the ocean. While now the waters remain lukewarm during the winter, this migratory behaviour remains. Deleuze and Guattari do not mention this hypothesis, but the fact that they propose another explanation shows that they are not convinced by Herrnkind's arguments. This is most probably due to the fact that, two pages before, they refute the ethological theory of "historical rudiments" (or vestiges)²³⁵⁴.

This theory states that, during the course of phylogenetic development, the behaviour may assume a new function or even be retained in an old form as a behavioural rudiment²³⁵⁵. For instance, some finches offer grass stems to court the female. Ethologists claim that this behaviour is a vestige of the *territorial* behaviour of nesting: "carrying nesting material for nest building evolved into the male courtship actions using grass stems", summarises Eibl-Eibesfeldt²³⁵⁶. Against this explanation of the finch's behaviour, Deleuze and Guattari retort that the "ritual of grass stems" is not a vestige but an "assemblage converter" (or a "component of passage"), which ensures the passage from one assemblage to another, *i.e.* from the assemblage of nesting to the assemblage of courtship²³⁵⁷. Once again, what is at stake here is the critique of a mechanistic vision of evolution. Accordingly, there is no mechanic progress, which would go from a more rudimentary behaviour (territorial behaviour) to a more complex one (social behaviour)²³⁵⁸. Moreover, the grass stem ritual does not proceed from hereditary encoding, would have been conserved as a vestige, despite the change of function. On the contrary, Deleuze and Guattari emphasis the *creative aspect* of this ritual. The semiotics of the grass stem is not a "behavioural rudiment", it results from the deterritorialisation of the territorial behaviour of nesting: "*la sémiotique du brin d'herbe résulte d'une "épuration", d'une détterritorialisation, d'un comportement territorial de nidification*"²³⁵⁹. The carrying of the grass stem ceases to be territorial (it ceases to be used for nesting); it hence deterritorialises itself and enters into the courtship assemblage (it is used to court the female). We switch from a territorial assemblage of nesting to an assemblage of courtship. The grass ritual is understood as the operator of this passage: it opens the territorial assemblage to the social

2354DELEUZE and GUATTARI, *MP*, p. 399.

2355EIBL-EIBESFELDT Irenaüs, *Ethology. The Biology of Behavior*, trans. Erich Klinghammer, New York, Holt, Rinehart and Winston, 1970, p. 192.

2356EIBL-EIBESFELDT Irenaüs, *Ethology. The Biology of Behavior*, *op. cit.*, p. 192.

2357See the lengthy analysis Guattari dedicated to the ritournelle of grass stems in GUATTARI Félix, *L'Inconscient Machinique*, *op. cit.*, pp. 132-141.

2358GUATTARI Félix, *L'Inconscient Machinique*, *op. cit.*, pp. 135-136.

2359GUATTARI Félix, *L'Inconscient Machinique*, *op. cit.*, p. 135.

assemblage, an opening which is a form of creation. “*Ouverture innovatrice du territoire vers la femelle, ou bien vers le groupe*”, as Deleuze and Guattari write²³⁶⁰. Indeed, this passage from one assemblage to the assemblage of courtship amounts to the production of a new way of life that is more gregarious and “intimist”, less solitary²³⁶¹.

Like the semiotics of the grass stem, Deleuze and Guattari refuse to interpret the march of the lobsters in terms of vestiges and prefer to view this strange phenomenon as a form of deterritorialisation. Cousteau's documentary explains that territorialised lobsters are usually solitary. Indeed, observation has shown that no more than one or two can usually be found living under marine rocks. However, when the time of the migration comes, they start to gather in larger groups of around twenty. Thus, during the migration, the lobsters become more and more sociable, altering their previous solitary behaviours. Indeed, such a procession requires an extraordinary coordination of individual movements. Therefore, as with the semiotics of the grass stem, the lobsters' march can be considered as a form of deterritorialisation by which the animals leave their territory and enter in a social assemblage. Here again, we move from a territorial to a social assemblage. The difference with the semiotics of the grass stem is that this deterritorialisation does not take place during the course of phylogenesis but is, instead, synchronic. What is not clear, however, is whether this form of deterritorialisation means that lobsters definitely leave the territorial assemblage behind. If even Cousteau's documentary does not mention it, it is possible to argue that this deterritorialisation finally gives rise to a reterritorialisation. Indeed, we know that the lobsters' migrations are recurrent and take place every year, which means that they are followed by a movement of reterritorialisation. Be that as it may, it has already been argued that territorialisation, deterritorialisation and reterritorialisation are not opposed concepts but are different processes within the same assemblage.

Beyond lobsters and finches, similar movements of deterritorialisation can also be seen to affect human territorialities. In order to establish such a point, Deleuze and Guattari resort to referencing works in history and anthropology. The crusades are used as prime examples of movements by which a group abandons its territory²³⁶². At first glance, this example appears quite disconcerting, but Guattari clarifies this point, in an interview given to the French magazine *Actuel*. He argues that:

“Ce fut en effet un extraordinaire mouvement schizophrène. Brusquement, dans une période déjà schismatique et troublée, des milliers et des milliers de gens en ont eu marre de la vie qu'ils menaient, des prédicateurs improvisés se sont levés, les types partaient par villages entiers. Ce n'est qu'ensuite que la papauté affolée a tenté de donner un but au mouvement en s'efforçant de l'entraîner vers la Terre Sainte. Double avantage: se débarrasser des bandes errantes et renforcer

2360 DELEUZE and GUATTARI, *MP*, p. 400.

2361 GUATTARI Félix, *L'Inconscient Machinique*, *op. cit.*, p. 137.

2362 DELEUZE and GUATTARI, *MP*, p. 112.

*les bases chrétiennes du Proche-Orient menacées par les Turcs. Cela n'a pas toujours réussi: la croisade des Vénitiens s'est retrouvée à Constantinople, la croisade des enfants à tourné dans le Sud de la France, et a bien vite cessé d'attendrir. Il y a eu des villes entières prises et brûlées par ces enfants "croisés" que les armées régulières ont fini par exterminer; on les a tués, vendus comme esclaves...*²³⁶³

Guattari is here referring to Paul Alphandéry's thesis concerning the "popular crusade". In *La Chrétienté et l'Idée de Croisade*, Alphandéry emphasises the existence of a crusade that was led by poor people and which was embodied by the figure of Pierre l'Ermite. The idea of the first crusade came from Pope Urban II who, after the Council of Clermont, which took place on 27th November 1095, exhorted clerics and knights to take up arms in order to deliver the Holy Sepulchre and the eastern Christians from the Turkish²³⁶⁴. However, the first to leave on the crusades were not of the nobility but consisted of mostly poor peasants,²³⁶⁵ who gathered in Cologne of the 12th of April 1096²³⁶⁶. Alphandéry insists on the anarchic organisation of this popular crusade: on the side-lines of the official predication of Urban II, a multitude of self-proclaimed prophets appeared from everywhere and dragged masses of believers in their wake. Everyone was allowed to proclaim himself a leader of these hordes of believers, thus, it suffices to say that there was no real chief. In short, this popular crusade was an acephalous, strange army without a general – a rather odd anomaly for a Middle Age so attached to hierarchies²³⁶⁷. Nonetheless, the Pope intended to control this vast movement of deterritorialisation by which believers left their territory. And in order to do so, he assigned territorial objectives to these mostly disordered and errant hordes of poor peasants, directing them toward the Holy Land²³⁶⁸. What is interesting is that during the crusades, many escaped these operations of surcodage. In this respect, the fourth crusade is a good example of these

2363DELEUZE Gilles, "Sur le capitalisme et le désir", in DELEUZE Gilles, *L'île Déserte et Autres Textes. Textes et Entretiens 1953-1974*, Paris, Minuit, Paradoxe, 2002, pp. 376-377

2364ALPHANDÉRY Paul, *La Chrétienté et l'Idée de Croisade*, Vol. I, *Les Premières Croisades, Cours Professé à l'Ecole des Hautes Etudes, Texte établi par Alphonse Dupront*, Paris, Albin Michel, Bibliothèque de Synthèse Historique, L'évolution de l'humanité, 1954, p. 57.

2365ALPHANDÉRY Paul, *La Chrétienté et l'Idée de Croisade*, Vol. I, *op. cit.*, p. 66.

2366Ibid., p. 71-72.

2367"Alors, à côté de la prédication régulière d'Urbain II, limitée peut-être à la classe militaire, par transmission mutuelle, par imitation, par contagion, d'une façon toute libre et spontanée, rayonne la prédication des masses. Suivant la volonté du ciel, de véritables migrations s'organisent. Quelle surprise d'ailleurs pour le Moyen Âge extrêmement attaché à la hiérarchie et à l'homme, persuadé que toute doctrine doit avoir un auteur responsable et toute expédition un chef, que cette armée sans général. Les chroniqueurs ont d'autorité placé cette commotio sous le commandement d'un de ceux qui se distinguèrent ensuite dans la Croisade, un nom autour duquel cristallise la légende : Godefroi de Bouillon, Bohémond, ou Pierre l'Ermite. Mais primitivement elle apparaît bien comme acéphale. Les premiers départs durent avoir lieu sous des chefs de hasard, sans attendre le signal que, par l'autorité du pape, devait donner l'évêque du Puy, Adhémar. Godefroy de Viterbe écrivant longtemps après les événements et quelque peu en philosophe de l'histoire, rapporte qu'après les efforts d'Urbain II, de toutes parts surgissaient des prophètes, enseignant qu'ils étaient les apôtres et les prédicateurs du Christ, et en même temps les soldats contre les ennemis de la croix du Christ. Prédicateurs de l'appel et soldats pouvaient donc ne faire qu'un, dans la conscience surgie des profondeurs de leur élection entière. Ces prophètes n'appelèrent pas tous les fidèles au même moment ; toutes ces foules ne partirent pas à la même heure : les mêmes éléments populaires qu'il est difficile d'évaluer se mélangent dans les colonnes populaires et dans les colonnes de barons". ALPHANDÉRY Paul, *La Chrétienté et l'Idée de Croisade*, Vol. I, *op. cit.*, pp. 69-70.

2368DELEUZE and GUATTARI, *MP*, p. 269.

failed reterritorialisations. Indeed, Alphan  ry recalls that this crusade is known to have deviated from the initial destination that had been initially fixed, *i.e.* the Holy Land²³⁶⁹. In 1200, Crusaders decided to embark on Venetian vessels under the command of Thibault de Champagne. However, because they were not capable of paying the amount due to the Venetians, they have to make another deal with them: in exchange for the vessels, the crusader agreed to help to take back the town of Zara (in Dalmatia), which had previously been invaded by Hungarians²³⁷⁰. Thus, ignoring the Pope's order, they marched on Zara. After this episode another second deviation occurred, Alexis IV Ange, the Byzantine Emperor asked the Crusaders to reconquer Constantinople in exchange for subsidies, thus, once again, they disobeyed the pope, who was opposed to this demand by the Emperor. Finally, many crusaders never reached Jerusalem, with many of them never really having the intention to go there in the first place. Indeed, Alphan  ry claims that the Holy Land was, therefore, not really the goal pursued by this fourth crusade. Generally speaking, these multiple deviations are often explained by economic factors. According to this hypothesis, the crusaders were, for example, attracted to the wealth of Constantinople. Nevertheless, Deleuze and Guattari contest those views:

*“L’histoire des Croisades est travers  e par la plus   tonnante s  rie de variation de directions: la ferme orientation des lieux saints comme centre    atteindre semble souvent n’  tre plus qu’un pr  texte. Mais on aurait tort d’invoquer le jeu des convoitises, ou des facteurs   conomiques, commerciaux ou politiques qui d  tourneraient    croisade de son pur chemin. C’est pr  cis  ment l’id  e de croisade qui implique en elle-m  me cette variabilit   des directions (...)”*²³⁷¹.

Consisting of erratic movements, the Crusades were a powerful line of deterritorialisations, which resisted the successive surcodifying reterritorialisations imposed by papal authority. Similar movements without specific direction are also illustrated by the Children’s Crusades of which, in 1212, departed from France (Normandie, Vend  mois, Ile-de-France, Picardie) and Germany (Cologne). When they were asked where they were going, the children replied “*A Dieu*”²³⁷². In other words, these processions are not directed to a specific territory, since they operated as a process of deterritorialisation. Much like the fourth crusade, the French crusade of children never arrived in the Holy Land but stopped at Marseilles where they were sold as slaves²³⁷³.

One could object that these historical cases can be regarded as counterexamples to the interpretative hypothesis that Deleuze and Guattari's concept of territory escapes the conceptual pitfall that reduces territorialisation to rootedness. Indeed, referring to Guattari's remarks quoted

2369ALPHAND  RY Paul, *La Chr  tient   et l’Id  e de Croisade*, vol. II, *Recommencements N  cessaires (XIIe-XIIIe si  cles)*, Texte   tabli par Alphonse Dupront, Paris, Albin Michel, Biblioth  que de Synth  se Historique, L’  volution de l’humanit  , 1959, p. 74.

2370ALPHAND  RY Paul, *La Chr  tient   et l’Id  e de Croisade*, vol. II, *op. cit.*, pp. 74-75.

2371DELEUZE and GUATTARI, *MP*, p. 476.

2372ALPHAND  RY Paul, *La Chr  tient   et l’Id  e de Croisade*, vol. II, *op. cit.*, p. 120.

2373*Ibid.*, p. 122.

above, we may have the impression that these processes of deterritorialisation consist of movements of liberation from subjugating territorialities. It would not be wrong to say that the life that the poor crusaders left behind themselves was a life in which individuals were subjected both to the glebe and the seigniors. Indeed, these movements of deterritorialisation deeply affected the feudal territories based on serfdom²³⁷⁴. In that sense, it seems that we remain in the classical oppositional model between rootedness and detachment. That is, on the one hand, the serf is enchained (rooted) to feudal territoriality, and on the other hand, deterritorialisation amounts to a detachment from this way of life. Here, we answer to this objection: we contend that, through the analysis of other cases of migration, it is possible to show how the relation between territorialisation and deterritorialisation does not have to be reduced to this classical model.

More specifically, Deleuze and Guattari mention the massive migrations of the Tupi-Guarani, who, by the end of the 15th century, left their territory in the quest to find a “Land-without-Evil”²³⁷⁵. This migration, which is carefully studied by Hélène Clastres in *La Terre sans Mal*, displaced considerable populations over very long distances. The earliest known migration occurred in 1539 and led Indians from the littoral of Brazil to Chachapoyas in Peru²³⁷⁶. Much like the crusades, these migrations were initiated by prophets, the *karai*, who went from village to village and exhorted the Indians to leave their territory in order to reach the “Land-without-Evil”. This land without evil was said to be a place of delights (*lieu de délices*) in which there is no need to work and where eternal life was possible²³⁷⁷. The specificity of this place is that it is not a “hereafter” since it has a geographical localisation being accessible to the living²³⁷⁸. These types of massive migration should not be confused with indigenous messianic movements such as the Ghost-dance or the cult of *Peyotl* from North America. Indigenous messianism is a reaction to European colonisation, which threatens the group's internal cohesion²³⁷⁹. In this case, because religion concentrates all the traditional cultural values of the society, its force of cohesion is most likely to hinder the social disorganisation from the outside²³⁸⁰. By contrast, the Tupi-Guarani's expeditions have nothing to do

2374 “Un champ social ne cesse pas d'être animé de toutes sortes de mouvements de décodage et de déterritorialisation qui affecte des “masses”, suivant des vitesses et des allures différentes. Ce ne sont pas des contradictions, ce sont des fuites. Tout est problème de masse à ce niveau. Par exemple, autour des Xe-XIV^e siècles, on voit se précipiter les facteurs de décodage et les vitesses de déterritorialisation: (...) masses paysannes qui quittent les domaines seigneuriaux; masses seigneuriales qui doivent elles-mêmes trouver des moyens d'exploitation beaucoup moins territoriaux que le servage (...). On peut citer les Croisades comme opérant une connexion de ces flux, telle que chacun relance et précipite les autres (même le flux de féminité dans la “Princesse lointaine”, même le flux d'enfants dans les croisades du XIII^e)).” DELEUZE and GUATTARI, *MP*, pp. 268-269.

2375 DELEUZE and GUATTARI, *MP*, p. 476.

2376 CLASTRES Hélène, *La Terre sans Mal. Le Prophétisme Tupi-Guarani*, Paris, Editions du Seuil, Recherches Anthropologiques, 1975, p. 74.

2377 CLASTRES Hélène, *La Terre sans Mal*, *op. cit.*, p. 37.

2378 *Ibid.*, pp. 38-39 and p. 58.

2379 *Ibid.*, pp. 65-66.

2380 *Ibid.*, p. 84.

with colonisation since these prophetic movement emerged before the colonial period. Moreover, those prophetic movements cannot be understood as a reaction to a particular situation of oppression since, at this time, the Tupi-Guarani were expanding their societies²³⁸¹. In fact, the quest for the Land-without-Evil is the exact reverse of messianism: it does not seek to re-establish the social cohesion jeopardised by an external threat, but proceeds, instead, from an active refusal of their current social life. Indeed, through abandoning their villages and their territory, the Tupi-Guarani renounced the economic, social and political activities they were rooted in it²³⁸². In particular, migration implied a disruption of economic life: the Tupi-Guarani were excellent cultivators capable of producing high quantities of manioc and corn and using the surplus for their feast. The new nomadic way of life reduced the possibility of cultivating and imposed a switch to gathering²³⁸³. The description of the promised land confirms this tendency to abandon social norms. In this land, people cease to conform to traditional laws, for example, the traditions of marriage are not be respected anymore. That is, marriage with cross-cousins (the maternal uncle's child or the paternal aunt's child) and, more generally, the prohibition of incest will no longer be respected²³⁸⁴. The search for the Land-without-Evil is a search for the dissolution of society.

Here, this deterritorialisation which affects the Tupi-Guarani's territory cannot be interpreted through the rooted/detachment model. The territory that the Tupi-Guarani leave behind them is noticeably different from the rooted forms of territorialities. Especially, the way of life attached to these territories contrasts with the hierarchic social relationship of rootedness. Indeed, in Deleuze's terminology, the tupi-guarani societies are social assemblages which actualise virtual mechanisms of warding-off anticipation (*conjunction-anticipation*). According to Deleuze and Guattari, who follow Clastres' thesis concerning societies without states, these types of mechanisms prevent the formation of the state apparatus²³⁸⁵. Here, they do not mean that these types of societies anticipate and ward off the creation of something that will occur in the future. For there is no premonition of the future advent of the state. And, as such, primitive societies do not see into the future, so to speak. In fact, state power already exists in the social field, as a potential, namely, as a virtual mechanism. As already mentioned, the virtual is not the contrary of the real, it is another aspect of the real. This means that even if they are virtual, these vectors of Statification (*étatisation*) have a real existence in the social field and thus have some efficacy. To make their point, Deleuze and Guattari recall that in primitive societies it is not as though they are without power but that they are made of a multiplicity of centres of power. However, usually, these centres of power are dispersed (they are

2381 *Ibid.*, p. 68.

2382 *Ibid.*, p. 82.

2383 *Ibid.*, p. 79-80.

2384 *Ibid.*, p. 83.

2385 DELEUZE and GUATTARI, *MP*, p. 441.

moved by a centrifugal force) and do not converge into a unique centralised power. However, it so happens that a centripetal force emerges in the social field resonating the other centres. To illustrate this point Deleuze takes the case of shamanic interactions with the non-human world practiced among the Yanomami, living in the South of Venezuela²³⁸⁶. More precisely, Deleuze refers to shamanic initiations described in detail by Jacques Lizot in *Le cercle des feux. Faits et dits des Indiens yanomami*. After having inhaled the powder of *yakōana* (a powerful hallucinogen made from the bark of the tree *Virola elongata*), the shaman convokes the spirits *hekura*, which will enter his chest and giving him his power²³⁸⁷. According to Deleuze's personal interpretation of Lizot's ethnographical report, each spirit (the spirit of the caiman, the spirits of the woodpecker and the snake, etc.) detain a micro-power over a portion of the territory. Lizot explains that the space which goes from the centre of the collective home (*shabono*), to the forest is divided into concentric circles, each of them being once again divided into segments that are attributed to a lineage²³⁸⁸.

2386DELEUZE and GUATTARI, *MP*, pp. 256-257 ; DELEUZE Gilles, *Appareils d'Etat et Machine de Guerre, Cours à l'Université de Vincennes*, 20/11/1979, <https://www.webdeleuze.com/textes/237>. The purpose of the text of *Mille Plateaux* is first and foremost to demonstrate that the segmentary and the centralised should not be opposed and that the real difference is between primitive and supple segmentarity on the one hand, and the modern and rigid segmentarity on the other hand. By contrast, the lesson from Vincennes uses the same ethnographical example to illustrate the fact his thesis that vectors of statification run through the social field of primitive societies. For example, he says the following in the lesson: “*Un autre ethnologue très lié à Clastres, à savoir Lizot [Deleuze épèle le nom de l'ethnologue] qui travaillait sur d'autres Indiens que Clastres. Lizot dans un livre intitulé Le cercle [Deleuze hésite] Le cercle des feux ? Ou de feu ? [Des étudiants apportent des éléments de réponse] des feux je crois ? Le cercle de feu ou le cercle des feux ? Je ne sais plus. Édition du seuil. Lizot montre très bien un cas, en tout cas qui me sert beaucoup. C'est dans une initiation de chamanisme. Une initiation de chaman. Il y a convocation de tous les esprits animaux. L'esprit caïman, l'esprit pic, l'esprit je ne sais plus quoi, toutes sortes d'esprit. Chacun avec son pouvoir. Et voilà que le grand chaman, l'initiateur. En temps normal, ces esprits sont comme des micros pouvoirs, chacun ayant le sien, il y en a un qui règne sur le dehors, il en a un autre qui règne sur le campement, il y en a un autre qui règne à la frontière, un sur la chasse, un sur le travail des femmes, bon. Dans l'initiation chaman, le grand initiateur va tracer des lignes, au besoin des lignes très fictives, des lignes abstraites, entre chaque esprit, des lignes qui relient un esprit à un autre. L'esprit pic, entre l'esprit pic et l'esprit caïman une magique va être tracée. Et puis il va obtenir une espèce d'étoile qui est très bien décrite dans le détail par Lizot, il obtient une espèce d'étoile et au milieu de l'étoile on plante le mât. On plante le mât. Vous voyez cette opération, ce que j'appelle alors dans certaines conditions, la mise en résonance des centres de pouvoir. Mais justement dans cette société indienne, cela ne joue que dans l'initiation chaman, dans des conditions très, très particulières qui ne doivent pas déborder. Et encore cela ne vaut que pour l'initié, il y a les gosses qui regardent ça, qui rigolent. Cela n'a pas pris dans la société. Tout se passe comme si le point de convergence était bien marqué mais comme ou bien vraiment maintenu dans des conditions artificielles qui font qu'il ne va pas s'emparer du groupe social, ou bien mis à l'extérieur dans les conditions de l'initiation secrète. Vous comprenez ? Je peux dire vous avez votre onde convergente, centripète, je peux dire que c'est elle à la fois qui a les deux propriétés. C'est pour ça que le schéma de l'onde pour moi il m'éclaire. Peut-être que pour certains d'entre vous cela rend encore les choses bien trop obscures, dans ce cas-là vous l'abandonnez, aucune importance. Moi il m'éclaire parce que, vous comprenez, je me dis imaginons donc ce champ social, vous avez l'onde convergente. C'est elle qui a la double propriété de conjurer et d'anticiper. Elle anticipe le point de résonance, le point central, c'est par là qu'elle est convergente et centripète. Mais en même temps elle conjure parce que si elle arrive à ce point elle s'annule. C'est un très bon mécanisme ça de conjuration anticipation*” .DELEUZE Gilles, *Appareils d'Etat et Machine de Guerre, Cours à l'Université de Vincennes*, 20/11/1979, <https://www.webdeleuze.com/textes/237>.

2387To get a better idea of those rituals, see the documentary entitled *Les chamans Yanomami*. MARCHAND Jean-Pierre, *Les Chamans Yanomami*, with the participation of Jacques Lizot, Portrait de l'Univers, 1970, <https://www.ina.fr/video/I12006162>.

2388LIZOT Jacques, *Le Cercle des feux. Faits et Dits des Indiens Yanomami*, Paris, Editions du Seuil, Recherches Anthropologiques, 1976, p. 118. DELEUZE and GUATTARI, *MP*, p. 254.

Deleuze takes advantage of the fact that Lizot's book is principally descriptive (and does not provide theoretical explanations) to infer that these portions of territory are also controlled by spirits: some rule over the camp, others the hunting territory, some the frontier, as well as others on the outside, etc. Consequently, the whole area is made up of a multitude of centres of power. Now, the end of the ritual may be interpreted as an attempt at the centralisation of those dispersed micro-powers. Shamans make a mast which symbolises the *bei kē maki*, the rock in which the spirits of *hekura* live. The mast is stuck in the soil, between the feet of the initiated and then, all the spirits are said to join this centre. Deleuze concludes that all centres of power resonate together in this single point. It is the birth of centralised power. At first glance, one may be surprised by such a conclusion. But, in fact, it should not be forgotten that in these societies the capacity of interacting and communicating with non-humans confers a considerable power to the shamans. In an article written against Clastres, Philippe Descola argues that Amerindian societies cannot be described as societies without power since the privileged interaction that shamans have with the invisible world makes them powerful individuals²³⁸⁹. For instance, among the Desana of the Vaupés (Colombia), the shaman is the only one who can negotiate with the master of animals in order to obtain the authorisation to hunt a part of the game that live in the forest. This takes place via an exchange of human souls, which are in turn transformed into animals. Thereby, the shaman has control over the destiny of the living (those who can eat) and the dead (those who return to the master of animals). It could even be said that shamanism is a form of politics, if politics is not reduced to power relations within a human collective, and if it also includes interactions with non-human beings. In a way, Deleuze anticipates the same reflections concerning the power that is granted via the control of the interactions with non-humans beings. His Yanomami shaman centralises and *captures* the power that non-humans have over a portion of territory. But his conclusions are quite different from Descola's since his analysis of the shaman's power aims to defend Clastres: "*les sociétés primitives ne manquent pas de formations de pouvoir: elles en ont même beaucoup. Mais, ce qui empêche les points centraux potentiels de cristalliser, de prendre consistance, ce sont précisément les mécanismes qui font que ces formations de pouvoir ne résonnent pas ensemble dans le point supérieur, pas plus qu'elles ne polarisent dans le point commun*"²³⁹⁰. Indeed, Deleuze notes that this centralisation of power occurs in very specific occasions: shamanic initiation and drug use, etc. In other words, this form resonance which concentrates power into a singular point occupies just a small part of the social life of Yanomami and is not sufficient enough to form a state. All we have is a germ of centralisation, a tendency. In Deleuze and Guattari's terminology, virtual vectors of

2389DESCOLA Philippe, "La chefferie amérindienne dans l'anthropologie politique", *Revue Française de Science Politique*, 38th Year, n°5, 1988, pp. 818-827.

2390DELEUZE and GUATTARI, *MP*, p. 540.

statisation are at work in primitive societies. And it is precisely these virtual mechanisms of capture that the mechanisms of warding off-anticipation block. Here, anticipation does not mean the capacity to foresee the future or anticipating the formation of the state (*i.e.*, something which does not exist for the moment but which will exist) but a capacity of detecting the virtual vectors of statisation (*i.e.*, something which has an existence but is not actualised yet). In short, there is a coexistence of the mechanism of statisation and the mechanism of anticipation within these primitive societies²³⁹¹: “*Et il y a dans les sociétés primitives autant de tendances qui 'cherchent' l'Etat, autant de vecteurs qui travaillent en direction de l'Etat, que de mouvements dans l'Etat, ou hors de lui, qui tendent à s'en écarter, s'en prémunir, ou bien le faire évoluer, ou déjà l'abolir : tout coexiste, en perpétuelle interaction*”²³⁹². And it is precisely these virtual vectors of statisation that are warded off by the primitive machine.

If statisation is warded off by these mechanisms, then the question arises concerning their form. In other words, what do these primitive machines consist of. Arguably, the best known of them is the mechanism which is at work within the Amerindian chiefdom described by Pierre Clastres in his seminal article “*Echange et pouvoir: philosophie de la chefferie indienne*”. This mechanism is based on the rupture of the exchange between political power (the chief) and the rest of the society, a rupture which the chief is ejected from the group and thereby reduced to impotence²³⁹³. The second of these mechanisms are of a great interest since it involves a specific

2391 On that point see SIBERTIN-BLANC Guillaume, *Politique et Etat chez Deleuze et Guattari. Essai sur le Matérialisme Historico-Machinique*, Paris, PUF, Actuel Marx Confrontation, 2013, pp. 46-48; SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, pp. 412-415.

2392 DELEUZE and GUATTARI, *MP*, p. 536. See also the following text: “*les sociétés primitives ne conjurent pas la formation d'empire ou d'Etat sans l'anticiper, et ne l'anticipent pas sans qu'elle soit déjà là, faisant partie de leur horizon*”. DELEUZE and GUATTARI, *MP*, p. 542. The following text also expresses the idea of a virtual coexistence of the mechanisms of capture and the mechanisms of warding-off: “*De même, dans le domaine qui nous occupe, il ne suffit pas de dire que l'Etat néolithique ou même paléolithique, une fois apparu, réagit sur le monde environnant des cueilleurs-chasseurs ; il agit déjà avant d'apparaître, comme la limite actuelle que ces sociétés primitives conjurent pour leur compte, ou comme le point vers lequel elles convergent, mais qu'elles n'atteindraient pas sans s'anéantir. Il y a à la fois, dans ces sociétés, des vecteurs qui vont en direction de l'Etat, des mécanismes qui le conjurent, un point de convergence repoussé, mis au dehors à mesure qu'on s'en approche. Conjuré, c'est aussi anticiper. Certes, ce n'est pas du tout de la même façon que l'Etat apparaît à l'existence, et qu'il préexiste au titre de limite conjurée; d'où l'irréductible contingence. Mais pour donner un sens positif à l'idée d'un “pressentiment” de ce qui n'existe pas encore, il faut montrer comment ce qui n'existe pas agit déjà sous une autre forme que celle de son existence. Une fois apparu, l'Etat réagit sur les cueilleurs-chasseurs en leur imposant l'agriculture, l'élevage, une division poussée du travail, etc.: donc sous forme d'une onde centrifuge ou divergente. Mais, avant d'apparaître, l'Etat agit déjà sous forme de l'onde convergente ou centripète des chasseurs cueilleurs, onde qui s'annule précisément au point de convergence qui marquerait l'inversion des signes ou l'apparition d'Etat (d'où l'instabilité intrinsèque et fonctionnelle de ces sociétés primitives). Or, il est nécessaire de ce point de vue de penser la contemporanéité ou la coexistence des deux mouvements inverses, des deux directions du temps — des primitifs “avant” l'Etat, et de l'Etat “après” les primitifs — comme si les deux ondes qui nous paraissent s'exclure, ou se succéder, se déroulaient simultanément dans un champ moléculaire micrologique, micropolitique, “archéologique”*”. DELEUZE and GUATTARI, *MP*, p. 537-538.

2393 See CLASTRES, Pierre, “*Echange et pouvoir. Philosophie de la chefferie indienne*”, in CLASTRES, Pierre, *La Société contre l'Etat*, Paris, Minuit, Critique, 1974, pp. 25-42 (see above all pp. 38-39). See also the summary of this mechanism given by Deleuze and Guattari: “*Les mécanismes conjuratoires ou préventifs font partie de la chefferie, et l'empêche de cristalliser dans un appareil distinct du corps social lui-même. Clastres décrit cette situation du*

form of territoriality. Deleuze and Guattari summarise it as follows:

*“Clastres assigne la guerre dans les sociétés primitives comme le plus sûr mécanisme dirigé contre la formation d'Etat: c'est que la guerre maintient l'éparpillement et la segmentarité des groupes, et que le guerrier est lui-même pris dans un processus d'accumulation de ses exploits, qui le mène à une solitude et à une mort prestigieuses, mais sans pouvoir. Clastres peut donc se réclamer du Droit naturel, tout en en renversant la proposition principale: de même que Hobbes a bien vu que l'Etat était contre la guerre, la guerre est contre l'Etat, et le rend impossible. On n'en conclut pas que la guerre soit un état de nature, mais au contraire qu'elle est le mode d'un état social qui conjure et empêche l'Etat”*²³⁹⁴.

Here, Deleuze and Guattari refer to Clastres' article *“Archéologie de la violence: la guerre dans les sociétés primitives”*, a text that was already mentioned in the first part of the thesis. In this text, Clastres rejects the three principal anthropological discourses on primitive war: the naturalist discourse, the economist discourse, and the “exchangist discourse”. Instead, Clastres argues that the function of primitive war was to prevent the formation of the State. Reversing the common idea in anthropology that territorial segmentation is the cause of conflicts in primitive societies, Clastres argues that war aims at this dispersion²³⁹⁵. Primitive society is made of a multiplicity of local groups that are all attached to a specific territory. Each of these micro-territories presents two sociological properties: they are all a totality (they are autonomous from the others) and a unity (there is no social division within those communities)²³⁹⁶. The primitive society is *“une multiplicité de communautés séparées, chacune veillant à l'intégrité de son territoire, une série de néo-monades dont chacune affirme face aux autres sa différence”*²³⁹⁷. We have here the multiplicity of centres of power just mentioned when referring to “shamanic politics”. Now, the function of war is to ward off the virtual vector of statification which is at work in the concentration of power that the shaman produces when he captures the multiplicity of human and non-human micro-powers. War prevents this centralisation of territorial centres into a single and unique point (the State):

“Quelle est la fonction de la guerre primitive ? Assurer la permanence de la dispersion, du morcellement, de l'atomisation des groupes. La guerre primitive, c'est le travail d'une logique du centrifuge, d'une logique de la séparation, qui s'exprime de temps à autre dans le conflit armé. La guerre sert à maintenir chaque communauté dans son indépendance politique. Tant qu'il y a de la guerre, il y a de l'autonomie: c'est pour cela qu'elle ne peut pas, qu'elle ne doit pas cesser, qu'elle est permanente. La guerre est le mode d'existence privilégié de la société primitive en tant qu'elle se distribue en unités socio-politiques égales, libres et indépendantes: si les ennemis n'existaient pas, il faudrait les inventer. Donc la logique de la société primitive, c'est une logique du centrifuge, une logique du multiple. Les Sauvages veulent la multiplication du multiple. Quel est maintenant l'effet majeur exercé par le développement de la force centrifuge ? Elle oppose une infranchissable barrière, le plus puissant obstacle sociologique à la force inverse, à la force centripète, à la logique de l'unification, à la logique de l'Un. Parce qu'elle est société du multiple, la société primitive ne peut être société de l'Un : plus il y a de la dispersion, moins il y a de

chef qui n'a d'autre arme institué que son prestige, pas d'autres moyen que la persuasion, pas d'autre règle que son pressentiment des désirs du groupe: le chef ressemble plus à un leader ou à une star qu'à un homme de pouvoir, et risque toujours d'être désavoué, abandonné des siens”. DELEUZE and GUATTARI, *MP*, p. 442.

2394 DELEUZE and GUATTARI, *MP*, p. 442.

2395 CLASTRES Pierre, “L'archéologie de la violence”, *op. cit.*, p. 188.

2396 *Ibid.*, p. 192.

2397 *Ibid.*, p. 193.

l'unification. On voit dès lors que c'est la même logique rigoureuse qui détermine et la politique intérieure et la politique extérieure de la société primitive. D'une part, la communauté veut persévérer en son être indivisé et empêche pour cela qu'une instance unificatrice se sépare du corps social – la figure du chef commandant – et y introduise la division sociale entre le maître et les sujets. La communauté d'autre part veut persévérer en son être autonome, c'est-à-dire demeurer sous le signe de sa propre Loi : elle refuse donc toute logique qui la conduirait à se soumettre à une loi extérieure, elle s'oppose à l'extériorité de la Loi unificatrice. Or, quelle est cette puissance légale qui englobe toutes les différences en vue de les supprimer, qui ne se soutient précisément que d'abolir la logique du multiple en vue de lui substituer la logique contraire de l'unification, quel est l'autre nom de cet Un que refuse par essence la société primitive ? C'est l'État. Reprenons. Qu'est-ce que l'État ? C'est le signe achevé de la division dans la société, en tant qu'il est l'organe séparé du pouvoir politique la société est désormais divisée entre ceux qui exercent le pouvoir et ceux qui le subissent” ²³⁹⁸.

The entirety of this passage from Clastres's article was referenced because of its clarity. However, it is not necessary to dwell more on this point. We shall just notice how these forms of segmented territoriality are far from what was called rootedness. Rooted relationships to the land are based on hierarchies and domination, whereas these fragmented territorialities ensure the non-division of the group. Within feudal territorialities, the serf is enchained to the glebe and subjected to the seigniors, whereas within primitive territorialities, such a division does not exist since an equality between individuals is maintained. Therefore, the territorialities that the Tupi-Guarani left behind them were very different from the territorialities that the counter-revolutionaries missed so much. Likewise, their deterritorialisations are far from comparable to any form of detachment.

On the contrary, they could be understood as a complement to segmentary territoriality. In a famous passage at the end of *La société contre l'Etat*, Clastres approaches the problem of the Tupi-Guarani's peregrinations and gives his own interpretation of this social phenomena. According to him, the Tupi-Guarani's society has known a progressive transformation of the chiefdom, most probably because of its population growth: “*Les chefs Tupi-Guarani n'étaient certes pas des despotes, mais ils n'étaient plus tout à fait des chefs sans pouvoir*”²³⁹⁹. Therefore, Tupi-Guarani society should be regarded as a case of a primitive society in which something was beginning to surface that could have become a state apparatus. Or, in the terminology of Deleuze, a powerful vector of statification surfaced within the social field. Clastres regards the quest for the Land-Without-Evil as another form of warding off, a desperate attempt to neutralise state power:

“ce n'est pas l'arrivée des Occidentaux qui a coupé court à l'émergence possible de l'Etat chez les Tupi-Guarani, mais bien un sursaut, un soulèvement en quelque sorte dirigé, sinon explicitement contre les chefferies, du moins, par ses effets, destructeur du pouvoir des chefs. Nous voulons parler de cet étrange phénomène qui, dès les dernières décennies du XVI^e siècle, agitait les tribus Tupi-Guarani, la prédication enflammée de certains hommes qui, de groupe en groupe, appelaient les Indiens à tout abandonner pour se lancer à la recherche de la Terre sans Mal, du paradis terrestre (...) L'appel des prophètes à abandonner la terre mauvaise, c'est-à-dire la société telle qu'elle était, pour accéder à la Terre sans Mal, à la société du bonheur divin, impliquait la condamnation à mort de la structure de la société et de son système de norme. Or, à cette société

²³⁹⁸CLASTRES Pierre, “L'archéologie de la violence”, *op. cit.*, pp. 203-205.

²³⁹⁹CLASTRES, Pierre, *La Société contre l'Etat*, *op. cit.*, p. 182.

*s'imposaient de plus en plus fortement la marque de l'autorité des chefs, le poids de leur pouvoir politique naissant. Peut-être alors est-on fondé à dire que si les prophètes, surgis du cœur de la société, proclamaient mauvais le monde où vivaient les hommes, c'est parce qu'ils décelaient le malheur, le mal, dans cette mort lente à quoi l'émergence du pouvoir condamnait, à plus ou moins long terme, la société Tupi-Guarani, comme société primitive, comme société sans Etat. Habités par le sentiment que l'antique monde sauvage tremblait en son fondement, hantés par le pressentiment d'une catastrophe socio-cosmique, les prophètes décidèrent qu'il fallait changer le monde, qu'il fallait changer de monde*²⁴⁰⁰.

It is often said that the march toward the Land-without-Evil led the Amerindians to the destruction of their society, but it should be noticed that this death aims to prevent another death, one that is arguably worse than physical death: the transformation of the tupi-guarani society into a State society, in other words, the end of this society as a society without State. In that sense, this huge movement of deterritorialisation takes over from segmentary territorialisation: both are mechanisms which prevent political power from separating itself from the rest of the society. Segmentary territorialities and deterritorialisation are two ways of avoiding subjection to the soil and their masters, a subjection which is so proper to rootedness. Once again, we are very far from the rootedness-detachment model. Here, the model is rather the following: 1° we begin with a segmentary territoriality, which prevents the emergence of hierarchies and stratifications 2° a vector of statification appears 3° deterritorialisation wards it off. In other words, it is a model relating to the permanence of autonomy.

In this section, we have intended to demonstrate that Deleuze's territoriality cannot be reduced to the triple chain of rootedness: subjection to the land (serfs tied to the glebe), subjection to the other (personal relation of dependency to the seignior), and subjection to the past (the oppressive tradition of the Ancien Régime). Fixity, authority and nostalgia were the three terms that summarised this specific aspect of rootedness. In order to show the irreducibility of territoriality to rootedness, we argued first that the general concept of territory elaborated by Deleuze and Guattari does not fit into the fixed model of the serf tied to the glebe. Indeed, territorialities are animated by the movement of deterritorialisation. Territory implies deterritorialisation and deterritorialisation implies reterritorialisation. Therefore, from a general perspective, Deleuze and Guattari rather opt for a supple model of territoriality, or at least a model which cannot be reduced to the fixity of rootedness. This does not mean that, within this general concept, there is no place for rooted forms of territoriality. The feudal relationship is proof that territoriality sometimes enchains and enslaves individuals. But this is not the rule, and we have shown that *Mille Plateaux* overflows with free territorialities. It should be added that there are several specific cases of territorialities that do not fit into the fixed rooted model of territory. In the section dedicated to the problem of territorial coexistence we already dealt with itinerant territorialities which have nothing to do with this

²⁴⁰⁰*Ibid.*, pp. 183-184.

alienating relation to the land. Having looked at itinerant territoriality, we will next approach nomadic territoriality, which like differs from the fixed rooted model. In any cases, it has become clear that rootedness and its triple chains do not exhaust the concept of territory.

IV) Beyond Appropriation Toward a Theory of Territorial Attachments

IV.1) The Collective Appropriation of Nature

After having established that, in *Mille Plateaux*, relationship to land cannot be reduced to the notions of detachment and rootedness, the question remains, whether, for Deleuze and Guattari, territorialisation amounts to a process of the appropriation of nature. This question is essential for our concerns since the reduction of relationships to earth to appropriation is one of the principal obstacles to the constitution of a grammar of ecological conflicts. It is worth asking because the problem was raised within the anthropological debate concerning territoriality. Indeed, anthropologists who intend to develop a systematic approach to the question of territoriality tend to confuse this notion with that of the appropriation of nature. That is especially the case for Maurice Godelier who, in the frame of an economic anthropology, defines territory, in “*Territoire et propriété dans quelques formes de sociétés précapitalistes*”, as:

*“on désigne par territoire une portion de la nature et donc de l'espace sur laquelle une société déterminée revendique et garantit à tout ou partie de ses membres des droits stables d'accès, de contrôle et d'usage portant sur tout ou partie des ressources qui s'y retrouvent et qu'elle est désireuse et capable d'exploiter”*²⁴⁰¹.

First, it is worth noting that the expression “*L'appropriation de la nature*” appears in the title of the article that was initially published in the revue *La Pensée*²⁴⁰², and *appropriation* is precisely what is at stake in this definition. Indeed, only few lines before, Godelier defines property as “*un ensemble de règles abstraites qui déterminent l'accès, le contrôle, l'usage, le transfert et la transmission de n'importe quelle réalité sociale qui peut être l'objet d'un enjeu*”²⁴⁰³. Territory, adds Godelier, is a specific form of property, the property of a portion of nature. Indeed, the list of realities which can be appropriated not only includes land and water but also masks, the names of the dead, magic formula and ritual knowledge, etc²⁴⁰⁴. It should be noted that this list includes non-

2401 GODELIER Maurice, “Territoire et propriété dans quelques sociétés précapitalistes”, *op. cit.*, p. 112.

2402 GODELIER Maurice, “L'appropriation de la nature. Territoire et propriété dans quelques formes de sociétés précapitalistes” in *La pensée*, n° 198, 1978, pp. 7-50.

2403 GODELIER Maurice, “Territoire et propriété dans quelques sociétés précapitalistes”, *op. cit.*, p. 104.

2404 *Ibid.*, p. 104.

tangible elements, which means that appropriation is not necessarily material. The same can be said for the appropriation of nature (i.e., territorialisation): “*ce que revendique donc une société s'appropriant un territoire, c'est l'accès, le contrôle et l'usage, tout autant des réalités visibles que des puissances invisibles qui le composent, et semblent se partager la maîtrise des conditions de reproduction de la vie des hommes, la leur propre comme celle des ressources dont ils dépendent*”²⁴⁰⁵. It suffices to say that the appropriation of nature is not only material but also symbolic. Indeed, man does not only see his environment as a set of resources but he also sees it as full of invisible forces and powers. Therefore, the appropriation of nature does not only consist in acting on material reality through gestures and conducts but also acting on this invisible background (for example, the rite to ensure soil fertility). The force of this definition comes from the fact it remains purposefully abstract so as to include a multiplicity of modes related to the appropriation of nature. It, therefore, does not limit itself to occidental forms of appropriation, namely, the appropriation of territories by the modern Westphalian state and private property. As proof of this diversity, Godelier successively presents cases of different territories, emphasising their specificity. For instance, some territories are simultaneously used by several societies²⁴⁰⁶. This is the case, for instance, for the South of Iran, studied by Fredrik Barth, an area in which territories and water are used in rotation and in a definite order by Bassari nomadic tribes and other nomadic and sedentary societies²⁴⁰⁷. For example, Bassari tribes follow a path (*il-rah*), which goes from the coastal hills to mont Kuhi-Bul. They consider they have the traditional right to use the pasture, the waters and the footpath which are all along the road. It should be noted that the temporary use of land is considered as an effective appropriation of these spaces. Indeed, a group of humans claim the right of use and control over the *il-rah* and subsequently consider this vast road as theirs, even if it is in a temporary manner. Apart from the type of societies which simultaneously use the same territory, there are also societies which use discontinuous territories. This is the case for the Pre-Inca and Inca societies of the Andes, as described by the specialist of the Andes, John Murra, in an enlightening article entitled “*El control vertical de un máximo de pisos ecológicos en la economía de las sociedades andinas*”²⁴⁰⁸. In this article, Murra presents five Andean societies all of which have the vertical control over various ecological levels. The first of which is the Chupaychu, a group from the region of Huánaco (Peru), which lived in a vast territory stretching from the *Puna* (4000 metres altitude) to the *Montaña* (500 metres), an area close to the Amazonian Basin. Here, three ecological levels were

²⁴⁰⁵*Ibid.*, p. 114.

²⁴⁰⁶*Ibid.*, p. 118

²⁴⁰⁷BARTH Fredrik, *Nomads of South-Persia. The Basseri Tribe of the Khamseh Confederacy*, Boston, Little, Brown and Company, 1961.

²⁴⁰⁸MURRA John, “El control vertical de un máximo de pisos ecológicos en la economía de las sociedades andinas”, in MURRA John, *Formaciones Económicas y Políticas del Mundo Andino*, Lima, Instituto de Estudios Peruanos, 1975.

occupied: 1° in the core of this ecological archipelago, situated at the intermediary level (3000 metres altitude), Amerindians principally cultivated corn and tuber 2° the upper part, the *Puna*, was reserved for the extraction of salt and grazing 3° in the lower part, the *Montaña*, cotton and coca were cultivated, and timber was exploited. The core was mono-ethnic whereas the peripheries were pluri-ethnic. The specificity of this system is that it was not based on transhumance, nor was it based on commerce, exchange or seasonal migration²⁴⁰⁹. Indeed, in order to control a maximum of ecological levels, the core colonised the peripheral centres (*Puna* and the *Montaña*), sending settlers (called *mitmaq*), who despite leaving were still part of the group, keeping their home (and other rights) in the core.

The intention is not to review all forms of territoriality exposed in Godelier's very rich article, rather it is important to point out that his general definition of territoriality claims to be an enlargement of this notion so as to encompass a maximal diversity of collective relationships to the earth. Nonetheless, the question remains whether this definition is still not too restrictive. Indeed, Godelier's definition of territoriality is based on the notion of appropriation. A territory is a portion of the world which has been isolated and delimited by a group of humans (or an individual) which claim the right of control, exploitation and use over the resources of a piece of land (and the symbolic system which is attached to it). The point being that, if there are some societies which do not appropriate their territory, then the concept is evidently too restrictive. Now, Godelier himself evokes the fact that some societies do not possess any proper territory, for example, the Peul WoDaabe, who lives in the interstice of the Haoussa's territory, a sedentary population of Niger²⁴¹⁰. Nevertheless, the question that should be asked, here, is whether the fact that the WoDaabe do not possess the territory on which they live means that they do not have any form of territoriality? After all, they necessarily have a form of interaction with the soil (who does not?). And this relationship with the earth probably has some form of regularity and maybe even some form of systematicity. Therefore, why should this collective relationship with the earth not be called territoriality, independent from the fact that it does not involve a form of appropriation of the environment? Thus, given the case that there are societies which do not appropriate land but still have a form of territoriality on which their existence is based, Godelier's definition remains insufficient. Indeed,

2409 "A pesar de que los chupaychu o yacha no constituían sino unos cuantos miles de unidades domésticas, controlaban a través de colonias permanentes varios recursos alejados de sus centros de mayor población. El carácter permanente de estos asentamientos nos ha sido revelado por la información contenida en las visitas: no se trata ni de migraciones estacionales, ni de comercio, ni de transhumancia. La población hacía un esfuerzo continuo para asegurarse el acceso a "islas" de recursos, colonizándolas con su propia gente, a pesar de las distancias que las separaban de sus núcleos principales de asentamiento y poder". MURRA John, "El control vertical de un máximo de pisos ecológicos en la economía de las sociedades andinas", *op. cit.*, p. 62.

2410 GODELIER Maurice, "Territoire et propriété dans quelques sociétés précapitalistes", *op. cit.*, p.117.

this means that territoriality should not be reduced to appropriation²⁴¹¹. It is, therefore, necessary to ask what else characterises, in a fundamental way, our relationships with the earth; if it is not the process of appropriation. Our hypothesis is that attachment constitutes one of these characteristics, a relation to the earth that is more fundamental than simple appropriation. That is, territory cannot be defined exclusively by the appropriation of a portion of nature but must also be considered as a form of attachment with the world and the non-humans which populate it. It is precisely this aspect of territoriality that is at stake in ecological conflicts. It is our contention that this issue appears in *Mille Plateaux*, even if it is not always made explicit as such. Indeed, it seems that the territory of some concrete assemblages described by Deleuze and Guattari cannot be understood in terms of appropriation. Nomadic territorialities are one of these concrete assemblages.

IV.2) Nomadic Territorialities

Deleuze and Guattari approach these specific forms of territorialities in the framework of a reflection on the abstract machines they call war machines, something which they argue the nomads invented. One of the aspects of such a machine is its spatial and geographical aspect. Indeed, “*le nomade a un territoire*” claims Deleuze, conscious that this statement sounds much like a paradox²⁴¹². Usually, it is considered that, because nomads are in constant displacement and never remain at the same point, then they have no territory. The nomadic behaviour is understood as a form of wandering. In fact, this is not exactly the case: “*il suit des trajets coutumiers, il va d'un point à un autre, il n'ignore pas les points (point d'eau, d'habitation, d'assemblée, etc.)*”²⁴¹³. Here one of the most significant aspects of territoriality is confirmed, the fact that, like milieus, territories arise from repetition and habit. As for all processes of territorialisation, the repetition of the same customary path, the regular visitation of the same places (oasis, watering places, etc.) produces a block of space-time, which acquires a certain consistency. Now, the question of the specificity of such territoriality remains. What is the principle of nomadic territoriality and what way of life stems from this specific relation to the earth? And what is only a consequence of this principle? These questions must be asked because the ethnologist, who is too accustomed to the categories of sedentary lifestyle and applying these to different ethnic groups, defines nomadic territoriality by fixed points, the way one might usually understand other human relations to the land. Doing so, the

2411This problem has been raised by Philippe Descola in his Lessons at Collège de France dedicated to the Cosmopolitics of territoriality. See the lessons already quoted: DESCOLA Philippe, *Les Usages de la Terre.*, op. cit. Here, we revisit this problem through a reading of *Mille Plateaux*.

2412DELEUZE and GUATTARI, *MP*, p. 471.

2413Ibid, p. 471.

ethnologist falls into ethnocentrism. For Deleuze and Guattari, these fixed points of territoriality are more the consequence of nomadic life than the principles. Indeed, nomadic territory is above all made up of what is in-between these points, *i.e.*, the paths. From there, the oasis, water places, and all the fixed points are seen as secondary and subordinate to the path. The water place is not a place of residence, but it is reached so as to be left behind – it is a relay. In other words, the nomad's existence and territory is centred on those paths, not on points which intersperse them. This is the difference with the migrant, who goes from one point to another, his path being subordinated to these extremities.

This form of territoriality centred on paths finds its expression in the habitat, the clothes and more generally in the art of the nomad²⁴¹⁴. In an article quoted by Deleuze and Guattari, Anny Milovanoff explains that the Larbaâ living in the Algerian Sahara calls *trigâ* the woven straps used to reinforce the guy ropes of the tent²⁴¹⁵. The art of weaving is pervaded by a semiotics based on abstract lines rather than representation:

*“Dans le tissage nomade, il n'y a pas d'image, pas de ressemblance. Toute représentation figurée transformerait l'errance en scène immobile, arrêterait le parcours, le mouvement. (...) Le regard nomade doit lui aussi errer sur le parcours du fil. Même si le nom des motifs dans les tissages renvoie à des éléments de la réalité comme les traces de la gazelle, la peau de panthère, les étoiles, les grains roulés, les feuilles d'arbre, la bête qui marche dans l'eau, etc. le dessin lui-même n'a qu'une relation conceptuelle avec l'objet qu'il désigne. Il n'y a sur le tissage nomade que des lignes, des droites, des courbes, des configurations abstraites, matérialisation de trajectoires”*²⁴¹⁶.

The specificity of these semiotics is to transform the spectator into a literal nomad. Just as the group follows the path in the desert, our gaze follows the abstract lines drawn on the tent fabric and is transformed in a real nomad. This is different from other types of representation where the gaze would fix and sedentarise it. Indeed, when we look at a representation our gaze fixes itself on that which is doing the representing and searches for the represented through it.

These customary paths should not be confused with sedentary paths, which parcel out the space. We saw that the latter draws a striated space. This homogeneous space is enclosed by lines which gridded it, hence the definition of this striated space as a closed space. On the contrary, the nomadic trajectory distributes peoples and animals in a smooth space, that is a space which is not enclosed by furrows and fences. Here, a full description of this space is required to fully understand the nomads' territoriality and as well as how their relationship with the earth is not mediated by a process of appropriation. The sea is maybe the paradigmatic example of a smooth space since, *a*

2414 *Ibid*, p. 471.

2415 We found very little information about Anny Milovanoff. We know that she was a curator (*commissaire d'exposition*) at the cultural centre of the Chartreuse de Villeneuve-lez-Avignon (which is run by the Centre International de Recherche, de Création et d'Animation). GAVALDA Élisabeth, “De Prospero à ses Cahiers. L'aventure d'une revue”, in *La Revue des revues*, n° 61, 2019/1, p. 46.

2416 MILOVANOFF Anny, “La seconde peau du nomade”, in *Nouvelles Littéraires*, 27 July 1978.

priori, maritime space is not very conducive to borders or grids²⁴¹⁷. Where land can be delimited with walls, trees or fences, a portion of water is hard to enclose with physical borders. Now, contrary to what Grotius claims, it is not that, by nature, the sea cannot be striated; as a matter of fact, the sea was subjected to striating very early in modern history. The history of navigation proves that point. Indeed, with the emergence of celestial navigation, maritime space became gridded, little by little. Thanks to the calculus based on the position of stars and sun, the sailors managed to determine the astronomical point (the location of the observer at a given time) and drew maps which cover the surface of the glob with latitudes and longitudes²⁴¹⁸. Contrary to what several Portuguese historians claim, those who consider 1440 as the birth date of celestial navigation, Deleuze and Guattari invoke Pierre Chaunu's long term analysis, according to which this striating emerged progressively between the 15th and the 18th century²⁴¹⁹. For instance, the longitude lines are really only plotted around 1770²⁴²⁰. This long term point of view allows them to emphasize the conflict between different forms of navigation: before the triumph of celestial navigation, there was a “primitive celestial navigation”, which only used latitude to travel across long distances. Paul Adam gives the case of the Polynesian who reached the coast of Hawaï a long time before Europeans: they could never have reached their destination without using latitudes since, between Tahiti and Hawaï, there were no islands, no points of reference, only homogeneous water²⁴²¹. Finally, before these two forms of celestial navigation, there was a primitive and empirical navigation based on sounds, winds, noises, the flight of birds, etc. Deleuze and Guattari designate this navigation by the term “nomad” since it does not striate the space, since it remains smooth. In short, the sea was originally a smooth space that has been progressively striated by modern navigators. Consequently, what Deleuze and Guattari argue is not that sea is *by essence* a smooth space and thus absolutely incompatible with any form of striating. However the pages dedicated to maritime space in *Mille Plateaux* suggest that, if the sea is the archetype of the smooth, it is because the nature of this liquid materiality is conducive to this specific form of spatiality. In other words, the materiality of the sea has strong affinities with the smooth form of territoriality.

While it is fairly clear why the sea provides the good paradigm for smooth spaces, it is not so clear what nomadism have to do with this. If maritime space is smooth for primitive navigators, then it is hard to imagine how nomads (and finally, any group) could establish their

2417DELEUZE and GUATTARI, *MP*, p. 481.

2418CHAUNU Pierre, *L'Expansion Européenne du XIIIe au XVe siècle*, Paris, PUF, Nouvelle Clio, 1983, p. 289. Quoted by Deleuze and Guattari in DELEUZE and GUATTARI, *MP*, p. 598.

2419CHAUNU Pierre, *L'Expansion Européenne du XIIIe au XVe siècle*, *op. cit.*, p. 291.

2420*Ibid.*, p. 305.

2421ADAM Paul, “Navigation primitive et navigation astronomique”, in FERNÁNDEZ-ARMESTO Felipe, *The European Opportunity*, Aldershot and Brookfield, Variorum, And Expanding World, 1995.

territory within the ocean itself. In this sense, one could infer that primitive navigation is called nomadic only metaphorically: it is not that nomads territorialise themselves in the sea, but that early navigators travelled along a smooth space that is similar to nomadic societies'. However, for Deleuze, the nomadisation over the sea is not only metaphorical but has its roots in ethnography. Indeed, a major part of ethnography concerned with nomads has focused on what ethnographers have called “nomads of the sea” (or sea gypsies), that is, populations whose territory is partially situated in the maritime space. One of the most famous example is that of the Moken, a group of nomads which occupied a wide territory in the Myeik Archipelago (Murgui Archipelago) all along the coast of Thailandia and Burma²⁴²². One half of the year (during the dry season, from November to April), they peregrinate all around the islands of the archipelago; and during the rainy season, they all gather on an island, a moment in which they organise a feast dedicated to spirit poles (*poteaux aux esprits*) and communicate with the beyond in order to ward off this period of sedentarism which threatens the identity and lifestyle of the group. Deleuze and Guattari do not mention the Moken but they clearly refer to José Emperaire's monograph on the Kawésqar (formerly called the Alakaluf), another classic of ethnographic literature concerning nomads of the sea²⁴²³. This group, situated in the archipelago of Occidental Patagonia, is in a move around this myriad of islands to the point that it rarely establishes a permanent settlement²⁴²⁴. These populations fear the vast lands of the Pampa which they occasionally cross during their peregrination and prefer the marine environment that they consider more welcoming. In this society, whose way of life is characterised by a very high degree of mobility, boats are central since the sea is the only communication channel. Those who find themselves isolated in an island without any boat are condemned to a certain death²⁴²⁵. It would be certainly abusive to say that these societies live in the sea and the name “people of the sea” is more the reflection of Western fantasies²⁴²⁶. Jacques Ivanoff writes that neither the forest (the land), neither the sea constitutes the reference space of Moken territoriality. In fact, if a place had to be assigned to the Moken, it would be the foreshore (*estran*) in which women collect shellfish all year around (during the rainy season as well as in the dry season)²⁴²⁷. However, it is interesting to note that territories are not exclusively made of land but spread out over very different spaces. The conceptual consequence of the extension of the concept

2422IVANOFF Jacques, “*Équilibre paradoxal: sédentarité et sacralité chez les nomades marins moken*”, in *Bulletin de l'Ecole Française d'Extrême-Orient*, T. 79 N°2, 1992, pp. 103-130.

2423DELEUZE and GUATTARI, *MP*, p. 474. See also DELEUZE and GUATTARI, *MP*, p. 598.

2424EMPERAIRE José, *Les Nomades de la Mer*, Paris, Gallimard, NRF, L'Espèce Humaine, 1955, pp. 76-80.

2425EMPERAIRE José, *Les Nomades de la Mer*, *op. cit.*, p. 175.

2426BOUTRY Maxime and IVANOFF Jacques, “Mastering Territories From the Sea. The Binomial Cultural Way of Resilience of Southeast Asia's Sea Nomads”, in ARTAUD Hélène and SURRALLÉS Alexandre (ed.), *The Sea Within. Marine Tenure and Cosmological Debates*, IWGIA, 2017 pp. 120-121.

2427IVANOFF Jacques, “*Équilibre paradoxal...*”, *op. cit.*, pp. 113-114.

of territory is that conflict for territory cannot be reduced to conflict for land and that their scope is much wider. In fact, this point is crucial from the point of view of a strategy of ecological struggles since, historically, it is because of this reduction of the territoriality to the question of land that indigenous territorial rights to the use of sea have been ignored²⁴²⁸.

Be that as it may, the case of the sea is above all interesting from a conceptual point of view regarding the definition of a smooth space. Indeed, it raises the question of the possibility of getting its bearing (and then of territorialisation) in a space which, a priori, is totally homogeneous (even more acutely than the case of the desert). Indeed, how is it possible to find one's way in the immensity of the ocean which resists being marked out physically? The answer leads us to one of the characteristics of smooth spaces: even though such a space is not marked with fences, pathways and enclosures, it is not however homogeneous²⁴²⁹. Indeed, to the eyes of nomads, the sea is marked by qualitative "traits", which appear and disappear with their trajectory. For instance, they get their bearings through bird flight, winds and the colour of water that changes according to the depth and the nature of the seabeds²⁴³⁰. "*Il y a toute une navigation nomade empirique et complexe qui fait intervenir les vents, les bruits, les couleurs et les sons de la mer*", write Deleuze and Guattari²⁴³¹. Earlier the expression nomadic navigation was said to be understood both metaphorically and literally, here some of the reasons for that can be seen. In his book on the Kawésqar, José Emperaire provides a full description of the hostile and desolate landscape of the archipelago of Magellan in which wind is one of the significant components of this environment. Winds are so influential for the daily life of the Kawésqar that, sometimes they have to wait several weeks in an inlet, hoping that the winds will diminish²⁴³². Emperaire shows how sea nomads use winds to find their way in this labyrinth of islands. Each wind (North-West, North-East, South-East, etc.) has an Alakuf name and each of them are used to designate a specific area of this monotonous space.

2428Indigenous rights began with the lawyers and theologians of the Salamanca School (16th century), more precisely with Francisco de Vitoria who, in his *Relectio de Indis* (1539) argued that Native Americans had a right to their land since there was no ontological difference between them and the rest of human beings. However, these territorial rights did not include maritime space. The forgetfulness of the sea still persists today and the process of political legal recognition of indigenous territories which started several decades ago (but also anthropological researches) tended to leave to one side these specific space. On that point, see Alexandre Surrallès's introduction to *The Sea Within*. ARTAUD Hélène and SURRALLÈS Alexandre (ed.), *The Sea Within*, op. cit., pp. 11-23. On the Salamanca School and indigenous right, see the first part of the Surrallès article dedicated to indigenous rights. SURRALLÈS Alexandre, "Indigenous Rights, Animism and Animals: 'adfectatio' and the New 'Sentient' Subject of Law", <https://surralles.wordpress.com/2016/12/31/human-rights-for-non-human-indigenous-rights-animism-animals-adfectatio-and-the-new-sentient-subject-of-law/>. In this article, Surrallès argues that the inclusion of indigenous people into the right of dominium goes hand in hand with the exclusion of non-human entities.

2429Only the striated space is homogeneous : "*L'espace homogène n'est nullement un espace lisse, c'est au contraire la forme de l'espace strié*". DELEUZE and GUATTARI, *MP*, p. 458.

2430CHAUNU Pierre, *L'Expansion Européenne du XIII^e au XV^e siècle*, op. cit., p. 292.

2431DELEUZE and GUATTARI, *MP*, p. 599.

2432EMPERAIRE José, *Les Nomades de la Mer*, op. cit., pp. 68-69. See also the evocative description of this gloomy atmosphere. EMPERAIRE José, *Les Nomades de la Mer*, op. cit., pp. 63-64.

The case of the sea is the paradigm of a smooth space, but the desert is probably the most cited example of a space in which nomads establish their specific form of territoriality. In the pages dedicated to acoustic space, it was argued that there is a strong similitude between the Eskimo's ice desert and the sand desert²⁴³³. In the manner of anthropologists, Deleuze and Guattari compare the scattered ethnographic data, drawing a parallel between marine space, the desert and this ice desert. These comparisons between land and sea had already been suggested by Toynbee:

“While the Eskimos grappled with the ice and the Polynesians with the ocean, the Nomad, who has taken up the challenge of the Steppe, has had the audacity to grapple with an equally intractable element; and indeed, in its relationship to man, the Steppe, with its surface of grass and gravel, actually bears a greater resemblance to the “unharvested sea” (as Homer so often calls it) than it bears to *terra firma* that is amenable to hoe and plough. Steppe-surface and water-surface have this in common, that they are both accessible to man only as a pilgrim and a sojourner. Neither offers him anywhere on its broad surface, apart from islands and oases, a place where he can settle down to a sedentary existence. Both provide strikingly greater facilities for travel and transport than those parts of the Earth's surface on which human communities are accustomed to make their permanent homes, but both exact, as a penalty for trespassing on them, the necessity of constantly moving on, or else moving off their surface altogether on to the coasts of *terra firma* which surround them. Thus there is a real similarity between the Nomadic horde which annually follows the same orbit of summer and winter pasture-ranges and the fishing fleet which cruises from bank to bank according to the season; between the convoys of merchantmen which exchange the products of opposite shores of the sea and the camel caravans by which opposites shores of the Steppe are linked with one another; between the water-pirate and the desert-raider; and between those explosive movement of population which impel Minoans or Norsemen to take ship and break like tidal waves of the coasts of Europe or the Levant and those other movements which impel Nomads Arabs or Scyths or Turks or Mongols to swing out of their annual orbits and break with equal violence and suddenness upon the settled lands of Egypt or “Iraq or Russia or India or China”²⁴³⁴.

In the case of sand deserts, Deleuze and Guattari base their analysis on Wilfred Thesiger's *Arabian Sands*, which was lauded by Jean Malaurie and who published the French translation in his collection dedicated to the classics of ethnologic literature *Terre humaine*²⁴³⁵. In the narration of the six years he spent with the Beduins of South Arabia, Thesiger depicted with verve the deserts he crossed on camelback. The case of the desert and its comparison with the white stretches in which the Eskimos live offers the occasion to give some conceptual precisions concerning the notion of smooth spaces, especially those related to the problem of orientation and direction in an open environment without any fix points of reference. As in the Aivilik's ice desert, those who cross the desert of sands are plunged into an immense space without clear limits: “I looked round, seeking indistinctively for some escape. There was no limit to my vision. Somewhere in the ultimate distance the sands merged into the sky, but in that infinity of space I could see no living thing, not even a withered plant to give me hope”²⁴³⁶. The merging of the land with the sky amounts to a loss

2433DELEUZE and GUATTARI, *MP*, p. 474. See also note 6 p. 598.

2434TOYNBEE Arnold J., *A Study of History. Abridgment of Volumes I-VI* by D. C. Somervell, Oxford and New York, Oxford University Press, 1974, pp. 166-167 (Toynbee, *L'histoire. Un essai d'interprétation*, pp. 187-188).

2435See MALAURIE Jean, “Préface: Hommage au rebelle et au féal” in THESIGER Wilfred, *La Vie que j'ai Choisie. Autobiographie*, trans. Sabine Boulongne, Paris, Plon, 1990.

2436THESIGER Wilfred, *Arabian Sands*, London, Penguin Books, 2007 1959], p. 149.

of fixed lines and boundaries, which are usually used as points of reference. Striated spaces give a perfect contrastive example since they enable us to understand the problems related to orientation that are raised by the loss of the horizon line. Indeed, the gridded and striated space is made of extensive and delimited parts. To each of these parts corresponds a direction (some parts correspond to the West, other to the East, etc.) each of which makes orientation possible. In a text quoted above, Carpenter explains that the layout of Detroit's streets in grids (which is so typical of the urban geography of American towns) provides referent points for orientation in this chaotic city. By contrast, the absence of horizon and fix delimitations leads to an absence of directions, or more precisely, of fix directions. But in fact, the absence of fixed coordinates does not mean an absence of points of reference: "*Le désert de sable ne comporte pas seulement des oasis, qui sont comme des points fixes, mais des végétations rhizomatiques, temporaires et mobiles en fonction de pluies locales, et qui déterminent des changements d'orientation de parcours*"²⁴³⁷. Here, Deleuze and Guattari refer to the pages in which Thesiger depicts with detail one of the ecological characteristics of the Rub al Khali (also called the Empty Quarter), situated in South Arabia. The explorer explains that in this immense stretch of sands, grazing appears with rains (which falls in very localised places) and disappears slowly throughout the year, unless there is more rain. He adds that the duration of this temporary greenery also depends on the sort of sands: with red sands producing better grazing than white sands²⁴³⁸. The grazing and the landscape are thus in perpetual change. In this sense, this moving vegetation is similar to the sounds and winds of the Arctic space: there are point of reference, but they are in constant variation. Deleuze uses the concept of haecceity to designate these specific forms of point of reference, *i.e.* forms of individual singularities which are neither things, nor a substance but are in themselves perfect individualities. A climate, a wind, a fog, an hour or a season are neither substance, neither subjects, they are events and becomings which have their proper consistency²⁴³⁹. Smooth spaces are full of these moving points of reference, and nomads use them to get their bearing in otherwise destabilising environments.

This constant change of points of reference implies a constant change of direction and orientation: "*les orientations n'ont pas de constante, mais changent d'après les végétations, les occupations, les précipitations temporaires*"²⁴⁴⁰. Thereby, Beduins follow the changing vegetation

2437DELEUZE and GUATTARI, *MP*, p. 474.

2438THESIGER Wilfred, *Arabian Sands*, *op. cit.*, pp. 128-129.

2439"*Il y a un mode d'individuation très différent de celui d'une personne, d'un sujet, d'une chose ou d'une substance. Nous lui réservons le nom d'heccéité. Une saison, un hiver, un été, une heure, une date ont une individualité parfaite et qui ne manque de rien, bien qu'elle ne se confonde pas avec celle d'une chose ou d'un sujet*". DELEUZE and GUATTARI, *MP*, p. 318. Further, Deleuze also defines haecceity as "*des événements dont l'individuation ne passe pas par une forme et ne se fait pas par un sujet*". DELEUZE and GUATTARI, *MP*, p. 323. On haecceity, see ZOURABICHVILI François, *Deleuze, Une Philosophie de l'Événement*, *op. cit.*, pp. 117-119. SAUVAGNARGUES Anne, "Deleuze. De l'animal à l'art", *op. cit.*, pp. 191-202.

2440DELEUZE and GUATTARI, *MP*, p. 615.

and reorientate themselves in relation to these constant modifications. Likewise, Kawésqar's itineraries constantly evolve during the course of their peregrinations. They operate step by step and do not have an overall view but a fragmentary representation of their route²⁴⁴¹. Consequently, their space can be said to be local contrary different to the striated space, which can be said to be global. The striated space is global because it is unified and totally encompassed by a system of fixed coordinates that are externally applied to it, as in a map. Thanks to this grid, I can have a global vision of the space. Deleuze and Guattari precise that this locality is relative, because it is relative to the system of coordinates by which one may have an overview of that space. By contrast, smooth spaces are centred from the local point of view of the individual or group which operates these reorientations. Space is not apprehended from the global point of view of an immobile and external observer (which is so characteristic of cartography), but from the internal point of view of the individual or the group which is immersed into its environment. Contrary to what one might expect, one does not see from a distance since vision is always related to what is close at hand. Indeed, because there is no horizon nor centre nor limits or perspective, there is no coordinate system to which one could refer to measure and evaluate fix distances. Indeed, horizon and centres are used to determinate what is far and intermediary. Without these points of reference, there are no far and intermediary distances. Regarding the Eskimos' environment, Carpenter writes that "there is no middle distance, no perspective, no outline, nothing the eye can cling to except thousands of smoky plumes of snow running along the ground before the wind – a land without bottom or edge. When the winds rise and snow fills the air, visibility may be reduced to a hundred feet or less, and travel becomes dangerous"²⁴⁴². Deleuze concludes that smooth spaces are an absolute locality because they are only relative to themselves and are not relative to any external coordinates²⁴⁴³.

IV.3) The Νόμος of the Earth as Appropriation

Deleuze and Guattari use the term νόμος to define this distribution of nomads and their animals in those open spaces and they oppose it to the distribution in the closed and striated space of the sedentaries, a distribution which gives to everyone within it a portion of this same space. To understand how original this opposition is, it should be recalled that before Deleuze and Guattari's attempted to produce a cartography of the diverse forms of territoriality, the concept of νόμος has already been the object of conceptual development in political philosophy. We especially refer here

2441DELEUZE and GUATTARI, *MP*, p. 616. EMPERAIRE José, *Les Nomades de la Mer*, *op. cit.*, p. 225.

2442CARPENTER Edmund, VARLEY Frederick and FLAHERTY Rober, *Eskimo*, *op. cit.*

2443On the opposition between relative global and absolute local, see DELEUZE and GUATTARI, *MP*, p. 474 and 616. See also LAPOUJADE David, *Deleuze. Les Mouvements Aberrants*, *op. cit.*, pp. 58-60.

to Carl Schmitt, whose work has been recently revisited by Bruno Latour in the framework of his attempt to reintroduce conflictuality within ecological concerns²⁴⁴⁴. In the present section we will set forth Schmitt's concept of νόμος and then give *Deleuze* and Guattari's own understanding of that term. Our intention is to highlight the common problematic which underlies Schmitt's and *Deleuze* philosophy of the νόμος but also their radical reunderstanding of this concept. Through this contrastive comparison, we hope to highlight the specificity of *Deleuze* and Guattari's interpretation of νόμος, especially the fact that they disconnect that notion from the idea of land appropriation.

In *The Nomos of the Earth*, the Schmitt contends that all legal and political order is first rooted in the soil. "In mythical language, the *earth* became known as the mother of the law, writes Schmitt in the first lines of the book. This signifies a threefold root of law and justice"²⁴⁴⁵. First, the earth contains in itself the inner measure of justice. Indeed, the earth rewards justly every man who works on it with growth and harvest. It is as if the land stated loud and clear that: "equal reward in wheat for an equal work of land". Thus, the cultivated earth contains in itself the reward of labour and thus the idea of justice. Secondly, having been worked by the hand of man, the soil reveals firm lines which are then engraved by the demarcation of field and pasture. "In these lines," Schmitt writes, "the standards and rules of human cultivation of the earth become discernible"²⁴⁴⁶. Finally, fences, walls, houses, etc., rest on the solid ground of the earth. Therefore, ownership, social coexistence, but also relations of domination are inscribed in this stable notion of soil. Schmitt concludes that every basic order lies on a spatial order.

In fact, the rooting of the right in the spatial order presupposes an inaugural act which is even more fundamental: the *landnahme*, a term which is generally translated by "land appropriation" but could also be translated by "land taking" or even "land grab". Schmitt writes that:

"Every basic order is a spatial order. To talk of the constitution of a country or a continent is to talk of its fundamental order, of its *nomos*. The true, the authentic, rests essentially upon distinct, spatial delimitations. It presupposes clear dimensions, a precise division of the planet. The beginning of every great era coincides with an extensive territorial appropriation. Every important change in the image of Earth is inseparable from a political transformation, and so, from a new repartition of the planet, a new appropriation"²⁴⁴⁷.

Land appropriation grounds law in two directions, internally and externally. Internally means here, within the group which appropriates the land²⁴⁴⁸. This first appropriation gives rise to a

2444LATOUR Bruno, *Face à Gaïa*, *op. cit.*

2445SCHMITT Carl, *The Nomos of the Earth in the International Law of the Jus Publicum Europaeum*, Translated and Annotated by G. L. Ulmen, New York, Telos Press Publishing, 2006, [1950], p. 42.

2446SCHMITT Carl, *The Nomos of the Earth*, *op. cit.*, p. 42.

2447SCHMITT Carl, *Land and Sea*, translated and with a foreword by Simona Draghici, Washington DC, Plutarch Press, 1997 [1942], pp. 37-38 Quoted by Kervégan, in KERVÉGAN Jean-François, *Que faire de Carl Schmitt ?*, Paris, Gallimard, Tel, 2011.

2448SCHMITT Carl, *The Nomos of the Earth*, *op. cit.*, p. 45.

first division and distribution of land between the members of the group and then to the first order of all possessions and property relations. That property is collective or private, it is something which is decided subsequently and lies in this first appropriation. The *landnahme* creates a sort of “supreme ownership” (*obereigentum*), i.e. a *dominium directum*, which belongs to the whole community and within which further distributions are decided, whether in the form of collective property or in the form of private property. Now, the group which takes land is often confronted with other groups which inhabit the same land, covet it or simply live in the surroundings. This gives rise to what we know as the international law which rules the relation between countries. This is how law is grounded externally in the notion of land grabs.

Now, from a historical perspective, it is on an inaugural appropriation of this sort that medieval international law was grounded. Indeed, the medieval order arose from the “Barbarian Invasions” and then a movement of land appropriation²⁴⁴⁹. From then, the *Respublica Christiana* appeared, i.e., the encompassing unity of the international law of medieval Europe. This legal order was grounded in a spatial order centred on Roma and placed under the joint authority of the Emperor and the Pope. At the end of the 15th century, this organisation of the European space collapsed and gave way to a new legal order, the *Jus publicum Europaeum* (European public law). Like the previous *jus gentium*, this new legal order began with a vast *landnahme*, the land-appropriation of the “New World”. The image of the earth thus changes: there now being a real globe, the global concept of the planet requires to a new spatial order. From then, “lines were drawn to divide and distribute the whole earth”²⁴⁵⁰. *Rayas* and “amity lines” are those lines which parcel out and striate the world²⁴⁵¹. The most known of these lines is probably the *raya* drawn by the Treaty Tordesillas (June 7, 1494) which decrees that new discovered territories West of the line will belong to Spain and those East of the line to the Portugal²⁴⁵². In broad outline, the new spatial order

2449Ibid., p. 57 sq.

2450SCHMITT Carl, *The Nomos of the Earth*, op. cit., p. 86.

2451Schmitt defines the *rayas* as follows: “One might say that the historical type of *raya* was a world apart from the English amity line. For a *raya* to obtain, two princes, both recognizing the same spiritual authority and the same international law, had to agree on the acquisition of land belonging to princes and peoples of another faith. Even if it was a contractual agreement that led to establishment of the line, in the background these princes still shared the authority of a common *ordo* and a common arbitrational authority, which, as the last instance of international law, distinguished between the territory of Christian and non-Christian princes and peoples”. SCHMITT Carl, *The Nomos of the Earth*, op. cit., p. 90-91. By contrast, amity lines are based on completely different premises: “Essentially, they belong to the age of religious civil wars between land-appropriating Catholic powers and Protestant sea powers. They were an important part of European international law during the 17th century, when jurists hardly knew what to make of them and treated them perfunctorily under the category of “truce”. SCHMITT Carl, *The Nomos of the Earth*, op. cit., p. 92. Few lines further on, Schmitt gives clarifications on that distinction: “The characteristic feature of amity lines consisted in that, different from *rayas*, they defined a sphere of conflict between contractual parties seeking to appropriate land, precisely because they lacked any common presupposition and authority”. SCHMITT Carl, *The Nomos of the Earth*, op. cit., p. 94.

2452SCHMITT Carl, *The Nomos of the Earth*, op. cit., p. 89.

which saw the light of day with the great discoveries on earth is structured by a twofold distinction²⁴⁵³. First, the distinction of two legal orders, that of the sea and that of the land. While the legal space of the sea is homogeneous, land is ruled by a different sort of legal system. That is the second distinction, a distinction between the soil of the European states and the soil of the oversea possessions (colonial lands)²⁴⁵⁴. The European soil is structured by a new spatial order, the balance of territorial states, which neutralised the creedal civil wars of the 16th and 17th centuries. Henceforth, every aspect of war is limited to conflicts between sovereign States and as a result interstate war replaced creedal war between supra-territorial factions. Here, war becomes a *guerre en forme* (war in form), *i.e.*, a war which is said to be just not just because it is motivated by a *justa causa* but because of the preservation of the form²⁴⁵⁵. Here, war is analogous with a duel which can be said to be just only when certain rules are respected (the adherence to a specific procedure, the inclusion of witnesses, etc.)²⁴⁵⁶. In the European space, this *war in form* took the form of a war between territorial European states considered as *personae publicae* and which mutually recognised themselves as *justi hostes*²⁴⁵⁷: “war became a relation among persons who mutually recognized a rank. Sovereigns recognised one another as such, *i.e.*, as having a mutual and common relation.”²⁴⁵⁸ From then, war ceased to be a war of annihilation in which the enemy is a *criminal*, a rebel which must be annihilated. Considered as a *justus hostis* (as a “legally recognized enemy”²⁴⁵⁹), the other was now recognised as an equal: “to the essence of hostis belongs the *aequalitas*.” writes Schmitt²⁴⁶⁰. Concretely, it meant that both belligerents had the same political character and the same rights recognised by all states. Because war was not waged against criminals but a *justus hostis*, it became possible to establish legal institutions: vengeance against prisoners was prohibited, private property could not be treated as booty and peace could conclude with some amnesty clauses²⁴⁶¹. In a word, the new spatial order managed to bracket the war. It is interesting to note that in this system,

2453 *Ibid.*, p. 184.

2454 For a complete image of this spatial order, see the global diagram of the *Jus Publicum Europaeum* which also includes other specific legal system, especially those which have been in force in Asia and Africa with European privileges since the 19th century onwards (consular jurisdiction, exotic countries with European extraterritoriality, etc.) SCHMITT Carl, *The Nomos of the Earth*, *op. cit.*, p. 184.

2455 SCHMITT Carl, *The Nomos of the Earth*, *op. cit.*, p. 141. On the “war in form” see the pages that Carl Schmitt dedicates to Vattel SCHMITT Carl, *The Nomos of the Earth*, *op. cit.*, pp. 166-168. Here Schmitt challenges Johan Caspar Bluntschli's interpretation of Vattel's writings, an interpretation which concludes to the necessity of a supranational legislation regulating the interstate relationships. On the contrary, Schmitt thinks that any supra-state institution would lead to the barbarisation of war. On that point, see SENELLART Michel, “La qualification de l'ennemi chez Emer de Vattel”, *Astérion* [Online], 2 2004, online since the 4th April 2005, connection the 8th July 2021,

URL : <http://journals.openedition.org/asterion/82> ; DOI : <https://doi.org/10.4000/asterion.82>.

2456 SCHMITT Carl, *The Nomos of the Earth*, *op. cit.*, p. 143.

2457 *Ibid.*, p. 141.

2458 *Ibid.*, p. 144.

2459 *Ibid.*, p. 320.

2460 *Ibid.*, p. 153.

2461 *Ibid.*, p. 310.

recognition is neither the motivation of the conflict, nor the result of struggles (as it was the case in Hegelian thought). Recognition is here the precondition to any conflict waged in a non-pathological way; it could even be said that it is integral part of how the conflict functions. In any case, the important point is that this legal system, concerning the balance of forces, was applicable only to European spaces. Beyond this line, which divided Europe from the rest of the world, especially the Americas, this European law ceased to have effect. Those lands beyond the line were considered as free spaces because they were not embraced by the old European order²⁴⁶².

“At this “line”, Europe ended and the “New World” began. At any rate, European law, *i.e.*, “European public law”, ended here. Consequently, so, too, did the bracketing of war achieved by traditional European international law, meaning that here the struggle for land-appropriations knew no bounds. Beyond the line was an “overseas” zone in which, for want of any legal limits to war, only the law of the stronger applied”²⁴⁶³.

In these free spaces, “where force could be used freely and ruthlessly”²⁴⁶⁴, a state similar to the Hobbesian state of nature was in force²⁴⁶⁵. Consequently, in this space, war ceased to be a war in form, a war which was not fought against a just enemy but against someone who was considered similar to the criminal: the savage (characteristic of wars of annihilation). Here, war became a colonial war against “wild peoples”²⁴⁶⁶. In final analysis, the spatial order which was established with the land-appropriation of the “New World” was based on the division between spaces where the resort to violence was normalised and spaces of relative peace. It is this legal order which ended with the treaties of peace after 1918 (especially the Treaty of Versailles signed the 28th June 1919) and the creation of the League of Nations (1920). Schmitt sharply criticised this project of a *Weltstaat* and of a world political unification advocated by interstate organisation. Under cover of universalist ideals, the League of Nations defended the American and Britannic interests. Moreover, the idea of a unity of the world is in itself contradictory with the concept of politics based on the distinction between friend and enemy²⁴⁶⁷. In brief, any political concept of the world is self-contradictory²⁴⁶⁸. Thus, the dissolution of the *Jus publicum Europaeum* raises the question of a new *vóμος* of the earth. Here, the very problematic concerning a hypothesis of a spatial order grounded on “greater spaces” appears, spatial units which transcend the states' territories (without forming a global space) and constitute the material base of the *Reiche*. The *Großraum* obviously resonates

²⁴⁶²*Ibid.*, p. 95.

²⁴⁶³*Ibid.*, p. 93-94.

²⁴⁶⁴*Ibid.*, p. 94.

²⁴⁶⁵*Ibid.*, p. 95.

²⁴⁶⁶*Ibid.*, p. 143.

²⁴⁶⁷“The specific political distinction to which political actions and motives can be reduced is that between friend and enemy. This provides a definition in the sense of a criterion and not as an exhaustive definition or one indicative substantial content” . SCHMITT Carl, *The Concept of the Political*, trans. George Schwab, Chicago and London, The University of Chicago Press, 2007 [1932], p. 26.

²⁴⁶⁸On the problem of a political concept of world, cf. KERVÉGAN Jean-François, *Que faire de Carl Schmitt ?*, *op. cit.*, pp. 208-245.

with the theory of the *lebensraum*, especially if we consider that Schmitt elaborates these notions between 1939 and 1941²⁴⁶⁹.

Regardless of Carl Schmitt's affinity with Nazism²⁴⁷⁰, our point is to show that, according to Schmitt, every political and social order is rooted in a spatial order which, *in fine*, is inaugurated by a foundational moment of land-appropriation. Now, the concept of νόμος is at the centre of this reflection, which considers the relationship to the earth as the fundamental given of any political system. Carl Schmitt elaborates the notion of νόμος on the basis of a philological enquiry. This point is fundamental because it is on the field of philology that *Deleuze* and *Guattari* will propose an alternative interpretation of the concept of νόμος. In a famous text entitled "Appropriation/Distribution/Production ("Nehmen/Teilen/Weiden"), Schmitt sets himself the task of recovering the original meaning of the νόμος (*Ursprünglichen Sinn des Nόμος*)²⁴⁷¹. Schmitt recalls that νόμος is generally translated by the word *Gesetz* (the law) but he immediately rules out this translation, arguing that the term has a more original meaning²⁴⁷², meaning which have been eclipsed and covered by the preeminence of the opposition between νόμος and φύσις²⁴⁷³. In other words, the initial signification of νόμος has been forgotten, covered and hidden by its subsequent meanings. In the same way there has been an oblivion of the question of being for Heidegger, for Schmitt there has been an oblivion concerning νόμος, the question concerning 'taking'. To find the true and fundamental meaning of νόμος, Schmitt recalls that this substantive comes from the Greek verb *neimen* which means in German *Nehmen* (to take or to appropriate). Consequently, νόμος is originally related with taking, and especially the taking of land. Secondly, *neimen* means *Teilen*, the German word for "to distribute" or "to divide". The idea of land distribution is here clear. The taking of land is followed by a distribution. Once a group has appropriated land, this land is then divided with lines and distributed to its members. This

2469On the problematic relation between *Großraum* and *Lebensraum*, see PASQUIER Emmanuel, "Carl Schmitt et la circonscription de la guerre: le problème de la mesure dans la doctrine des "grands espaces", *Études internationales*, Vol. 40, n° 1, 2009, pp. 55–72. <https://doi.org/10.7202/037572ar>; MINCA Claudio, and ROWAN Rory, "The question of space in Carl Schmitt", in *Progress in Human Geography*, Vol. 39, n° 3, 2015, pp. 268–289.

2470On that point, see ZARKA Yves Charles, *Un Détail Nazi dans la Pensée de Carl Schmitt*, Paris, PUF, Intervention philosophique, 2005. For a more moderate (but not non-apologetic) point of view, see the already quoted book of Kervégan. KERVÉGAN Jean-François, *Que faire de Carl Schmitt ?*, *op. cit.* Carl Schmitt is obviously read by extreme-right wing authors as Julien Freund or Alain de Benoist but his work (especially *The Concept of the Political*) has also been revisited by left wing philosophers such as Chantal Mouffe. See for instance MOUFFE Chantal, *On the political*, London and New York, Routledge, 2005.

2471SCHMITT Carl, "Appropriation/Distribution/Production: An Attempt to Determine from *Nomos* the Basic Questions of Every Social and Economic Order", in SCHMITT Carl, *The Nomos of the Earth*, *op. cit.*, pp. 324–335. For the german text, see SCHMITT Carl, "Nehmen/Teilen/Weiden. Ein Versuch, die Grundfragen jeder Sozial- und Wirtschaftsordnung vom *Nomos* her richtig zu stellen (1953)", in SCHMITT Carl, *Verfassungsrechtliche Aufsätze aus den Jahren 1924–1954*, Berlin, Duncker & Humblot, 2003. For an interpretation and a discussion of this text, see the already quoted article of Stéphane Haber. HABER Stéphane, "Prendre et donner...", *op. cit.*

2472SCHMITT Carl, *The Nomos of the Earth*, *op. cit.*, p. 70.

2473*Ibid.*, p. 69.

distribution, which gives to every man his own, is called justice and the share that each of them receive is called property. In other words, land distribution leads to land property. This second moment calls for two remarks. First, it should be noted that Schmitt make a clear distinction between property and the foundational moment of taking. Below the level of the individual possession legally recognised (*i.e.*, the level of property), there is a fundamental collective relationship to the world which consists in the appropriation of reality (what we called the “appropriation of nature”). This point is important because, according to us, *Deleuze* and *Guattari* take the opposite side of the thesis: in a word, they denied the fact that the appropriation constitutes the fundamental relationship to the world (if there is for us such a primordial relationship). Or at least their interpretation of the concept of νόμος can be regarded as a refutation of the universality of this relation to the world, which consists in appropriating reality. In other words, all collective relationships to nature are not necessarily mediated by a process of appropriation. Our second remark is that the distributive moment seems to presuppose or require a series of lines drawn in the soil, a gridding which renders possible the distribution of land: “ Νόμος is the *measure* by which the land in particular order is divided and situated”²⁴⁷⁴. Importantly, these lines were likewise mentioned in the passage concerning the threefold roots of the law, the very same passage which opens *The Nomos of the Earth*, and which mentions firms lines that are engraved in the soil (second root) and the “solid ground of the earth is delineated by fences”²⁴⁷⁵. It should be recalled that the importance of lines in the constitution of the *Jus Publicum Europaeum* is also of significance. In fact, it seems that the initial land grab also requires the inscription of lines in the soil. To appropriate a land, a circle must be drawn on the soil (the etymology of νόμος also relates the idea of the spatial enclosure and an enclosing ring)²⁴⁷⁶. In any case, the νόμος is “the first measure of all subsequent measures”²⁴⁷⁷. In *Deleuze* and *Guattari*'s terminology, the νόμος implies a striating of space. Finally, Schmitt concludes his philological enquiry by the third meaning of νόμος, *weiden* (pasturage). A simple distribution is not sufficient, man has to work the land. This is the moment of the production. Buying and selling in the market, and then, the sphere of economy, presupposes the *divisio primaeva* (*i.e.*, the distributive moment), but also production.

Appropriation, distribution, production are the three meaning of the νόμος and thus the three pillars of all social order. Referring to these three pillars as moments of the νόμος could give the impression that there they proceed in a chronological order (or at least an order of importance), and that there is a primacy to land appropriation. In fact, Schmitt contends that the sequence and the

²⁴⁷⁴*Ibid.*, p. 70.

²⁴⁷⁵*Ibid.*, p. 42.

²⁴⁷⁶*Ibid.*, pp. 74-75.

²⁴⁷⁷*Ibid.*, p. 67.

evaluation of these three processes of social and economic life change according to the historical situation. It is even possible to classify political ideologies in accordance with the order given to those processes. Schematically, socialism gives the priority to fair distribution whereas liberalism venerates the production and imperialism glorifies appropriation. However, what is striking in the article of 1953 (and the other writings on the question of νόμος) is the importance that Schmitt gives to taking. First, Schmitt claims that until the Industrial Revolution appropriation was always the precondition of any further distribution and production. In other words, the quasi totality of human history was dominated by taking. Secondly, throughout the text, Schmitt seems to reassert a sort of resurgence of appropriation. He mocks those who want to abolish taking, arguing that an economic system only based on distribution and production would be a utopia, in other words a no-place. Regarding the current question of the unity of the world, he asks: “Has humanity today actually “appropriated” the earth as a unity, so that there is nothing more to be appropriated? Has appropriation really ceased? Is there only division and distribution?”²⁴⁷⁸. In a letter addressed to Kojève, for whom appropriation had ceased with Napoleon, Schmitt answers the following question: “I fear (and see) that the “taking” has not yet ended. Recently I asserted (in a radio discussion for the Frankfurt broadcaster): man remains a son of the Earth”²⁴⁷⁹. That is why we believe that Schmitt's own ideology is based on the primacy of the land appropriation²⁴⁸⁰.

IV.4) Νόμος of the Earth Against the Appropriation of Nature

Like Schmitt, it is within the field of philology that *Deleuze* and Guattari elaborate their concept of νόμος, which is at first glance restricted to the specific problem of nomadic territories. It is on the work of the linguist and hittitologist Emmanuel Laroche that this conceptual elaboration is based. This reference is of some significance since, in another article dedicated to the etymology of νόμος²⁴⁸¹, Carl Schmitt also refers to Laroche's book entitled *Histoire de la Racine de NEM- en Grec Ancien*²⁴⁸². Notwithstanding this, the conclusion that *Deleuze* and Guattari draw from this very same book are different. As Schmitt, they argue that, before being used to mean law during the 5th B.C, the word νόμος designated a certain mode of distribution. However, this mode of distribution

2478SCHMITT Carl, “Appropriation/Distribution/Production...”, op. cit., p. 335.

2479SCHMITT Carl, “Letter addressed to Alexandre Kojève (07/06/1955)”, in “Alexandre Kojève-Carl Schmitt Correspondence and Alexandre Kojève, “Colonialism from a European Perspective”, Edited and translated by Erik de Vries, *Interpretation*, Vol. 29, n° 1, Fall 2001, p. 102 (pp. 91-130).

2480In that we agree with Paul Guilibert. GUILLIBERT Paul, *Terre et Capital*, op. cit., p. 432.

2481SCHMITT Carl, “*Nomos – Nahme – Name*”, in SCHMITT Carl, *The Nomos of the Earth*, op. cit., p. 339.

2482LAROCHÉ Emmanuel, *Histoire de la Racine NEM- en Grec Ancien (νέμω νέμεσις νόμος νομίζω)*, Paris, Librairie C. Klincksieck, 1949.

is very different from any idea of distributive justice or dividing. Laroche shows in this book that νόμος belongs to a family of words (νέμο, νέμεσις and νομίζω) whose common root is *nem-*. In the homeric text, the verb νέμο originally means “to distribute” (*distribuer*) and not “to share something out” or “to divide something up” (*partager*), this meaning being expressed by other words – the French words used by Laroche are respectively “*distribuer*” and “*partager*”²⁴⁸³. It is right to say that there is a strong connection between the act of distributing something and dividing it into shares since most distributions are preceded by a division into shares. Indeed, the division of a whole into different parts is done in order to distribute them – the cake is divided up in order to distribute its part to the guests²⁴⁸⁴. However, *Deleuze* and *Guattari* insists on their difference. There is a distribution which does not proceed from the division of a whole into shares. They note that νόμος also has a pastoral meaning originating from the nomadic way of life. In Laroche's book an entire chapter is dedicated to this point. The linguist contends that in Greek there is an entire system of words which are derivations of νομ-: 1° νομή 2° νομεύς 3° νομός 4° νομάς. In the paragraph dedicated to νομός, Laroche explains that, in Homer's work, the word designates a pastureland in which the shepherd's animals graze. Laroche adds that this pastureland is not enclosed but it is a boundless space:

*“On appelle donc Νόμος un lieu de pâture avec tout le matériel nécessaire pour abriter bêtes et gens. Les traductions proposées “terre découpée, lopin, morceau” ne conviennent pas en tout cas aux poèmes homériques et supposent un ancien νέμο “je partage” que nous devons rejeter. Le pâturage des temps archaïques est en général un espace illimité; ce peut être une forêt, des prés de rivières, un flanc de montagne”*²⁴⁸⁵.

It is also a boundless habitat for nomads: “*En poésie, Νόμος se dit aussi du poulpe, des oiseaux, des abeilles chez Aristote. L'acception humaine se généralise au 5e siècle 'lieu d'habitation sans limites précises, séjour des gens qui se déplacent facilement, de nomades'*”²⁴⁸⁶. In the paragraph dedicated to the fourth derivation, Laroche also relates νομάς to νέμο and νέμομαι: 1° in the active voice (νέμο) νομάς means “to graze (animals)” (in French, “*qui faire paître*”), 2° and in the middle voice (νέμομαι), the same word νομάς means “to graze” (in French, “*qui paît*”) ²⁴⁸⁷. The active voice, νέμο, is especially interesting since it applies to shepherds and nomads, the idea of nomadism forming a complex that gathers three significations: “to pasture”, “to reside” or “to dwell” (in French, *habiter*) and “to expand” (*s'étendre*)²⁴⁸⁸. Laroche notes that the name of the Numidians, those nomadic tribes of North Africa described by historians of the 6th century B.C., comes from νομάδες. It implies a way of life sharply opposed to ploughmen and sedentary

2483 LAROCHE Emmanuel, *Histoire de la Racine NEM- en Grec Ancien*, op. cit., p. 8.

2484 *Ibid.*, p. 7-9.

2485 *Ibid.*, p. 116.

2486 *Ibid.*, p. 117.

2487 *Ibid.*, p. 121.

2488 *Ibid.*, p. 121.

societies. Even more interesting is the conclusion that he draws at the end of the chapter, that is, by studying the four derivations of the root of *nem-*. In Homer's work, νέμο means “to distribute” and “to graze (animals)” but this distribution has nothing to do with any form of sharing (*partage*) or land division. To graze cows amounts to distributing them over the surface of a pastureland, but it has nothing to do with land division. In other words, the distribution of cows over a field cannot be understood as a division of the land and its distribution to those animals²⁴⁸⁹. In fact, the meaning of distribution or land distribution is subsequent to the Homeric period (8th century B.C). During the Solonian period (6th century B.C), the agrarian question, which was a burning political issue, is expressed with words which do not belong to the group of those of νέμο: δατέομαι, διαίρειν, μερίζειν. The meaning of sharing only emerges from the end of the 5th B.C. The idea of sharing and land distribution contains that of land appropriation.

The division of land and its distribution to members of the community implies that they receive a piece of the whole land, and that they appropriate it, whether this appropriation is private or collective, definitive or temporary and conditioned (as in Fichte's philosophy of use and Babeuf's projects of redistribution). In other words, the meaning of sharing and land distribution implies the human appropriation of the soil. Laroche suggests that it is precisely this idea of sharing which, in the homeric period, is absent from the group of words derives from the root *nem-* :

*“la société homérique ne pratiquait pas la propriété des pâturages. Ceux-ci sont indivis; les troupeaux sont poussés un peu à l'aventure, en transhumance, sur des prairies ou dans des forêts qui n'appartient à personne, des communes aux abords des bourgades, des ἐοχατῖαι reculés. Aucun enclos, aucune barrière ne délimite les parcelles, et c'est pourquoi l'ἐπινομία “droit de faire paître” joue un tel rôle dans la vie sociale”*²⁴⁹⁰.

As above, νόμος refers to the pasturelands, boundless spaces in which animals are distributed by the shepherds. Laroche quotes a passage from the *Odyssey* concerning the labour of νομεύς (shepherds):

*“Le νομεύς-porcher a 90 porc à nourrir; il doit protéger son troupeau non seulement contre les fauves mais encore contre les voleurs; il doit choisir des terres à leur convenance et de bonne qualité; il doit surtout répartir ses bêtes en groupes, avec l'aide de ses chiens, les pousser à droite ou à gauche, bref les arranger, les disposer, les séparer ou les regrouper selon les circonstances. Le νομεύς est celui qui νέμει βοῦς ἐν ἄγρῳ; le sens pastoral s'est développé dans une société pour laquelle la nourriture du bétail, sur un sol montagneux et ingrat, était un souci quotidien. Comme l'exprime Eumée lui-même, le bon pâtre engraisse son troupeau, le mauvais le laisse dépérir (...). C'est donc à l'un des sens les plus anciens de νέμο que nous faisons appel (celui précisément qu'on retrouvera à la base de Νόμος): “je répartis, je dispose çà et là”. L'avantage de cette filiation consiste, outre son accord avec les réalités helléniques, dans la possibilité de faire sortir les différentes formes syntaxiques attestées d'un schéma unique. En face de νέμω βοῦς ἐν ἄγρῳ le passif sera tout naturellement βόες νέμονται ἐν ἄγρῳ “les boeufs sont répartis dans le champ”; on évite ainsi le moyen, sémantiquement difficile “les boeufs s'attribuent une part de terre”. Le moyen est en fait un passif”*²⁴⁹¹.

2489 LAROCHE Emmanuel, *Histoire de la Racine NEM- en Grec Ancien*, op. cit., pp. 122-123.

2490 Ibid., p. 124.

2491 Ibid., p. 124.

In this context, the word *vémo* refers to a distribution of the animals in a field without a division of the space, nor appropriation of the soil. Animals are arranged in the field as objects (furnitures, flowers, etc.) in the same way that people are arranged in a given place (a room for example). Or to say it in other words, animals are arranged in the land as members of a popular assembly are spontaneously disposed in a public place. Compared to the distribution of men in a land, the case of the distribution of non-humans in a field clarifies even more the idea of a distribution without appropriation. As said is written in the passage, the distribution of the animals in the field consists of their arrangement, but their disposition in the field but has nothing to do with any form of allocation of the lands to them, which would be somewhat absurd. Indeed, it is hard to understand how oxen could appropriate the portion of land they received from any previous division of the soil. That the oxen are placed and disposed in such or such way or in such or such portion of land is understandable (it is a distribution of the herd over the land); but that they appropriate a portion of land they received from the division of the soil is hardly conceivable. The oxen are distributed in the field and we could even say that each member of the herd is placed in a specific area of that field (in a portion of the whole land); but it cannot be said that these animals take possession of that portion. Oxen are assigned to a portion of the whole land (distribution), but they do not claim and take for themselves a part of the land which has been divided up (sharing out).

The case of animal distribution makes clearer the difference between distribution and a sharing out that is appropriation, but it does not mean that this conceptual distinction cannot not apply to humans. *Deleuze* and *Guattari* makes clear that the nomadic trajectory distributes *people or animals* in an open space²⁴⁹². Consequently, nomads also distribute themselves and spread themselves in a smooth space without parcelling it out or without appropriating the result of this division. In fact, we could even say that these trajectories distribute *people and animals* in these indefinite lands. As we shall see, the nomadic assemblage is not specifically human but includes all sorts of non-human beings. The nomadic assemblage is indeed made of technological elements (saddles, stirrups, etc.), arms, but also animals such as horses and cattle. Even if *Deleuze* and *Guattari* do not make explicit reference to it, it is tempting to refer to what *Melville Herskovits* called the “cattle complex”²⁴⁹³, an expression which designates the set of affective and identity relationships by which nomadic herdsmen of East Africa are connected with their cattle. In societies such as the Nuer, Dinka, Shilluk or Wodaabe, cattle play a central role in their social life and cannot be reduced to a source of protein: men, who are named in reference to bovines, sing to their animals and paint themselves with cowpats, they scarify the body of their beast as they scarify their own

2492DELEUZE and GUATTARI, *MP*, p. 472.

2493HERSKOVITS Melville J., “The cattle complex in East Africa”, *American Anthropologist*, New Series, Vol. 28, n° 1, Jan.-Mar., 1926, pp. 230-272.

body, etc. Anthropologists claim that interpersonal interactions between human persons, which are mediated by the bovine, render possible the emergence of a specific relation of attachment between the animal and its owner²⁴⁹⁴. While *Deleuze* and Guattari do not mention the cattle complex *per se*, they did read Evans-Pritchard, who writes the following lines on the Nuer: “unlike the other sources of their food supply, cattle have more than nutritive interest, being indeed of greater value in their eyes than anything else”²⁴⁹⁵. Consequently, it could be said that the nomadic herdsmen and their cattle form a collective (an assemblage) which distributes itself over the land. It should be noted that distribution is not external to the group which is distributed. By contrast with the text of Laroche quoted above, *Deleuze* and Guattari never say that the distribution of man and animals in the smooth space is organised by an external principle (a shepherd, a chief, etc.). Spontaneously, men and animals distribute themselves in the immensity of the steppes, the desert or other open spaces.

Once again, the important point here is that the distribution that *Deleuze* and Guattari calls the *nomos* has nothing to do with any form of appropriation of the land. In her text, quoted by *Deleuze*, Anny Milovanoff is very clear on that point: “*Refusant de s'approprier l'espace qu'il traverse, le nomade se construit un environnement en laine ou en poil de chèvre, qui ne marque pas le lieu provisoire qu'il occupe. (...) Il laisse l'espace à l'espace*”²⁴⁹⁶. In fact, in *Différence et Répétition*, *Deleuze* had already brought up this non-appropriative relationship with the earth:

“Nous devons d'abord distinguer une distribution qui implique un partage du distribué: il s'agit de répartir le distribué comme tel. (...) Parmi les dieux, chacun a son domaine, sa catégorie, ses attributs, et tous distribuent aux mortels des limites et des lots conformes au destin. Tout autre est une distribution qu'il faut appeler nomadique, un *nomos* nomade, sans propriété, enclos ni mesure. Là, il n'y a plus partage d'un distribué, mais plutôt répartition de ceux qui se distribuent dans un espace ouvert illimité, du moins sans limites précises. Rien ne revient ni n'appartient à personne, mais toutes les personnes sont disposées çà et là, de manière à couvrir le plus d'espace possible. (...) Remplir un espace, se partager en lui, est très différent de partager l'espace. C'est une distribution d'errance et même de “délire”, où les choses se déploient sur toute l'étendue d'un Etre univoque et non partagé”²⁴⁹⁷.

2494 ECZET Jean-Baptiste, “Des hommes et des vaches: L'attachement entre les personnes et leurs bovins en pays Mursi (Éthiopie)”, *Anthropologie et Sociétés*, Vol. 39, n° 1-2, 2015, pp. 121–144, <https://doi.org/10.7202/1030842ar> ; ECZET Jean-Baptiste, “Logiques totémiques dans le *cattle complex*. Sur l'imitation et l'identification avec les bovins”, *Techniques & Culture* [Online], Suppléments au n°73, online since the 1st July 2020, URL : <http://journals.openedition.org/tc/14002>. See also his book ECZET Jean-Baptiste, *Amour Vache. Esthétique Sociale en pays Mursi (Ethiopie)*, Milan and Paris, Mimesis, Ethnologiques, 2019. Descola even says that in those societies, bovines are integral part of the collective. DESCOLA Philippe, *Par-delà Nature et Culture*, *op. cit.*, pp. 447-448.

2495 EVANS-PRITCHARD Edward E., “The Nuer of the Southern Sudan”, FORTES Meyer and EVANS-PRITCHARD Edward E. (eds.), *African Political Systems*, London-New York-Toronto, Oxford University Press, 1950 [1940], p. 272. *Deleuze* and Guattari refers to this article in the plateau entitled “*Micropolitique et segmentarité*”. DELEUZE and GUATTARI, *MP*, p. 255.

2496 MILOVANOFF Anny, “La seconde peau du nomade”, *op. cit.*

2497 DELEUZE Gilles, *DR*, pp. 53-54. It is also worth quoting the footnote which summarises *Deleuze's* interpretation of Laroche's book: “E. Laroche montre que l'idée de distribution dans νόμος-νέμο n'est pas dans un rapport simple avec celle de partage (τέμνω, δαίω, διαίρω). Le sens pastoral de νέμο (faire paître) n'implique que tardivement un partage de la terre. La société homérique ne connaît pas d'enclos ni de propriété des pâturages: il ne s'agit pas de distribuer la terre aux bêtes, mais au contraire de les distribuer elles-mêmes, de les répartir çà et là dans un espace

This passage is rather clear and does not call for any much commentary, except that the nomadic νόμος is a distribution without dividing up and that this distribution is fundamentally opposed to any form of land appropriation. This is hence the lesson that *Deleuze* and Guattari learn from their detour into philology, and it is thus now easier to see how their concept of νόμος is far from Carl Schmitt's political philosophy of the Earth. Understood by Schmitt as an original appropriation of the world, the νόμος defines, according to him, *absolutely all* the forms of relationships to the Earth throughout the history. Societies define themselves by this fundamental act of appropriation. We should even say that it is through this founding act that societies *individuate* themselves. The medieval society is the result of the Great Migrations, which are nothing more than a vast land appropriation; European society was born with the appropriation of the Americas; and finally Schmitt foresees a new society emerging after World War II, which will also be defined by a new spatiality that shall be established by the new powers at stake.

Quite different, then, is the interpretation that *Deleuze* and Guattari give of the νόμος. First, it could be said that they temporarily reduce the scope of that notion. At first, the νόμος is not a universal concept which applies to all societies and their relation with the earth, it simply defines that specific relationship that nomads have with space. We will see that, in a second phase, *Deleuze* and Guattari extend the scope of this notion to define the general concept of territory itself. However, νόμος is first reduced to the specific territoriality which defines nomads. Now our point is that, unlike Schmitt, *Deleuze* and Guattari do not define the νόμος by land appropriation but by a simple distribution over the land, one that occurs without dividing up said land. There are no indications in *Mille Plateaux* that prove how *Deleuze* and Guattari explicitly oppose their concept of νόμος to Schmitt's, just the common reference to the philological work of Emmanuel Laroche. However, one cannot help but think that *Deleuze* and Guattari's texts on the νόμος functions like to a hidden discussion with the German philosopher. The proximity (and also the difference) of their respective reflections on this matter is striking. Be that as it may, our point is that the contrastive comparison with Carl Schmitt's concept of taking land renders evident the nature of the Deleuzian νόμος, which is irreducible to any form of appropriating of the world²⁴⁹⁸.

illimité, forêt ou flanc de montagne. Le νόμος désigne d'abord un lieu d'occupation, mais sans limites précises (par exemple, l'étendue autour d'une ville). D'où aussi le thème du "nomade". DELEUZE Gilles, *DR*, note 1 p. 54.

²⁴⁹⁸The comparison between Deleuze and Schmitt's respective philosophy of Νόμος has had little noticed. To the best of our knowledge Guillaum Sibertin-Blanc is the one of the few who proposed such comparison. SIBERTIN-BLANC Guillaume, *Politique et Etat chez Deleuze et Guattari*, *op. cit.*, pp. 80-101.

IV.5) Dwelling in the Smooth Space

That the relationship nomads have with the earth is not mediated by appropriation does not mean that they have no relation with the land, and that they are completely detached from the surface of the globe. In fact, it is all the contrary: nomadism is a form of *dwelling* in the environment. Nomads do not appropriate the striated space, they *dwell* in a smooth space: “*Le nomade se distribue dans un espace lisse, il occupe, il habite, (...) c'est là son principe territorial*”²⁴⁹⁹. It is precisely for this reason that *Deleuze* and *Guattari* claim that movement is not the essential character which defines nomadism. They even provocatively contend that the nomad does not move:

“*Aussi est-il faux de définir le nomade par le mouvement. Toynbee a profondément raison de suggérer que le nomade est plutôt celui qui ne bouge pas. Alors que le migrant quitte un milieu devenu amorphe ou ingrat, le nomade est celui qui ne part pas, ne veut pas partir, s'accroche à cet espace lisse où la forêt recule, où la steppe ou le désert croissent, et invente le nomadisme comme réponse à ce défi*”²⁵⁰⁰.

These statements are deliberately paradoxical since, according to common sense, nomadism is a lifestyle in perpetual movement. The nomad is generally seen as someone who has no homeland and has, as such, no form of attachment to the land. It is a paroxysm of detachment. Even the migrant is less detached than the nomad since, at least, he had a home (that he left behind) and he is seeking to a new place to settle in. His detachment is provisory. *Deleuze* and *Guattari* reverse this common view: the migrant leaves his home, the nomad remains in his territory. The nomad is not the paroxysm of detachment since he clings on to the land with all his strength. In a word, nomadism is a *form of attachment to the earth*. To establish that point, the authors of *Mille Plateaux* once again use the work of *Toynbee*. *Toynbee* explains nomadism using the same structure to the way he explains other forms of societies, that is, as *response* to a *challenge*²⁵⁰¹. The genesis of societies cannot be explained by mechanical causes such as the influence of race and geographical milieu. At the beginning of a society, there is always a state of disequilibrium, a challenge to which a response must be given in order to restore the balance. This response is not a simple reflex provoked by an external excitation since the restoration of balance proceeds from a *creative act*. Moreover, the disequilibrium does not only come from the natural milieu but also from human milieu. It is this general model which accounts for the birth of nomadism.

Toynbee argues that due to a severe drought which affected a group of nomadic hunters

2499DELEUZE and GUATTARI, *MP*, p. 472.

2500*Ibid*, p. 472.

2501For a good presentation of *Toynbee*'s philosophy of history, see BOURRICAUD François, “Une Vue d'Ensemble sur l'Histoire: L'Œuvre d'Arnold Toynbee”, *Cahiers Internationaux de Sociologie*, Vol. 7, 1949, pp. 169-177; see also DERATHÉ Robert, “Les deux conceptions de l'histoire chez Arnold J. Toynbee”, *Revue française de science politique*, 5th Year, n°1, 1955, pp. 119-128.

from the Transcaspian oasis of Anau which, in response to this trial, chose to adopt a rudimentary form of agriculture²⁵⁰². This new relation to the earth renders possible the domestication of wild animals, especially wolves and jackal which soon are turned into partners, *i.e.*, sheep dogs. Thanks to the food-supplies provided by agriculture, the group is now able to domesticate ruminants. That is when a new drought again affects the region. As the cattle provides a mobile stock of food-supplies, the group recovers its mobility of bygone days. This enables them to leave the oasis to the steppes: “these (...) Eurasians (...) abandoned the now untenable oases and launched themselves and their families and flocks and herds upon the inhospitable surface of the Steppes”²⁵⁰³. Interestingly, Toynbee extols the superiority of nomadism over the husbandman: “The Nomad's life is (...) a triumph of human skill. He manages to live off coarse grasses that he cannot eat himself by transforming them into the milk and flesh of his tame animals, and in order to find subsistence for his cattle, in season and out of season, from the natural vegetation of the bare and parsimonious Steppe he has to adapt his life and movements with meticulous accuracy to a seasonal timetable”²⁵⁰⁴. Therefore, it is the ingenuity of nomads and the creativity of their response that is emphasised. Of course, few lines further into the text, Toynbee adds that this new milieu, in which the nomad has established himself, finally enslaved him insofar as the history of nomadism looks like to a sophistication of the progressive narrative of the becoming of civilisations than a real disruption of evolutionism. Now, the point which holds *Deleuze* and Guattari's interest is the phenomena of reterritorialisation that led the former agriculturists to take up residence in the steppe:

“[they] did not embark as fugitives seeking a farther shore. They abandoned their former staple of agriculture as their ancestors had abandoned their latest acquired art, that of the stock-breeder. They flung themselves upon the Steppe, not to escape beyond its bounds but to make themselves at home on it. They became Nomads”²⁵⁰⁵.

It should be noted that establishing themselves in the steppe, the group adopted a new lifestyle, nomadism, which constitutes the specifically new form of territoriality that they created (the smooth space). Thus, the process of territorialisation leads to a process of collective individuation. Indeed, the territorialisation in the steppe leads to the transformation of an assemblage of sedentary agriculturists into an assemblage of nomads, an assemblage in which humans and non-humans are included and connected.

Leaving aside these general considerations about territorialisation and individuation, the point here is that the arrival in the steppe amounts to the constitution of a new territory and hence the constitution of an abode in which one gets one's bearings and orients oneself. In other words, the

2502 TOYNBEE Arnold J., *A Study of History. Abridgment of Volumes I-VI, op. cit.*, pp. 166-167.

2503 *Ibid.*, p. 168.

2504 *Ibid.*, p. 168-169.

2505 *Ibid.*, p. 168.

nomads dwell in the chaos and ward it off. This is the principle of all forms of dwelling and all form of territorialisations. As said before, territorialisation consists of dwelling in the chaos, and dwelling in the chaos consists of establishing an abode, a set of points of reference without which our existence would be completely disoriented and unbearable. Therefore, if the nomad establishes his home in the steppe, in which he “nomadizes” and follows his customary path, then it cannot be said that he really moves. Indeed, he always remains in his abode and never leaves the steppe. Once again, this is different from the migrant who leaves a point in order to moves to another: nomads do not move from their itinerant territory. This difference appears across various moments of the genesis of nomadism as set forth by Toynbee. The particular moment which led the agriculturist to abandon the oasis of Anau can be said to be a moment of migration and of deterritorialisation: the migrant leaves behind a hostile milieu and settles in another. Nevertheless, from the moment he settles in the steppe and nomadises this smooth space, he should no longer be considered a migrant. Indeed, from that moment onwards, he will do everything it takes to remain in his abode, this smooth space in which he feels at home since he finds his bearings in it. In a word, he is *attached* to the steppe, the desert or the sea.

This paradox has been noticed by anthropologists who, despite the often ethnographical objection that has be raised against these passages of *Mille Plateaux* that are dedicated to nomadism, admit how relevant *Deleuze* and *Guattari's* analysis is from an anthropological and conceptual point of view. Morten Pedersen writes, for example, that the Darhad Mongolian pastoralists “move to remain the same”²⁵⁰⁶. The Mongolian landscape is considered by the Darhad as a “great nomadic void”, a great hole which contains a multiplicity of parallel worlds. Pedersen writes that it resembles a Swiss cheesecake, a whole perforated by multiple (w)holes or rather a hole perforated by a multiplicity of worlds. Several lines run across this immense void: the roads (*zam*) that the Darhad move along but also the paths (*güidel*) that are followed by restless spirits, troubles arising when these two sorts of lines cross. Pedersen qualifies their relationship to the steppe as a form of “undwelling of the landscape”. Indeed, the Darhad endeavour “to *not engage* too much with the world”²⁵⁰⁷. Here, to engage with the world, to get closer to it, amounts to making things more present to the senses, that is, making things visible. This is precisely what the Darhad want to avoid. Little interested by the texture of the soil or the “wider vistas in the far horizon”, they

2506 PEDERSEN Morten Axel, “Moving to Remain the Same: An Anthropological Theory of Nomadism”, in CHARBONIER Pierre, SALMON Gildas and SKAFISH Peter, *Comparative Metaphysics. Ontology After Anthropology*, A cerisy Colloquium, London and New York, Rowman & Littlefield International, Reinventing Critical Theory, 2017, pp. 221-246. See also PEDERSEN Morten Axel, “At Home Away from Homes: Navigating the Taiga in Northern Mongolia”, in KIRBY Peter Wynn (ed.), *Boundless Worlds: an Anthropological Approach to Movement*, New York and Owford, Berghahn Books, 2009, pp. 135-152 and PEDERSEN Morten Axel, “Multiplicity Without Myth: Theorising Darhad Perspectivism”, *Inner Asia*, Vol. 9, n° 2, Special Issue: Perspectivism, 2007, pp. 311-328.

2507 PEDERSEN Morten Axel, “Moving to Remain the Same...”, *op. cit.*, p. 224.

sing when galloping in order to create a distance between their horse and the ground, so that they surf over the surface of the earth (or, in Deleuzian terms they surf over the smooth space of the steppe). However, undwelling the space does not mean making things invisible but *avisible*. Things are neither visible, nor invisible, “they are imbued with a latent intensity, which must be kept dormant at all costs”.²⁵⁰⁸ In fact, the great void, made of *avisible* things and over which the Darhad glide, is what Pedersen calls a non-relational whole or a post-relational outdoor²⁵⁰⁹. Indeed, there are some things (such as the *buumal*, heavenly stones which have fallen down from the sky) that cannot be transformed by shamans and their spirit²⁵¹⁰. They escape from the endless process of shamanic relations of transformation. Pedersen says they are like isolated islands in the relational shamanic ocean²⁵¹¹. The great nomadic void is therefore made up of these “insular objects”. It is a formerly relational whole, which has detached itself from the relational shamanic sea and transformed into a post-relational outdoor, the reason why nomads (and nobody else) can engage with it. This explains why the Darhad cannot but glide over this void. It also explains why it is *avisible*: it does not belong to the invisible beings (spirits), nor to the visible beings.

Pedersen insists on the fact that Mongolian nomads are not wanderers moving at random in the steppe, wherever the wind takes them. Their life and their peregrinations are highly routinised and structured. Each year, they follow the same paths and halt at the same campsites. This ritualisation of migration is also observed in Dukha reindeer breeders, who share many cultural and social traits with the Darhad²⁵¹². For instance, when they leave the camp, they pack their belongings in a very specific order and having once arrived to the new campsite, they unpack their things in exactly the reverse order. Moreover, when men dismantle their tepee, they put three of the wooden poles in the ground and thereby leave behind them the structure of their former habitation. When they reach the new campsite they perform the same ritual but in reverse order: they use the tripartite skeleton of the tepee that they had abandoned the last year and transform it in a new shelter. This repetition of the same operation but reversed that occurs from one campsite to another gives the impression that they take the “home-ish” qualities of the former place to the new one. In fact, the home-ish quality remains a dormant potential in all campsites, a potential which is actualised on the occasion of each new visit. The cairns of stones called *ovoo* should also be mentioned as a significant feature of the Mongolian landscape²⁵¹³. These cairns are genius *loci*, invisible beings that control natural forces (rainfall, diseases and fertility) all of which are essential for the reproduction

²⁵⁰⁸*Ibid.*, p. 226.

²⁵⁰⁹*Ibid.*, p. 238.

²⁵¹⁰*Ibid.*, p. 236.

²⁵¹¹*Ibid.*, p. 236.

²⁵¹²*Ibid.*, p. 227.

²⁵¹³*Ibid.*, p. 228.

of the animal and human life. Functioning as campsites, *ovoo* are places where the Duxa make regular halts and where sacrifice rites are conducted.

The nomadic territory is, therefore, similar to a network comprised of mobile and immobile centres (respectively, nomadic households and *ovoos*), covering the aforementioned immense void of the steppe. The interesting point is that the repetition of the path, the displacement of the home-ish quality from one camp to another, and the regular visits to the cairns finally amounts to a negation of movement. The nomadic territorialisation consists in producing a “home away from home”²⁵¹⁴. Nomadism is not a tireless uprooting from one's home but consists in becoming the same through a systematic act of repetition.

Comparing his theory of the Mongolian nomads with Gregory Delaplace, Pedersen offers a very interesting precision on the question of what should be called a home and what it means for nomads to be attached to the land. In a short article, Delaplace explains that Mongolian nomads deny any attachment to the land and refuse explicitly any form of control over the places²⁵¹⁵. According to a personal communication forwarded to Pedersen, Delaplace argues that nomads deny any attachment to specific places but feel a strong belonging to the whole space, this homeland called *nutag* that they tirelessly travel across²⁵¹⁶. They celebrate the whole space, not particular places. In reverse, Pedersen argues that nomads are attached to specific places at the expense of the whole space: the camp they regularly re-actualise, the cairns, the mountains owned by spirits, etc²⁵¹⁷.

Now, how different are these ideas to *Deleuze* and Guattari's own theory of nomadic territory? For example, do they consider that nomads deny the attachment to specific places but attach themselves to the whole place in which they nomadise? Do the nomads dwell in the whole steppe at the expense of particular points which punctuate their paths? Or, do they consider that a nomads' abode (*i.e.*, territory) is made up of places repeatedly visited and home-ish in quality which are constantly actualised, and to the point that they are constantly producing a home away from homes? In short, does the nomad dwell in the whole space or specific places? As Pedersen suggests, it is right that *Deleuze's* theory of nomadism is closer to Delaplace's than his own. If we refer to Toynbee's text, it seems that the nomad is attached to the whole of the steppe, even if this whole is not closed by clear limits, and if contend that this space is a smooth space.

Earlier it was asserted that the nomads do not appropriate the space but dwell in a smooth space in which they distribute themselves. That the classical notion of territory (defined as the

2514 *Ibid.*, p. 146.

2515 DELAPLACE Gregory, “Habiter le ‘pays’ sans vivre nulle part”, in STÉPANOFF Charles, FERRET Carole, LACAZE Gaëlle and THOREZ Julien, Paris, *Nomadismes d'Asie centrale et septentrionale*, Armand Colin, 2013, pp. 101–103.

2516 PEDERSEN Morten Axel, “Moving to Remain the Same...”, *op. cit.*, p. 234.

2517 *Ibid.*, p. 140.

appropriation of a portion of nature) does not apply to nomadic territoriality appeared even more clearly when it was compared to other modalities of collective relationships to the earth. To close this section on nomadic territorialities, we would like to focus on a text which provides additional support to this interpretation of *Deleuze* and *Guattari's* theory of nomadism. This text follows the beginning of proposition “V” of the *Treaty of Nomadology* that we have just commented on:

“(…) On dira par convention que seule le nomade a un mouvement absolu, c'est-à-dire une vitesse; le mouvement tourbillonnaire ou tournant appartient essentiellement à la machine de guerre. C'est en ce sens que le nomade n'a pas de points, de trajets ni de terre, bien qu'il en ait de toute évidence. Si le nomade peut être appelé le Déterritorialisé par excellence, c'est justement parce que la reterritorialisation ne se fait pas après comme chez le migrant, ni sur autre chose comme chez le sédentaire (en effet, le sédentaire a un rapport avec la terre médiatisé par autre chose, régime de propriété, appareil d'Etat...). Pour le nomade, au contraire, c'est la déterritorialisation qui constitue le rapport à la terre, si bien qu'il se reterritorialise sur la déterritorialisation même. C'est la terre qui déterritorialise elle-même, de telle manière que le nomade y trouve un territoire”²⁵¹⁸.

As already hinted at, the comparative perspective (comparing different types of territory) makes it possible to garner a better understanding of the specificity that such a modes of territorialisation (nomadic) entails, especially its relation to nomadic lifestyle. This comparison could be summarised as follows: whereas the sedentary reterritorialises himself via property and the territorial state, the nomad reterritorialise himself via deterritorialisation itself. First, let us note that the sedentary relationship to the earth paradoxically presupposes a form deterritorialisation. We will return to this point, but for the moment it suffices to say that *Deleuze* and *Guattari* refer to their thesis that property of land, private or public (property of the state or property of private individuals), consists of a deterritorialised relationship between the human being and the land²⁵¹⁹. Whether possessed by individuals or the state, the land becomes an object. Moreover, we will see that, by capturing the land, the State transforms territorialities into Land. In other words, the State deterritorialises and crushes the territorialities²⁵²⁰. Now, this form deterritorialisation implies a form of reterritorialisation on private property and state property of land. Territorialities have been crushed by the territorial State but immediately a territory, the territory of a State (the Land), has been created. And the same works with the private property of land. Consequently, in the case of the sedentaries, the relationship with the earth is *mediated* by two forms of appropriation of the land, property and state territory.

Now, it is precisely this type of mediation which is absent in the nomadic relationship to land. Indeed, the nomad does not reterritorialise via property or state territory but via deterritorialisation itself. What does territorialisation via deterritorialisation mean? Firstly, it should be explained what nomadic territorialisation means? In what sense nomads can be called the

2518DELEUZE and GUATTARI, *MP*, p. 473.

2519*Ibid*, p. 483.

2520*Ibid*, p. 483, 549, 551, 570.

Deterritorialised *par excellence*? Accordingly, this deterritorialisation should be interpreted in two ways which are non-contradictory: 1° nomads are not attached to points nor to paths 2° they are not rooted to the soil by property and the territorial state.

The first lines of the text support the first interpretation. In the paragraph which precedes the text we commented on, *Deleuze* and Guattari made a difference between movement and speed and claimed that nomads are defined by the latter not by the former. Movement consists in the character of a body, considered as one, which goes from a point to another in an extensive space²⁵²¹. By contrast, speed consists in the character of a body whose parts are atoms which occupy and distribute themselves in a smooth space, in the manner of Democritus and Lucretius' vortexes. In other words, nomads are defined by speed, not by movement, because they dwell in a smooth space. In that sense (and it is the beginning of our text), they have no points, no paths. This does not mean that their peregrination is comprised of paths and points since we have already seen that this is the case; but that it is not the essential. What defines their territory, their mode of dwelling the land and their attachment to it, is the occupation of a smooth space, that is, neither lines which are drawn onto the surface of the globe, nor points which punctuate these lines. This is precisely the reason why they are deterritorialised: they are not attached to the place in which they stop, nor the the paths that they repeatedly follow. And this explains then why they find their territory in deterritorialisation itself, that they dwell through a deterritorialised relationship to the land. Given the fact that their principle of territorialisation is distribution in a smooth space, it is, therefore, a detached and deterritorialised relation: hence waterpoints, customary paths, etc. They dwell in deterritorialisation because they dwell in smooth space that is a space detached from fixed point of reference and coordinates (such as an oasis and other points), in other words a deterritorialised space. Once again, this does not mean that there is no form of attachment, for there is a deep attachment to the smooth space and the specific form of its occupation.

According to the second interpretation, nomads are the Deterritorialised *par excellence* because they are not territorialised by property and state territoriality. As argued, their relation to the land is not mediated by these forms of reterritorialisation. It is as if nomads had an immediate relationship with the land. Furthermore, it is worth noting that property and state territoriality are two of the *principal* modalities of the appropriation of land. In fact, it should be noticed that in the text quoted above, *Deleuze* and Guattari do not speak about private property in particular but of a “property regime”, something which seems to include a multiplicity of appropriative regimes (possession, private property, collective property, etc.). In other words, it seems that *Deleuze* and Guattari refer to all regimes as modes of appropriating land. Which means that when they argue

2521 *Ibid*, p. 473.

that the nomadic relation to land is not mediated by a regime of property nor of state territorialisation, they are likewise arguing that the nomadic relation to the world does not consist of any form of appropriation.

We are now able to answer the question asked by *Deleuze* and Guattari at the beginning of proposition V of the *Treaty of Nomadology*: what is the territorial principle of the nomadic assemblage? Above all, what are the singular consequences of this principle? We saw that the points which punctuate the nomadic trajectories are just mere consequences of this principle. More importantly, the principle of nomadic territoriality does not lie in the appropriation of the land but in dwelling of the smooth space. Here, it is important to highlight that the opposition is not between appropriation and dwelling but between the *appropriation* of the land and the dwelling of *the smooth space*. Indeed, even if in the texts commented on they suggest such a thing, it would be incorrect to sharply oppose appropriation and dwelling. For, in a sense, it would not be false to say that the sedentary assemblage, which distributes men in a striated space and gives to each of them a portion of land, is also a form of dwelling in a space. Indeed, if the settled mode life is also a relation to the land and a form of territoriality, and if, as already said, territorialisation in general (whatever the specific forms of territorialities) consists in dwelling in the chaos, then, sedentary peoples also, in their own manner, dwell the space. The difference with nomads is that the striating (land division) and the appropriation of the space are specific to sedentary people's form of dwelling. As the text quoted above demonstrates, sedentary people's relationship with land is mediated by appropriation (whatever the form that this appropriation takes). By contrast, nomads dwell the space without appropriating it.

And this is the fundamental point that we would like to emphasise: nomadic territoriality is a borderline case which reveals the nature of territorialisation itself. Indeed, the case of nomadic territories is the proof that appropriation of nature is not a concept which can be applied to all form of territorialities. In a word, it is not a concept which can be universalised. *A contrario*, what is common to settled lifestyle and nomadism is the dwelling of the space.

It is striking to note that *Deleuze* and Guattari choose to focus on a form of relationship to the earth which had been excluded (or at least underestimated) by Schmitt from his philosophical reflection on νόμος, the nomadic forms of territorialities. In *The Nomos of the Earth*, Schmitt wrote the following :

“Thus, in some form, the constitutive process of a land-appropriation is found at the beginning of the history of every settled people, every commonwealth, every empire. This is true as well for the beginning of every historical epoch. Not only logically, but also historically, land-appropriation precedes the order that follows from it. It constitutes the original spatial order, the source of all further concrete order and all further law. It is the reproductive root in the normative order of history. All further property relations – communal or individual, public or private property, and all

forms of possession and use in society and in international law – derived from this radical title. All subsequent law and everything promulgated and enacted thereafter as decrees and commands are *nourished*, to use Heraclitus' word, by this source²⁵²².

It is as if the stable and lasting appropriation of the land was the fundamental precondition to enter into history and that only settled people were capable of such taking. This seems to presuppose that those who do not durably appropriate land will never be part of history, which seems to be the case for nomads²⁵²³. This blind spot in Schmitt's thought conduced him into underestimating the fact that there are societies whose relation to the earth is not mediated by appropriation and thus to reduce territoriality to a question of land grabbing. *Deleuze* and *Guattari* take precisely the opposing view of this philosophical position since they restore the place of nomadism in the study of the collective relationships to the earth, claiming that it should be considered as the real and true form of territoriality. Especially, they show that nomads have a relationship with land is not mediated by any form of appropriation, which does not mean that it should not be counted as a true form of territoriality. Doing so, they relativise the notion of appropriation. The classic notion of territory, understood as the appropriation of a portion of nature (whatever the specific form it takes), is not conducive to certain forms of relationship to the earth, or to certain forms of territoriality.

We shall now consider all of these consequences as ethnographical facts. Considering that certain forms of territorialisation cannot be described in term of appropriation, we are led to the conclusion that the general concept of territoriality cannot be defined as the appropriation of a portion of the world. Did *Deleuze* and *Guattari* draw this conclusion from their insightful approach to nomadism? Are they led to the conclusion that appropriation is an inappropriate concept (because it is too restrictive) to define territoriality? We would like to put forward such a hypothesis. We believe that nomadic territorialities led *Deleuze* and *Guattari* to revise the concept of territory and to stop defining it in terms of appropriation. Or at least, these specific forms of territoriality had an influence on the way that they elaborated their concept of territory to the point that the traditional identification between territoriality and appropriation became problematic. Now, if we are right and if *Deleuze* and *Guattari* do not reduce territoriality to appropriation, then how do they redefine it? How do we define territoriality once we have ceased to identify it with land appropriation? Here again we will propose a hypothesis: attachment is a more adequate notion in order to account for territoriality. That is what we began to see with the notion of dwelling.

2522SCHMITT Carl, *The Nomos of the Earth*, op. cit., p. 48.

2523Here we agree with Sibertin-blanc's interpretation of Carl Schmitt on that specific point. See SIBERTIN-BLANC Guillaume, *Politique et Etat chez Deleuze et Guattari*, op. cit., p. 80.

IV.6) “A Having More Profound than Being”

In the passage of this fourth part which was dedicated to “human territory”, several texts on territoriality were quoted²⁵²⁴. The specificity of these texts is that they did not refer to a specific form of territoriality but provided a more general concept of territory. This notion was explicitly or implicitly elaborated in reference to the question of νόμος. The text which opens the plateau dedicated to the *Ritournelle* mentioned it explicitly. In substance, it was said that the νόμος is both a distribution in space, an ethos and an abode. This clearly recalls the notion of νόμος that just spoken about in the precedent section. However, *Deleuze* and *Guattari* do not refer to the nomad assemblage. In fact, the context is that of the elaboration of the ethological notion of territory. Consequently, the place of this text on the νόμος indicates that they do not refer to a specific form of territoriality. It is as if *Deleuze* and *Guattari* wanted to give a more general scope to the notion of νόμος. It is as if, in the manner of Carl Schmitt, they consider the νόμος to be a universal feature of all social formations, except the fact that it is not defined by the appropriation. One could even be led to think that they reverse Schmitt's thesis. Instead of leaving aside nomadism, it is as if they consider it as the model of all territoriality. Obviously, this is not the case, this use of the notion of νόμος in the general framework of a reflection on territory is not insignificant. In fact, the appearance of the νόμος in this text suggests that territoriality in general is not exclusively understood as a taking possession of land. As recalled above, it is said that the νόμος as well as territorialisation consist in a distribution in space, but it is not specified that this distribution comes with a dividing up of the land. Whether this is a distribution without dividing up is not specified, since it is not specified if the space in which there is distribution is smooth. What is certain is that if dividing up and appropriation are not mentioned, then these determinations are not an essential moment of territorialisation. To put it in another way, from a general perspective, the first determinations of territorialisation are not appropriation but distribution in some space and dwelling in it. Obviously, in specific cases, in specific forms of territoriality, territorialisation takes the form of the appropriation of a portion of nature, but it is not this specific relation to the world which defines territory in the first place.

A text of the Plateau dedicated to the *Ritournelle* explicitly approaches this problem and gives some precision.

“Peut-on nommer Art ce devenir, cette émergence? Le territoire serait l'effet de l'art. L'artiste, le premier homme qui dresse une borne ou fait une marque... La propriété, de groupe ou individuelle, en découle, même si c'est pour la guerre et l'oppression. La propriété est d'abord artistique, parce que l'art est d'abord affiche, pancarte. Comme dit Lorenz, les poissons de corail sont des affiches. L'expressif est premier par rapport au possessif, les qualités expressives, ou

2524DELEUZE and GUATTARI, *MP*, p. 384; GUATTARI Félix, *L'Inconscient Machinique*, *op. cit.*, p. 109.

matières d'expression sont forcément appropriatives, et constitue un avoir plus profond que l'être. Non pas au sens où ces qualités appartiendraient à un sujet, mais au sens où elles dessinent un territoire qui appartiendra au sujet qui les porte ou qui les produit. Ces qualités sont des signatures, mais la signature, le nom propre, n'est pas la marque constituée d'un sujet, c'est la marque constituante d'un domaine, d'une demeure. La signature n'est pas l'indication d'une personne, c'est la formation hasardeuse d'un domaine. Les demeures ont des noms propres, et sont inspirées"²⁵²⁵.

At first glance this text seems to argue the exact opposite of what the interpretative hypothesis put forward until now since *Deleuze* and *Guattari* relate the emergence of a territory with the inaugural appropriation of land, which opens the second part of Rousseau's *Discours sur l'Origine et les Fondements de l'Inégalité parmi les Hommes*²⁵²⁶. In this sense, it seems that *Deleuze* and *Guattari* consider the process of territorialisation as a form of land appropriation, even if this appropriation may have nothing to do with private property. Territorialisation seems to be what we called the process of the appropriation of nature. Therefore, it is hard to see what distinguish *Deleuze* and *Guattari*'s territory from Schmitt's *νόμος*. Nevertheless, the text is more complex than it would appear at first sight. First, let us note that in the other text in which *Deleuze* and *Guattari* refer to territory as property, the term is put in quotation marks: "*le territoire est fait de fragments décodés de toutes sortes, empruntés aux milieux, mais qui acquièrent alors une valeur de "propriété": même les rythmes prennent un nouveau sens (ritournelle)*"²⁵²⁷. These quotation marks indicate a certain hesitation regarding the adequacy of the vocabulary of appropriation when the reference is made to the process of territorialisation. It is as if the adequate terminology was lacking to express what is really at stake in territorialisation, as if the vocabulary of property was used by default. Moreover, and that is an important point, it should be noted that in the text, property is secondary, it is derived. Indeed, it is said that property derives from the territorial marks produced by the group or the individual. Consequently, matters of expression are primary, and property comes second. What is this primacy of territorial marks by which territory is produced? And why is property said to be secondary? The following lines gives an answer to these questions: the expressive (the territorial marks) are primary in relation to the possessive. However, *Deleuze* and *Guattari* immediately add that these marks are appropriative. Consequently, it should be argued that a first form of appropriation precedes property. It is as if the expressive marks produced a first appropriation and as if this primary taking-possession came before the legally recognised possession (*i.e.*, what we commonly call property). In this case, it would mean that the process of territorialisation is similar to Schmitt's *νόμος* (or even Hegel's possession), *i.e.* a primary taking which is the condition and the base of any further appropriation (private property, collective

²⁵²⁵DELEUZE and GUATTARI, *MP*, p. 388-389.

²⁵²⁶ROUSSEAU Jean-Jacques, *Discours sur l'origine et les fondements de l'inégalité parmi les hommes*, Paris, Gallimard, Folio essais, 1969 [1755], p. 94.

²⁵²⁷DELEUZE and GUATTARI, *MP*, p. 629.

property, etc.). However, we believe that this is not the case. Indeed, *Deleuze* and Guattari add that these expressive and territorial marks through which a territory is formed are in fact a *having* that is more profound than *being*. The reasoning seems to be the following: at first there is a form of having which is more profound than being and this having should not be confused with other forms of having which are less profound than being, or at least forms of having which are at the same level of being. Indeed, to say that there is a form of having more profound than being implicitly suggests that there are other forms of having which do not reach this infra level. We assume here that those forms of having which remain at the surface of being correspond to all of the traditional forms of appropriation we have already encountered: possession, private and collective property, territory captured by the State, etc. We also believe that these forms of having come after being. Indeed, in order to have something, that something must be, it must exist. What I appropriate is necessarily a being. Thus being presupposes all of this form of having. Consequently, the order schematically seems to be the following: 1° there is a primary having more profound than being, 2° being, 3° all forms of having (possession, private property, etc.) by which being is appropriative. Nevertheless, it must still be admitted that, at first glance, this having which is more profound than being sounds very mysterious, and that is hard to find another occurrence of the primacy of having in *Mille Plateaux*. However, *Deleuze* and Guattari indicate in a footnote that to understand this “aesthetic and vital primacy of the “having” one should refer to the work of Gabriel Tarde, the famous rival of Durkheim²⁵²⁸. Once again, it should be noted that the term “having” is put in quotation marks, as if this form of having had nothing to do with what we usually mean by “appropriation”. Here, we are convinced that this primacy of having which is supposed to be found in Tarde's work refers to what some scholars have called his “metaphysic of possession”²⁵²⁹.

A clear exposition of this metaphysics is to be found in Tarde's *Monadologie et Sociologie*²⁵³⁰. The starting point of this essay is that contemporaneous sciences lead us to the fragmentation of being into infinite multiplicities: “*la science tend à pulvériser l'univers, à multiplier indéfiniment les êtres*”²⁵³¹. For instance, cellular theory breaks the unity of living things

2528On the Tarde/Durkheim debate, see Bruno Karsenti's excellent and very clear presentation of *Les Lois de l'Imitation*. TARDE Gabriel, *Les Lois de l'Imitation*, presented by Bruno Karsenti, Paris, Kimé, 1993, pp. VII-XXVI. See also KARSENTI Bruno, “L'imitation. Retour sur le débat entre Durkheim et Tarde”, in CHAUVIRÉ, Christiane, and Ogien, Albert (eds.), *La Régularité. Habitude, Disposition et Savoir-faire dans l'Explication de l'Action*, Paris, EHESS, Raisons pratiques, 2002, pp. 183-205.

2529DEBAISE Didier, “Une métaphysique des possessions. Puissances et sociétés chez Gabriel Tarde”, *Revue de métaphysique et de morale*, PUF, n° 60, 2008/4, pp. 447-460; LATOUR Bruno, “La société comme possession — la “preuve par l'orchestre””, DEBAISE Didier, (ed.), *Philosophie des Possessions*, Dijon, Presses du Réel, 2011, pp. 9-34.

2530In the passage of *Mille Plateaux* just quoted, Deleuze and Guattari do not refer to *Monadologie et Sociologie* but to *L'opposition universelle*. However, we maintain that it is in *Monadologie et Sociologie* that the best significant development on this philosophy of having are found. Moreover, in the passage of *Le Pli. Leibniz et le Baroque* in which he will dedicate Tarde's metaphysic of possessions, Deleuze will explicitly quote to the *Monadologie*. DELEUZE Gilles, *PLB*, p. 147.

2531TARDE Gabriel, *Monadologie et Sociologie*, in TARDE Gabriel, *Essais et Mélanges Sociologiques*, Lyon, A. Storck,

into a multiplicity of elementary organism²⁵³². In turn, sociology and history shows that nations (or societies) are not true beings; they are nothing more than individuals which, through the law of imitation, produce a social body²⁵³³. Physical objects, living beings, societies, etc., can be divided into primary elements (atoms, cells, social individuals) which, in turn, can be divided again and again²⁵³⁴. It all starts with the infinitesimal, and the universe²⁵³⁵ is said to be composed of an infinity of monads which are called “souls” by Tarde. The problem of monadologies, claims Tarde is that if every phenomenon is nothing more than the result of disparate actions emanating from a multitude of agents, it is quite hard to figure out how those souls group and connect together into stabilised and solid unities such as living beings or societies. Why is the result of the action of this multitude of micro agents an increasing concentration and not an increasing dispersion? Why is there order and not disorder? Leibniz' monads remain closed in themselves, and the use of the pre-established harmony's hypothesis is too mysterious to explain their communication. Tarde writes lines on these problematic hypotheses: “*Autant de caractères, autant de mystères, qui embarrassent singulièrement le philosophe. Peut-on espérer de les résoudre en concevant des monades ouvertes qui s'entre-pénétreraient réciproquement au lieu d'être extérieures les unes aux autres? Je le crois et j'observe que, par ce côté encore, les progrès de la science, je ne dis pas contemporaine seulement mais moderne, favorisent l'éclosion d'une monadologie renouvelée*”²⁵³⁶. According to us, this “having more profound than the being” constitutes the solution of the problem of the communication of monads. The communication of monads is phenomena of inter-capture by which all monads mutually capture themselves.

For monads are nothing else than an activity of appropriation: “*tout être veut, non pas s'approprier aux êtres extérieurs, mais se les approprier*”²⁵³⁷. This sentence must not be misunderstood. As highlighted by Didier Debaise, this “appropriative” activity is not to be confused with the appropriation of an object by a subject. Indeed, this “appropriative” process is a process of individuation by which a subject is produced²⁵³⁸. Possession is the process by which a subject or a thing comes into existence. In fact, this individuating appropriation is a *contraction* of a multiplicity²⁵³⁹. At least, this is how *Deleuze* interprets the activity of having at the beginning of

Paris, G. Masson, 1895, p. 321. (pp. 309-390)

2532TARDE Gabriel, *Monadologie et Sociologie*, op. cit., p. 311.

2533TARDE Gabriel, *Monadologie et Sociologie*, op. cit., p. 312.

2534Ibid., p. 313.

2535Ibid., p. 316.

2536Ibid., p. 306.

2537Ibid., p. 375.

2538DEBAISE Didier, “Une métaphysique des possessions...”, op. cit., p. 453.

2539DEBAISE Didier, “Les puissances subjectives de la nature selon Gabriel Tarde”, *Cahiers de philosophie de l'université de Caen* [Online], 54, 2017, online since the 1st February 2019, connection the 26th November 2020.

URL : <http://journals.openedition.org/cpuc/325> ; DOI : <https://doi.org/10.4000/cpuc.325>, p. 142.

Différence et répétition. As explained in the beginning of part IV, the perceptive world but also organisms are the product of a passive synthesis which proceeds by a contraction of instants and material elements²⁵⁴⁰. In other words, starting from an initial heterogeneity, the repetition contracts multiplicities and produces something new, a difference (here a monad). It should be noted here that we do not pass from difference (initial heterogeneity) to something homogeneous. Difference does not diminish with the contraction since we go from external differences (the disparate elements) to an internal difference (the concretion of these elements into something new, *i.e.*, a difference)²⁵⁴¹. In any case, this production of a difference through repetition and contraction is a process of individuation. Consequently, the activity of having which defines the monad is a process of individuation. It has nothing to do with the appropriation of an object by a subject precisely because it is the process by which the subject (and also the object) is produced. The subject (or the monad) is nothing more than the result of contraction (appropriation) of multiplicities. It is *made* of those

2540 Deleuze also uses Whitehead's concept of prehension to designate this contraction: "*Pour Whitehead, l'individu est créativité, formation d'un Nouveau. Si nous appelons élément ce qui a des parties et est une partie, mais aussi ce qui a des propriétés intrinsèques, nous disons que l'individu est une "concréscence" d'éléments. C'est autre chose qu'une connexion ou une conjonction, c'est une préhension: un élément est le donné, le "datum" d'un autre élément qui le préhende. La préhension est l'unité individuelle. Toute chose préhende ses antécédents et ses concomitants et, de proche en proche, préhende un monde. L'œil est une préhension de la lumière. Les vivants préhendent l'eau, la terre, le carbone et les sels. (...) Le vecteur de préhension va du monde au sujet, du datum préhendu au préhendant ("superjet")*". DELEUZE Gilles, *PLB*, p. 105-106.

2541 Deleuze writes: "*N'est-ce pas dire inversement que la répétition aussi est entre deux différences, qu'elle nous fait passer d'un ordre de différence à un autre? Gabriel Tarde assignait ainsi le développement dialectique: la répétition comme passage d'un état des différences générales à la différence singulière, des différences extérieures à la différence interne – bref la répétition comme le différenciant de la différence*". DELEUZE Gilles, *DR*, p. 104. Here Deleuze refers to a passage of *Monadologie et sociologie* in which Tarde intends to answer to an objection addressed to the monadology: if monads are comprised of a multitude of beings, then there is more complexity at the basis of the phenomena than at their submit. The presupposition of this objection is that the result is always more complex than its conditions (its starting point). In other words, this opinion states that we always go from the homogeneous to the heterogeneous (differentiation). Against this hypothesis, Tarde writes that "*la vérité est que la différence va différenciant, que le changement va changeant et qu'en se donnant ainsi pour but à eux-mêmes, le changement et la différence attestent leur caractère nécessaire et absolu; mais il n'est ni ne saurait être prouvé que la différence et le changement augmentent dans le monde ou diminuent*" (TARDE Gabriel, *Monadologie et Sociologie*, *op. cit.*, p. 351). To illustrate his point, Tarde takes a very suggestive example: the phenomena of condensation and crystallisation are the passage from the disparate and free elements of a gas to a liquid or a piece of ice. The starting point is heterogeneity, not homogeneity. However, this does not mean that the result of the contraction (individuation) is the homogeneity: "*Est-ce à dire qu'il y ait eu diminution de différence? Non plus, mais simplement substitution de différences d'un certain genre, intérieures, à des différences d'un autre genre, extérieures les unes aux autres. Exister c'est différer; la différence, à vrai dire, est en un sens le côté substantiel des choses, ce qu'elles ont à la fois de plus propre et de plus commun (...) La différence est l'alpha et l'oméga de l'univers; par elle tout commence, dans les éléments dont la diversité innée, rendue probable par des considérations de divers ordres, justifie seule à mes yeux leur multiplicité; par elle tout finit, dans les phénomènes supérieurs de la pensée et de l'histoire où, rompant enfin les cercles étroits dont elle s'était ensermée elle-même, le tourbillon atomique et le tourbillon vital, s'appuyant sur son propre obstacle, elle surpasse et se transfigure. Toutes les similitudes, toutes les répétitions phénoménales ne me semblent être que des intermédiaires inévitables entre les diversités élémentaires plus ou moins effacées et les diversités transcendantes obtenues par cette partielle immolation*" (TARDE Gabriel, *Monadologie et Sociologie*, *op. cit.*, pp. 355-356). Hence, Deleuze's thesis that repetition is between two differences: "*De ce point de vue, la répétition est entre deux différences, et nous fait passer d'un ordre à un autre de la différence: de la différence externe à la différence interne, de la différence élémentaire, à la différence transcendante, de la différence infinitésimale à la différence personnelle et monadologique. La répétition est donc le processus par lequel la différence n'augmente ni ne diminue, mais "va différenciant" et "se donne pour but à elle-même"*". DELEUZE Gilles, *DR*, note 1, p. 104.

contracted multiplicities.

That the activity of possession has little to do with the appropriation of an object by a subject is also proved by the fact that possession is not unilateral but reciprocal. The monad captures the others, but the others also capture it.²⁵⁴² Indeed, the unilateral possession is in fact just a step toward reciprocal possession. With progress in history, the possession of the slave by the master will be reversed and all masters will be also possessed by their own slave. It is in democratic regimes that this reversal of the possessor-possessed relation takes its full meaning. Indeed, in democracy, the government possesses its citizen because it commands them; but in turn, the citizens possess the government since it is elected by them (what is called the popular sovereignty). Tarde takes an example which echoes our own concerns. Thanks to the construction of a railway the train brings products from the sea to a small and isolated town of a plateau²⁵⁴³. In a sense, this town extends its territory and appropriates a part of the littoral. However, the reverse is also true since the fishermen's clientele has grown to include people living in the town. Consequently the town is also a part of the maritime territory which appropriates it. In other words, town and sea are in a reciprocal relation of possession. Here is the answer to the problem of communication: the monad does not remain closed in itself precisely because it is moved by the desire to appropriate the others which in turn appropriates it. This inter-capture explains mutual attraction and thus, the formation of all sorts of organism (physical, biological, social, etc.), the passage of an aggregate to a society²⁵⁴⁴. In other words, reciprocal possession is the agent of a collective individuation. In a famous passage of *Monadologie and Sociologie*, Tarde defines society as a reciprocal possession: “*Qu'est-ce que la société? On pourrait la définir à notre point de vue: la possession réciproque, sous des formes extrêmement variées, de tous par chacun*”²⁵⁴⁵. It should be noted that the concept of society here has a maximal extension since every concretion of a multiplicity is considered as a *fait social*²⁵⁴⁶. There are human societies as there are animal societies, cellular societies and even atomic societies. Therefore, it is not the organism which is the model of society but society which is the model of the organism. And society is not the whole which overhangs and dominates its parts but the precarious result of a multiplicity of inter-capturing processes that progressively produce something new by contraction. As Didier Debaise writes, harmony is not pre-established but

2542In *Le Pli*, Deleuze notes that: “*ce nouveau domaine de l'avoir ne nous introduit pas dans un calme élément qui serait celui du propriétaire et de la propriété bien déterminée, une fois pour toute. Ce qui se règle dans le domaine de l'avoir, à travers la propriété, ce sont les rapports mouvants et perpétuellement remaniés des monades entre elles, tant du point de vue de l'harmonie où on les considère “chacune à chacune”, que du point de vue de l'union où on les considère “les unes et les autres”*”. DELEUZE Gilles, *PLB*, p. 148.

2543TARDE Gabriel, *Monadologie et Sociologie*, op. cit., p. 370.

2544Ibid., p. 377.

2545Ibid., p. 370.

2546Ibid., p. 338.

emergent²⁵⁴⁷.

It is immediately clear the interest that such a theory of reciprocal possession could have from the perspective of a theory of territorial attachments. Indeed, this theory introduces the idea that our relation with the others things found in our environment (human or not) are not unilateral but always inscribed in reciprocity. It is certainly possible to find an echo of this theory in the phenomena of transcoding already mentioned at the beginning of this part. We saw how some animals capture a part of the world of others so as to integrate it into their own world and reciprocally, as well as how these double captures produce communication between worlds and the movement of composition between heterogeneous beings. The already mentioned coadaptation between the bumble bee and the snapdragon blossom provides a significant illustration of these process of composition. These phenomena of inter-capture are not reduced to the animal realm since it also concerns relations between humans and non-humans. Here, we may recall *Deleuze* and *Guattari's* theory of becomings. Indeed, one of the regimes of becoming consists in the capture of the other's way of feeling and perceiving, for instance, the capture of the animal's feeling. In this sense, becoming-animal does not consist in becoming an animal but means enveloping myself its way of feeling and to see my own sensibility be distorted and altered by this foreign way of perceiving that inhabits me. This is the case of captain Ahab, who feels as the sperm whale feels and is able to anticipate its reaction and to follow it every move²⁵⁴⁸.

In any case, this “philosophy of having” compels us to reverse the traditional metaphysics of being:

“Toute la philosophie s'est fondée jusqu'ici sur le verbe Etre, dont la définition semblait la pierre philosophale à découvrir. On peut affirmer que, si elle eût été fondée sur le verbe Avoir, bien des débats stériles, bien des piétinements de l'esprit sur place aurait été évités. - De ce principe, je suis, impossible de déduire, malgré toute la subtilité du monde, nulle autre existence que la mienne; de là, la négation de la réalité extérieure. Mais posez d'abord ce postulat: “J'ai” comme fait fondamental, l'eu et l'ayant sont donnés à la fois comme inséparables”²⁵⁴⁹.

This metaphysics of having should not be confounded with the capitalists “thirst of having” that, as saw at the beginning of the second part of this work, Marx and Moses Hess sharply

2547DEBAISE Didier, “Une métaphysique des possessions...”, *op. cit.*, p. 460.

2548“*Il y a bien une question historique de l'agencement : tels éléments hétérogènes pris dans la fonction, les circonstances où ils sont pris, l'ensemble des rapports qui unissent à tel moment l'homme, l'animal, les outils, le milieu. Mais aussi l'homme ne cesse de devenir-animal, de devenir outil, de devenir-milieu d'après une autre question dans ces agencements mêmes. (...) Le marin de Melville devient albatros, quand l'albatros devient lui-même extraordinaire blancheur, pure vibration de blanc (et le devenir-baleine du capitain Achab fait bloc avec le devenir-blanc de Moby Dick, pure blanche muraille)*”. DELEUZE and PARNET, *D*, pp. 88-89. On the regimes of becoming and on the paradigmatic example of Ahab's relationship with Moby Dick, see the brilliant analysis by ZOURABICHVILI François, “Qu'est-ce qu'un devenir, pour Gilles Deleuze ?”, Lecture given at Horlieu (Lyon) 27 March 1997, Horlieu Editions, <https://horlieu-editions.com/brochures/zourabichvili-qu-est-ce-qu-un-devenir-pour-gilles-deleuze.pdf>. ZOURABICHVILI François, “Six notes sur le percept. Sur le rapport de la critique et de la clinique chez Deleuze”, in JDEY Adnen, *Gilles Deleuze, la Logique du Sensible: Esthétique et Clinique*, Grenoble, De l'incidence, 2013.

2549TARDE Gabriel, *Monadologie et Sociologie*, *op. cit.*, p. 371.

denounced. For this “sense of having” so characteristic of the capitalist regime presupposes that a subject already exists. It presupposes that a subject already individuated appropriates an object which is also already individuated. Quite the reverse, Tarde and *Deleuze's* philosophy of having is situated below the level of the subject and the object since “*Tout s'explique à ses yeux par des propriétés, non par des entités*”²⁵⁵⁰. At this level, what we should call rightly “pre-individual”, there are no stable, constituted and fixed entities (neither subject, nor object), just individuating processes of contraction. *Deleuze* says exactly the same at the beginning of *Différence et Répétition*: the I (*le Moi*) is not something given but something which is *formed* by a multitude of contraction. The I is *just* is a result of *unconscious* passive syntheses, it is not primary but secondary: “*Il y a moi dès que s'établit quelque part une contemplation furtive, dès que fonctionne quelque part une machine à contracter, capable un moment de soutirer une différence à la répétition. Le moi n'a pas de modification, il est lui-même une modification, ce terme désignant précisément la différence soutirée*”²⁵⁵¹. *Deleuze* highlights that all processes of contraction operate independently from the will of the subject (hence the use of the term “passive”) hence why the second part of *Différence et Répétition* can be read as a project of the dissolution of the subject²⁵⁵². But in our perspective, what really matters is that the processes of having comes before the ontological constitution of the subject and the object. It is in this sense that the following lines must be understood: “*Finalement, on n'est que ce qu'on a, c'est par un avoir que l'être se forme ici, ou que le moi passif est*”²⁵⁵³. “I am what I have” does not mean that my being is defined by a will of appropriating the world. This would presupposes a preexistent “I”, this would presupposes that I am first and second, I want to have. “I am what I have” means that my being is a result of having, a process of prehension. This being, which desires appropriating an object of the world, has been first formed by a process of prehension of multiplicities. This philosophy of having does not postulate a preexisting subject, which then would appropriate its environment; this philosophy states that this subject has been *ontologically constituted* by a multitude of processes of capture. In addition, it should be said that once the individuation has occurred, the subject does not possess the things it captured as an object: the subject is *made of* these multiplicities captured and actualised. The “I am what I have” means that I am made of what I have (I am made of what has been contracted).

We are now able to explain the expression “a having more profound than being”. This

2550 *Ibid.*, p. 372.

2551 *DELEUZE Gilles, DR*, p. 107.

2552 “*Les mois sont des sujets larvaires; le monde des synthèse passives constitue le système du moi, dans des conditions à déterminer, mais le système du moi dissous*”. *DELEUZE Gilles, DR*, p. 107. On the “destitution” of the subject in *Différence et répétition*, see *BOUANICHE Arnaud, Gilles Deleuze, Une Introduction*, Paris, La Découverte, Pocket, Agora, 2007, pp. 118-119.

2553 *DELEUZE Gilles, DR*, p. 107.

having is not the appropriation of an object by a subject, but an operation of individuation by which virtual multiplicities are captured to form a being, whether this being be a subject or an object. Consequently, model proposed early should be maintained: 1° before any constitution of an object or a subject, there is a multitude of processes of prehension by which multiplicities are selected, captured and then contracted. This is the level of having that is more profound than being. 2° these preindividual processes of possession produce a difference, something new: the being. Then the subject, but also the object is individuated. 3° Once individuated, the subject might (or not) relate to the object by the mediation of an operation of appropriation. In other words, the individuated subject might (or not) take possession of the individuated object, whatever the form this appropriation may take (possession, private property, collective property, etc). Therefore, when *Deleuze* and *Guattari* write that the expressive marks constitute a having which is more profound than being, they mean that these marks produce a concretion of multiplicities from which a territory emerges. Expressive matters are appropriative not because a subject uses them to appropriate the environment; they are appropriative because they select multiplicities, a selection which produces the individuation of territory. What does it mean concretely? Here, the formation of a milieu should be taken as a model. Milieu emerge from a process of contractions of a multiplicity of elements (water, nitrogen, carbon, sulphate, etc.)²⁵⁵⁴. Likewise, territories emerge from the concretion of the internal forces of the earth selected by the “sieve” (or the filter)²⁵⁵⁵. Even more concretely, we said that territories are made up of portions of internal milieu, external milieu and even intermediary milieu. Suffice to say that these portions of milieu are transformed into expressive matters and contracted to form a territory²⁵⁵⁶.

IV.7) Machinic Assemblages and *Collectifs*: Toward a Theory of Attachment?

Here, an objection could be formulated against our hypothesis that *Deleuze* and *Guattari*'s concept of territorialisation should not be confused with a process of appropriation. For, as one might object, it might be admitted that the expressive marks are appropriative in the sense that they contract multiplicities from which the territory emerges; but who (or what) produces these matters of expression? A bird, a fish, a group of humans, in short, *a subject* which, through marking the space, builds (or individuates) a territory and thus *appropriates a piece of its environment*. In other

2554DELEUZE Gilles, *DR*, p. 102.

2555DELEUZE and GUATTARI, *MP*, p. 382.

2556On the relevance of this comparison between the text of *Différence et Répétition* on contraction and the text of *Mille Plateau* on the primacy of having see LAPOUJADE David, *Deleuze. Les Mouvements Aberrants*, *op. cit.*, p. 66-69.

words, we are not so far from the model we precisely want to avoid, that of the *appropriation of nature*. This objection is serious and it should be fully taken in consideration.

We would like to answer to this objection by arguing that territory is not a product of an individual or a collective subject (which appropriates a portion of the world) but of an assemblage. As hinted above, assemblage is equivalent to Spinoza's modes, which also means that they are not defined by consciousness or any form of subjectivity²⁵⁵⁷. This also means that we cannot think of the assemblage as a human subject, a collective subject (a society), nor even as a non-human subject (which would be modelled on human subjectivity). As repeated several times, assemblages are collections (concretions) of heterogeneous elements, which are both human and non-human. This means that we cannot represent territorialisation as a process through which a human subjectivity (collective or not) appropriates exteriority. To understand this point, it is necessary to have a look at the idea, which appears in *Mille plateaux*, that assemblages gather heterogeneous pieces that are indiscriminately human and non-human:

*“Sous son aspect matériel matériel ou machinique, un agencement ne nous semble pas renvoyer à une production de biens, mais à un état précis de mélange de corps dans une société, comprenant toutes les attractions et répulsions, les pénétrations et expansions qui affectent les corps de toutes sortes les uns par rapport aux autres. Un régime alimentaire, un régime sexuel règlent avant tout des mélanges des corps obligatoires, nécessaires ou permis. Même la technologie a tort de considérer les outils pour eux-mêmes: ceux-ci n'existent que par rapport aux mélanges qu'ils rendent possibles ou qui les rendent possibles. L'étrier entraîne une nouvelle symbiose homme-cheval, laquelle entraîne en même temps de nouvelles armes et de nouveaux instruments. Les outils ne sont pas séparables des symbioses ou alliages qui définissent un agencement machinique Nature-Société. Ils présupposent une machine sociale qui les sélectionne et les prend dans son “phylum”: une société se définit par ses alliages et non par ses outils. Et de même sous son aspect collectif ou sémiotique, l'agencement ne renvoie pas à une productivité de langage, mais à des régimes de signes, à une machine d'expression dont les variables déterminent l'usage des éléments de langue. Pas plus que les outils ces éléments ne valent par eux-mêmes. Il y a un primat d'un agencement machinique des corps sur les outils et les biens, primat d'un agencement collectif d'énonciation sur la langue et les mots”*²⁵⁵⁸.

Before commenting on this text, it should be noted that any reader of contemporaneous anthropology cannot fail to be struck by the similarity of these assertions with the notion of the “collective” (*collectif*) proposed by Bruno Latour and subsequently by Descola. Indeed, Latour, who claims to go beyond the former Constitution which compartmentalised the world in two separated chambers (nature reserved for experts and society understood as the place of the political) defines a collective not as an already-established unit but as a process, a *work* (or a procedure) of collecting heterogeneous entities (microbes, technical objects, humans, etc.) through deliberative procedures in order to form an association of humans and non-humans²⁵⁵⁹. Descola revisits this notion in the framework of his comparative study on collective interactions with their environment

2557DELEUZE Gilles, *SPP*, pp. 28-33.

2558DELEUZE and GUATTARI, *MP*, p. 114.

2559LATOUR Bruno, *Politiques de la Nature. Comment faire entrer les Sciences en Démocratie*, Paris, La Découverte, Armillaire, 1999. 94. See also p. 351.

and proposes to define the collective as “*une forme stabilisée d'association entre des êtres qui peuvent être ontologiquement homogènes ou hétérogènes, et dont aussi bien les principes de composition que les modes de relation entre les éléments sont spécifiés et susceptibles d'être abordés réflexivement par les membres humains de ces associations*”²⁵⁶⁰. We cannot fail but to observe the differences between these respective definitions from the point of view of their content, their theoretical context and the sort of problems they answer to. For instance, Descola notes that the stability and the clear limits of the assemblages of humans and non-humans is one of the main characteristics by which his own concept of collective is distinguished from Latour's association of human and non-humans²⁵⁶¹. As hinted above, Latour's collective is not a stable substance but a *process* of collection which has no end. Descola especially highlights that Latour's collective is a network whose frontiers, *de jure* inexistent, are established by the researcher. In this sense, Latour's collective is indissociable from Actor-Network Theory and his early works concerning “science studies”²⁵⁶². The methodological principle which underlies these works is the principle of symmetry, which presupposes that modern science must be studied as ethnologists study non-modern societies, *i.e.*, considering that laboratories are not cut off from the rest of the world and that the production of knowledge involves a multitude of external domains and actors (engineer, jurists, vicars, etc.)²⁵⁶³. Pasteur did not work lonely in his laboratory, but he must be placed into a vast network of actors (hygienists, army doctors, peasants, vets) which inter-define each other²⁵⁶⁴. There is no separation between society and science, nor an influence of the former on the latter but a co-production of the social and the scientific world. These networks are made of humans but also of non-humans, which must be considered as *actors*, insofar as they “*make the other agents do things*” (and reciprocally)²⁵⁶⁵. As just hinted, the reproach Descola addresses to such theory is that the contours

2560DESCOLA Philippe, *Les Usages de la Terre...* 2015-2016, *op. cit.*, p. 482-483. We quoted the summary of one of his lectures at the Collège de France because it has the merit of being very clear and complete. However the notion has been fully developed in a chapter of *Par-delà nature et culture* entitled DESCOLA Philippe, *Par-delà Nature et Culture*, *op. cit.*, pp. 341-385.

2561DESCOLA Philippe, *Par-delà Nature et Culture*, *op. cit.*, p. 496.

2562On the Actor-Network-Theory, see LATOUR Bruno, *Reassembling the Social, An Introduction to Actor-Network-Theory*, Oxford and New York, Oxford University Press, 2005. For a good summary of this theory, see LATOUR Bruno, *Enquête sur les Modes d'Existence: Une Anthropologie des Modernes*, Paris, La Découverte, 2012, pp. 42-53. On Latour's Actor-Network-Theory see the very enlightening commentaries of VRIES Gerard de, *Bruno Latour. Une Introduction*, trans. Fleur Courtois-l'Heureux, Paris, La Découverte, Repères, 2018, pp. 111-124.

2563On this version of the principle of symmetry see LATOUR Bruno, “Comment redistribuer le Grand Partage”, in *Revue de Synthèse*, n° 110, April/ June, 1983, pp. 203-236. The principle of symmetry has in fact various acceptations. Latour distinguishes for example a “first principle of symmetry” and a generalised principle of symmetry”. LATOUR Bruno, *Nous n'avons jamais été Modernes. Essai d'Anthropologie Symétrique*, Paris, La Découverte, La Découverte-Poche, 1997, p. 125 and pp. 128-131. For a clarification of these different versions of the principle, see CHARBONNIER Pierre, *Les rapports collectifs à l'environnement naturel*, *op. cit.*, p. 408.

2564LATOUR Bruno, *Pasteur: Guerre et Paix des Microbes, suivi de Irréductions*, Paris, La Découverte, La Découverte-Poche, 2001.

2565The definition of the as a “making one do” is opposed to the alternative between action understood as mastery and pure passivity. See LATOUR Bruno, and STARK MONIQUE Girard, “Factures/Fractures: From the Concept of Network to the Concept of Attachment”, *RES: Anthropology and Aesthetics*, n° 36, Factura, Autumn, 1999, pp. 20-31. See

of such networks are hard to determine. In addition, Latour's approach presupposes that a collective differs from another only by the quantity of non-humans they include (that is the principal difference between what makes the “difference” between modern and non-modern collectives)²⁵⁶⁶. Consequently, it is quite hard to distinguish them (since the difference is not qualitative but quantitative), thus to compare them. In other words, any differential comparison of different collectives become impossible²⁵⁶⁷. For that reason, through a structural analysis, Descola proposes to pay more attention to the instituted devices (*dispositifs institués*) which organise the production of these intertwinements between humans and non-humans. This requires a structural analysis, which through differential comparison brings out a finite and non-random set of structures that produce these assemblages. This is the role played by the schemas of identification (which establish differences and similarities between the human and non-human entities of the world²⁵⁶⁸) but also and above all the schemas of relation (which give a specific form and content to the interactions between beings²⁵⁶⁹). It is, thus, the stabilised and instituted collective forms of the experience which enable the anthropologist to identify the limits of any given collective.

Through this brief summary of the various discussions concerning the notion of the collective, we hope to draw the attention on two things. First, that there is a possible comparison between the concept of the collective and *Deleuze's* assemblage but also that this comparison cannot be made only on the fact that these notions redefine the social as a hybridisation of human and non-human relations. Second, as for the concept of the collective, it would be insufficient and reductive to understand *Deleuze's* statement on the hybrid composition of the assemblage as a simple intention of going beyond nature and society. Indeed, the thesis that an assemblage is defined by certain amalgamations may well be relevant to a philosophy of territory that privileges attachments to non-humans over the appropriation of the world. But first, it is needed to set those assertions in the argumentative context of *Mille Plateaux* and to recall the problem they answer to.

It is not entirely cogent to our current argument to give a detailed review of all of the problems and debates which led *Deleuze* and Guattari to redefine the social in terms of amalgamations and machinic assemblages; we shall therefore limit ourselves to the problem of technology and its relation to such a redefinition²⁵⁷⁰. Unlike classical historians of technology,

also LATOUR Bruno, *Reassembling the Social*, op. cit., pp. 106-109; LATOUR Bruno, *Changer de Société, Refaire de la Sociologie*, trans. Nicolas Guilhot, Paris, La Découverte, Armillaire, 2006, pp. 153-157.

2566 LATOUR Bruno, *Nous n'avons jamais été Modernes*, op. cit., pp. 146-147.

2567 DESCOLA Philippe, *L'écologie des autres*, op. cit., pp. 70-71; DESCOLA Philippe, “À propos de *Par-delà nature et culture*”, *Tracés. Revue de Sciences humaines* [Online], 12, 2007, online since the 18th April 2008, connection the 22th July 2021. URL : <http://journals.openedition.org/traces/229>; DOI: <https://doi.org/10.4000/traces.229>

2568 DESCOLA Philippe, *Par-delà Nature et Culture*, op. cit., p. 163.

2569 *Ibid.*, p. 425.

2570 For a full review of those problems to which the theory of social machine answers, see SIBERTIN-BLANC Guillaume, *Politique et Clinique*, op. cit., p. 145-168.

which consider tools and weapons in isolation and against technological determinism, *Deleuze* and *Guattari* argue that technical objects must be placed within a machinic assemblage which selects them and makes them work: “*le primat très général de l'agencement machinique et collectif sur l'élément technique vaut partout, pour les outils comme pour les armes. Les armes et les outils sont des conséquences, rien que des conséquences*”²⁵⁷¹. Indeed, technology does not exist independently from the intertwinements between beings that the assemblage is composed of. Tools are considered to be pieces of a larger machine which are selected according to the other machinations of this assemblage, like the many cogs of a machines. Furthermore, these cogs are both natural and social, they are indiscriminately biological, ecological, religious, economic, etc. For instance, using *Lynn White's* studies on medieval technology, *Deleuze* and *Guattari* argue that in the Middle Age the plough cannot be separated from a set of elements which are both technological, climatic, social, etc.: “*la charrue n'existe comme outil spécifique que dans un ensemble où les “champs ouverts allongés” dominant, où le cheval tend à remplacer le boeuf en tant qu'animal de trait, où la terre commence à subir un assollement triennal, et où l'économie devient communale*”²⁵⁷². First, the choice between the scratch-plough and the heavy plough depends on the quality of the soil: the former is adapted to the arid lands of the Mediterranean, whereas the latter is more suited to wet and heavy soils. For that reason, the heavy plough was preferred in the regions of Northern Europe where wet summers are common²⁵⁷³. The adoption of the heavy ploughs in this area of Europe also depended on the form of fields, the animals, the organisation of labour and the organisation of collective life²⁵⁷⁴. Indeed, because the plough was drawn by eight oxen, peasants, who rarely owned such number of animals, were compelled to pool their teams and to share their tools. Such pooling implied the replacement of the “old square shape of field” with the vast and “fenceless open fields”. Finally, a powerful village council of peasant was needed to settle the disputes. Here, we see how the plough is just one piece in a wide chain of determinations which has no clearly defined beginning or end. One of the specificities of *Deleuze's* interpretation of *White's* work (who sometimes falls into technological determinism²⁵⁷⁵) is that no piece prevails over the others. This does not mean, however that technology has no effect within the assemblage and is entirely determined by social factors. *Deleuze* and *Guattari* do not exchange technological determinism for

2571 *DELEUZE* and *GUATTARI*, *MP*, p. 496.

2572 *Ibid*, p. 497.

2573 *WHITE* *Lynn Jr.*, *Medieval Technology and Social Change*, London-Oxford-New York, Oxford University Press, 1974 [1962], p. 41.

2574 *WHITE* *Lynn Jr.*, *Medieval Technology and Social Change*, *op. cit.*, p. 44.

2575 On the problem of *White's* determinism see the excellent article of *Alex Roland* who provides a full review of the criticisms addressed into *Medieval Technology and Social Change* *ROLAND* *Alex*, “Once More into the Stirrups: *Lynn White Jr.*, “Medieval Technology and Social Change””, in *Technology and Culture*, Vol. 44, n° 3, Jul., 2003, pp. 574-585. See also, *QUENET* *Grégory*, *Qu'est-ce que l'Histoire Environnementale*, *op. cit.*, pp. 230-234.

the social determinism. Moreover, the role played by the animal within the assemblage should not be minimised: the horse, the interaction of its feet, sensible to the moisture, with the moist soil of Northern Europe, its harness and its nail horseshoe, etc., must also be taken in consideration²⁵⁷⁶. Reciprocally, the animal must also be related to the other pieces of the assemblage: “*un animal se définit moins par son genre ou son espèce, ses organes et ses fonctions, que par les agencements dans lesquels il entre*”²⁵⁷⁷. The case of the introduction of the stirrup is here paradigmatic. Indeed, the introduction of the stirrup reinforces the seat of the rider on his mount: it gives to the rider a “lateral support in addition to the front and the back support offered by pommel and cantle”²⁵⁷⁸. Thus this new technology produces a true symbiosis between the man and the horse. However, technology is in turn determined by this tremendous unity: since his seat ceased to be precarious, the rider is now able to wield a sword or to hold a lance between his upper arm and his body. Deleuze adds that the invention of the stirrup is not sufficient and that its selection within the assemblage depends on a new relation to the land (especially the redistribution of the Church’s land conducted Charles Martel after the battle of Poitiers in 733), to the games, to women, etc.. Therefore, there is no primacy of one cog of the machine over another: no preeminence of social factors, no centrality of technology, no ecological determinism either. In fact, the heterogeneous entities, which are gathered by the assemblage, inter-define and inter-determine each other in an immanent way: “*Ici comme ailleurs, c’est l’ensemble des affects qui se transforment et circulent dans un agencement de symbiose défini par le co-fonctionnement de ses parties hétérogènes*”²⁵⁷⁹. Care should be taken not to misinterpret this co-functioning. First, it is worth recalling that it does not mean that each piece of the machine is homogenised since one of the particularities of assemblage theory is that it is a concretion of very different elements which remain always heterogeneous. In a word, there is no opposition between connections and heterogeneity. An assemblage is a connection of heterogeneities which remain heterogeneous. Secondly, and more importantly, the unity of the assemblage is not that of a transcendent whole overhanging its parts and organising them from the outside. As Deleuze writes, “*la seule unité de l’agencement est de co-fonctionnement: c’est une symbiose, une “sympathie”. Ce qui est important, ce ne sont jamais les filiations, mais les alliances et les alliages; ce ne sont pas les hérédités, les descendances, mais les contagions, les épidémies, le vent*”²⁵⁸⁰. This amounts to say that the unity of the assemblage is not different and external from its parts, there is a multitude of local connections between the pieces and the cogs of the machine. This unity is thus immanent to the co-functioning of the heterogeneous

2576WHITE Lynn Jr., *Medieval Technology and Social Change*, op. cit., p. 57.

2577DELEUZE and PARNET, *D*, p. 84.

2578WHITE Lynn Jr., *Medieval Technology and Social Change*, op. cit., p. 2.

2579DELEUZE and PARNET, *D*, p. 85.

2580Ibid, p. 84.

parts.

Having briefly recalled the specific argumentative context concerning intertwinement of human and non-human entities in assemblages, we would now like to draw some parallels with the aforementioned notion of the collective and then to return to our first concern (*i.e.*, the consequences that this theory of amalgamation has on the concept of territorialisation).

First, it should be noted that, though this theory of amalgamations aims to answer to the problems raised by technology, it should not be reduced to this specific field of problematisation. The multiple examples so far cited in this part of thesis reveal that assemblages are made up of humans, tools, weapons, but also animals, spirits, invisible beings, etc. This is most probably due to *Deleuze* and *Guattari*'s reading of anthropological literature in which non-humans are omnipresent (without their presence being always thematised as such by anthropologists). This is particularly true if we think about the case of the nomads. As aforementioned, one of the sources for their *Treaty of Nomadology* is the passages that *Toynbee* dedicates to precapitalist societies. In a passage from *A Study of History*, *Toynbee* notes that two characteristics which are common to “arrested societies”, are “casts and specialization”:

“In the Eskimo Society there are two castes: the human hunters and their canine auxiliaries. In the Nomadic society there are three: the human shepherds, their animal auxiliaries and their cattle. In the Ottoman Society we find the equivalents of the three castes of the Nomadic Society with the substitutions of human beings for animals. Whereas the polymorphic body social of Nomadism is constituted by the assemblage in a single society of human beings and animals who could none of them survive on the Steppe without their partners, the polymorphic Ottoman body social is constituted by the opposite process of differentiating a naturally homogeneous humanity into human castes which are treated as though they were different species of animals; but for our present purpose this difference can be ignored. The Eskimo's dog and the Nomad's horse and camel are half humanized by their partnership with man, whereas the Ottoman subject population, the Ra'iyeh (which means “flock”), and the Laconian Helots are half dehumanized through being treated as cattle. Other human partners in these association are specialized into “monsters”. The perfect Spartiate is a Martian, the perfect Janissary a monk, the perfect Nomad a Centaur, the perfect Eskimo a Merman. The whole point of the contrasts which *Pericles* draws, in the Funeral Oration, between Athens and her enemy is that the Athenian is a man, made in the image of God, whereas the Spartan is a war-robot. As for the Eskimos and the Nomads, the descriptions given by observers all agree in asserting that these specialists have carried their skill to such a point that the man-boat in the one case and the man-horse in the other manoeuvre as organic units. Thus Eskimos, Nomads, “Osmanlis and Spartiates achieve what they achieve by discarding as far as possible the infinite variety of human nature and assuming an inflexible animal nature instead”²⁵⁸¹.

This long excerpt has been cited in order not to omit the strong evolutionist content of this text. Furthermore, the poor ethnographical material on which this text is based should also be noted. All readers of *Toynbee* must not neglect these two problematic aspects of his text. However, our point is not to comment on his text for itself but to focus on the aspects which might have held the attention of *Deleuze* and *Guattari*. To put it another way, we are interested in their selective interpretation of this text, an interpretation which can hardly be accused of being evolutionist since

2581 *TOYNBEE* Arnold J., *A Study of History. Abridgment of Volumes I-VI*, op. cit., pp. 181-182.

in *Mille Plateaux*, their theory of social formations is explicitly elaborated against evolutionism²⁵⁸². One of the aspects of Toynbee's development on nomadism is that he defines the society of the steppe as a “composite society constituted by the Nomads and their non-human flocks”²⁵⁸³. Even more interestingly, this assemblage of humans and non-humans is conceived in terms of reciprocity: the flocks yield their milk and their meat and in exchange humans protect them and secure for them their livelihood. The interaction cannot be reduced to an exchange of matter and energy since the text quoted above emphasizes the fact that animals are considered as half-humans and are treated as partners. In other words, the role that the animal plays in the assemblage is not marginal but central. Consequently, it should not be surprising that *Deleuze* and Guattari insist several times that nomads form a concrete assemblage made of humans, weapons as well as animals: “*ce que les nomades inventent, c'est l'agencement homme-animal-arme, homme-cheval-arc*”²⁵⁸⁴. Of course, this passage is still also related to the question of the nomads' weapons and the question of technology. But the specific case of nomads is one animals and other non-humans occupy a non-marginal place in the assemblage. We could also mention the texts that *Deleuze* and Guattari dedicate to Clastres' ethnography of the Guayaki Indians. We especially think about the touching article that *Deleuze* writes at the occasion of the publication of Pierre Clastres's *Chronique des indiens Guayaki*²⁵⁸⁵. In the text entitled “*Des indiens contés avec amour*”²⁵⁸⁶, *Deleuze* shows that this concrete assemblage (which actualises a virtual process of warding off-anticipation) is made of a multitude of conjunctions and disjunctions: the conjunction hunter-forest-bow-animal, the conjunction woman-basket-camp²⁵⁸⁷, but also the conjunction dead body-living body in cannibalism, which ensures the disjunction living beings-dead souls²⁵⁸⁸. Here, our intention is to demonstrate how the theory of amalgamations, which includes non-humans within the assemblage, is not reduced to the problem of technology. The psychoanalytic case of little Hans should also be mentioned here since it consists in a connection between the horse, the street, the omnibus and peepee-maker which have nothing to do with tools.

Moreover, in order not to offer any false interpretive thesis concerning amalgamations, two pitfalls should be avoided: 1° the reduction of this theory to the vague thesis that “everything is

2582 See DELEUZE Gilles, *Appareils d'Etat et Machine de Guerre, Cours à l'Université de Vincennes*, 13/11/1979, <https://www.webdeleuze.com/textes/236>. On that point, see the criticisms addressed to Pierre Clastres. DELEUZE and GUATTARI, *MP*, p. 445 and also p. 534-535. see also their theory of coexistences in DELEUZE and GUATTARI, *MP*, pp. 542-544.

2583 TOYNBEE Arnold J., *A Study of History. Abridgment of Volumes I-VI*, op. cit., p. 172.

2584 DELEUZE and GUATTARI, *MP*, p. 503.

2585 CLASTRES Pierre, *Chronique des Indiens Guayaki. Ce que savent les Aché, Chasseurs Nomades du Paraguay*, Paris, Press Pocket, Terre humaine poche, 1988 [1972].

2586 DELEUZE Gilles, “Des Indiens contés avec amour”, in DELEUZE Gilles, *Lettres et Autres Textes*, edited by David Lapoujade, Minuit, Paradoxe, 2015, pp. 195-197.

2587 On these two first connections see Clastres, CLASTRES, Pierre, *La Société contre l'Etat*, op. cit., pp. 88-111.

2588 CLASTRES Pierre, *Chronique des Indiens Guayaki*, op. cit., p. 272-274.

connected with everything” 2° the reduction of this theory the simplistic idea that social sciences should include non-humans in any sociological analysis (or worse, that the material world is a part of the social). We hope that the previous development on technological problem prevents the first of these confusions. For the moment, we will, therefore, focus briefly on the second problem²⁵⁸⁹. To offer the thesis of the co-functioning of all heterogeneous parts in an assemblage of nature and society requires more than saying that the machine is made up of non-human beings; it consists in showing concretely that non-human pieces play a real role within the assemblage. In other words, it must be concretely established how these pieces determine the others. Using Latour's terminology we are even tempted to say that what needs to be demonstrated is how non-human pieces *act* on the others, *i.e.*, how they have a form of agency (not in the sense that they do something, but that they “make one do something”). The case of the Yanomami's concrete assemblage already developed earlier is perhaps the best example which illustrates this point since animal spirits play a political role. Indeed, *Deleuze* emphasises the fact that each spirit, as human lineages, is endowed with a micro power attached to a specific area of the collective assemblage. This territorial dispersion wards off the concentration of power which might lead to the emergence of the State. Consequently, non-humans play a central role in the assemblage since they actualise the abstract machine of warding off-anticipation. In turn, humans react since the shaman intends to capture these non-human centres of power. Finally, *Deleuze* argues that dispersion here is more powerful than the effect of concentration, which remains marginal in their social and cosmological life. This example convincingly demonstrates that non-human pieces of the assemblage are not simply integrated in a network of connections, but that they play a political role, as do humans and other pieces of the assemblage. Therefore, non-human pieces are not only said to be included in the assemblage but also have an active role which cannot be restricted to their simple presence in this composition of bodies. Stirrups, horses, animal spirits are not just piece of matter added into the assemblage; they participate actively in its functioning.

It should be admitted that the similarity with Latour's collectives is rather striking since, as mentioned earlier, the claims that non-human entities have an agency, a terms he translates in French by *puissance d'agir*²⁵⁹⁰. To consider that non-humans are actors does not mean that they are endowed with human intentional actions or that they possess a freedom which enables them to master and control the world. In fact, according to Latour, it is not clear whether even humans themselves have such power. Indeed, as structuralism established, individuals are a pure product of

2589For a more further details on that first problem see SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, p. 159.

2590LATOUR Bruno, *Face à Gaïa*, *op. cit.*, p. 67. On this thesis that non-human are actors, see VRIES Gerard de, *Bruno Latour*, *op. cit.*, p. 118 sq.

the structure in which they find themselves in, that is, a “speaker is spoken by the structure of language”²⁵⁹¹. However, the problem of this approach is that it annihilates the idea of action itself, reducing the individual to a pure passivity. Action is to be considered neither as a pure autonomy, an emancipation of all determinations (ideal of mastery), nor as a pure product of structure (pure passivity); action is nothing apart from its attachments, *i.e.*, those immense networks through which agents act and are acted upon. Once again, Pasteur would have never had any efficacy without the hygienists and doctors around his; his “ideas” would have never been diffused if they have not been appropriated, displaced and *translated* by other actors in their own language²⁵⁹². Agency is not a power of doing or a power of acting directly on things so as to control them. It is not defined as an autonomy detached from any attachment but, more modestly, as the capacity of *making the other do something*. This form of action is between pure intentional freedom and pure passivity. To use an example of Latour, it is not that the puppeteer (autonomous subject) *controls* his puppet (passive subject), nor that the puppet (the structure) determines the puppeteer (the individual determined by social structure): in fact, the puppet makes the puppeteer *do* something, which means that the puppeteer 1° is not acting autonomously by himself 2° but he is still acting²⁵⁹³. Here, the action is shared, and it could be said that it lies in the attachment more than in one of the agents of the situation. Agency consists in producing real effects, which change the situation through the intermediary of the other agents that participate in the chain of action. It means that non-humans (as much as humans) are capable of modifying a given situation, but only within the chains of action that are produced by the other agent. Latour writes that they are “capable of making one do things that no one, neither you nor they, can control”²⁵⁹⁴. For instance, Pasteur's microbes modified French society from the top down. Indeed, through Pasteur, but also through the hygienists, they rendered possible the cleaning up of towns (digging drains, demanding running water, light, clean air, etc.): “*ce que permettent le microbe et la transformation de la microbiologie en science achevée, c'est de rendre indiscutables les plans d'assainissement à long terme*”²⁵⁹⁵. Now, the microbes cannot produce any form action independently from the vast network which connects Pasteur and his followers (hygienists, army doctors, etc., all those agents interacting on and interdefining each other) but they do make human do something. Indeed, there is no action apart from the connection with the other, or to put in another way, from the attachments to the others. Pasteur is able to impose himself thanks to hygienists and hygienists impose their politics thanks to Pasteur but also and above all thanks to the microbes. There is no liberty apart from networks of attachments.

2591LATOUR Bruno, and STARK MONIQUE Girard, “Factures/Fractures...”, *op. cit.*, p. 24.

2592LATOUR Bruno, *Pasteur: Guerre et Paix des Microbes*, *op. cit.*, pp. 32-33.

2593LATOUR Bruno, and STARK MONIQUE Girard, “Factures/Fractures...”, *op. cit.*, p. 25.

2594LATOUR Bruno, and STARK MONIQUE Girard, “Factures/Fractures...”, *op. cit.*, p. 22.

2595LATOUR Bruno, *Pasteur: Guerre et Paix des Microbes*, *op. cit.*, p. 94.

This is maybe another thing that Latour's and *Deleuze's* philosophies have in common: the way that they define attachments. First, as already demonstrated, attachment is not reduced to rootedness. Second, attachment is not first of all a question of personal feelings. In the common acceptation of the term, attachment is related to the question of love, tenderness and other feelings. Roughly speaking, love, tenderness and other feelings are the cause of a durable relation with an object or a person which is loved. It is, for example, the love for the native land which attaches Lamartine to Milly.

*“Pourquoi le prononcer ce nom de la patrie?
Dans son brillant exil mon coeur en a frémi;
Il résonne de loin dans mon âme attendrie,
Comme les pas connus ou la voix d'un ami.*

*Montagnes que voilait le brouillard de l'automne,
Vallons que tapissait le givre du matin,
Saules dont l'émondeur effeuillait la couronne,
Vieilles tours que le soir dorait le lointain,*

*Murs noircis par les ans, coteaux, sentier rapide,
Fontaine où les pasteurs accroupis tour à tour
Attendaient goutte à goutte une eau rare et limpide,
Et, leur urne à la main, s'entretenaient du jour;*

*Chaumière où du foyer étincelait la flamme,
Toits que le pèlerin aimait à voir fumer,
Objets inanimés: avez-vous donc une âme
Qui s'attache à notre âme et la force d'aimer?”²⁵⁹⁶*

The poet is not attached to a magnificent otherworldliness but to his more modest native land that he cherishes:

*“Enfin un sol sans ombre et des cieux sans couleur,
Et des vallons sans onde! – Et c'est là qu'est mon coeur!
Ce sont là les séjours, les sites, les rivages
Dont mon âme attendrie évoque les images,
Et dont pendant les nuits mes songes les plus beaux
Pour enchanter mes yeux composent leurs tableaux!”²⁵⁹⁷*

Attachment to the land and subjective feelings coming from the heart are one and the same thing. Now, Latour and *Deleuze* disconnect attachment from subjective emotions such as love. Attachment consists first of all in the ties between things (*liens*). According to Latour, attachment is the name of those ties which “render existence possible”, those connection through which action is possible. Attachments are not the binds which enslave and alienate the individual. They replace the former opposition between attachment (understood as chains) and detachment (the autonomy detached from any ties): they are those ties which make possible the “making one do”: “at all

²⁵⁹⁶LAMARTINE Alphonse de, *Milly ou la Terre Natale*, in *Œuvres Complètes de M. de Lamartine*, T. II, *Harmonies Poétiques et Religieuses*, Paris, Charles Gosselin, Furne et C^{ie}, 1842, p. 159.

²⁵⁹⁷LAMARTINE Alphonse de, *Milly ou la Terre Natale*, *op. cit.*, p. 163.

points of the network of attachments, the node is that of a “make-make [faire-faire]”²⁵⁹⁸.

Even if *Deleuze* and Guattari do not use the terminology of attachment, we believe that, in certain of its aspects, his Spinozist theory of modal assemblages could be interpreted as a theory of attachments. Indeed, this theory involves a deep reflection on the composition of bodies within the assemblage. A horse is not defined by its species, organs or functions but in relation to the assemblages by which it is captured²⁵⁹⁹. The reference to Spinoza's thesis that an animal is defined by its capacity of affecting and being affected by other bodies is quasi explicit²⁶⁰⁰. A body (a horse, a stirrup, an animal spirit, etc.) is defined by this capacity of being affected by other bodies, as well as by its capacity to compose its relations with another body's relations. What a body is capable of cannot be known beforehand, *i.e.* before it combines its relations with the others in an assemblage. It is only through these combinations and encounters with other bodies that the body is capable of increasing its power of acting. In other words, it is by entering into composition with another body that a body is able to act. From this Spinozist perspective, freedom is not derived by extracting ourselves from the world and the network of relations that we have with other bodies; on the contrary, it is only through the multiplication of our relations with the world and other bodies that we may increase our power of acting, and we become free. In other words, freedom is not defined as a detachment but as an attachment to other beings (human or not) of the world. As in Latour's philosophy of networks, attachment is not a question of subjective feelings but a matter of affect and the composition of affects. Now, and this is a point that both *Deleuze* and Latour highlight, not all attachments are necessarily good²⁶⁰¹. There are certain encounters which destroy our relations of motion and rest, and others which increase our power of acting since the other's relations combine with mine. As it well known, Ethics do not consist in being either attached or detached from everything but in organising our encounters with the other modes, which is only possible through the combination of two principles, experiment (one can never know beforehand what will result from an encounter) and prudence (we should never throw ourselves into any composition).

The last parallel between assemblages and Latourian collectives will allow us to return to what was the original matter of concern, *i.e.*, the problem of asserting that having is more profound than being. In both cases, the role played by human beings within the assemblage is relativised. In the collective, as in the assemblage, there is no primacy of human subjectivity which, like the other non-human entities, is just a piece of the concrete machine. This amounts to say that it is the assemblage of humans and non-humans and not human subjectivity that produces the

2598LATOUR Bruno, and STARK MONIQUE Girard, “Factures/Fractures...”, *op. cit.*, p. 29.

2599DELEUZE and PARNET, *D*, p. 84.

2600DELEUZE Gilles, *SPP*, p. 168.

2601LATOUR Bruno, and STARK MONIQUE Girard, “Factures/Fractures...”, *op. cit.*, ; DELEUZE Gilles, *SPP*, p.34.

“appropriative” marks by which the territory is produced. Consequently, it becomes impossible to describe territorialisation as the appropriation of a portion of nature by a group of humans, or by a human subject (collective or not), precisely because it is an assemblage, not a human being, which produces the territory through expressive marks. Indeed, we are very far from the thesis that dominated anthropology, but also in modern philosophy, that collective relationships to the earth are mediated by the process of appropriation of nature which presupposes an appropriator such as the human subject

Nevertheless, this explanation is still imprecise since it presupposes that assemblages and territories are two different things. Our previous description gave the impression that an assemblage of humans and non-humans constitutes itself through a set of connections between various entities, and that they enter in relation with the land through a process of territorialisation that implies the production of expressive marks. It is as if the assemblage remained exterior to the territory. It is as if there were two different things, both separated: 1° the constitution of a *territory* through a concretion of different materials on the one hand, 2° and, on the other hand, the *assemblage* which produced the expressive matters by which the same territory is produced. In other words, it is as if territory was exterior to the assemblage. We believe that this view is still approximative. In fact, territory is not a concretion of pieces of milieu external to the assemblage. Indeed, there are several times that *Deleuze* and *Guattari* insist on the fact it is *the assemblage itself which is territorial*:

*“Les agencements sont déjà autre chose que les strates. Ils se font pourtant dans les strates, mais ils opèrent dans des zones de décodage des milieux un territoire. Tout agencement est d'abord territorial. La première règle concrète des agencements, c'est de découvrir la territorialité qu'ils enveloppent, car il y en a toujours une (...)”*²⁶⁰².

The territory produced by the assemblage is not external to it. The assemblage is first territorial, which means that, strictly speaking, the territory is a part of this collective of human and non-human beings, it the first floor of the edifice. As a concretion of material elements, the territory is itself a part of the assemblage, it is its basis. Consequently, there is no fundamental difference between the contraction of elements drawn from the milieu and the selection of other pieces and cogs of the assemblage (tools, animals, humans, animal spirit, etc.). To give an approximative image, it could be said that the construction of the machinic assemblage begins with a contraction of the elements from the milieu which is then followed by a contraction of other pieces (the human and non human bodies). Of course, the comparison with an edifice offers an incorrect image, however, we make use of it in order to convey the idea that the assemblage and selection of pieces of milieu and the selection of the rest of the bodies which compose the assemblage are one

²⁶⁰²DELEUZE and GUATTARI, *MP*, p. 629. See also: “Le territoire est le premier agencement, la première chose qui fasse agencement, l'agencement est d'abord territorial”. DELEUZE and GUATTARI, *MP*, p. 397.

and the same process of concretion (or at least do not differ in nature). Consequently, the contraction of several pieces of milieu to form a territory should be seen as the selection of the firsts pieces which compose the assemblage. In other words, territory is part of the being of the machine itself. Consequently, the idea that “having is more profound than being” has nothing to do with the appropriation of a portion of nature: it is a process of contraction by which the being of the assemblage is produced. In other words, the assemblage is made up of those elements captured by the process of territorialisation. Territorialisation, as the selection of the other bodies, is the concretion of elements which enter into the composition of the assemblage. In this sense, territorialisation participates in the individuation of the collective assemblage. Once again, this process of individuation cannot be seen as a form of appropriation of nature since the elements captured at the occasion of territorialisation are not objects appropriated by a subject, but pieces integrated into the ontological constitution of the assemblage itself.

We shall put forward the following hypothesis: 1° if the composition of different bodies' power of acting is considered as form of attachment, 2° if the constitution of an assemblage consists in the capture of bodies which combine their relation of motion and rest, 3° if this combination is considered as an attachment, 4° if this combination of bodies does not differ fundamentally from that by which a territory is formed, 5° then territorialisation is a process of attachment.

Here, we claim to reconcile two statement of *Mille Plateaux* which are apparently contradictory: 1° nomads territoriality is not a relationship to the earth mediated by a process of appropriation of the exteriority, 2° in the frame of the general theory of territory, territorialisation is tantamount to the production of appropriative marks which are “a having that more profound that being”. Such a reconciliation was necessary since the particular case of nomadic territorialities seemed to contradict the general theory of territory. Indeed, if the primacy of having was interpreted as a process of appropriation of an object by the subject, then the process of territorialisation would amount to the appropriation of a portion of nature by a group or an individual. In this case, the specific case of nomads, whose territoriality is not based on appropriation, would be contradictory with the general theory of territory. Now, territorialisation has been defined as a process of individuation through which an assemblage contracts elements which compose its being, a process which cannot be identified with the appropriation of a portion of the world by a subject. Consequently, there is no contradiction with the specific case of the nomad's relationship to the land. In fact, we believe that it is this case which compelled *Deleuze* and *Guattari* to disconnect the general theory of territorialisation from the notion of the “appropriation of nature”.

This does not mean that the relation with the earth is never mediated by a process of

appropriation. We simply claim that this mediation is not what defines territorialisation in first place. What defines territorialisation is first a process of attachment and in second place, this attachment may take the form of a mode of appropriation of nature (though, once again, it is not necessary).

V) Struggles for territory: A step toward a grammar of attachments

In the previous chapters, we intended to show how *Deleuze* and Guattari's considerations on territoriality allowed us to avoid the traps in which the classical grammars of conflict (Having, Being, and Action) had fallen into, traps which blocked the possibility of elaborating a true grammar of ecological conflicts. In particular, it was established that territorialisation was neither a process of *detachment* through which groups negate and transcend the determinations of the natural milieu, nor a form of *rootedness*, which enchains individuals to the soil. In addition, a territory was not defined first as a portion of the world *appropriated* by individuals or groups but as a series of contractions by which a collective of humans and non-humans constitute their interiority. In other words, there is no separation between the interiority of the group and its “exteriority”, no difference between the assemblage and its territory. I am what I “have”, I am “my” territory. Therefore, *Deleuze* and Guattari opened a path toward a theory of attachment, a path which will be followed by Bruno Latour and , through the intermediary of the latter, by Philippe Descola.

This redefinition of territoriality in terms of attachment opens a new perspective on struggles for land as well as ecological conflicts. Indeed, changes of perspective regarding the collective interaction with the environment which underlie the conflictual interactions between humans *opens* the possibility of a change regarding the nature of the conflict itself. Admittedly, the relations between the infrastructure of the conflict (the collective relationships with the environment) and the conflict itself are not simple or mechanical. The identification of collective relationships with the earth with a process of appropriation does not necessarily lead to the conceptualisation of conflictuality in terms of having (primitive war, redistribution). For instance, the definition of interactions with nature in terms of possession is perfectly articulated with a conflict centred on recognition (see the second part of this thesis). Nevertheless, what is sure is that the redefinition of collective interactions with the land opens to a transformation of the nature of the grammars of struggle. Our hypothesis is that this shift from the traditional view of territory (which defines territorialisation as a process of taking land) to a theory of territorial attachments opens the door to a shift from struggles for appropriation of land to struggles against the destruction of

attachments (and thus to ecological conflicts). This last chapter deals with this double conceptual shift. We focus on the redefinition of conflictuality implied by the theory of territorial attachments. First, we track the texts of *Mille Plateaux* in which this shift toward territorial conflicts appears. In order to do so, we focus on the passages which are dedicated to territorial conflicts between the State and “primitive” societies. We especially argue that it is possible to find in these texts an interpretation of the classical thematic of ethnocide in terms of territoriality. Second, we focus on some ethnographic cases which prove the relevancy of this conceptual shift.

V.1) An Ecological Reading of the “Primitive Accumulation”

In this section, we propose to examine some passages of *Mille Plateaux* dedicated to the question of territorial conflicts. We believe that, inasmuch as *Deleuze* and *Guattari* have redefined territoriality in terms of attachment, these conflicts can be interpreted in such a way that the conflictual dynamic is no longer centred on the question of appropriation but on the destruction of the territorial attachments which define an assemblage (*i.e.*, a collective). In other words, the redefinition of territoriality makes the shift from conflicts for land to conflicts for attachment possible.

In this regard, *Deleuze* and *Guattari*'s reinterpretation of primitive accumulation is a good entry point to this shift toward conflicts against the destruction of territories. As is brilliantly demonstrated by *Sibertin-Blanc*, their theory of the apparatus of capture revisits Marx's analysis on initial accumulation, a reinterpretation which places the State violence at the centre of this historical process²⁶⁰³. Following *Sibertin-Blanc*'s indications, we argue that their reading of Marx opens up an “ecological interpretation” of these first moments of capitalism in the sense that they shift the centre of gravity of the analysis.

Usually, the texts that Marx dedicates to the beginning of capitalism are interpreted in terms of conflicts for appropriation. According to this interpretation, the history of early capitalism is the history of the *dispossession* of men from their means of production, especially from their land. *David Harvey*, one of the representatives of this reading in terms of having, calls “accumulation by dispossession” this historical eviction by which European populations were expropriated from their land by capitalists²⁶⁰⁴. Notably, he argues that this specific form of accumulation should not be relegated to the prehistory of capitalism since, in its current phase, the capitalist mode of production

2603 *SIBERTIN-BLANC* Guillaume, *Politique et Clinique*, *op. cit.*, pp. 418-421; *SIBERTIN-BLANC* Guillaume, *Politique et Etat chez Deleuze et Guattari*, *op. cit.*, p. 66 sq.

2604 *HARVEY* David, *A Companion to Marx's Capital*, *op. cit.*, pp. 311-313.

is still based on massive expropriations (a reason why he prefers the expression “accumulation by dispossession” to “original accumulation”²⁶⁰⁵). In a word, “primitive accumulation” is not primitive and never really disappeared, as the expropriation of peasant population in Latin America and South East Asia by extractive industries proves²⁶⁰⁶. Now, the beginnings of capitalism have also been described in terms of *destruction*, not only in terms of appropriation-expropriation. Witness what Polanyi wrote about the birth of self-adjusting markets: “such an institution could not exist for any length of time without annihilating the human and natural substance of society; it would have physically destroyed man and transformed his surroundings into a wilderness”²⁶⁰⁷. *Deleuze* and *Guattari*'s reading of Marx's primitive accumulation is closer to this ecological interpretation than *Harvey*'s own interpretation in terms of dispossession. In particular, we argue that, in *Mille Plateaux*, the original accumulation amounts to a *destruction* of “primitive” territorialities, *i.e.*, to a dislocation of “pre-capitalist” attachments. With *Deleuze* and *Guattari*, we shift from an interpretation of this historical sequence in terms of dispossession to an interpretation in terms of spatial transformations and territorial destructions.

Before getting to this point, we should recall briefly what Marx means by “initial accumulation” and the problem that this concept answers to. In Chapter XXVI of *Capital*, which is dedicated to the “secrete of the primitive accumulation” Marx seeks to answer an economic problem that stems from the analysis of the process of accumulation. In the first lines of the chapter, he recalls his previous analysis of capitalism: money is transformed into capital, capital produces surplus value and surplus value produces more capital. The problem is that this formula of capital leads to a “vicious circle”, since the accumulation of capital presupposes surplus value which in turn presupposes capitalistic production, which finally presupposes 1° a mass of capital, 2° a mass of labourers who sell their labour power. In other words, the accumulation of more capital presupposes an initial capital, which amounts to saying that the capital presupposes itself. It is this initial stock of capital which must be explained.

Political economy proposed a solution to this enigma: the first stock of capital was accumulated thanks to “diligent, intelligent, and, above all, frugal elite”²⁶⁰⁸. These industrious men worked hard and accumulated wealth by working hard. This story is a pure fiction Marx argues

2605 *Ibid.*, p. 310.

2606 HARVEY David, *A Companion to Marx's Capital*, *op. cit.*, p. 308.

2607 POLANYI Karl, *The Great Transformation*, *op. cit.*, p. 3. According to him, “to allow the market mechanism to be sole director of the fate of human beings and their natural environment (...) would result in the demolition of society (...). Nature would be reduced to its elements, neighbourhoods and landscapes defiled, rivers polluted, military safety jeopardised, the power to produce food and raw materials destroyed”. Polanyi, *The Great Transformation*, p. 76. For an ecological interpretation of Polanyi, see CHARBONNIER Pierre, “*Le socialisme est-il une politique de la nature ? Une lecture écologique de Karl Polanyi*”, *Incidence*, n° 11, 2015; CHARBONNIER Pierre, *Abondance et liberté* (2019), *op. cit.*, pp. 344-360.

2608 MARX Karl, *Capital*, vol. I, *op. cit.*, p. 704.

since “in actual history it is notorious that conquest, enslavement, robbery, murder, briefly force, play the great part”²⁶⁰⁹. The so-called “primitive accumulation” is in fact a vast historical movement of expropriation by which the worker is separated (*i.e.*, robbed) from all his means of production (the history of this expropriation is “written in the annals of mankind in letters of blood and fire”²⁶¹⁰). This history of the birth of capitalism involves the question of the collective relationship to the land since this process of expropriation implies a deep reconfiguration of the relation that European populations had with the soil. Indeed, the divorce of the worker from his means of production amounts the separation of man from the soil.

“In the history of primitive accumulation, all revolutions are epoch-making that act as levers for the capitalist class in course of formation; but, above all, those moments when great masses of men are suddenly and forcibly torn from their means of subsistence, and hurled as free and “unattached” proletarians on the labour market. The expropriation of the agricultural producer, of the peasant, from the soil, is the basis of the whole process.”²⁶¹¹

The history of England since the 16th century provides a good example of the concrete form taken by this detachment of men from the soil. The expropriation of peasants by Great feudal lords and the transformation of their lands into sheepwalks (16th century)²⁶¹², the Reform and the spoliation of Church property (16th century)²⁶¹³, the destruction of the communal property by the “Acts for the enclosures of the Commons” voted by the Parliament (18th century)²⁶¹⁴, the “Clearing of Estates” in the Highland of Scotland²⁶¹⁵ where villages were destroyed, burnt and turned into pasturage²⁶¹⁶ (18th and 19th centuries) are one of the episodes of this terrible process of land spoliation. However, the picture would not be complete if the vast movement of colonisation which devastated Americas, Africa and India since the 16th was not mentioned: “The discovery of gold and silver in America, the extirpation, enslavement and entombment in mines of the aboriginal population, the beginning of the conquest and looting of the East Indies, the turning of Africa into a warren for the commercial hunting of black-skins, signalled the rosy dawn of the era of capitalist production”²⁶¹⁷. Far from being idyllic, this primitive accumulation which will lead to the capitalist mode of production is based on violence.

Deleuze and *Guattari* revisit this analysis and highlight the specific role that State violence plays in this chapter of *Capital*. Indeed, Marx writes that in Spain, Portugal, Holland, France, England, Africa, and the Americas, etc., all methods used to expropriate the land of its peasant

²⁶⁰⁹*Ibid.*, p. 705.

²⁶¹⁰*Ibid.*, p. 706.

²⁶¹¹*Ibid.*, p. 707.

²⁶¹²*Ibid.*, p. 709.

²⁶¹³*Ibid.*, p. 711.

²⁶¹⁴*Ibid.*, p. 714-715.

²⁶¹⁵*Ibid.*, p. 718.

²⁶¹⁶*Ibid.*, p. 720.

²⁶¹⁷*Ibid.*, p. 739.

“depend in part on brute force (...) but they all employ the power of the State, the concentrated and organised force of society”²⁶¹⁸. Here, the authors of *Mille Plateaux* radicalise this analysis and place of the State at the origin of the capitalist mode of production: “il y a une violence qui passe nécessairement par l'Etat, qui précède le mode de production capitaliste, qui constitue l'accumulation originelle, et rend possible le mode de production lui-même”²⁶¹⁹. This thesis implies, amongst other things, that, contrary to the traditional model proposed by Marxism, the State is not the result of economic development (the development of productive forces, the emergence of a mode of production, etc.); but it is State violence which creates the mode of production²⁶²⁰. Now, *Deleuze* and *Guattari* enlarge upon the scope of this analysis: they claim that this model does not apply only to the birth of the capitalist mode of production, but also for the Asian mode of production and other precapitalist modes of production of that sort: “ces analyses de Marx doivent être élargies. Car il n'y a pas moins une accumulation originelle impériale qui précède le mode de production agricole, loin d'en découler”²⁶²¹. As just hinted, *Deleuze* refers to the heavily discussed “Asian mode of production” in which the despotic state 1° dispossesses local communities from their right to the property of the soil, 2° becomes the owner of the land (public property and absence of private property), 3° but left the villagers the possession or the use of their former lands (the particularity of that mode of production being that it still preserves primitive community and does not dissolves the bonds which tie the individual to its community)²⁶²². Now, in the following lines, *Deleuze* and *Guattari* immediately extend this analysis to all forms of the State: “en règle générale, il y a accumulation originelle chaque fois qu'il y a un montage d'un appareil de capture, avec cette violence très particulière qui crée ou contribue à créer ce sur quoi elle s'exerce, et par là se présuppose elle-même”²⁶²³. Here, is the famous apparatus of capture, the virtual machinic process which can be actualised into different forms of States (archaic, asiatic, modern, etc). In all cases, the State exerts a violence which is “creative”: “la capture contribue à créer ce qu'elle capture”²⁶²⁴. Thus, the question of what is created should be asked. To this question, *Deleuze* and *Guattari* answer something which is of a particular interest from our own perspective

2618 *Ibid.*, p. 739.

2619 *DELEUZE* and *GUATTARI*, *MP*, p. 558.

2620 *Ibid.*, p. 443. On that point see *SIBERTIN-BLANC* Guillaume, *Politique et Clinique*, op. cit., pp. 401-407.

2621 *DELEUZE* and *GUATTARI*, *MP*, p. 559.

2622 *CENTRE D'ETUDES ET DE RECHERCHES MARXISTES* (ed.), *Sur les Sociétés précapitalistes: textes choisis de Marx, Engels, Lénine*, with a preface by Maurice Godelier, Paris, Editions Sociales, 1973, p. 65, 66, and 69. See also *GODELIER* Maurice, “Le mode de production asiatique : un concept stimulant, mais qui reste d'une portée analytique limitée”, *Actuel Marx*, N° 10, 1991/2, pp. 181-199 ; *TÖKEI* Ferenc, *Sur le Mode de Production Asiatique*, op. cit. ; *CENTRE D'ETUDES ET DE RECHERCHES MARXISTES* (ed.), *Sur le “Mode de Production Asiatique”*, with a preface by Roger Garaudy, Paris, Editions Sociales 1969 ; *WITTFOGEL* Karl August, *Oriental Despotism: a Comparative Study of Total Power*, New Haven, Yale University Press, London, Oxford University Press, 1957.

2623 *DELEUZE* and *GUATTARI*, *MP*, p. 559.

2624 *Ibid.*, p. 559.

“l’accumulation originelle implique la construction violente d’un espace homogénéisé, “colonisé”²⁶²⁵. What is this homogenised and colonised space? This specific form of spatiality is one of the State's creations.

To understand this point, it is worth recalling what was said in the chapter dedicated to the problem of territorial coexistences. The apparatus of capture has three heads (rent, profit, taxation), which all capture matter (land, labour, money). The first head, rent, is of a particular interest for our concerns. If we start from the presupposition that the apparatus of capture contributes to the creation of the thing which is captured, therefore, the first head (rent) both captures and creates the *Land*: “Voilà que les territoires forment une Terre, font place à une Terre”²⁶²⁶. Here, the *Land* differs from *lands*, or more precisely from *local territories*²⁶²⁷. As argued before, these territories qualitatively differ from one another by the composition of their soil, their geographical situation, the lineages which are inscribed in them, the way they are semiotised, etc. In contrast, the *Land* consists in the homogenisation of territories which are qualitatively different. This homogenisation is the result of the double operation that each head of the State apparatus performs, *i.e.*, the monopolistic appropriation (of land, surplus labour and money) by a centre and the comparison (of land, activities, commodities)²⁶²⁸. In the case of the despotic State (which is not a concrete and historical formation but a “*real abstraction*”²⁶²⁹ that is actualised into very different historical and concrete states formations, in very different ways and conditions), the despot (the centre) appropriates the territory of communities. In a second phase, according to the ideal model of the differential rent, territories which are qualitatively different are compared according to a common quantitative criterion fixed by the centre of resonance. This comparison, this resonance of territories into a unique centre, produces a form of homogenisation and equalisation of the particularities²⁶³⁰. To summarise this double process, the State appropriates territories whose nature is qualitatively different, it compares them and makes them resonate into a common centre, and thus, it *creates* a homogenised space that *Deleuze* and *Guattari* call a *Land*. The *Land* is this homogeneous space which groups all territories and suppresses their particularities.

Nevertheless, and it is a point which should be emphasised strongly, this *creation* is also (and before all) a *destruction* to the point that we could quite fittingly use the term *destructive creation*. Here, we reverse Schumpeter's economic concept²⁶³¹ to insist on the destructive aspect of

2625 *Ibid*, p. 559, note 1.

2626 *Ibid*, p. 549.

2627 *Ibid*, p. 551.

2628 *Ibid*, pp. 554-555.

2629 This term is borrowed from Sibertin-Blanc. For an explanation of this complex definition of the despotic state as an abstraction, see SIBERTIN-BLANC Guillaume, *Politique et Clinique*, *op. cit.*, pp. 396-398.

2630 DELEUZE and GUATTARI, *MP*, p. 555.

2631 On creative destruction, see the chapter VII of *Capitalism, Socialism and Democracy*, especially the following

the machinic process of capture. Indeed, we believe that, according to *Deleuze* and Guattari, the principal aspect of this homogenisation is destruction, not creation. The apparatus of capture (and its double process of appropriation and comparison) creates the Land through a “deterritorialisation of the territory”, a deterritorialisation of the multitude of local and particular territories²⁶³². In other words, the State apparatus is a form of deterritorialisation. This is not a simple paradox by any means since political philosophy has always claimed that the State is based on a process of territorialisation and that it is defined in first place by its relation to a territory. In *Sécurité, Territoire, Population*, Foucault recalled this common idea that the State is defined by its spatial relation to a territory. *At first sight*, he wrote, discipline is exercised on bodies, biopolitics is exercised over populations, and State sovereignty is exercised over a territory²⁶³³. Obviously, this typology of the forms of power remains approximative since all of them have, in one way or another, in a specific relation to the space (as, for instance, discipline which is based on a distribution of individuals in a gridded space). However, from our perspective, the important point is that, according to this commonplace of political philosophy, the State is a form of power which establishes its authority and exercises its sovereignty over a fixed territory which is precisely delimited by frontiers. This idea finds a perfect expression in Machiavelli's *Prince*. Indeed, the principal problem encountered by the prince is how to maintain and reinforce his power over the territory and how to ensure safety (against his enemies) within the borders of his principality²⁶³⁴. This relation with the delimited space is fundamental to such an extent that the idea of a sovereign ruling over an unpopulated territory (a territory without subjects) is politically and juridically acceptable²⁶³⁵: “la souveraineté ne s'exerce pas sur les choses, elle s'exerce d'abord sur un territoire et, par conséquent, sur les sujets qui l'habitent. En ce sens, on peut dire que le territoire est bien l'élément fondamental et de la principauté de Machiavel et de la souveraineté juridique du

passage: “As we have seen in the preceding chapter, the contents of the laborer's budget, say from 1760 to 1940, did not simply grow on unchanging lines but they underwent a process of qualitative change. Similarly, the history of the productive apparatus of a typical farm, from the beginnings of the rationalization of crop rotation, plowing and fattening to the mechanized thing of today—linking up with elevators and railroads—is a history of revolutions. So is the history of the productive apparatus of the iron and steel industry from the charcoal furnace to our own type of furnace, or the history of the apparatus of power production from the overshot water wheel to the modern power plant, or the history of transportation from the mail coach to the airplane. The opening up of new markets, foreign or domestic, and the organizational development from the craft shop and factory to such concerns as U.S. Steel illustrate the same process of industrial mutation—if I may use that biological term—that incessantly revolutionizes the economic structure *from within*, incessantly destroying the old one, incessantly creating a new one. This process of Creative Destruction is the essential fact about capitalism. It is what capitalism consists in and what every capitalist concern has got to live in. This fact bears upon our problem in two ways.” SCHUMPETER Joseph A., *Capitalism, Socialism and Democracy*, London and New York, Routledge, 2014 [1943], p. 83.

2632 DELEUZE and GUATTARI, *MP*, p. 551.

2633 FOUCAULT Michel, *Sécurité, Territoire, Population. Cours au Collège de France: 1977-1978*, Paris, Gallimard/Seuil, 2004, p. 13.

2634 FOUCAULT Michel, *Sécurité, Territoire, Population*, *op. cit.*, p. 95.

2635 *Ibid.*, p. 13.

souverain telle que la définissent les philosophes ou les théoriciens du droit”²⁶³⁶.

From the point of view of this *topos* of political thought, Deleuze and Guattari's thesis that States are built via a process of deterritorialisation is a complete reversal. In a passage of their *Traité de Nomadologie*, they explain this apparent non-sense:

“Tout change avec les sociétés à Etat: on dit souvent que le principe territorial devient dominant. On pourrait aussi bien parler de déterritorialisation, puisque la terre devient objet, au lieu d'être l'élément matériel actif qui se combine avec le lignage. La propriété est précisément le rapport déterritorialisé de l'homme à la terre (...) Ce qui passe au premier plan, c'est une organisation “territoriale”, au sens où tous les segments, de lignage, de terre et de nombre, sont pris dans un espace astronomique ou dans une étendue géométrique qui les surcodes”²⁶³⁷.

For reasons we are to explain, it is worth quoting a very similar passage of a lesson given at the University of Vincennes:

“La forme État c'est une déterritorialisation statique. Elle n'est pas moins profonde pour ça, pas moins puissante au contraire. C'est une déterritorialisation statique en quel sens ? C'est que au jeu des territoires occupés par les groupes dits primitifs ou par les bandes, au jeu des territorialités de bande, la forme État substitue quoi ? Quelque chose qui lui est fondamental. Là je renvoie parce que nous en avons parlé les autres années, aux études de Virilio. L'acte fondamental de l'État c'est l'instauration, ou c'est l'aménagement du territoire, c'est l'aménagement du territoire. C'est-à-dire c'est la superposition aux territorialités de lignage, aux territorialités lignage d'un espace géométrique. C'est la raison géométrique d'État. C'est un type de déterritorialisation complètement différent. Cette fois-ci le territoire devient objet. Il y a déterritorialisation parce que le territoire est traité comme objet. C'est sur lui que porte l'aménagement d'État”²⁶³⁸.

The State is based on a deterritorialisation because it produces a deep disruption of the collective relationships to the land. Indeed, it implies a deep transformation of primitive territorialities, a transformation which can also be interpreted as a destruction, or, at least, as a degradation. To understand this point it is necessary to describe the territorial system of primitive societies that Deleuze and Guattari designate as “lineal organisations” (or as segmentary societies)²⁶³⁹. We have already dealt with this specific territoriality (which should not be confused with nomadic territorialities) when we examined the system of territorial dispersion described by Clastres and Lizot. The text quoted above refers to British political anthropology (especially to Meyer Fortes and Edward Evan Evans-Pritchard), but the territorial principle which is at stake is very similar to the territoriality described by French anthropology. Deleuze and Guattari summarise the principles which structures of the societies described by Meyer and Evans-Pritchard as follows: “Les lignages claniques sont essentiellement des segments en acte, qui se fondent ou se scindent, variables d'après l'ancêtre considéré, d'après les tâches et les circonstances”²⁶⁴⁰. This complex

2636Ibid., p. 99.

2637DELEUZE and GUATTARI, *MP*, p. 483. For a full commentary of this text, see SIBERTIN-BLANC Guillaume, *Politique et Clinique*, op. cit., pp. 473-478.

2638DELEUZE Gilles, *Appareils d'Etat et Machine de Guerre*, Cours à l'Université de Vincennes, 20/11/1979, <https://www.webdeleuze.com/textes/237>.

2639“L'organisation lignagère, c'est celle qui permet de définir les sociétés dites primitives”. DELEUZE and GUATTARI, *MP*, p. 483.

2640DELEUZE and GUATTARI, *MP*, p. 483.

process of fission (segmentation of the group and internal opposition between segments) and fusion (amalgamations of the segments) which rules the political life of the Tallensi of the Gold Coast and the Nuer of Sudan is outlined by Evans-Pritchard in his article entitled “The Nuer of the Southern Sudan”²⁶⁴¹. Among the Nuer, a tribe (A and B) is the bigger political unit whose main characteristic is its territorial unity and exclusiveness. A tribe is divided into sections or territorial segments:

1° primary tribal sections (the clan): B is divided into X and Y

2° secondary tribal sections: X is divided into X1 and X2 / Y is divided into Y1 and Y2

3° tertiary tribal sections (district): Y2 is divided into Z1 and Z2.

A segment is defined as a lineage, *i.e.*, a group of agnates which “comprises all living persons descended, through males only, from the founder of that particular line”²⁶⁴². These segmentations are not fixed at all and are highly *dynamic* since they vary according to the *circumstances*. For instance, “A member of Z2 tertiary division of tribes B sees himself as a member of Z2 community in relation to Z1, but he regards himself as a member of Y2 and not of Z2 in relation to Y”²⁶⁴³. Let us expound on this point:

1° a member of Z2 (tertiary section, division of secondary section Y2) regards himself as a member of Z2 when he relates to Z1 (the other segment of Y2, tertiary section). In other words, the member of Z2 sees himself as a member of Z2 in opposition to the section Z1. In this case, Z2 is opposed to Z1 (*fission*).

2° *but* the same member of Z2 sees himself as a member of Y2 (which also contains Z1) in relation to Y1 (the other secondary section). Here, the former opposition between Z1 and Z2 ceases to be since their members see themselves as a part of the same group Y2 when they are opposed to Y1 (*fusion*).

3° But the fission is reproduced at a superior level since the segment Y2 (secondary section) is opposed to the segment Y1 (*fission*).

2641 “The most evident movement is towards fission. The tendency of tribes and tribal sections towards fission and internal opposition between their parts is balanced by a tendency in the direction of fusion, of the combination or amalgamation of groups. This tendency towards fusion is inherent in the segmentary character of Nuer political structure, for, although any group tends to split into opposed parts, these parts tend to fuse in relation to other groups. Hence fission and fusion are two aspects of the same segmentary principle and the Nuer tribe and its divisions are to be understood as a relation between these two contradictory, yet complementary, tendencies”. EVANS-PRITCHARD Edward E., “The Nuer of the Southern Sudan”, *op. cit.*, p. 284. This article is a summary of his famous book entitled, EVANS-PRITCHARD Edward E., *The Nuer: A Description of the Modes of Livelihood and Political Institutions of a Nilotic People*, Oxford, At The Clarendon Press, 1940. For a very clear presentation of the process of fission/fusion and a brief history of the notion of segmentarity since Durkheim, see the first pages of BEN SALHEM Lilia, “Intérêt des analyses en termes de segmentarité pour l’étude des sociétés du Maghreb”, *Revue des Mondes Musulmans et de la Méditerranée*, n°33, 1982. pp. 113-135. See also BONTE Pierre, “Segmentaire (Système)”, BONTE Pierre and IZARD Michel (eds.), *Dictionnaire de l’Ethnologie et de l’Anthropologie*, Paris, PUF, Quadrige, 2010, pp. 655-658.

2642 EVANS-PRITCHARD Edward E., “The Nuer of the Southern Sudan”, *op. cit.*, p. 285.

2643 *Ibid.*, p. 281.

Evans-Pritchard concludes that “a man counts as a member of a political group in one situation and not as a member of it in a different situation, e.g., he is a member of a tribe in relation to other tribes and he is not a member of it in so far as his segment of the tribes is opposed to other segments”²⁶⁴⁴. Or, put in another way, “a tribal segment is a political group in relation to other segments of the same kind, and they jointly form a tribe only in relation to other Nuer Tribes and to adjacent foreign tribes which form part of their political system, and without these relations very little meaning can be attached to the concepts of 'tribe' and 'tribal segment'”²⁶⁴⁵. Consequently, segments are not fixed but supple²⁶⁴⁶ and the group has a “loose cohesion”²⁶⁴⁷. We understand how this dynamic of fusion and fission works as a machinic process of warding off-anticipation. Indeed the centrifugal forces of the system, which involve territorial dispersion, ensures the autonomy of the segments. However this dynamic does not lead to the destruction of the group since the centripetal forces enhance its cohesion. Among the Tallensi, the local clan (an expanded agnatic lineage), which is generally a “composite clan”, is divided into “maximal lineages”²⁶⁴⁸ (each occupying a section of the settlement) which play this role of dispersion. Indeed, the maximal lineage is itself divided into *major segments* (which are also lineages) and these major segments comprise of *lesser segments*, a process of division which is repeated until the minimal segment. But in return, the clan works as a centripetal force which holds the segments together²⁶⁴⁹.

In this system, the land plays a fundamental role, claim Deleuze and Guattari: “*le nombre joue un grand rôle dans la détermination de lignage, ou dans la création de nouveaux lignage. La terre aussi, puisque une segmentarité tribale ['système tribal des territoires'] vient doubler la segmentarité clanique ['système clanique des lignages']*”²⁶⁵⁰. Here, they refer to the distinction, opposition and complementarity between the *tendaana* (the custodians of the Earth) and the chiefs

2644 *Ibid.*, p. 282.

2645 *Ibid.*, p. 282.

2646 “*Les segments sociaux ont alors une certaine souplesse suivant les tâches et les situations, entre les deux pôles extrêmes de la fusion et de la scission; une grande communicabilité entre hétérogène, si bien que le raccordement d'un segment à un autre peut se faire de multiples manières ; une construction locale qui exclut qu'on puisse déterminer d'avance un domaine de base (économique, politique, juridique, artistique) ; des propriétés extrinsèques de situation ou de relation irréductibles aux propriétés intrinsèques de la structure ; une activité continuée qui fait que la segmentarité n'est pas saisie indépendamment d'une segmentation en acte, opérant par poussées, détachements, réunions.*” DELEUZE and GUATTARI, *MP*, p. 255.

2647 FORTES Meyer, “The Political System of the Tallensi of the Northern Territories of the Gold Coast”, in FORTES Meyer and EVANS-PRITCHARD Edward E. (eds.), *African Political Systems*, op. cit., p. 245.

2648 “By a *maximal lineage*, I mean the most extensive group of individuals tracing agnatic descent from a single common ancestor. It comprises, therefore, all the agnatic descendants, male and female, of the remotest ancestor (eight to eleven generations back) known to members of the group”. FORTES Meyer, “The Political System of the Tallensi ...”, op. cit., p. 243

2649 FORTES Meyer, “The Political System of the Tallensi ...”, op. cit., p. 244.

2650 DELEUZE and GUATTARI, *MP*, p. 483. The terms in the brackets are used by Deleuze and Guattari in another text of *Mille Plateaux* (DELEUZE and GUATTARI, *MP*, p. 259). They are equivalent to those which are quoted in the citation. Consequently 1° “*segmentarité tribale*” (“tribal segmentarity”) amounts to “*système tribal des territoires*” ('tribal system of territories') and 2° “*segmentarité clanique*” (clan segmentarity) amounts to “*système clanique des lignages*” (clan system of lineage).

(who head the lineages), *i.e.*, between 1° the system of locality (“*segmentarité tribale*” ou “*système tribal des territoires*”, according to the text quoted above) and 2° the system of lineage (“*segmentarité clanique*” or “*système clanique des lignages*”)²⁶⁵¹. In the *tale* religion, the ideological framework of the lineage system is the cult of ancestors. The Tallensi fear and venerate the ancestors of their lineage whose mystical jurisdiction counteracts the tendency to dispersion inherent to the system²⁶⁵². The other system, the system of locality is structured on the cult of the Earth (*ten*), which differs from the arable surface (*kuo*) and the soil (*tam*). *Ten* means both community, locality and Earth (in its mystical aspect). Unlike the ancestors, which are numerous and different according to each lineage, the Earth is single and universal. This impersonal totality is alive, it is a mystical agency that controls the lives of men, provides health and fertility and punishes those who shed blood on the soil²⁶⁵³. However, the Earth also comprises a multiplicity of centres which are sacred. This duality between unity of the earth and the multiplicity of the sacred spots is reconciled in a third term, locality. Indeed, locality embraces a number of centres but unifies them, intermediary space which falls under the jurisdiction of the *tendaana*. The lineage system and the system of the cult of the earth are deeply intertwined, claims Fortes:

“as lineage and locality are inextricably intertwined in the social structure, so *ten* [the Earth] and ancestors (*yaanam*) are indissolubly associated in Tale religion. The concepts mark two pole of the system, the ancestors being concerned primarily with the good of their descendants, the Earth with the general good. Every lineage worships its ancestors, but the priestly offices connected the Earth are confined to particular maximal lineage”²⁶⁵⁴.

And yet, these two poles are also oppositional Deleuze and Guattari argue: “*C'est (...) la distinction de ces deux éléments, système tribal des territoires, système clanique des lignages, qui empêche la résonance*”²⁶⁵⁵. Footnote 9 p. 259 of *Mille Plateaux* clarifies that those statements: the first system (the territorial system) is headed by the guardians of the Earth whereas the chief has the authority within the lineage. According to Deleuze and Guattari, the guardian of the earth and the chief are two centres of power whose opposition produces an effect of dispersion, which prevents the resonance of the segments into a unique and thus wards off the emergence of a centralised power. Be that as it may, we see how land plays a role in the dynamic of lineage. As mentioned, this lineage system is doubled by the cult of the earth.

However, it seems that this articulation is still too dual and that there is a much more profound connection between the land and the segmentary dynamic. Indeed, immediately after having emphasised the double logic of the cult of the Earth and the clan system of lineage, Deleuze

2651FORTES Meyer, “The Political System of the Tallensi ...”, *op. cit.*, p. 254.

2652Ibid., p. 253.

2653Ibid., p. 255.

2654Ibid., p. 255.

2655DELEUZE and GUATTARI, *MP*, p. 259.

and Guattari radicalise the inscription of segmentarity in the land: “*Mais la terre est avant tout la matière où s'inscrit la dynamique des lignages, et le nombre, un moyen d'inscription: ce sont les lignages qui écrivent sur la terre et avec le nombre, constituant une sorte de “géodésie”*”²⁶⁵⁶. Indeed, it is not only the group which is fragmented into segments (which both split up and coagulate according to varying circumstances); it is also territoriality itself which is deeply segmented. The segmentary dynamic is inscribed in the surface of the earth, an inscription which leads to a segmentation of territoriality and the production of a multiplicity of territorial segments. As suggested by the ethnographical case of the Yanomami, the segmentation of the centres of power, both human and non-human, divides the space into a multiplicity of territorial sections which never converge into a principal centre. Some animal spirit occupies the camp, others the forest, others the hunting territory, lineages occupy sections of the camp, etc., but there is no resonance of these territorial segments into a common centre; and if there is, as in the case of the shamanic session, this centripetal force is immediately neutralised by the mechanism of anticipation.

Now, as said in the texts quoted above, it is precisely this specific *supple* segmentary territoriality which is deeply altered (and degraded) by the process of primitive accumulation and the creation of a Land which deterritorialises primitive territories. This land is a geometrical extension which captures the lineage and territorial segments, relating them to a common measure (a centre of power) and thus homogenises them. *Deleuze* and Guattari find the model of this new spatiality imposed by the State in the texts that Jean-Pierre Vernant dedicated to the relations between politics, geometry and spatial organisation in Ancient Greece. In *Les Origines de la Pensée Grecque*, Vernant revealed an “analogy of structure” between the cosmology of the Ionian physicists (especially that of Anaximander) and the spatial organisation of the *politeia* of Cleisthenes, two models based on a conception of the universe in geometric terms²⁶⁵⁷. In the 6th century, Anaximander replaces the Babylonian cosmology (and its layered and stratified world)²⁶⁵⁸ by a spheric conception of the universe, this homogeneous space in which up and down, right and left are no longer absolute but relative²⁶⁵⁹. Similarly, between 508-507 B.C., Cleisthenes reordered the spatiality of the Attic peninsula which was formerly centred on tribal organisation and territorial segmentation. Indeed, throughout the previous period, Attica was divided into three

²⁶⁵⁶*Ibid*, p. 483.

²⁶⁵⁷VERNANT Jean-Pierre, *Les Origines de la Pensée Grecque*, Paris, PUF, Quadrige, 12th edition, 2013 [1962]; see also VERNANT Jean-Pierre, *Mythe et Pensée chez les Grecs*, *op. cit.*, p. 246. For a very complete introduction to Vernant's work, see the excellent article of Dimitri El Murr. EL MURR Dimitri, “Raison et politique: Jean-Pierre Vernant et la polis grecque”, *Cahiers philosophiques*, n°112 2007/4 pp. 66-90.

²⁶⁵⁸VERNANT Jean-Pierre, *Les Origines de la Pensée Grecque*, *op. cit.*, p. 204-206.

²⁶⁵⁹VERNANT Jean-Pierre, *Les Origines de la Pensée Grecque*, *op. cit.*, p. 132 *sqq.*; VERNANT Jean-Pierre, *Mythe et Pensée chez les Grecs*, *op. cit.*, p. 206-207.

regions (the plains, the coast and the mountains) inhabited by three different “factions”, which all received their name from these different places (*pediakoi*, *paraliens*, *diacriens*)²⁶⁶⁰. To these territorial divisions corresponded very different ways of life and differences of social status. The territorial reorganisation implemented by Cleisthenes abolishes this tribal structure and its regional specificities. In particular, he replaces the former tribes by ten tribes which are brought together on the same soil and which no longer depend on blood ties. This implies a segmentation of the territory, which is very different from the former: space is no longer divided into regions that are all characterised by a *specificity*; from now, space is divided into *homogeneous* territorial segments. In *Deleuze* and *Guattari*'s terminology, *supple segmentarity* (whose segments are qualitatively different) is substituted by a *rigid segmentarity* (whose segments are related to a common measure and homogenised)²⁶⁶¹. The space of Attica is reorganised around a centre, the town, which is itself centred on a single point, the agora. It is this single point which makes all the segments resonate:

*“Au centre de la ville elle-même, l'agora, réorganisée et remodelée, forme un espace public, nettement circonscrit, délimité désormais par des bornes. (...) En devenant commun, en s'édifiant sur l'espace public et ouvert de l'agora, non plus à l'intérieur des demeures privées, en abritant dans la personne des prytane cette Boulé qui incarne le tout de la cité, le foyer exprime désormais le centre en tant que dénominateur commun de toutes les maisons constituant la polis. Le centre s'inscrit dans un espace composé, certes, de parties diverses, mais qui révèlent toutes leur similitude, leur symétrie, leur équivalence fondamentales par leur rapport commun avec ce centre unique (...). Le centre traduit dans l'espace les aspects d'homogénéité et d'égalité, non plus ceux de différenciation et de hiérarchie”*²⁶⁶².

In other words, this territorial reconfiguration sets everybody on an equal foot and promotes *isonomia*. Sibertin-Blanc explains well that *Deleuze* and *Guattari* change somewhat the meaning of this move to the isonomic spatiality implemented by Cleisthenes (and later, by Hippodamos de Milet²⁶⁶³). According to them, it is correct to say that the reform of Cleisthenes constitutes a rupture with the preceding periods, especially Mycenaean Royalty and the hierarchical and vertical palatial system²⁶⁶⁴; but they also underscore the secret continuity between the period of the *Anax* (the Mycenaean king) and the democratisation of the social space²⁶⁶⁵. Indeed, both systems capture the lineages of primitive societies and subordinate them to their own spatiality:

“Ce n'est certainement pas de la même manière dans l'Etat impérial archaïque, et dans les Etats modernes. C'est que l'Etat archaïque enveloppe un spatium à sommet, espace différencié, en

2660 VERNANT Jean-Pierre, *Les Origines de la Pensée Grecque*, op. cit., pp. 108-111.

2661 “Enfin, du point de vue d'une segmentarité linéaire, on dirait que chaque segment se trouve souligné, rectifié, homogénéisé pour son compte, mais aussi par rapport aux autres. Non seulement chacun a son unité de mesure, mais il y a équivalence et traductibilité des unités entre elles. C'est que l'oeil central a pour corrélat un espace dans lequel il se déplace, et reste lui-même invariant par rapport à ses déplacements. Dès la cité grecque et la réforme de Clisthène, apparaît un espace politique homogène et isotope qui vient surcoder les segments des lignages, en même temps que les foyers distincts se mettent à résonner dans un centre agissant comme dénominateur commun”.
DELEUZE and GUATTARI, *MP*, p. 257-258.

2662 VERNANT Jean-Pierre, *Mythe et Pensée chez les Grecs*, op. cit., p. 241.

2663 *Ibid.*, pp. 211-212.

2664 On this system, see especially VERNANT Jean-Pierre, *Les Origines de la Pensée Grecque*, op. cit., p. 35-42.

2665 SIBERTIN-BLANC Guillaume, *Politique et Clinique*, op. cit., p. 484.

profondeur et à niveaux, tandis que les Etats modernes (à partir de la cité grecque) développe une extensio homogène, au centre immanent, aux parties divisibles homologues, aux relations symétriques et réversibles. Et non seulement les deux modèles astronomique et géométrique, se mélangent intimement; mais même quand ils sont supposés purs, chacun d'eux implique une subordination des lignages et des nombres à cette puissance métrique, telles qu'elle apparaît soit dans le spatium impérial, soit dans l'extension politique”²⁶⁶⁶.

In fact, it must be added that Deleuze and Guattari integrate Vernant's model of geometric territoriality into their own problematics, especially, that of the spatial changes produced by the State capture of territories and the formation of a homogeneous Land. The effect of this integration is that Vernant's model is even more modified.

First, *Deleuze* and Guattari accentuate the continuity between Cleisthenes and the hierarchical formations. They emphasis the continuity between archaic kingships and the Greek *polis* and also between the latter and the spatiality imposed by the Roman Empire. In fact, it seems that the continuity is extended until the emergence of the modern State and its control of territory. After having mentioned Cleisthenes' reforms, they add:

“Et plus loin que la cité grecque, Paul Virilio montre comment l'empire romain impose une raison d'Etat linéaire ou géométrique, qui comporte un dessin général des camps et des places fortes, un art universel de “borner par des tracés”, un aménagement des territoires, une substitution de l'espace aux lieux et aux territorialités, une transformation du monde en ville (...)”²⁶⁶⁷.

It should be noted that Paul Virilio and his criticism of the geometrical Reason of the State were already mentioned in the lesson of Vincennes quoted above. In this lesson, the geometrical Reason of the State is described as factor of deterritorialisation of primitive societies' territorialities. Once again, there is a continuity in all the forms of deterritorialisation produced by the State.

In *L'Insécurité du Territoire*, Paul Virilio claims that a certain form of geometry is the instrument by which the State ensure its domination over natural and social milieus: *“la géométrie est la base nécessaire à une expansion calculée du pouvoir de l'Etat dans l'espace et le temps”²⁶⁶⁸*. This geometrical reason of States, he claims, began in Occident with the Roman empire²⁶⁶⁹ which colonises space through “centuriation” and the “castrametation” (*i.e.* “*l'art de borner par des tracés géométriques (...) une sorte de règne de la géométrie descriptive projetée sur la nature, sur les sites*”²⁶⁷⁰). Virilio argues that this is the same geometrical reason that modern States use for the “laying out of territories” (*l'aménagement du territoire*)²⁶⁷¹. This term is quite hard to translate since

²⁶⁶⁶DELEUZE and GUATTARI, *MP*, p. 483.

²⁶⁶⁷*Ibid*, p. 258.

²⁶⁶⁸VIRILIO Paul, *L'Insécurité du Territoire*, Paris, Galilée, 1993 [1976], p. 170. See also : “*L'Etat peut et doit être traité par l'archéologie immédiate, son lieu étant moins la géographie humaine qu'une certaine géométrie, c'est-à-dire, très précisément, les moyens qu'il obtient de se projeter dans le temps et dans l'espace*” VIRILIO Paul, *L'Insécurité du Territoire*, *op. cit.*, p. 163.

²⁶⁶⁹VIRILIO Paul, *L'Insécurité du Territoire*, *op. cit.*, p. 118.

²⁶⁷⁰*Ibid.*, p. 170.

²⁶⁷¹Here we use Brian Massumi's translation. DELEUZE Gilles, *A Thousand Plateaus*, *op. cit.*, p. 212.

its use is very specific to the context of France²⁶⁷² of the post-war period and the creation of the DATAR (*Délégation à l'Aménagement du Territoire et à l'Action Régionale*) in 1963. Usually, the expression *aménagement du territoire* designates the public policies implemented by the French State which accompanied the Reconstruction after the World War II²⁶⁷³. These state policies are centred on economic development (the “development of territories) and economic growth, and they have a strong productionist connotation. In addition, those policies generally imply a top down approach and proceed from a very technocratic vision. The idea is that a group of elites and experts mandated by state is capable of transcending the interests of local populations to lead them to the development of territories. It is often considered that these policies of territorial development proceed from a very technocratic vision and are imposed on the local territories and their inhabitants. That is one of the criticisms that Virilio and other theoreticians of political ecology²⁶⁷⁴ address to the omnipotence of that reason of the State which pretends to “*organiser d'en haut l'ensemble de l'habitat planétaire pour un homme et des sociétés humaines qui en seraient absents*”²⁶⁷⁵. Urbanism projects (*projets d'urbanisme*) and extension of industrial urbanisation, rural *remembrement*²⁶⁷⁶, implementation of military and industrial infrastructures over the national territory, the construction of dams and highways, forest and hydraulic management, are just some of the forms taken by this “laying out of territory” implemented by the State through geometrical reason. According to Virilio, the transformation of territories into a unified geometrical space amounts to the destruction of natural milieu and human habitat by the State:

*“La force absolue de conservation de l'Etat d'Occident naît de sa puissance négatrice, la théologie de sa raison; plus elle développe et enregistre de certitudes internes, plus elle s'amplifie, plus elle devient déflagratrice des milieux qui, successivement, au cours des siècles, vont la supporter, car dès qu'elle choisit un terrain, dès qu'elle se localise, elle agit sur le nouveau milieu traité comme elle avait agit sur son siège premier, l'homme Socrate par exemple, elle assure aussitôt sa totalité prévisionnelle en l'annihilant. La course vers l' “Etat parfait”, c'est sa course vers la mort (...)”*²⁶⁷⁷.

In the 1970s, intense social struggles emerged in response to the destruction of territories

2672 FÉLICE Josée de, “*Une histoire à ma façon : l'aménagement du territoire dans l'enseignement de la géographie*”, *L'Information géographique*, Vol. 73, 2009/2, pp. 29-46.

2673 For historical clarifications of that notion see Patrick Fournier's introduction of the book he coedited with Geneviève Massard-Guilbaud. FOURNIER Patrick and MASSARD-GUILBAUD Geneviève (eds.), *Aménagement et Environnement*, Rennes, Presses universitaires de Rennes, Histoire, 2016.

2674 See for example, GORZ André, *Ecologica*, Paris, Galilée, 2008.

2675 VIRILIO Paul, *L'Insécurité du Territoire*, *op. cit.*, p. 130.

2676 *Ibid.*, p. 165.

2677 *Ibid.*, p. 122 See also: ““*Tu as fait une ville de ce qui était un monde!*” Cette sorte d'anathème lancé à Rome par le Gallo-Romain Namatianus nous montre clairement déjà la course vers l' “Etat parfait” comme un anéantissement du milieu, le conservatisme de l'Etat, la raison d'Etat linéaire devant pour l'homme paysage et nature, mettant en jeu la liberté humaine non seulement à des niveaux provisoires, mais à celui essentiel qui fonde les choix des individus et des sociétés, à venir, leur libre projection dans le temps et l'espace. Si, à son heure, le Christ meurt du césarisme, l'Etat d'Occident, construisant et reconstruisant inlassablement sa *Sinnbildung*, l'étendant à l'ensemble de l'habitat planétaire, la Terre, prochainement débaptisée pour s'appeler Etat, est devenue une impossibilité morphologique close en même temps sur le plan divin et sur celui de la spécification même de l'identité divine de l'homme”. VIRILIO Paul, *L'Insécurité du Territoire*, *op. cit.*, p. 119-120.

caused by State colonisation of space. In *Défense Populaires et Lutttes écologiques*, Paul Virilio mentioned several of these social conflicts, especially the farmer protests against the extension of military camps in Larzac (1971-1981), the massive demonstrations against the nuclear reactor Superphénix in Creys-Malville and the death of Vital Michalon caused by a grenade fired by the police (1976-1997), or even the farmer opposition against the Tokyo-Narita airport (1966-1985). According to him, the common motivation of these struggles is the defence of territory against speed:

*“il serait temps de se rendre compte que les luttes écologiques les plus importantes ces dernières années ont un dénominateur commun (...) Du camp du Larzac à Malville ou à l'aéroport de Tokyo-Narita et à la marée noire bretonne, le territoire est finalement toujours défendu, depuis l'origine des luttes populaires, contre le même ennemi, l'accélération physique ou mécanique celle des particules, celle des véhicules”*²⁶⁷⁸.

It should be noted that this short essay on ecological struggles is quoted in *Mille Plateaux*. Therefore, with this reference to Virilio and the *aménagement du territoire*, the argumentation of *Deleuze* and *Guattari* takes a critical dimension and opens to an ecological critique of the State and to a grammar of ecological struggle for the defence of territory.

In addition, the integration of Vernant's model in an argumentative context of these pages of *Mille Plateaux* dedicated to the State apparatus has another effect. In the texts quoted above, the geometrical space implemented by the State is not imposed on the tribes of Attica, whose territorial organisation is hierarchical and unequal, but on primitive societies, whose territoriality is based on dispersion and thus the neutralisation of the emergence of hierarchies and inequalities. Indeed, the social formations which are taken up in the homogeneous *extensio* of the State are those described by Fortes, Evans-Pritchard, Clastres, Lizot and other anthropologists who have worked with acephalous societies. Consequently, the homogenisation of territories is not a progress directed toward democratisation and equality; this division of space into rigid and homogeneous segments is tantamount to the colonial destruction of primitive territorialities and the emergence of a centralised apparatus of power.

From this point of view, the excerpt of the lesson given of Vincennes quoted above is especially interesting since these considerations on the deterritorialisation produced by the State comes immediately after a passage in which *Deleuze* describes the Yanomami's territoriality. The same is true in *Mille Plateaux*: after the passage dedicated to Lizot's book, *Deleuze* and *Guattari* explain how the State makes humans and non-human centres of power resonate and how it captures this segmentary spatiality into a homogeneous *extensio*²⁶⁷⁹. This textual proximity means that the surcodage of the Yanomami's territoriality must be counted as a concrete cases of the

²⁶⁷⁸VIRILIO Paul, *Défense Populaire et Lutttes Ecologiques*, Paris, Editions Galilée, Débats, 1978, p. 85.

²⁶⁷⁹DELEUZE and GUATTARI, *MP*, p. 256-259.

detritorialisation of territories produced by the State. If the parallel we draw between the texts is right, if one of the possible scenarios of this recursive process of State primitive accumulation is the detritorialisation and the surcodage of the Yanomami's spatiality, then there are several consequences of this.

First, the degradation of primitive territorialities takes a concrete form. The resonance of the territorial segments and the centres of power (which are attributed to lineages) marks the end of a spatial organisation which prevented the division of the social body and the emergence of a political power separated from the rest of society. As said before, the Yanomami's habitat is, according to *Deleuze* and Guattari, sectioned into a multiplicity of segments. It is the combination of a circular segmentarity and a linear segmentarity²⁶⁸⁰. First, from the centre of the *shabono* (collective house) to the forest, the space is divided into a multiplicity of concentric circles. Second, this circular segmentarity is doubled by a linear segmentarity since each circle is divided into segments, each segments being attributed to a lineage. This distribution of men within space is also doubled by a territorial distribution of non-humans since, according to *Deleuze* and Guattari's interpretation of the ethnographical data, animal spirits occupy different territorial segments which are all centres of power. This spatial *dispositif* ensures the dispersion of power: each attempt of resonance is anticipated and neutralised. Even the shaman attempts to make the territorial segments into a magical centre (the mast) is vain resonate. It is only with the territoriality imposed by the State that this spatial system based on dispersion is finally vanquished. The state apparatus which actualises a virtual machine of capture fixes a centre of power in which all centres resonate. In that sense, this marks the end, and the death, of the primitive society.

In fact, it is not only the destruction of a society and the end a political system based on territorial dispersion; it is also the degradation of the attachments that relate human and non-human beings. Indeed, the creation of a Land and the detritorialisation of territorial segmentarities amounts to a homogenisation of the space. Territorial segments are compared and related to a common measure (the centre of resonance) which homogenise them. As said before, the state spatiality, as primitive territorialities, is segmented, but these segments are homogeneous because they are compared to a same and single measure. Consequently, we pass from a multiplicity of territorial segments which are qualitatively different to a multiplicity of homogenised segments. Now, this homogenisation of the spatiality through resonance into a unique centre can be interpreted as a homogenisation of the sort of beings which occupied each section. Indeed, what had made the qualitative difference between each territorial segments in the Yanomami's spatial system was the diversity of human and non-human beings which occupied their territorial sections

²⁶⁸⁰*Ibid*, p. 254.

(such or such q spirit occupied the forest, the camp, such or such a lineage occupies such or such a section, etc.). Therefore, the homogenisation of territorial segments is a homogenisation of the sort of beings which inhabit these sections. Concretely, this means the disappearance of animal spirits and other non-human beings. Or to put it another way, this spatial transformation is tantamount to an impoverishment and a diminution of the interactions and the attachments with non-human beings that inhabit the environment. In short, through the construction of a homogeneous space, the State destroys (or diminishes) the attachments that the collective assemblage is made of. Consequently, the destruction of primitive territoriality is a destruction of the collective itself.

If this interpretation is correct, it means that *Deleuze* and Guattari revisit in a very specific way a topic which was omnipresent in the ethnographical literature of the 1970s: the ethnocide of “primitive societies”. It is generally admitted that this term was introduced by Robert Jaulin in *La Paix Blanche*²⁶⁸¹, but we may also refer to Georges Condominas, who claimed to have invented the word in July 1958 in order to denounce the nationalist politics of Ngô Đình Diêm (the catholic president of the Republic of South-Vietnam) and his will to suppress Mnong's customs and languages²⁶⁸². In an important article, Clastres proposes a conceptual clarification of this notion²⁶⁸³. He defines ethnocide in contrast with genocide. Whereas genocide refers to the idea of “race” and to the deliberate will to exterminate *physically* a “racial” minority, ethnocide is defined as the destruction of a culture. In other terms, ethnocide is the systematic destruction of ways of life and thoughts of peoples who are different from those who undertake this destruction. Genocide assassinate bodies of peoples, ethnocide kills their spirit. The paradigm of spiritual extermination is the conversion of the Amerindians by missionaries. Apparently, this definition is structured by the opposition between body and spirit and even between nature and culture. However, ethnologists often insisted on the materiality of that notion, especially on the spatial changes and the environmental damages caused by different States, capitalism, and more generally “Occidental civilisation”. Condominas insisted, for example, on the fact that the use of defoliant by the American army in Vietnam entailed an environmental as well as a cultural destruction²⁶⁸⁴. Ethnocide is not reduced to the conversion of the soul of the other, it is also the destruction of their territoriality and the effects that this degradation has on the rest of the collective assemblage.

In *l'Anti-Œdipe*, *Deleuze* and Guattari had already noted the importance of the spatial factor

2681JAULIN Robert, *La Paix Blanche. Introduction à l'Ethnocide*, Paris, Seuil, Combats, 1970.

2682CONDOMINAS Georges, “Ethnocide”, in AUROUX Sylvain (ed.), *Encyclopédie Philosophique Universelle. Les Notions Philosophiques. Dictionnaire*, T. I, *Philosophie Occidentale*, A-L, Paris, PUF, 1990, p. 878; CONDOMINAS Georges, “Essartage et confusionnisme. A propos des Mnong Gar du Vietnam Central”, *Civilisations* [Online], 44, 1997, online since the 29th June 2009, connection the 2nd May 2019.

URL : <http://journals.openedition.org/civilisations/1634>.

2683CLASTRES Pierre, “De l'Ethnocide”, *L'Homme*, op. cit.

2684CONDOMINAS Georges, “Ethnocide”, op. cit., p. 879.

of ethnocide²⁶⁸⁵. They especially referred to a passage of *La Paix Blanche* in which Robert Jaulin explains how, changing the Amerindian spatiality, especially their habitat, colonisers caused deep social disorders. Jaulin especially reports how Capuchin friars “convinced” *Yukpos* of the mission of *Los Angeles de Tucucco* (Venezuela) to renounce to their *bohio* (the collective house) for individual houses. The *bohio* usually gathers between 10 and 15 families²⁶⁸⁶ and the spatial disposition of the house is such that a family is always surrounded by at least two allied families²⁶⁸⁷. In this way, descent relationships are highly connected to alliance relationships. In other words, family is not closed in itself but is open to its allies. According to the general thesis of Jaulin's book, the “primitive” society is intrinsically open to the world and to the alliance with the Other (contrary to the occidental civilisation which reduces the other to its own identity)²⁶⁸⁸. Jaulin insists on the fact that this attachment to the other has nothing to do with the form of promiscuity that monks reproach the Native American collective house and their organisation of collective life of. Indeed, the genius of the “law of the other” is this capacity to open the family to a vast network of allies while preserving the intimacy of domestic relationships (sexuality, food consumption, expressions of filial love, etc.). Concerning the *bohio*, Deleuze and Guattari write that

*“dans la maison collective, l'appartement familial et l'intimité personnelle se trouvaient fondés dans un rapport avec le voisin défini comme allié, si bien que les relations interfamiliales étaient coextensives au champ social. Dans la nouvelle situation, au contraire, (...) la famille restreinte se ferme en un microcosme expressif où chacun réfléchit son propre lignage, en même temps que le devenir social et productif lui échappe de plus en plus. Car Œdipe n'est pas seulement un processus idéologique, mais le résultat d'une destruction de l'environnement, de l'habitat, etc.”*²⁶⁸⁹.

The imposition of the individual house entails a disconnection of ties which saw an end to alliances and provoked a withdrawing of the family. The effect of such spatial changes is numerous. First, the disruption of alliance relationships and the law of the openness to the universe. Moreover, the nature of intimacy is totally modified. Indeed, whereas familial intimacy was open to the world, with the adoption of individual houses it becomes closed in on itself, hence a “*fermentation abusive des éléments du couple sur eux-mêmes*”²⁶⁹⁰. The result is an increase of hierarchies within the family, an increase of intra-familial conflicts and domestic violence, etc. Finally, and even more interestingly, the closure of the familial unit on itself and the reduction of the Amerindian universe

2685 DELEUZE and GUATTARI, *AO*, p. 199. For a commentary of that passage, see SIBERTIN-BLANC Guillaume, *Politique et Clinique*, op. cit., p. 639 sqq.

2686 JAULIN Robert, *La Paix Blanche*, op. cit., p. 394.

2687 *Ibid.*, p. 15 and p. 393.

2688 “*Les Indiens n'ont pas plus découpé la terre que l'univers en parties conquérantes, chacune ayant prétention à la totalité. Historiquement, la totalité blanche est un cadavre car nous y avons associé le rapport à nous-même et non à l'autre. Ce rapport à soi, les Bari l'ont installé dans la lune. Le reste de l'univers est lié au rapport à l'autre, et la vie humaine, exprimée par la maison collective, se fonde par et dans le rapport à l'autre*”. JAULIN Robert, *La Paix Blanche*, op. cit., p. 17.

2689 DELEUZE and GUATTARI, *AO*, p. 199.

2690 JAULIN Robert, *La Paix Blanche*, op. cit., p. 396.

is not only a disruption of the alliances with humans but also a degradation of the attachment with the non-human world. Jaulin explains that every morning, at break of day, the *bohio* is the place of the recitation of stories that everyone listen to in their own corner. These words create ties between humans and also with non-humans. Indeed, the *bohio* is also the place where native Americans sing to game and thus, where they create alliance with non-humans:

*“De même risquent de disparaître ces chants dont la qualité égale parfois celle du grégorien, et que les Motilones adressent durant plusieurs nuits de suite au gibier de l’année, en janvier-février. Ces chants, “tsiba tso okwanina”, ont une mesure “cosmique”, car ils semblent être une alliance entre les hommes et les animaux, mais à des fins alimentaires, de chasse et non d’accouplement, et la complémentarité, qui semblerait négative pour un terme (les animaux) n’est rendue possible que par l’ampleur de cette mesure, la cosmicité dont ces chants donnent l’impression. On se laisserait aller, à tort, en parlant d’incantation ou de prière, malgré ces airs de psaumes, car “tsiba tso okwanina” requiert la présence, en un bohio, d’étrangers. Des indiens viennent et on les attend. Il en vint une trentaine, en janvier 1968, du haut Iki au bas Iki. Une quinzaine de jours après leur arrivée, sept ou huit étrangers prirent place dans les hamacs de sept ou huit de leurs hôtes”*²⁶⁹¹.

The Other, with whom alliances are made, is both human and non-human. These songs attach the group to the other groups of human but also to the animals that will be hunted. Consequently, the disruption of the spatiality of the whole collective assemblage provokes a rupture of the attachment with human and non-human beings. Here, we have a specific form of ethnocide whose mechanisms are based on the crushing of indigenous territorialities. Indeed, this disruption of their spatiality entails social disorders (a rupture of social relationships) but also a destruction of the attachments with non-human beings.

It seems plausible to interpret the already mentioned deterritorialisation of Yanomami's territory by the State as similar case and thus, as a case of ethnocide. Indeed, as monks change the Yukpos and Motilones's habitat, which leads to a pathological becoming of the society, the State which homogenises Yanomami's spatiality disrupts the social and cosmological order of their society. This interpretation seems even more justified by the fact that, in a report written especially for the International Work Group of Indigenous Affairs (IWGIA)²⁶⁹², Jacques Lizot (the source of Deleuze and Guattari knowledge of the Yanomami case) had pointed out the territorial aspect of the ethnocide of this group. In this report from 1976 entitled “The Yanomami in the Face of Ethnocide”, Lizot, whose description is very complete, emphasises the territorial aspect of the ethnocide. First, he explains that before colonisation, the itinerant territoriality had an ecological function. Indeed, the change of residences every five or six years ensured the renewal of the game and its diversification. In short, the economy of Yanomami provided a varied nutrition, a correct food balance and political independence. By contrast, the settling down of these populations

²⁶⁹¹*Ibid.*, p. 398.

²⁶⁹²IWGIA is an important human right organisation dedicated to defending indigenous right and comprising human right activists and anthropologists.

increased the pressure on game, thereby causing the disappearance of numerous animals and thus, an important source of protein²⁶⁹³. Contrary to what missionaries claim (who claim that the diet of the indigenous is insufficient), hunger is not a natural characteristic of the economic system but a result of territorial transformation induced by colonisation. Now, writes Lizot, it is not only the material life of the Yanomami which is threatened by the modification of the spatiality, it is also their social and cosmological organisation. Once again, the modification of the habitat is at the centre of the matter. Lizot recalls the spatial and cosmological configuration of the *shabono*, the collective and circular shelter he had described in *Le Cercle des Feux*: “it has been shown that the *shabono* and cosmic order converge: each lineal group occupies a certain position under the roof, and each part of the shelter can be placed in relation to one of the main divisions of the cosmos. The shelter is a microcosm”²⁶⁹⁴. Indeed, in his book, Lizot explained that the central place of the house represented the heavens vault, and the lower part of the roof “symbolised” the lower part of the sky, etc. He added that the shaman, when we undertake cosmic travel to recuperate a robbed soul, used the habitation as a map to orient himself. As for the Indians described by Jaulin, the forced adoption of rectangular houses with sloping roofs covered with zinc was not only unadapted to the tropical milieu of the rainforest, but it also meant the degradation of interactions with cosmological forces. Here, ethnocide is not only the death of the indigenous' soul, but it is also the material destruction of his territoriality and thus the degradation of the attachments by which he is connected with other humans and non-humans. This ethnocide is caused by the territorial transformation implemented by the State and the other actors.

Here, we believe that *Deleuze* and Guattari's texts on the deterritorialisation of primitive territorialities by the Apparatus of Capture can be interpreted in terms of “territorial ethnocide”. Indeed, 1° these texts explain how the apparatus of capture transforms and destroys the territory of primitive societies, 2° *Deleuze* and Guattari and ethnologists explain that these territorial transformations lead to a deterioration of the group. Therefore, the destruction of primitive territorialities by the State constitutes an ethnocide. Or to put it another way, the territorial conflict between State and Primitive territorialities is interpreted as an ethnocide.

To conclude, it is worth recalling the objective of this section. On the basis of what have been said in the previous chapters of this part, we intended to give an “ecological interpretation” of the passage of *Mille Plateaux* dedicated to primitive accumulation. In order to do so 1° we examined the territorial conflicts presented by *Deleuze* and Guattari in *Mille Plateaux*: the conflict between the State and primitive society. 2° We saw that this conflict appears in the texts dedicated

2693LIZOT Jacques, *The Yanomami in the face of Ethnocide*, Copenhagen, IWGIA, IWGIA Document 22, 1976, p. 13.

2694LIZOT Jacques, *The Yanomami in the face of Ethnocide*, *op. cit.*, p. 17.

to primitive accumulation. 3° Examining these texts, we demonstrated that *Deleuze* and Guattari put the apparatus of capture at the centre of the original accumulation, this process by which a stock of capital is constituted. 4° We argued that the apparatus of capture does not only appropriate the land of primitive societies, but it also deeply transforms (and deterritorialises) their spatiality. 5° We saw that this transformation can be understood as a destruction of primitive territorialities and 6° that this territorial destruction should be considered as the death of the primitive society and thus as a specific form of ethnocide (an ethnocide which is based on the annihilation of the territory of the other). Consequently, it would not be incorrect to contend that state primitive accumulation is a form of ethnocide. 7° Now, if we consider what has been demonstrated, this process, in which the State and primitive territorialities enter into conflict, can be interpreted as a destruction of attachments and thus, in ecological terms. In the previous chapter of this part, we argued that *Deleuze* and Guattari's concept of territory can be understood in terms of attachments. A territory is a concretion of human and non-human beings into a social assemblage. In other words, a territory is nothing more than the web of attachments through which beings are connected together and form a collective. Considering this definition of territoriality in terms of attachment, the destruction of primitive territoriality by State primitive accumulation amounts to the destruction of attachments by which the entities of the assemblage are connected. This seems to be confirmed by the ethnological case we have just analysed: the destruction of the Yanomami's segmentary territoriality amounts to the destruction of the attachments between humans and between humans and non-humans. In other words, the seat of the conflicts which oppose the State and the primitive society is the destruction of social and cosmological attachments with humans and non-humans. Consequently, it seems that *Deleuze* and Guattari's concept of state primitive accumulation is subject to an ecological interpretation in terms of attachments. In other words, we have here a grammar of conflict based on the notion of attachment.

In fact, the conflict between State and “primitive” societies is not the only case of territorial conflict in *Mille Plateaux*. We could mention at least two others: 1° the conflict between State and Nomad territorialities²⁶⁹⁵ 2° the conflict between State-Nation and minority territoriality²⁶⁹⁶. We

²⁶⁹⁵See for example DELEUZE and GUATTARI, *MP*, p. 479.

²⁶⁹⁶DELEUZE and GUATTARI, *MP*, p. 570. This text should be read with the following passage from a lesson that Deleuze gave in Vincennes: “*qu'est-ce que cela veut dire un peuple/une terre ? Et bien c'est que un peuple c'est toujours le produit d'une déterritorialisation d'une population. C'est une population décodée. Si un peuple c'est toujours à faire, c'est parce que, cela implique une population décodée ou des populations décodées. Les États-nations ils ont fait des peuples avec quoi ? Avec des populations. C'est-à-dire l'État-nation il a été ou il ne peut se définir que par l'écrasement de ce qu'il faudrait appeler, il faudrait trouver le mot là, de ce que Guattari appelle les phénomènes nationalitaires. La nation elle s'est définie par l'écrasement des phénomènes nationalitaires. On a fait un peuple avec des populations. On a fait une terre avec des territoires. Cela implique à la fois musique et violence. Mais alors cette terre/peuple qui définit une nation, quelle est sa fonction ? Eh bien cela nous dira un peu sur le rôle de l'État dans une formation capitaliste. C'est que c'est précisément dans le cadre d'un peuple/terre, c'est-à-dire d'une nation, que quoi ? Que s'effectue la circulation du travail et du capital ou l'homogénéité du capital sans*

believe that a detailed commentary of these text could lead us to the same conclusions just drawn about the conflict between State and primitive societies: territorial conflict are conflicts centred on the destruction of attachments. This could be the object of a further investigation but for now, we prefer to examine the relevancy of the model of grammar of conflict we found in *Mille Plateaux*, i.e. a grammar centred on the destruction of attachments.

V.2) Nankints: the history of a double deterritorialisation

In continuity with what have just said, we would like to evoke an actual case which is very similar to the models presented above. In this sense this section could be understood as an empirical test of the grammar of conflict we found in *Mille Plateaux*. In addition, this section can also be understood as the restitution of a part of the ecological context of *Mille Plateaux*. Indeed, the empirical case we examine in this section is very similar to the cases of ethnocide mentioned above. Moreover, this ethnographical case has been reported by ethnologists (especially Philippe Descola) between the 1970 and the 1980. While *Deleuze* and Guattari probably never heard about this case. we would like argue that, having been interpreted as a form of ethnocide, it can be considered as part of the “remote” context of the discussions that *Deleuze* and Guattari held on this subject.

Here, the aforementioned ethnographical case regards the territorial transformations which affected Morona Santiago (a Southeastern province of Ecuador located in the lowlands of the country) from the beginning of the second half of the 20th century until today. We especially would like to focus on two important historical processes: 1° the territorial degradations induced by the movement of colonisation promoted by the State and other actors since 1960. 2° The recent implantation of the mining industry. Those long processes have deeply and durably affected the life of the Shuar, the indigenous population who live in the area, and generated several conflicts and social tensions in the region. Here, our principal objective is to show that, as in the models proposed above, this history is not reducible to the aforementioned traditional narrative of “accumulation by dispossession”. Rather the history of Morona Santiago should be interpreted as a long process of deterritorialisation.

We choose to set forth this specific case for at least two reasons: first, because there was the opportunity to have direct contact with the current situation concerning the fieldwork and the local actors. Indeed, in the framework of our participation in the indigenous cinema project Etsa-Nantu/Cámara-Shuar²⁶⁹⁷, we visited the region on three occasions and maintained regular contact

obstacle extérieur en principe”. DELEUZE Gilles, *Appareils d'Etat et Machine de Guerre, Cours à l'Université de Vincennes*, 05/02/1980, <https://www.webdeleuze.com/textes/242>.

2697 SOLER Carolina, “Media-médium: entre la etnografía y el cine comunitario”, *Universitas*, XV, 27, 2017, pp. 179-

with the actors involved (in total we spent around four months and half in Morona Santiago). We also benefited from the insight of ethnologists who spent several years in the field²⁶⁹⁸. The second reason for this choice (in fact the most important) is that these transformations have been fully documented both on the ecological, social, economic, and political level. In particular, ethnologists have provided full data on the socioecological organisation of the populations which live in the area. The fundamental point is that this data concerns the state of the organisation *before* and *after* the transformations that affected the region, which offers an exceptional comparative basis. In what follows, we focus more specifically on the history of Nankints, a former *centro* shuar located in the south of Morona Santiago, between the principal route which crosses the province (from north to south) and the Zamora river. From the perspective we adopted, this case is of special interest since the history of the Nankints intertwines both historical processes already hinted, namely colonisation and the expansion of the mining industry.

Here we begin this history by an overview of the present situation. The present situation will compel us to go back in time and to examine the history of the territory which is at the centre of concerns. Recently, the shuar “community” of Nankints has been the scene of intense conflicts between the local population, the Ecuadorian State and the Chinese company ExplorCobres S.A (EXSA) which plans to extract cooper in an open-pit mine, an extraction process which has a very high impact on local environments²⁶⁹⁹. This conflict found its culmination in 2016 when the Ecuadorian State evicted the *centro* shuar and its inhabitants. On 11 August 2016, a contingent of 1500 policemen and soldiers entered with backhoes into the community, destroying the houses and families which lived there (in total 32 persons). This way, the Ecuadorian state cleared the path for the company whose project named Panantza-San Carlos could affect durably the shuar community of Nankints, Tsuntsuim, Kutukú, Apunkius and Waapis, and also the parishes of Santiago de Panantza and San Carlos de Limón, where live *colonos* (settlers), non-indigenous farmers who dedicate themselves to agriculture. Indeed, immediately after the eviction, the company enclosed with fences the 4 hectares formerly occupied and built the camp of La Esperanza. Afterwards, expropriated shuar families took refuge in the *centro* shuar of Tsuntsuim and in the small towns of San Carlos de Limón and Panantza, where they received help from the farmers, who also reject open-pit mining. On 21st of November 2016, with the help of men coming from other communities, the former inhabitant of Nankints intended to take back their territory where they had lived for 10

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2698We especially thank Grégory Deshoullière, Sebastian Vacas-Oleas, Alice Reiner, Simone Garra and Carolina Soler for the long hours of discussion on this subject.

2699The following lines dedicated to the conflict are based on our own observations and several articles : EGUIGUREN RIOFRÍO María Beatriz and LOZANO Arturo Jiménez, “Análisis de conflicto socio ambiental “rosa de oro” cantón San Juan Bosco, Morona Santiago” in *Cognitio Juris*, Vol. I, n° 3, December 2011.

years. The day after, the police intervened and once again evicted the Shuar from the area. From 22 November to 14 December 2016, soldiers and policemen chased out the group of Shuar which had carried out the counter-attack of the 21st November. On 14th December, the conflict culminated in violent confrontations which causes the death of a police officer and several wounded on both sides. A state of emergency is declared by the government. It should be noted that it is not the first time that conflicts over natural resources have resulted in violence. In Morona Santiago, three Shuar lost their life due to these conflicts. In 2009, the Shuar schoolteacher Bosco Wisum was shot in a protest against a water bill proposed by congress, a bill whose objective was to allow mining corporations to appropriate water reserves²⁷⁰⁰. In 2013, Freddy Taish was shot during a military operation against artisanal mining at the riverbank of the Zamora river²⁷⁰¹. Finally, José Tendetza, known in the region as an ardent opponent to the project of the gold and copper mines in El Mirador, was found dead in a tributary of the Zamora river, his body showing signs of strangulation and torture²⁷⁰².

In fact, the conflict in Nankints dates back to 2006. On the 6th November 2006, through coordinate action, Shuar of several communities evicted the mining company working in Warints (a remote community located in Limón Indanza) and dismantled the mining camp of EXSA built in 2000 in the sector of Rosa de oro, very close to the future *centro* of the Nankints. Shuar received the support of Panantza's *colonos* and formed with them the Defence Committee for Life and Sovereignty of Panantza (*Comité de Defensa por la vida y la soberanía de Panantza*). It is worth nothing that, although the camp of Rosa de Oro was destroyed, no violence was used against the workers of the company who were immediately released. It was at this occasion that the Centro Nankints was founded, close to a small dirt road which leads to the main route west and to San Carlos de Limón (crossing the Zamora river) on the East. The choice of this spot was probably highly strategic because it allowed to watch over the former mining camp, to occupy the perimeter of the concessions “Panantza 1 and 2”, and to block the road which led to the concessions located on the other side of the Zamora, in San Carlos de Limón. In other words, the purpose of the

2700 BECKER Marc, *Pachakutik: Indigenous Movements and Electoral Politics in Ecuador*, Lanham, Rowman & Littlefield Publishers, Critical Currents in Latin American Perspective, 2011, pp. 184-185 ; DESHOULLIÈRE Grégory, “Une première route dans le Transkutukú, terres jivaro. Quelques remarques sur le rapport entre ethnicité, territoire et développement économique au temps de la Révolution citoyenne (Équateur)”, *Journal de la société des américanistes* [Online], 102-2, 2016, online since the 26th January 2017, connection the 20th April 2019. URL : <http://journals.openedition.org/jsa/14823>, p. 219 ; CHICAIZA Gloria, *Mineras Chinas en Ecuador: Nueva Dependencia*, Quito, Agencia Ecologista de la Información, 2014, pp. 108-109. See also the movie made by LARREA Julian and LAURINI Tania, *Por qué murió Bosco Wisum*, Lluvia Comunicación, 2010.

2701 SACHER William, *Ofensiva Megaminera China en los Andes. Acumulación por desposesión en el Ecuador de la ‘Revolución Ciudadana’*, Quito, Abya Yala, 2017, pp. 287-288; ...

2702 “¿Quién mató a José Tendetza?”, *Redacción Plan V*, 4 December, 2014, <https://www.planv.com.ec/historias/sociedad/quien-mato-jose-tendetza> ;

COLLYNS Dan, “Was this indigenous leader killed because he fought to save Ecuador's land? “, *The Guardian*, 2 June 2015, <https://www.theguardian.com/world/2015/jun/02/ecuador-murder-jose-tendetza-el-mirador-mine-project>.

occupation was in part the protection of the whole area and the surrounding communities.

It is this episode of the conflict which allowed Rafael Correa, the former president of Ecuador, to justify the military operation in 2016. Indeed, he argued that the disputed land had never belonged to the Shuar, who were, according to his words, nothing more than “invaders”. In an address on television, he claimed that those lands “were never *ancestral lands*. A while ago, those lands were distributed by the IERAC in Amazonia. They were destined to agriculture, to cattle. They were not *virgin territories*. They always belonged to *colonos*”²⁷⁰³. It should be noted that, in his speech, the former president draws an opposition between two equivalences: 1° on one hand the equivalence between indigenous “ancestral lands” (*tierras ancestrales*) and virgin territories (*tierras vírgenes*) 2° on the other hand, the equivalence between “land belonging to settlers and used for cattle” and “occupied land”. The equivalence between virgin territory and ancestral lands is not just a slip of the tongue, since it is repeated over and over again all along the speech. It is as if only lands worked by settlers were really “occupied”, and as if indigenous lands were untouched lands, land which had not been modified by the Amerindians. According to this discourse, it would mean that only agriculture and cattle are legitimate modes of occupation of the land and that the indigenous do not modify their environment. In that sense, it almost amounts to identifying the indigenous with their environment. In short, if they do not modify nature, it is because they are natural elements, they are parts of the landscape. The consequence of this identification is that it deprives the group from any political subjectivity (if they are a part of nature, they cannot be part of a political community)²⁷⁰⁴. Just before the passage we have just quoted, the former Ecuadorian president proposed a history of this disputed territory. He claims that in 1993, the 92.7 ha in dispute were allocated by the IERAC (*Instituto Ecuatoriano de Reforma Agraria y de Colonización*) to a settler, who sold the land to another settler, who himself sold it to EXSA in September 2000. Interestingly, the former Ecuadorian president interrupts his historical enquiry at the beginning of the 1990s. This raises several questions. First, who lived in these lands before they were distributed to settlers by the IERAC? Were these lands virgin territories? The answer seems so obvious that one could ask why such a question. Indeed, it seems obvious that the region was principally occupied by the Shuar. Nevertheless, one thing is the fact that the region was inhabited

²⁷⁰³“Es decir, nunca fueron tierras ancestrales. Hace rato, eran tierras de la que se repartió el IERAC en la Amazonia. Estaban, eran para agricultura, ganadería. Tampoco es que es selva virgen. Y siempre estuvo en manos de colonos”. *Enlace ciudadano*, n°505. (our translation).

²⁷⁰⁴On the identification of indigenous populations with natural elements, see VIVEIROS DE CASTRO Eduardo Batalha and ANDRADE Lucia Mendonça Morato, “Barrages du Xingu : l'État contre les sociétés indigènes”, in ALBERT Bruce (ed.) *Brésil: Indiens et Développement en Amazonie*, Londre-Paris, Survival International, *Ethnies* n° 11-12 Spring, 1990, pp. 64-71 et DESCOLA Philippe, “De l'Indien naturalisé à l'Indien naturaliste: sociétés amazoniennes sous le regard de l'Occident”, in CADORET Anne (ed), *Protection de la Nature: Histoire et Ideologie. De la Nature à l'Environnement*, Paris, l'Harmattan, 1985, pp. 221-235.

by the indigenous, another thing is to know who exactly inhabited this small land of 90 ha which is at the centre of the dispute. Second, what is exactly the IERAC? Even if this Ecuadorian Institute of Agrarian Reform and Colonisation is very well known by anthropologist and those who has worked in this region, it is worth asking the question to understand the historical context in which this institute appears. Moreover, the apparent contradiction inherent to the name of the institute must be elucidated: at first glance it seems to be both an institute of land redistribution (agrarian reform) and colonisation. In other words, what was exactly the role of this institute created by the Ecuadorian State? This leads us to the history of Morona Santiago before the 1990s, a history which is principally the history of the colonisation of the *Oriente* (the name given to the Amazonian part of Ecuador). We shall see that the history of the colonisation of the region is not only that of the dispossession of Shuar from their lands but also and above all a destruction of their relationship to the earth. In other words, it is the history of the destruction of their territoriality.

To start this history, it is worth recalling that Shuar is one of the four dialect groups (the Shuar, the Achuar, the Huambisa and the Aguaruna)²⁷⁰⁵ which make up the “Jivaroan” linguistic family (a term which is today very controversial among indigenous who, currently, tend to prefer to use the term *Aénts Chicham*²⁷⁰⁶). Traditionally, Shuar were semi-nomad hunter-gatherers who did not have a State or hierarchies²⁷⁰⁷ and whose relation with the environment was not mediated by private property but by a complex system of use structured on kinship relations²⁷⁰⁸. They arrived in the Upano Valley 500 years before the Spanish conquest and their presence was testified by chroniclers²⁷⁰⁹. In 1956, their spatial distribution goes from the Upano Vallley to the eastern region of Taisha (beyond the cordillera of Kutukú) and to the south, all along the Zamora river²⁷¹⁰.

First contacts with white people date back to the expedition of Bernardo Benavente in 1549²⁷¹¹. Thereafter, after an expedition of colonists sent by the viceroy of Peru, Spaniards decided to extract gold from the Paute, Zamora and Upano rivers. From then on, Spaniards began to require from the shuar tributes in gold dust. Because of the excessive greed of the governor of Macas, the

2705DESCOLA Philippe, *La Nature Domestique: Symbolisme et Praxis dans l'Ecologie des Achuar*, Paris, Editions de la Maison des Sciences de l'Homme, 1986, p. 16.

2706DESHOULLIÈRE Grégory and UTITIAJ PAATI Santiago, “Acerca de la Declaración sobre el cambio de nombre del conjunto Jivaro”, *Journal de la Société des américanistes*, 105-2, 2019, pp. 167-179.

2707HARNER Michael J., *The Jivaro. People of the Sacred Waterfalls*, London, Robert Hale & Company, 1972, p. 170.

2708DESCOLA Philippe, “Territorial adjustments among the Achuar of Ecuador”, *Informations sur les Sciences Sociales*, 21 (2), 1982, pp. 299-318; DESCOLA Philippe, “Appropriación de la tierra entre los Achuar”, *América Indígena* (Mexico), 43 (2), April-June, 1983; PETERSSON Charlotte, *Negotiating Reproduction: Family Size and Fertility Regulation among Shuar People of the Ecuadorian Amazon*, PhD thesis, Göteborg, University of Gothenburg, 2012, p. 60 ; see also RUBENSTEIN Steven L., “Steps to a political ecology of Amazonia”, in *Tipiti: Journal of the Society for the Anthropology of Lowland South America*, Vol. 2, Issue, 2, 2004, p. 12.

2709ROSTAIN Stéphen, “Cronología del valle del Upano (Alta Amazonía ecuatoriana)”, *Bulletin de l'Institut Français d'Etudes Andines*, 39 (3), 2010, p. 679.

2710See the map drawn by Michael J. Harner in HARNER Michael J., *The Jivaro*, *op. cit.*, p. 11.

2711HARNER Michael J., *The Jivaro*, *op. cit.*, p. 18 *sqq.*

indigenous ended up evicting the Spaniards in 1599. From this date to the second half of the 19th century, contact with white society remained very restricted.

It is only at the end of the 19th century that the history of modern colonisation really began, with the creation of the Vicarship of Mendez and Gualaquiza granted to the Salesians in 1893²⁷¹². At the beginning of the 20th century, small groups of settlers settled the Upano valley. In the beginning, the *colonos* established peaceful relationships with Shuar. Especially, they exchanged clothes and tools for lands. Here, the difference between two very different concepts of spatiality and sociality facilitated this first movement of colonisation: whereas the *colonos* thought that, trading machetes for land, they were buying and appropriating a piece of land, the Shuar thought they were establishing social relationships based on gift and counter-gift, and that there was no problem for them to give up their territory that they would in any case leave a few years later²⁷¹³ (indeed, the field was generally left after 10 or 15 years of occupation²⁷¹⁴). Thus, different concept of sociality: for the *colonos* the exchange is the end of the relationship, for the Shuar it is the beginning of the relation and the integration into a network of reciprocal exchanges. Moreover, and above all, different concepts of territoriality are present: the settler's relation to the land was based on private property, the Shuar's territoriality was based on itinerancy²⁷¹⁵.

Between 1930 and 1940, colonisation was intensified and the Shuar began to worry about land appropriation by settlers. *Colonos* brought cattle and transformed territories they occupied into pasture for their animals, which caused an intense deforestation (a use of land which differed from the Shuar slash-and-burn horticulture and hunting, livelihood activities more adapted to Amazonian ecosystems and in part responsible of its constitutions²⁷¹⁶). Then, the extension of the colonial frontier in the Upano valley forced a part of the Shuar to cross the Cordillera of Kutukú (located in the East) and to settle in the region of Taisha (also called Transkutukú). To understand how unbalanced the power relationship was between Shuar and *colonos*, it is worth mentioning the case of the colonisation of the Idanza valley: in 1952, prompted by the government, the mayor of Idanza and the priest Luis Carollo planned to distribute a part of the valley to seventeen households. In the face of such a number, the two families of Shuar who lived there could not resist and had no other choice than to sell their land, knowing that they could easily occupy the lands in the adjacent

2712DESCOLA Philippe, “*Ethnicité et développement économique: le cas de la Fédération des Centres Shuar*”, in GROUPE DE RECHERCHES SUR L'AMÉRIQUE LATINE (éd.), *Indianité Ethnocide, Indigénisme en Amérique Latine*, Paris-Toulouse, Éditions du CNRS, 1982, p. 223 (pp. 221-237); RUBENSTEIN Steven L., “Colonialism, the Shuar Federation, and the Ecuadorian State”, *Environment and Planning D: Society and Space*, Vol. 19, Issue 3, 2001, pp. 263-293.

2713RUBENSTEIN Steven L., “Colonialism, the Shuar Federation, and the Ecuadorian State”, *op. cit.*, p. 267.

2714DESCOLA Philippe, *La Nature Domestique*, *op. cit.*, p. 45.

2715RUBENSTEIN Steven L., “Colonialism, the Shuar Federation, and the Ecuadorian State”, *op. cit.*

2716DESCOLA Philippe, *La Composition des Mondes*, *op. cit.*, p. 144.

areas²⁷¹⁷.

At the beginning of the 1960s, the Ecuadorian State takes an active part in the colonisation of Amazonia (which was more or less spontaneous until this moment) and aids settlers. There are at least three motivations to this official involvement of the State: 1° the colonisation made the integration of the wealth of the Oriente into the national economy possible 2° it was a means of reasserting Ecuador's sovereignty in the lowlands (especially after the loss of territories in the war against Peru in 1941) 3° to alleviate the demographic pressure and poverty in the Andean province of Azuay y de Cañar²⁷¹⁸. Territorial sovereignty, increases of national production and control and distribution of population over the territory, three intertwined logics inherent to all modern States (or the march to modernisation). Through the CREA (Centre of Economic Conversion of Azuay, Cañar y Morona Santiago²⁷¹⁹), the State created health and educative infrastructure, administrations of justice, it built bridges and roads (communication channels indispensable to colonisation) and it granted property titles²⁷²⁰. Without the support and the involvement of the State, such a large-scale colonisation would probably never have been possible and the social and ecological destruction entailed by the invasion would never have taken such a magnitude.

During the same period, Ecuador carried out its first agrarian reform (as many countries in Latin America²⁷²¹), a historical process which continues until the 1990s (precisely the period when the aforementioned settlers acquired the land which is today claimed by the Shuar against the mining company). This reform was closely connected with colonisation. Indeed, according to its instigators, there was a disequilibrium between overpopulated lands and the *tierras baldías*, that is, uncultivated and abandoned lands²⁷²².

Already in 1936, the law of *Tierras Baldías* stipulated that agricultural land that was left uncultivated belonged to the State, a legal framework which compelled every individual desiring to enter in possession of land to exploit it. At this time, because they were not considered to be cultivators of the land, the Shuar were categorised as occupants without titles²⁷²³. In 1964, the Military Junta promulgated the first law of agrarian reform and colonisation and created the

2717RUDEL Thomas K. and HOROWITZ Bruce, *Tropical Deforestation. Small Farmers and Land Clearing in the Ecuadorian Amazon*, New York, Columbia University Press, 1993, p. 76.

2718SALAZAR Ernesto, "An Indian Federation in Lowland Ecuador", Copenhagen, IWGIA, IWGIA Document 28, 1977, p. 21 sqq.; RUDEL Thomas K. and HOROWITZ Bruce, *Tropical Deforestation*, *op. cit.*, p. 61; DESCOLA Philippe, "Ethnicité et développement économique: le cas de la Fédération des Centres Shuar", *op. cit.*, p. 224.

2719CREA was created by rich elites of Cuenca who sought to overcome the economic crisis after the collapse of Panamá and trade.

2720SALAZAR Ernesto, "An Indian Federation in Lowland Ecuador", *op. cit.*, p. 22.

2721On the different agrarian reform in Latin America and the difference of their content, see ROUQUIÉ Alain, *Amérique Latine. Introduction à l'Extrême-Occident*, Paris, Seuil, Points Essais, 1998, pp. 397-401.

2722GONDARD Pierre and MAUREK Hubert, "30 años de Reforma Agraria y Colonización en el Ecuador (1964-1994): dinámicas espaciales", in *Revista de Geografía*, Corporación Editora Nacional, Vol. 10, 2001, pp. 15-40.

2723DESCOLA Philippe, "Ethnicité et développement économique: le cas de la Fédération des Centres Shuar", *op. cit.*, p. 226

IERAC, which gave the Nankints' land to the settlers. The IERAC gave lands to those who were capable of economically exploiting one quarter of the allocated area (the second reform in 1973 required one to work 50%²⁷²⁴, and the third reform required the two thirds²⁷²⁵). As we shall see, cattle were one of the principal means used to fulfil these legal requirements, *i.e.*, to develop the allocated plot.

Normann Whitten describes the IERAC as a bureaucratic institution whose principal objective was to allocate lands to non-indigenous settlers²⁷²⁶. This does not mean that the institute did not give land to the Shuar. However, in Morona Santiago, the allocation was very precarious, and it did not give any security to Shuar families since the title was given for a limited period of time (five years). Once the contract expired, land was automatically for sale and hence might well fall into the hands of white settlers²⁷²⁷. Moreover, after five years, the lands might be reclaimed by the IERAC in the case they were not developed; such a land policy forced the Shuar with no cattle to rent their land for grazing the cattle from colonists and thus created a situation of economic dependency²⁷²⁸.

In the face of this invasion, which reduced more and more their living space, the Shuar were obliged to play by the rules of the game imposed by the State institution in order to defend themselves. They created the Interprovincial Federation of Shuar Centres (FICSH) in Sucúa, a federation which is often presented as the first modern indigenous organisation²⁷²⁹.

To understand the functioning of this Shuar Federation, it is necessary to return to this moment of the creation of the first *centros*, its territorial base units. Formerly, Shuar territorial occupation was characterised by a great dispersion of households, which constituted the basic unit of production²⁷³⁰. However, this apparent atomism was tempered by what Philippe Descola called the “endogamous *nexus*”, a functional supra-local (but non-institutional) structure, which comprised of ten or fifteen scattered domestic units, whose members were related by kinship and affinity²⁷³¹.

2724RUDEL Thomas K. and HOROWITZ Bruce, *Tropical Deforestation*, *op. cit.*, p. 54.

2725DESCOLA Philippe, “*Ethnicité et développement économique: le cas de la Fédération des Centres Shuar*”, *op. cit.*, p. 226

2726WHITTEN Norman E., *Sacha Runa: Ethnicity and Adaptation of Ecuadorian Jungle Quichua*, Urbana, University of Illinois Press, 1976, p. 276.

2727SALAZAR Ernesto, “An Indian Federation in Lowland Ecuador”, *op. cit.*, p. 32.

2728*Ibid.*, p. 41.

2729LE BOT Yvon, *La Grande Révolte Indienne*, Paris, Robert Laffont, *Le monde comme il va*, 2009, pp. 54-55 ; LE BOT Yvon, “*Les mouvements indiens en Amérique Latine. Étapes, dimensions et significations*”, in GROS Christian and STRIGLER Marie-Claude, (eds.) *Etre indien dans les Amériques. Spoliations et Résistance: Mobilisation Ethniques et Politiques du Multiculturalisme*, Paris, Edition de l'Institut des Amériques, Editions de l'Institut des Hautes Etudes de l'Amérique Latine, 2006, pp. 157-168.

2730DESCOLA Philippe, “Territorial adjustments among the Achuar of Ecuador”, *op. cit.*, p. 303 ; DESCOLA Philippe, “*Appropriación de la tierra entre los Achuar*”, *op. cit.*, p. 300; DESCOLA Philippe, “*Ethnicité et développement économique: le cas de la Fédération des Centres Shuar*”, *op. cit.*, p. 226.

2731Descola defines the endogamous nexus as follows : “*Un nexus endogame est formé par un ensemble de dix à quinze maisonnées dispersées sur un territoire relativement délimité et dont les membres entretiennent des rapports*

This territorial form of distribution was disrupted by the Salesian who convinced the shuar to 1° to open airstrips and settle around them 2° and to dedicate themselves to cattle-breeding. Progressively, the former territorial organisation was replaced by the nucleation of the households into villages. The nucleation of the habitat had the double advantage of protecting the indigenous against land usurpation and, above all, to make the process of conversion easier²⁷³². Urged by the missionaries, the Shuar finally created Shuar centres (*centros shuar*), political and administrative units with a delimited territory and groupings of around 25 or 30 families (which generally composed the endogamous nexus) around an airstrip or a central place (a spatial configuration which reproduced the bounded space of the mission)²⁷³³. Thereby, the settling process of this former seminomadic population was achieved.

In 1964, once again due to the instigation of the Salesians, the Shuar created the Federation to struggle against colonisation and to recuperate the stolen lands²⁷³⁴. Shuar *centros* precisely constituted the administrative base units of the Federation, which paradoxically reinforced the two aforementioned processes, *i.e.*, the settling process and the conversion to cattle-breeding. Rapidly, the Shuar Federation became a bureaucratic machine charged with obtaining property titles from the IERAC in order to stop the massive land appropriation by white settlers. The strategy was to request that title property should be granted globally (and not individually). On one hand, this allowed the acceleration of the process of land legalisation. On the other hand, under the regime of collective property, the Shuar could not sell their land without the approval by the Federation, a measure which had the advantage of limiting the sale to colonists as well as the land grabbing²⁷³⁵. It should be noted that land sale to colonists is still a problem, above all in the actual context of conflict with the mining companies. Indeed, the risk is that, once sold to the colonists, the land may fall under the hands of the company. In this sense, the collective property still provides some legal protection against these processes. As previously said, the titles were granted by the IERAC under the condition that at least one quarter of the part was exploited. As horticulture was not sufficient to

étroits et directs de consanguinité et d'alliance". DESCOLA Philippe, *La Nature Domestique*, *op. cit.*, p. 19.

2732RUDEL Thomas K., "Partitioning and Regional Development Strategies in the Ecuadorian Amazon", in *GeoJournal*, Vol. 19, n° 4, Tropical Rainforest, December 1989, p. 440 (pp. 437-446); RUBENSTEIN Steven L., "Colonialism, the Shuar Federation, and the Ecuadorian State", *op. cit.*, p. 275.

2733DESCOLA Philippe, "Ethnicité et développement économique: le cas de la Fédération des Centres Shuar", *op. cit.*, p. 229; RUBENSTEIN Steven L., "Colonialism, the Shuar Federation, and the Ecuadorian State", *op. cit.*, p. 275; SALAZAR Ernesto, "An Indian Federation in Lowland Ecuador", *op. cit.*, p. 27-28.

2734In addition of the already quoted articles dedicated to the FICSH, see also SALAZAR Ernesto, "The Federation Shuar and the Colonization Frontier", in WHITTEN Norman E., (ed.), *Cultural Transformations and Ethnicity in Modern Ecuador*, Urbana, University of Illinois Press, 1981, pp. 589-613; RUBENSTEIN Steven L., *Alejandro Tsakimp. A Shuar Healer in the Margins of History*, Lincoln-London, University of Nebraska Press, 2002, pp. 167-191.

2735SALAZAR Ernesto, "An Indian Federation in Lowland Ecuador", *op. cit.*, p. 33; RUBENSTEIN Steven L., *Alejandro Tsakimp*, *op. cit.*, p. 177.

cover such a surface, the solution proposed by the Salesians was to promote cattle production²⁷³⁶. The introduction of cattle allowed the satisfaction of the legal requirement to access land property and the incorporation of the Shuar. That is how cattle-breeding, which had been formerly promoted by the missionaries, became one of the bases of the Shuar system of production.

In the face of this counter-offensive waged by the Federation, CREA persuaded the military junta to reserve an extensive area for mestizo colonists at the East of the Cordillera Kutuku²⁷³⁷. Moreover, from 1976 to 1988, the IERAC significantly slowed down the process of land legalisation for the Shuar and *Apach'* (as the Shuar calls the colonists) taking advantage of this situation to appropriate more territory²⁷³⁸. The Shuar accused the CREA of having persuaded the IERAC to delay the granting of property titles²⁷³⁹, accusations which seem to be confirmed by the statistics on the legalisation of lands²⁷⁴⁰.

It is within this general movement of colonisation that the history of the disputed territory of Nankints must be replaced. As such, many lands of the region, the area coveted by the Chinese company, were occupied by Shuar groups and colonised by *mestizo* settlers. For instance, in 1968, a group of peasants coming from Azuay intended to settle at the Eastern bank of the Zamora river and founded the small town of San Carlos de Zamora in a land located in the today's parish of San Carlos de Limón²⁷⁴¹. At this time, competition for land was fierce. For instance, a conflict opposing several groups of colonists was finally settled with guns and machetes. Finally, this attempt of colonisation ended in failure and twenty years later, only four families were left. Nevertheless, even if the colonists left, the territory did not remain uninhabited since the Shuar were living there. This is evidenced by a description of the first anniversary of San Carlos de Zamora (15 September 1969) given by a colonist. Indeed, his testimony mentions that some sixty Shuar, coming from the neighbourhood, were present at the celebration²⁷⁴².

With regard to the other part of the area of influence of the mining project San Carlos Panantza, it is quite clear that it was inhabited by Shuar before 1993. During our last stay in 2018,

2736RUBENSTEIN Steven L., "Colonialism, the Shuar Federation, and the Ecuadorian State", *op. cit.*, p. 280; DESCOLA Philippe, "Ethnicité et développement économique: le cas de la Fédération des Centres Shuar", *op. cit.*, p. 230.

2737RUDEL Thomas K., "Partitioning and Regional Development Strategies in the Ecuadorian Amazon", *op. cit.*, p. 440

2738*Ibid.*, p. 440; SALAZAR Ernesto, "An Indian Federation in Lowland Ecuador", *op. cit.*, pp. 47-48.

2739See the Manifest of the Shuar Federation: "*Si bien en los primeros años el IERAC agilizó los trámites de adjudicaciones legal de las tierras, en los últimos años a partir de 1975, ha entorpecido sistemáticamente esta adjudicación. Nótese que en 1975 había legalizado la propiedad del pueblo Shuar sobre 95.704, 63 Has y hasta 1980 apenas se han adjudicado alrededor de 35. 000 Has más. Este evidente entorpecimiento de los trámites de adjudicación legal obedece a la interferencia del CREA, institución estatal que, como veremos más tarde, tiene interés en que no se legalice la adjudicación de las tierras para emprender futuros programas de colonización*". "Manifiesto de la Federación Shuar" in *El Indígena y la tierra. Conferencia de Ginebra* (12-18 de Septiembre 1981), Quito, Abya-Yala, Colección 500 años, N° 55, p. 204

2740RUDEL Thomas K., "Partitioning and Regional Development Strategies in the Ecuadorian Amazon", *op. cit.*, p. 440

2741RUDEL Thomas K. and HOROWITZ Bruce, *Tropical Deforestation*, *op. cit.*

2742*Ibid.*, p. 102.

we had the opportunity to interview an old person, who claimed she lived in the territory of Nankints before 1993 (in fact, she was evicted by settlers from this land). This testimony has been confirmed by several Shuar and also by white settlers living in Panantza, the small town close to the disputed terrain. Interviews we made in Panantza also attest of the presence of the Shuar before the creation of the town. In addition, it should be mentioned that the Shuar produced their own history of that territory in a video produced by Cámara Shuar²⁷⁴³. In the video, they claim especially that several families used to live in the area. Therefore, there is no doubt that the area of Nankints was inhabited by Shuar and that the history we briefly traced applies to this specific case.

The history of social conflicts which shook this area before 1993 contrasts with the version of the former president, which does not go back before this date. The acquisition of the lands by the Chinese company through their purchase from the *colonos* (who received them from the IERAC) does not appear as a simple transfer of property carried out ; this land acquisition is the result of an historical conflict, which opposed Shuar, *colonos* and the State and in which relationships of power were not in the favour of the indigenous, who experienced the progressive reduction of their vital space. There is an obvious continuity between the massive colonisation of the area organised by State since the beginning of the second half of the 20th century and the recent history of the conflict about the mining industry (2006).

However, and this is the point we would like to emphasize, those two intertwined histories cannot be reduced to the history of land dispossession; it is also, and above all, the history of a destruction: destruction of the ecosystems and the rainforest, destruction of the former attachments to the land. Indeed, the history of the region outlined above is the history of the degradation of the Shuars' territoriality, a territoriality which was very adapted to the Amazonian ecosystem. It is the history of the replacement of this territoriality by a regime of territoriality whose environmental and social consequences are terrible for the future of the Amazon. This new regime of territoriality is based on three principles which are closely interrelated: 1° property, 2° nucleation of the habitat and settling process, 3° cattle ranching (and we probably should add State territorial sovereignty).

Indeed, 1° under the influence of the missionaries first and 2° then because of the legal framework of land access imposed by State, the Shuar adopted a) collective property, b) they ceased to live an itinerant life and settled in *centros* c) they became cattle ranchers. As said before, the regime of property imposed by the State and the actions of the FICSH to obtain title properties reinforced the adoption of this new territoriality. Indeed, negotiations about land were carried out in the terms imposed by the State, and then at the detriment of indigenous: roughly speaking, because the only way (or at least the best way) to keep their land was the aforementioned legal framework

2743 E.T.S.A.-NANTU/CÁMARA-SHUAR, *Nankints, la otra historia*, 2019, <http://www.camara-shuar.org/>.

imposed by the State, *i.e.*, property, the Shuar had to adopt this specific form of relation to the land; because the only way to obtain title property (and thus not to lose everything) was to exploit at least a quarter of it, they had to implement massive cattle-breeding in the region. the Shuar Federation may have recuperated significant parts of the former territory in which they live, this was at the price of a territorial change whose costs are very high. In this sense, what may appear as a victory (the reappropriation of land) may also appear as a defeat (the degradation of a territoriality and former attachments).

This is precisely the conclusion we may draw from the reading of the already quoted articles that Descola wrote in the 1980ss about this territorial transformation. To understand this spatial change caused by the new regime of territoriality imposed by the context of colonisation, it is necessary to recall some of the characteristic of the *Aénts Chicham's* territoriality that Descola had described in *La Nature domestique*. This book is a monograph on *Achuar's* domestic economy and symbolic ecology but ethnologists have emphasised the close similitude of both Shuar and Achuar's material and symbolic culture and also the similitudes of the transformation of the two groups' territoriality induced by colonisation²⁷⁴⁴. Consequently, it seems that we are allowed to use this reference as a solid ethnographical basis to recall one of the main aspects of Shuar's former territorial system. As said before, this territoriality functioned as scattered households which were grouped under an endogamous nexus. In *La Nature domestique*, Descola explains that each domestic unit can be represented as a series of concentric circles: 1° first the house (in which a single family live), 2° then “gardens” (*aja*) where women dedicated themselves to horticulture, 3° finally the forest, the place of hunting²⁷⁴⁵.

Aja are *essarts*, *i.e.*, small portions of climax forest which have been cleared by the indigenous²⁷⁴⁶. After the clearing, the vegetation is burnt²⁷⁴⁷ and women plant around a hundred species in the ashes²⁷⁴⁸. Among the plants cultivated in these gardens, there are a 62 cultigens (domesticated species) but also around 40 wild species transplanted from the forest²⁷⁴⁹. Moreover, small wild animals, which come in the gardens to eat, defecate in the gardens and thus leave seeds of wild plants which grow with the other cultivated plants²⁷⁵⁰. The important point is that this

2744TAYLOR Anne-Christine, “Relations inter-ethniques et formes de résistance culturelle chez les Achuar de l'Équateur”, in GROUPE DE RECHERCHES SUR L'AMÉRIQUE LATINE (éd.), *Indianité Ethnocide, Indigénisme en Amérique Latine*, Paris-Toulouse, Éditions du CNRS, 1982, pp. 239-250; DESCOLA Philippe, *Les Lances du Crépuscule: Relations Jivaros, Hautes Amazonie*, Paris, Pocket, Terre Humaine/Poche, 2006 [1993], p. 26.

2745DESCOLA Philippe, *La Nature Domestique*, *op. cit.*, p. 133.

2746For the choice of the french term *essart*, see DESCOLA Philippe, *La Nature Domestique*, *op. cit.*, p. 170.

2747DESCOLA Philippe, *La Nature Domestique*, *op. cit.*, p. 193.

2748*Ibid.*, p. 198.

2749*Ibid.*, p. 200.

2750DESCOLA Philippe, *Les formes du paysage (suite)*, in *Cours et travaux du Collège de France. Annuaire 113e année*, Collège de France, Paris, avril 2014, pp. 679-701. DESCOLA Philippe, *La Nature Domestique*, *op. cit.*, p. 207.

system of polyculture reproduces the trophic structure of the primacy forest and thus prevents any form of soil erosion: banana trees (upper level), manioc leaves (intermediary level) and sweet potatoes (at the ground level) protect the soil and prevent the leaching of the humus layer by the sun and the rain²⁷⁵¹. After three or four years the garden is abandoned and the forest “takes back her rights”: cultigens disappear and transplanted wild species remain *with a greater density*. Work in the garden implies the ability to master the complex combination of crop rotations and an intimate knowledge of the plants and their evolution since the first day they are planted²⁷⁵². More specifically, the cultivation and the reproduction of manioc requires constant care which creates reciprocal dependency between women and the plant²⁷⁵³. This specific and repeated material interactions with the garden produces a strong attachment of women with their garden: “*chaque jardin est le lieu d'une association presque charnelle avec la femme qui l'a créé et le fait vivre. (...) A la mort d'une femme, son jardin meurt aussi le plus souvent car (...) aucune autre femme ne se risquerait à poursuivre impromptu avec lui un commerce qu'elle n'aurait pas elle-même débuté*”²⁷⁵⁴. This material attachment is doubled by a symbolic interaction with the garden. Indeed, the cultivation of manioc requires a set of ritual precautions without which gardening cannot be effective. In particular, it is necessary to maintain good relationships with Nunkui, a feminine spirit living in the soil and who is considered as the mother of cultivated manioc. Women interact with this being through the mediation of magic songs called *anent* and then ensure the productivity of their garden²⁷⁵⁵. Descola's analysis of these songs shows that the identification of the woman gardener with Nunkui implies that plants are also considered as the children of the former²⁷⁵⁶.

The last concentric circle is that of the forest. Descola points out that this space is by no means? wild, from both a material and a symbolic point of view. In fact, there is a continuum between gardens and forests: 1° forests are macro-gardens and 2° gardens are micro-forests²⁷⁵⁷. As said, slash-and-burn horticulture modifies the structure and the composition of the forest and the Achuar are aware of that fact. At the symbolic level, the forest space is a vast garden maintained by Shakaim, a spirit which is considered as being the brother or the husband of Nunkui²⁷⁵⁸. Conversely, we said that the gardens reproduce the three-story trophic structure of the forest and forest plants are transplanted in the *essart*. Moreover, gardens are formerly portions of Shakaim's garden who

2751DESCOLA Philippe, *La Nature Domestique*, op. cit., p. 212.

2752Ibid., p. 218.

2753Ibid., p. 238.

2754Ibid., p. 218.

2755Ibid., p. 246.

2756Ibid., p. 249.

2757DESCOLA Philippe, *Les formes du paysage (suite)*, op. cit., p. 691.

2758DESCOLA Philippe, *La Nature Domestique*, op. cit., p. 251 ; DESCOLA Philippe, *Les Lances du Crépuscule*, op. cit., p. 118.

concedes a part of it to humans. Now, this portion given to humans is constantly under the threat of disappearing and returning to its former state. Indeed, Nunkui constantly threaten to make the plants cultivated by humans disappear and to replace them by Skakaim's, a reason why it is important to maintain good relation with her²⁷⁵⁹. The forest is also and above all the place of cynegetic activities. Here again, these activities are strictly embedded into ritual precautions. The hunter has to negotiate with the masters of game to be allowed to capture a portion of the animals those spirits control²⁷⁶⁰. The catch must remain moderate and in case of overhunting the hunter exposes himself to reprisals from the masters of game. Moreover, the relation that men have with the hunted animal is a relation of close complicity (even more than in the case of the interaction of women with manioc)²⁷⁶¹. Hunting is always a relation of seduction and alliance with the game which is considered as a brother-in-law, an interaction which, once again, requires one to sing *anent*.

It is not necessary to dwell more on this aspect of *Aénts Chicham*'s regime of territoriality which are today well known within the academic world (and beyond). We recall these few elements of the work of Descola for two reasons. First, our intention is to emphasize the close relation between both material and symbolic territorial attachments. We especially insisted on the socioecological aspect of these attachments, part of the work of Descola which is so often forgotten²⁷⁶². The second reason, already hinted above, is that this outline of the regime of territoriality described in *La Nature domestique* allows us to take the full measure of the territorial disruption provoked by the colonisation of the low land of Ecuador.

As suggested above, the implementation of a three-head territorial model based on property, cattle and settling processes degrades Shuar and Achuar's territorial attachments.

First, nucleation of the habitat, the multiplications of *centros* and finally the settling process has a significant impact on the cynegetic activity and thus on a form of attachment with animals. Indeed, as already pointed out by Lizot and recalled by Descola, one of the principal reasons of the periodic move of the households is to avoid the depletion of non-renewable resources such as game and fish, etc. The settling process, combined with the population growth, causes a degradation of the fauna and flora and a progressive game shortage. In other words, it leads to a deterioration of cynegetic practices, thus the loss of a significant protein source and the impoverishment of the diet, and also an increasing dependency on the market²⁷⁶³. Now, game shortages cannot be reduced to a question of diet deterioration; as said above, it is also an intimate relationship with animals which

2759DESCOLA Philippe, *Les formes du paysage (suite)*, *op. cit.*, p. 693.

2760DESCOLA Philippe, *La Nature Domestique*, *op. cit.*, p. 317.

2761*Ibid.*, p. 320.

2762DESCOLA Philippe, *La Composition des Mondes*, *op. cit.*, pp. 81-83.

2763RUBENSTEIN Steven L., "Steps to a political ecology of Amazonia", *op. cit.*, p. 12.

disappears.

Second, cattle-breeding exacerbates these trends. The constant care required by the cattle reduces the several days hunting expeditions in the rainforest²⁷⁶⁴. Moreover, and above all, the transformation of the forest space into pasturelands leads to an unprecedented deforestation²⁷⁶⁵. In addition, the clearing of the vegetation cover degrades the soils. Indeed, Amazonian soils are very poor and consequently, with the removal of the vegetation cover, the humus layer is quickly washed out by rain and sun. This is why Shuar's art of gardens reproduced this cover and thereby avoids soil erosion. That is not the case with pastureland which exposes the soil to the conjugate action of rain and sun and thus prevents the replenishment of nutriment in the soil. In other words, once the land is cleared, forests cannot grow back and the loss is irremediable. Consequently, the Amazonian landscape is quickly transformed into a savanna which is very poor from a biological point of view²⁷⁶⁶. There is no need to point out the effects of such loss on the game (and thus on cynegetic practices) and also the damage on the symbolic complex and ecological system of interactions between gardens and forests mentioned above. To finish, the extension of pasturelands competes with horticulture to the detriment of the latter, ecological practices which are progressively abandoned by Shuar and which become more and more impossible because of environmental degradation²⁷⁶⁷. Here again, the disappearance of horticulture is a triple loss: it means a degradation of diet and also the loss of biological diversity (think about the number of species which were cultivated in the former *aja* before colonisation). Finally, it is also the disappearance of a world, and especially of a feminine world. Indeed, we saw how the Achuar and Shuar women were attached to this world governed by invisible beings. Obviously, we are not saying that *aja* have totally disappeared: horticulture is still practised in a number of *centros* (we had the opportunity to visit some of them during our stay). However, there is no doubt that this feminine world suffered from an impoverishment, both from the biological (the diversities of cultivated species) and symbolical aspects (the symbolic interactions with invisible beings).

Here we see that in all of these cases, the degradation is systematically double. Shuar's territoriality deteriorated from the point of view of the material and ecological interaction with the world but also from the point of view of the symbolic interactions. As Descola writes at the end of one of his articles, the Achuar cosmology and symbolic systems are based on hunting and gardening and thus those territorial attachments will soon be obsolete because of the process we

2764DESCOLA Philippe, "Ethnicité et développement économique: le cas de la Fédération des Centres Shuar", *op. cit.*, p. 232.

2765RUDEL Thomas K. and HOROWITZ Bruce, *Tropical Deforestation*, *op. cit.*, pp. 59-88.

2766DESCOLA Philippe, *La Composition des Mondes*, *op. cit.*, p. 319.

2767DESCOLA Philippe, "Ethnicité et développement économique: le cas de la Fédération des Centres Shuar", *op. cit.*, 231.

already mentioned²⁷⁶⁸.

Once again, the Shuar and their Federation certainly managed to slow down the advance of the colonisation front and to recover a significant part of their vital space. Nevertheless, although it can be conceded that a significant victory has been obtained regarding the question of land (in short the question of land property), the same cannot be said regarding their territoriality which has been profoundly altered by the territorial changes induced by colonisation. Here is the difference between the struggle for land (struggle for the appropriation of a portion of nature) and struggle for territory, *i.e.*, the struggle for the multiple territorial attachments by which human, land and non-human beings are connected. From one point of view, the Shuar may have won, but from another, it should be admitted that the destruction of their socioecological territoriality is significant. In other words, what has been gained in quantity, has been lost in quality. Lands were recuperated, but the strategy that the Shuar were forced to adopt leads them to an impoverishment of their world and the multiple attachments which composed it. We are tempted to contend that they have won the struggle for land, but they lost the struggle for attachments.

Here, another form of continuity between colonisation and the mining industry appears. The continuity is not only that of a model of accumulation by dispossession; there is a continuity between the 1960s and today because the mining industry, much like colonisation, is a process of deterritorialisation which breaks all forms of territorial attachment. Admittedly, in Nankints the mining operations have not started yet, and it even seems that during the pandemic, the mining camp has been burnt. Consequently, we cannot (fortunately) estimate the damages that this mine would cause if the exploitation began. Nevertheless, there are plenty of cases all around the world, which allow one to anticipate what will happen if the mine is opened.

Witness the case of the gold and copper mine of Ok Tedi in Papua New-Guinea described by Stuart Kirsch in his book entitled *Mining Capitalism*. Since the mid-1980s, the mine had catastrophic impacts on Yonggom's livelihood practices, the population which live downstream from to the area of extraction: because of the pollution of rivers, water became undrinkable, the food chain has been contaminated and any traditional horticulture became impossible. Kirsch insists on the fact that pollution does not only affect the subsistence of the society but also the whole collective interactions with human and non-humans. He writes that

“Pollution from the mine has also disrupted relationships between the Yonggom and the animals with which they previously shared the landscape. The Yonggom obtain important information about both social and natural events through these interactions. They are adept at identifying many bird species by their calls, which reveal the time of day and the seasons and demarcate sacred from profane time. Some birds are said to speak in the Yonggom language. Birds can also appear in dreams that provide insight into the future, as omens portending misfortune or signaling

²⁷⁶⁸DESCOLA Philippe, “Territorial adjustments among the Achuar of Ecuador”, *Informations sur les Sciences Sociales*, 21 (2), 1982, p. 318. (pp. 299-318).

opportunities. The Yonggom communicate with these animals through magic spells that compel them to do their bidding. However, with the disappearance of the birds and other wildlife from the Ok Tedi River and the surrounding forests, these interactions are no longer possible, and the dialogue the Yonggom once had with these animals has all but ceased²⁷⁶⁹.

In other words, the mine also destroyed the ecological and cosmological attachments by which connect the entity of the collective. The same fate reserved for the populations which live in the surroundings of Nankints if the mine opens. In any cases, we see that there is a profound continuity between the colonisation of Morona Santiago and the recent the projects regarding resource extraction. More than processes of expropriation, state colonisation of the region and mining industries are processes of deterritorialisation, which annihilate the sustainable attachments between human and non-humans. In both cases, we believe that the conflict which opposes the Shuar to state colonisation and mining capitalism is centred on the destruction of these territorial attachments. Consequently, what has been said about the model of state primitive accumulation presented in *Mille Plateaux* could be applied to this specific case: under the struggle for land appropriation, lies the conflict against the destruction of the attachment to the earth.

²⁷⁶⁹KIRSCH Stuart, *Mining Capitalism: The Relation Between Corporations and their Critics*, Oakland, University of California Press, 2014, p. 40.

General conclusion

We started this thesis with an empirical fact and we finished with same fact: the existence of *ecological* conflicts all around the world. However, we believe that the history of the grammars of conflict that has been undertaken throughout the thesis has *contributed* to an enrichment of the understanding of this fact. Indeed, we hope that we have clarified which grammar is the most adequate to this fact.

We started with the presupposition that these conflicts are *ecological* in the sense that they are the bearer of a certain form of implicit ecology. We should perhaps this statement saying that, for the most part, it is only in the form of a germ that these conflicts contain this environmentalism. However, we believe that something like a form of environmentalism is at stake in the struggles against the mining industry, oil extraction, GMOs, nuclear energy and all forms of activity which threaten to destroy peoples' living milieu (even if this environmentalism is still a virtuality which is yet to be actualised).

Now, the principal problem we sought to answer in this dissertation could be reformulated as follows: which grammar of conflict is the most appropriate to this actual ecological fact? A long tradition in political philosophy placed at our disposal a series of grammars of conflict which it was tempting to revisit in the present context in order provide a better understanding of the specific form of conflictuality that we designated as ecological conflict. The grammar of Having, the grammar of Being and the grammar of Action are the principal grammars of conflict that political modernity bequeathed us. Are these categories inherited from modern political philosophy appropriate to the specific content we decided to take as the object of this thesis? The question is even more relevant because these grammars were elaborated in a close relation with the question of the collective relationship to the earth. Indeed, between the 17th and the 19th centuries, a great number of texts were dedicated to conflictuality, conflicts that are above all conflicts for land and thus involve a certain relation to the earth. Consequently, the grammars of conflict developed by philosophers during this period appeared, on first analysis, as perfect candidates for the constitution of a true grammar of ecological conflicts. This is why we undertook an environmental history of these grammars. Indeed, we intended to understand how, in these philosophical texts of the modern tradition, conflictual interactions between humans intertwined with the collective relationship to the land. In particular, we intended to clarify the structure of these human interactions, and the place which was given to their relation with land in the field of interactions. We also intended to clarify the nature of the infrastructural relation with nature that underlies the conflict between men. This analysis of the traditional grammars was also justified because a certain use of these categories is

made in the framework of contemporary studies on environmental conflicts. This inquiry led us to focus on a series of classical texts which are, for the most part, situated between 1786 and 1806. Indeed, our investigation led us to the conclusion that this transitional period was very fruitful in terms of grammars of conflict.

A full examination of these grammars convinced us that they are not satisfactory in the sense that they do not manage to account for the ecology which is at the core of ecological conflicts. Indeed these grammars failed to consider something which is essential for all forms of environmentalism: the question of the degradation of the earth. The general introduction was very clear that the *ruins* left by capitalism and modern States is the central issue to which environmentalism is confronted. Consequently, if ecological struggles are animated by a form of ecology, they are, in one way or another, necessarily centred on the problem of the material deterioration of our world, even if this degradation take a “local” form. Furthermore, we showed that this environmentalism which implicitly underlies ecological struggles must necessarily be an “ecology of relations”. This point was concluded on by process of elimination. Indeed, we saw that, because these struggles are *social* struggles (*i.e.*, struggles centred on the social question), this implicit ecology could not be confused with the cult of wilderness which promotes “a nature without the social”, nor with the gospel of eco-efficiency, which is based in a technocratism and, thus, is incompatible with the *popular* aspect of these conflicts. After elimination, the only option which remained available was an ecology based on an enlarged concept of the social. According to this ecology, the social is not only made of solidarities between human beings, but it also comprises of solidarities with non-humans. In other words, the “social” is not equivalent to a “society”, *i.e.* this portion of the world which is exclusively made of solidarities between humans and exclude non-human entities (which are relegated to the ontological domain that we usually call nature); the social also comprises a host of non-humans which are not only inanimate parts of the landscape but are endowed with a certain agency (in that sense that they are able to make humans do something). In the terms of Latour and Descola, the social is a *collective*, *i.e.*, a collection of human and non-human entities. In a word, the social is defined by the multiplicity of *attachments* by which humans and non-humans are closely connected. According to our hypothesis, it this *ecology of attachment* which is implicitly at stake in ecological struggles, a hypothesis which has been confirmed by ethnographical cases, especially the ethnography of ecological conflicts in Alaska. Or to be more precise, the destruction of attachments is the centre of gravity of these conflicts and it is precisely this question that has been underestimated by the classical grammars of conflict presented in the three first parts of this dissertation.

In the General Conclusion of part I, II and III, we asked ourselves what were the reasons of

this absence. Why did our grammarians of political modernity not put the destruction of attachments at the centre of the conflictual dynamic? The first answer which comes to mind is that they never experienced this destruction. Given that most of the grammars of conflict were developed between 1786 and 1806, it seems quite obvious that their elaboration is somewhat anterior to the period which is usually considered as the starting point of the Anthropocene, *i.e.*, the first part of the 19th century. That is why we examined the historical and ecological context of the classical texts that have been written on conflict during this short period of time. This brief historical enquiry led us to mitigate the hypothesis that our grammarians never faced the world of the Anthropocene. Especially, it is possible that some of them witnessed some environmental conflicts. Now, even if we admit the hypothesis that our grammarians did not live in a world of massive environmental destruction, their grammars were, nonetheless, revisited throughout the 19th century until today. In other terms, even if we suppose that these grammars were elaborated in a pre-Anthropocenic period, they have been reactivated since the emergence of the Anthropocene, *i.e.*, in the context of the massive ecological devastation which led to the contemporary environmental crisis. Consequently, why were these grammars not “actualised” and why did not they integrate the problem of the destruction of attachments?

Our hypothesis is that classical grammars of conflict were trapped into a conceptual matrix which prevented the integration of the ecology of attachment. This conceptual matrix can be described as a web of concepts which is made of three principal heads: detachment (*arrachement*), rootedness (*enracinement*) and appropriation. It is this three headed conceptual matrix that structured the way grammarians conceptualised the collective relationship with the earth that underlies the conflictual interaction. In order to be clear, our hypothesis can be summarised as follows: 1° we saw that grammars of conflict intertwine inter-human interactions and collective interactions with the earth (the “infrastructure” of the conflictual dynamic), 2° that these relationships with the earth which underlie the conflictual interactions between human beings have always been described in terms of *detachment*, rootedness and appropriation. 3° This three headed structure prevents the emergence of a philosophy of attachments. Indeed, it is obvious that detachment and attachment are contradictory concepts. Consequently, if a grammar is structured on the notion of detachment, it leaves no room for a philosophy attachment. We also argued that rootedness and attachment are two very different forms of the relation to the earth: with rootedness presupposing that the individual is chained to the land whereas attachment refers to a free (but not detached) relation to the environment. Regarding the third head of the aforementioned conceptual matrix, we saw that the logic of having tended to eclipse the logic of attachment.

Finally, we believe that the structure of the classical grammars is itself reluctant to integrate

the logic of attachment into it. The best example is probably the grammar of recognition which mixes two sorts of interaction: the intersubjective interaction between two consciousnesses which struggle for recognition and the interaction with the land. We saw that the seat of the conflict was the intersubjective interaction, and that land was just a pretext for consciousnesses to enter into conflict together, a struggle which led to recognition.

Nevertheless, we argued that the negative conclusions of this preliminary inquiry on the classical grammars of conflict should not necessarily lead us to loose hope regarding the philosophical discourse. Indeed, we showed that it was possible to find a grammar of attachment in the philosophical discussions about the notion of territory. Influenced by anthropology and ethnology, the philosophical discourse elaborated a notion of territory which is very close to the notion of attachment. These discussions on territory reached a climax with the philosophy of Deleuze and Guattari whose concept of territoriality escapes the aforementioned matrix which prevented the development of a philosophy of attachment. In particular, the concept of territory developed in *Mille Plateaux* is irreducible to the three heads of the aforementioned matrix:

1° The process of territorialisation does not consist in the creation of a human world by which the group detaches itself from the natural world and transcends it; it is an immanent process of creation where expressive matters, through which the virtualities (*i.e.* the potentialities) of the environment, are actualised.

2° Furthermore, territory and rootedness should not be confused. Whereas rootedness enchains the individual to the soil and a series of relations of dependency and domination, territory is the realm of freedom. First, territories are always underlaid by processes of deterritorialisation, which means that the group is not fixed to the soil. Second, there are territorialities which are based on the neutralisation of all forms of domination. Finally, in contrast with the concept of rootedness, a territory is neither based on the aggression toward, nor on the exclusion of the other. In fact, a territory is systematically interlaced with other territorialities. In a word, territorial coexistence is the norm, the exclusion of the other is the exception.

3° **Deleuze** and Guattari's concept of territoriality must not be confused with the concept of territory developed by Marxist economic anthropology, which is based on the idea of the appropriation of nature. This current of social anthropology defined territory by the portion of nature which is appropriated by a group. In contrast to this definition, the notion of territory which is developed in *Mille Plateaux* is not defined exclusively in terms of appropriation. First, there are societies whose mode of territorialisation does not consist in the appropriation of the land. This is the case for nomads who glide on the surface of the earth (and sometimes on the ocean) without appropriating it. We saw that **Deleuze** and Guattari call νόμος this nomadic regime of

territorialisation. Νόμος is a term which, originally, has nothing to do with the ideas of sharing, land redistribution and land appropriation; it refers to a simple distribution in space. *Deleuze* and Guattari use this term to define the nomadic form of territorialisation: nomadism consists in a simple distribution of human and non-human in a smooth space which is never appropriated. This ethnographical counter-example proves that, by contrast with Carl Schmitt's thesis, all societies are not founded on a primordial land grab. The appropriation of nature is not a notion which can be universalised to all forms of collective relationship to the earth. In fact, it is quite the reverse: it seems that **Deleuze** and Guattari universalise the notion of νόμος to all social assemblages. It seems that even in societies which appropriate land, the collective relationship with land cannot be reduced to the concept of appropriation. Even in those societies whose territoriality is mediated by the possession of land, the original and primordial relation to the material exteriority cannot be understood in terms of appropriation. It is as if in all societies, territorialisation was defined by a primordial and fundamental relation with land which is non-appropriative, the relation of appropriation being added to this first relation in certain societies (those where the relation to the earth is mediated by property). According to this hypothesis, appropriation is a secondary relation to the land that is added sometimes to a more profound and a more fundamental act of territorialisation. To put it another way, 1° territorialisation is first a non-appropriative relation to land and 2° in certain societies, a relation of appropriation is added to this first and primordial relation. *Deleuze* and Guattari do not use the term attachment for this fundamental act of territorialisation, but the way they understand it allows the use of such a notion borrowed from Latour and Descola. Paradoxically, *Deleuze* and Guattari describe this primordial and fundamental act of territorialisation as “a having more profound than being”. However, this having has nothing to do with an act of appropriation, it is a process of concretion by which an assemblage integrates human and non-human components in itself and, by doing so, individuates itself. In this sense, Latour's definition of territory is very similar to *Deleuze* and Guattari's concept of territorialisation: “*Le territoire d’un agent, c’est la série des autres agents avec lesquels il doit composer et qui lui sont nécessaires pour survivre dans la durée*”²⁷⁷⁰. Likewise, territorialisation in *Mille Plateaux* can be understood as a process by which human and non-human components are contracted and integrated into the assemblage (the collective should we say). In this sense, territorialisation, this “having more profound than being” is the process of individuation by which the being of the assemblage is constituted. Indeed, the assemblage is made of multiplicities which are contracted in the process of territorialisation. This is what lead us to read *Mille Plateaux*'s texts on territorialisation at the light of the notion of attachment. Territorialisation is a process by which

2770 LATOUR Bruno, *Face à Gaïa*, op. cit., p. 235.

multiplicities of human and non-human components are connected and *attached* together and integrated into the assemblage. In a word, it is a process by which attachments between human and non-human are connected together in an machinic assemblage.

Consequently, *Deleuze* and Guattari's concept of territory opens to a theory of attachment. Now, if the texts of *Mille Plateaux* dedicated to territorial conflicts between social formations are replaced in the general framework of this very original theory of territoriality, these conflicts may be interpreted as conflicts centred on attachment. When state formation transforms and destroys “primitive” territorialities, it dislocates the multiplicities of attachments between human and non-humans that the “primitive society” is made of. Our hypothesis is that the territorial conflicts in *Mille Plateaux* can be understood as conflicts centred on the destruction of attachments to the earth. In that sense, we believe that *Deleuze* and Guattari lay the foundation of a grammar of attachments. As hinted at, in part four of this thesis, the proximity of their model of territorial conflict with the grammar of attachment can be explained by two reasons: 1° their theory of territoriality is elaborated at the crossroad of anthropology and ethology, two disciplines which paid attention to the question of territorial attachments (even if attachments were not always thematised as such). 2° *Mille Plateaux* was written in the context of the emergence of political ecology, a political and ideological current which paid particular attention to the struggles against the destruction of living milieu by the State and capitalism (here, we are especially thinking about Paul Virilio's writings on ecological struggles).

According to us, this grammar of conflict centred on the question of the destruction of attachments is particularly appropriate to the cases of struggles against extractivism we presented throughout this dissertation (in the introduction, in the general conclusion of Part I-III and in the last chapter of part IV). From Alaska to Amazonia, we believe that what animates more or less explicitly the actors and groups involved in the struggle against the deterioration of the earth is the protection of the territorial attachments which relate these agents to the multiplicity of human and non-human beings which compose our world.

In this dissertation we searched in the philosophical discourse for a grammar of conflict more suitable to the ecological conflict than the classical grammars presented in the three first parts. We believe that *Mille Plateaux* contributed to laying the foundation of such a grammar. However, what remains is to articulate this theoretical grammar with empirical cases of conflict in a more satisfactory way. We sincerely hope that, in the future, we will be able to reach a better articulation between philosophical works and ethnographical studies. More precisely, in the near future, we would like to reinforce the empirical aspect of our research. This means concretely the intensification of the empirical investigations into ecological conflicts that we have undertaken

since 2008 and to increase collaboration with ethnologists. We believe that only time, patience and continuity will give us the opportunity for such a synthesis.

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Abstracts

Titre : Des luttes pour la terre aux luttes pour le territoire : vers une grammaire des conflits écologiques

Résumé : Nous partons d'un fait écologique actuel : la crise écologique va de pair avec la prolifération des conflits environnementaux. Ce fait attesté par une vaste littérature en sciences sociales nous conduit à chercher une grammaire du conflit adéquate à ces formes spécifiques de luttes. Pour ce faire, nous retraçons l'histoire environnementale des grammaires du conflit héritées de la philosophie politique moderne. Trois grammaires sont examinées : la grammaire de l'avoir comprend les guerres d'appropriation (Hobbes), la lutte pour la distribution et l'appropriation collective des terres (Babeuf) ; la grammaire de l'être comprend la lutte pour la reconnaissance (Hegel) ; la grammaire de l'agir comprend les conflits d'usage (Fichte). Bien que ces grammaires aient été élaborées dans un rapport étroit avec la question de la terre, elles restent incapables de rendre compte de ces luttes porteuses d'une écologie des attachements. Elles ont notamment rencontré trois écueils : elles n'ont pas su dépasser l'alternative entre arrachement et enracinement ; elles ont défini les rapports à la terre exclusivement en termes d'appropriation ; leur structure reste inadéquate à toute grammaire de l'attachement. La lecture de récents travaux en anthropologie nous conduit vers cette grammaire qui trouve un écho dans la philosophie politique des territorialités élaborée par Deleuze et Guattari. Nous nous proposons alors de relire *Mille Plateaux*, texte qui articule un concept philosophique de territoire à une théorie des conflits territoriaux entre les formations sociales. Nous mettons enfin ce modèle à l'épreuve des données fournies par l'ethnographie des conflits écologiques dans les basses terres de l'Équateur.

Mots-clés : conflits écologiques, territoires, philosophie politique, anthropologie, philosophies de l'environnement, grammaires du conflit

Title: From the Struggles for Land to the Struggles for Territory: Steps Toward a Grammar of Ecological Conflicts

Abstract: The thesis begins with an actual ecological fact: the current ecological crisis goes hand in hand with the proliferation of ecological conflicts. This fact is attested by the vast literature in the social sciences. This led to the search for a grammar of conflict appropriate to these struggles. To do so, an environmental history of the grammars of conflict inherited from modern political philosophy is undertaken. Three general grammars are reviewed: the grammar of having, which includes wars of land appropriation (Hobbes), struggles for distribution and collective appropriation (Babeuf); the grammar of being, which includes the struggle for recognition (Hegel); and the grammar of action, which includes land use conflicts (Fichte). Although these grammars were elaborated in close connection with the question of land, the argument put forward is that they remain inadequate to account for those struggles that are bearers of an ecology of territorial attachments. More especially, three pitfalls are encountered: they did not overcome the alternative between detachment and rootedness; they defined relations with land exclusively in terms of appropriation; and their internal structure remains inadequate to a grammar of attachment. Recent studies in anthropology led us to this grammar which finds an echo in the political philosophy of territorialities elaborated by Deleuze and Guattari. *Mille Plateaux* is revisited in which a philosophical concept of territory is articulated with a theory of territorial conflicts between social formations. Finally, we test this model through the empirical data provided by the ethnography of ecological conflicts in the low lands of Ecuador.

Keywords: ecological conflicts, territories, political philosophy, anthropology, environmental philosophy, grammars of conflict

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