

COMMONS, ASSOCIATIONS, AND POSSIBILITIES OF EGALITARIAN LIFE IN PARIS, FRANCE

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Abstract: In this article I ask, at what level does the egalitarian life of the French Republic manifest itself? In what social spaces do people get to enjoy its slogan, *Liberté, égalité, fraternité*? I take these questions to be closely entangled with the concepts of public space and civil society, as well as that of the commons. How do Parisians use their urban commons? What kinds of restrictions and barriers exist to exclude people from this space? I describe the Bois de Boulogne public park in Paris and explore why this vast space of common enjoyment is subdivided to such a degree into zones of privilege and membership. I propose that the park exists as a miniature version, a heterotopia, of larger French society.

Keywords: Bois de Boulogne, civil society, egalitarian life, heterotopia, Paris, public space, urban commons

As a category of analysis, ‘the commons’ has recently come to the attention of anthropology, following a broader trend around the world to regulate in new ways those domains previously assumed to be openly accessible—such as water, rivers and mountains, heritage urban squares, and parks (see Muehlebach 2018; Nonini 2006; Salmond 2014; Susser 2017). Whereas states and corporations often invoke a ‘common good’ in their enclosure and exploitation of the commons, they all the same run into conflict with grassroots private parties and local communities who claim rights of access and participation in what they perceive to be a shared domain. By introducing ‘the uncommons’, Blaser and de la Cadena (2017) express the emerging concern that ‘commons’ is a misleading, ideological term, requiring a stronger focus on disruptive conflict



and incompatibility. This is especially the case with urban commons, where entire classes of people are being pushed out of—or made redundant to—city space (Stavrvides 2016). This development pertains not only to those situations where communities actively rebel against, for instance, the gentrification of neighborhoods or housing issues (Franquesa 2013; Herzfeld 2006), but also to the general trend toward a more silent “diminution of urban commons” (Gidwani and Baviskar 2011: 42) and increasing restrictions and control on urban spaces such as streets, squares, and parks (Jenzen et al. 2020). It appears in these discussions that commons are spaces especially targeted by egalitarian claims—to freedom of movement, equal access, and participant involvement.

But it is perhaps overlooked in these accounts that the commons are, by their very definition, special places and exceptions in the organization of society. They are constructs that are set up outside of society, outside the structures of resource extraction, work, and dwelling. States install them and maintain them, and their function is arguably to display an ideal and pure realm of state authority. For instance, in parks or nature reserves, the state or municipality assembles and oversees all the wonders of nature, and, similarly, people in their multitude can be free to meet there and associate on an equal basis. In this sense, they are spaces of what we might call a governed equality. To maintain the status of being open and available to all, they are full of restrictions and controls: the fish in the rivers are counted, drinking water is tested for bacteria, the numbers of wild game in the mountains are restricted, town squares are monitored by cameras, trees in parks are trimmed, lawns are mowed, people are allowed in some places but in not others, and so on. Arguably, such spaces are not installed for the articulation of freedom as an escape from authority, but a freedom that confirms authority. They are in that sense relics of the past, comparable to the inalienable landed estates of former European aristocracies. In the way that those estates were incommensurable with market commodification and possessive individualism, commons are also supposed to be openly available and cannot be sold or exploited (see Sneath 2019). But they are restricted and governed through and through, and we should avoid romanticism or nostalgic views of commons as possibly unmarked by authority or privilege (see Blomley 2008). The interesting question becomes, what kind of dynamic is at play between those spaces held out as commons—places of equality and freedom—and the rest of society?

For a location of egalitarian life in France, as one among many possibilities in the comparison of egalitarian formations that we present in this special issue, I propose that we look at the commons in that capacity of being governed exceptions. For understanding their status, and the status of egalitarian life forms taking shape inside them, I will suggest that we employ the concept of heterotopia. It was Michel Foucault’s (2008: 17) intention to coin this concept for addressing the kind of site that takes up a position on the outskirts of

the city or society, bringing together different entities not normally compatible and at the same time connecting them to all other sites. The urban garden, with its plethora of plants from around the world, is one of Foucault's main examples of heterotopia, alongside the cemetery, the theater, the brothel, the museum, and the ship (ibid.: 19–22). By being a collection and exhibition of disparate domains and mixed realities, the heterotopic has the potential to reflect back on society and question its categories and its homogeneity, arguably “suspending the order that define them” (Stavrides 2019: 108). For Foucault, the contradiction between, on the one hand, the public nature of heterotopia and, on the other, their restrictions and moral regulations is also fundamental to the concept. In a certain sense, all forms of commons share some of these features of the heterotopic. And regarding the possibility (and impossibility) of egalitarian life in the case of France, I will suggest that it needs to be placed, historically and politically, inside the heterotopic construct of the commons as exceptional and contradictory places. A central dynamic in these heterotopic spaces is the juxtaposition of differences. They are indeed made to be liminal spaces for the display of egalitarian life, but only by placing that form of life in the context of and in friction with other life forms. It follows that, in this perspective, and in accordance with the other contributions to this special issue, I portray egalitarian life in France as momentary, strongly regulated, and restricted to certain pockets of sociality invented in the political history of the republic.

The case study I offer is the forest called Bois de Boulogne—a park and urban commons for the inhabitants of Paris. My account of the park is based mostly on historical sources for the *longue durée*. But I will also provide an overview of the park's many associations today, pinpointing the narrow definition that characterizes egalitarian life in the park. Even though this account builds on fieldwork carried out in Paris in 2016 and revolves around walks in the park, I would like to emphasize that I consider my contribution neither primarily ethnographic nor historical, but an attempt to speculate on a long-term political situation. The article articulates my reading of the park as a highly contentious domain, despite its appearance of calm and serenity.

The Forest of Associations

The Bois de Boulogne forest takes up eight square kilometers in the west of Paris's inner circle and is frequented every day by thousands of visitors. Heading into the park is a pleasant and idyllic departure from the busy and heavily touristy urban order of the rest of the city. When walking across the greens and passing by lakes and rivers on gravel roads, you are placed alongside people doing their exercises, with or without their personal trainers, or people walking

their dogs or riding horses. Some are out harvesting chestnuts falling off trees, some are fishing for carp or crayfish, while others are enjoying a coffee with a partner or colleague outside one of the many kiosks. Sex workers line up along the way, some standing on the side of the path, others waiting patiently in their vans, their brothels on wheels.

In many ways, the Bois de Boulogne is a space apart, not only physically apart from the bustling city center, but also separate in terms of being a secluded leisurely playground during the day, and a shady illicit site for drugs, violence, and prostitution during the night. The park is in this sense a true heterotopia, and when people in Paris think about Bois de Boulogne, they think first and foremost of a highly contradictory place. First, they think about the dirty, immoral, and perhaps alluring features of the open promiscuity at display in the park, then they think about the prosperous and chic bourgeois sport clubs. And we should underline that it is as an *urban public commons* that the Bois de Boulogne becomes heterotopic. Although it is positioned outside of Paris, it collects all things Parisian into it; it is connected to every aspect of Parisian life by being a domain open to its urbanites.

The heterotopic incompatibility of the forest dawned on me slowly as I did my walks. Upon entry, I had a vision of a peaceful, free, uncomplicated, and homogeneous space of trees and lawns, where there would be ample space for leisurely life. Overall, the idea of an accessible space could not be less apt. As I was trying to familiarize myself with it during some months in 2016, I kept walking into obstacles, gates, and walls. There were signs reading 'reforestation enclosure' (*enclos de reboisement*), with parts of the forest fenced off for the protection of trees and plants, and there were constantly walls signaling 'no entry' into spaces occupied by associations, clubs, or foundations. Let me provide a quick overview of the forest's amazing multitude.

When you first wander into Bois de Boulogne from the north, as I did on most days in the autumn of 2016, through the Port de Neuilly, you first meet with the enclosure of the Jardin d'Acclimatation. This is an amusement park where families from all over Paris come with their children on weekends to watch farm animals or ride the miniature train. You must buy a ticket in order to enter into that domain. If you keep on walking, you are again fenced off by the Centre Hippique du Touring Club and the Société d'Equitation, two private clubs for horseback riding, and you will have to follow a narrow passageway, since on the right you are fenced off from the boule sports club, La Boule du Lac Saint-James. After this, if you keep going, on the left you will quickly again be barred by the enormous and impressive art gallery, the Fondation Louis Vuitton. The Louis Vuitton Foundation claims to be a philanthropic part of Louis Vuitton Moët Hennessy (LVMH), a family-run corporation with 70 different brands under its wings. In 2006, the foundation announced an agreement with the city council of Paris to lease a one-hectare plot of public land for a

building to be dedicated to the arts.¹ The gallery, which opened in 2014, houses exhibition space of 10,000 square meters, and tourists are transported here in busloads, paying rather expensive tickets for entry.

It is of interest to note that in 2016, the city council, responding to the humanitarian crisis in Syria, caused an uproar when it announced plans to create temporary housing for 200 immigrants in an open field just outside the Fondation Louis Vuitton on the rim of the very posh sixteenth arrondissement. A group called the Association in Defense of Bois de Boulogne became very active in a protest.² They argued that the construction site and temporary houses would block what was supposed to be accessible roads and paths for walking and cycling, “to be communally enjoyed by Parisians,” they proclaimed, citing the 1855 law about the public park. It was argued that the housing of immigrants would be a threat to the publicly accessible commons—protests that had not arisen at all in response to the construction of the Fondation Louis Vuitton.

After passing by that architectural wonder, following the paths to the right you are again blocked by the fences of L'Étrier de Paris, another riding club, currently with around a thousand members. Next is the Tir aux Pigeons—originally a trap shooting club, it is now an exclusive leisure club with tennis courts. The path also leads on to the biggest sports club, the Paris Racing Club, a massive structure where its six thousand members can swim or play football, basketball, or tennis. The club features something like 40 tennis courts, Olympic standard swimming pools, plus bars and restaurants. If you now take a westerly direction, you will walk for a long while outside the concrete walls of the



FIGURE 1: The wall that fences in the Bagatelle gardens. Photograph © Knut Rio, 2016



FIGURE 2: One of the many mysterious enclosures blocking entrance to a part of the forest. Photograph © Knut Rio, 2016

private foundation La Bagatelle, where you can pay for entry into its English-style garden with a little *château*, a restaurant, and an orangery. Walking further west, you pass by a huge rugby field to your right, and you must move in between the polo club, the Golf du Polo du Paris, and the new secluded area of the World Wildlife Foundation. Farther down, the Hippodrome de Longchamps attracts the world's best racehorses and their famous wealthy owners to the weekly races. When you have that horse race arena and the western banlieues of Paris across the Seine on your right, you will have a system of lakes and rivers to the left. Here, you also see the spectacular three-star Michelin art nouveau restaurant Le Pré Catelan, the open-air theater association in the Jardin Shakespeare, or the *château*, now a restaurant, that Louis-Napoléon Bonaparte (Napoleon III) built for his mistress on one of the islands in the Lac Inférieur.

Around the lakes you finally find a limited truly public area of paths for walking, cycling, and horseback riding. This accessible space, which has traffic passing through it, is populated day and night by sex workers, who service their clients in vans parked along the roads of the park. You see them sitting there behind the wheel, waiting patiently for customers to pull up in their cars to pay a visit. In 2016 there were protests in the park among these sex workers, calling for protection since they are often mistreated, abused, and even murdered. They are the ones who most visibly live a life here, in an open public domain but arguably performing tasks in the most private sense, and taking up an insecure and precarious presence in this space between the various civil society associations. If you walk past the lakes constructed under the regime of Louis-Napoléon, there is the second horse race arena, Auteuil, and south of

this again the area dedicated to the Roland-Garros tennis courts, again fenced in and closed off. In the three weeks of the French Open mega-event each spring, the entire southern part of Bois de Boulogne is closed off to allow the tournament to take place.

Because of the terrorist threat after 2015, visitors to the park were led through narrow passageways for a kilometer or so, with check-ups conducted by armed guards at regular intervals. They could look in through high fences at the crowds of tourists who came to follow the tennis tournament, tens of thousands of them having paid for the expensive tickets. Crucially, part of the rationale for the system of enclosures around the tournament was security for the tennis audience against the threat of terrorism. But it is striking how guards and weapons come naturally to these types of events. Arguably, they can be installed because they belong to the very real presence, although often invisible, that the state has over the commons. When the state chooses to show itself in the commons like this, it highlights its absolute authority in this domain. Under the pretext of the terrorist threat, machine guns were undeniably pointing at the citizens of Paris who, paradoxically, have access to their commons but can be barred from large areas of it at any time.

Having undertaken this tour of the park, one realizes that this huge public space is safely removed from the crowds shown on French mainstream media, such as the those at the Place de la République protesting conservative government reforms, or the yellow vests in Champs-Élysées fighting against taxes and the high cost of living. People come here to enjoy their walks in between these



FIGURE 3: A van parked for sex work alongside the road, close to the Paris Racing Club (plate number anonymized). Photograph © Knut Rio, 2016



FIGURE 4: The endless fences steering walkers clear of the French Open tennis tournament. Photograph © Knut Rio, 2016

sites of sports and to enter the many bourgeois clubs and associations requiring membership. Egalitarian life arguably flourishes here in this heterotopic space, but in a way that perhaps adds to the depth of the concept as it appears in the other contributions to this special issue. Unlike those cases of egalitarians who experiment with direct democracy in political activism (Szolucha),

in intentional communities (Korsbrekke), or in anti-state freedom movements (Rudi), the Parisian situation of the commons *makes a display out of egalitarian life*. This perspective follows from the view of the heterotopic as the creation of exceptional spaces that make themselves interesting by pulling in incompatible elements from ‘real’ society. The Bois de Boulogne is in this sense installing side by side the private and the public, the uncommons and the commons, and even drawing the public into private enclosures by requiring membership or tickets. Egalitarian life here, in the form of playing tennis or pétanque as a peer-based activity with players on equal terms, is merely an enactment, in this secluded heterotopic space, of an activity that is egalitarian here but not in wider ‘real’ society. It features a form of proxy egalitarian life, substituting for and covering over the largely inegalitarian features that are protested in those other Parisian arenas of public spectacle. But why have the Parisian commons been subdivided and enclaved to such a degree?

The Bourgeois Creation of the Commons

The Bois de Boulogne is in principle open for all visitors who want to come and see its sights, but in reality, as was made clear in the previous section, it is full of restrictions of various sorts. Some of these stare you in the face, others are more hidden, requiring etiquette, morality, connoisseurship, or membership. I will elaborate below on the history of these restrictions.

In the sixteenth century, the Bois de Boulogne was centered around the Château de Madrid, the royal palace that used to house King Henry II and his wife Catherine de’ Médici. They also later constructed the Château de la Muette, farther to the east in the forest, for their daughter Margaret of Valois. The huge structure of the Abbaye Royale de Longchamp, a medieval monastery a little more to the south in the forest, was also dedicated to the royals. During that century, the forest and its aristocratic social life were invisible to the inhabitants of Paris. The royal court and aristocrats used it for hunting pheasants, deer, and wild boar, and it was largely fenced off from the lower classes. Later in the seventeenth century, when the royal family took up residence in Versailles instead of Paris, the roads running through Bois de Boulogne became important communication routes to the west of Paris, and the park more and more became a site for promenades. The budding bourgeoisie was hence slowly overtaking the former royal spaces (Derex 1997: 83). During the eighteenth century, royal properties opened more and more to the public as a general trend. Therefore, the walls and palaces of the forest were already in decay when the 1789 revolution took place, at which point the building materials from the Madrid palace and the monastery were taken apart brick by brick and sold to construction enterprises. The Château de la Muette was sold at auction. Under Napoleon I, the park was

renovated as a fenced-in royal hunting ground, and he was planning to build a new imperial palace there when he became the new king. After the emperor's downfall, though, the park for a while became a place for British and Russian armies and garrisons. Most of its trees were chopped down for firewood, and it was in a state of decay before it was once again restored as a sanctuary for the Bourbon royal family and became a celebrated arena for the promenades and horse rides of the aristocracy (ibid.: 128–129). However, it was the revolution in 1848 and its aftermath that finally cemented the shape of a new bourgeois Paris and reinvented the Bois de Boulogne as a commons. As pointed out by Marx ([1852] 1963) in the *Eighteenth Brumaire of Louis Bonaparte*, that revolution initiated the end of royal power in France and the start of the new bourgeois industrial regime of Napoleon III.

By this time, after numerous revolutions and revolts, the idea that commoners and nobles were 'separate races' had been overturned (see Rosanvallon 2013: 14). The ground was also now prepared for them to meet on equal footing, practically sharing the same urban spaces. In 1848, the abolition of slavery was declared, as well as the notion of universal suffrage (for men). Notably, on 16 March 1848, the Provisional Government declared:

The provisional electoral law that we have made is the most expansive that has ever, among any people on earth, called on the people to exercise the supreme right of man, his own sovereignty. The election belongs to everyone without exception. Dating from this law, there are no more proletarians in France. Every Frenchman [*Français*] of mature age [*en âge viril*] has political citizenship. Every citizen is an elector. Every elector is sovereign. The law is equal and absolute for all. (Quoted in Offen 1999: 150–151)

The emerging definition of egalitarianism in France circulated around three crucial notions: "similarity, independence, and citizenship" (Rosanvallon 2013: 10). Everyone should now be 'alike', all should have autonomy, and the idea of citizenship meant that equality was dependent on participation, community membership, and civic activity. The notion of "lives in common" became central to the ideal of equality (ibid.). Both the political system and the conceptual ground were now cleared for egalitarianism to become the new way of life, but it was yet to be seen what kinds of organizational formations had to be put in place to create such a new society. This dawning new world was premised on high hopes for industry, with the classes celebrating the market as an expression of both liberty and equality. The articulation of a new 'good life' for all the participants in the market was central (ibid.: 133).

When we are looking at the great transformation of Paris around 1850, it not only flagged universal suffrage and a strong ideology of 'the people', but also included monumental reforms for rebuilding the city from scratch. For this purpose, as is well known, Louis-Napoléon hired Georges-Eugène Haussmann

as city planner. Against the background of a triumphant economic development in France, Paris was invigorated with fresh air, modern housing and renovation, broad and open avenues, and huge new green spaces. Baron Haussmann created the Service des Promenades et Plantations as a separate department, providing walking paths, gardens, and squares explicitly dedicated to open access for the working classes, for their well-being and health. In his memoirs, Haussmann (1870: 226; my translation) describes spaces “where they can gain strength from spending hours of rest in between their work, and where all families, rich and poor, can come to find healthy and safe places for the antics of their children” (see also Moncan 2009: 19). Haussmann was inspired by Victorian parks in England, where working classes could “enjoy a rare opportunity of expanding their minds by the contemplation of nature” (Taylor 1995: 203, citing Joseph Strutt). In considering the ancient worlds of Babylon, Greece, Egypt, or Rome, Haussmann (1870: 178) had no sympathies for their fenced-in, enclosed gardens: “Their sovereigns . . . did not dream of providing the whole population with promenades established for them.” He emphasized that the world had never seen such a “public promenade” as the one Napoleon III had commanded for Bois de Boulogne (*ibid.*: 183). He also commented that the old wall around the park “suffocated” him, as there was a lack of open air and view (*ibid.*: 185).

The public parks in Paris were thereby constructed as the material locations for the flourishing of this new egalitarian life framed by the bourgeois revolution, as heterotopic exhibitions of all the various ingredients in the new society—promenades, amusement parks, horse race arenas, restaurants, theaters, and a whole array of amusing so-called follies. Bois de Boulogne was expanded onto new territories. Its old walls, symbols of outdated regimes and monarchy, were demolished and removed, and open access to the river Seine was provided. Two lakes were built with hydraulic water supplies; rivers and waterfalls were orchestrated to create dramatic natural effects around grottos, pavilions, and towers; 50,000 salmon and trout were placed in the water; and 420,000 trees were planted to create a completely artificial ecosystem (Drex 1997: 172). Here, at this moment of complete renewal, both the park and larger Paris were restructured to allow for a cleaner society free from crime and poverty, where the poor could join a proud labor force and grow into the imagery of the modern citizen, free to vote, to be educated, and to move about within the city’s public space. These reforms initiated the glorification of ‘the public domain’ and commons as those idyllic spaces set apart for the liberties of the modern citizen. Hilary Taylor (1995: 204) writes about the constructions of parks in this budding industrial age:

This was a nature which operated as a metaphor for an ideal and rational society, a society which combined the order and civility of the polite urban community with the scientific detail, managed beauty and spiritual

resonance of the native countryside ... those who used the parks would benefit from more than just a lung-full of fresh air; they would also have a mind-full of improving information and a spirit elevated by modest beauty.

The worker could come to the park and be invigorated both in health and spirit. But, perhaps unlike the Victorian parks in England that Taylor writes about, the ideal of universal access to parks in Paris quickly found modifications.

Already at this moment of invention of a public egalitarian life in the reforms after 1852, the forest as a public space began to see exceptions to the principle of open access. For, after the fall of the Bourbon monarchy, and after the great expenses and phantasmagorical displays that Louis-Napoléon and Haussmann had invested the park with, the budding bourgeoisie was no longer merely content with promenades in the public park. Through concessions and exceptions to the law stating that the park should be dedicated to public enjoyment, private associations took the territory into their possession piece by piece for their leisurely games of sports, dining, and amusement. And the state admitted to these associations certain rights of creating exclusive domains, as a part of the new structuration of the city. Paradoxically, once Bois de Boulogne in principle became fully open to the enjoyment of *le peuple*, associations also started to separate off sections of it, so that the new egalitarian citizen could lead a life separate and undisturbed by those outside such associations.

Let me provide some details on these significant developments. Already in 1856 Louis-Napoléon and Haussmann gave a first concession to the horse race arena in Longchamps, with the association of horse breeders paying for parts of its construction (see Haussmann 1870: 194). In 1857, they extended the same courtesy to the amusement park of La Société Impériale Zoologique d'Acclimatation, which was granted free use of twenty hectares for 40 years (*ibid.*: 204). The Pré Catelan was allowed eight hectares of land in 1858, again for a period of 40 years, for constructing a restaurant and an open-air theater. All three projects were thought to create popular attractions for the public in the park, while adding value to the status of the park. In 1865 another concession was given to the Cercle des Patineurs—an ice-skating club—for the exclusive right to use a pond where the royal Madrid castle used to be. It later turned into the Tir aux Pigeon—a trap shooting club. An agreement was made with the city of Paris for “The exclusive enjoyment of this space and its buildings,” as it is still written in Article 3 of the club regulations today. In 1882 Le Racing Club de France was founded, and in 1886 it was accorded by the city a space of seven hectares. In 1892 the Polo de Paris was accorded a similar space of nine hectares. In 1895 the Cercle de L'Étrier, a horse-riding club, was founded.

It is worth mentioning here that at the end of his memoirs about the reconstruction of the Bois de Boulogne, Baron Haussmann (1870) finds it necessary to explain the need for these many concessions. In a reflection about the great

cost of the entire project of rebuilding Bois de Boulogne (around three and a half million francs), he concludes that the commercial activities inside the forest could create appreciable revenue for the city. The horse races, sport clubs, restaurants, and cafés, but also other private enterprises such as collecting ice from the lakes in winter and the rising value of the properties surrounding the park, would be valuable investments for the city (ibid.: 206). There is seemingly a paradox here, between the intention to create an open-access public area for promenades and the enclaving of parts of it for private entertainment. But it captures Haussmann's and his contemporary Paris bourgeoisie's vision of a *certain public* being constructed in such spaces. It was a vision of a paying public, peopled with members of the new class of industrial wealth and prosperity. It was quite a stretch from the egalitarian enlightenment ideas from the revolutions, but only by slight modifications, still upholding the free citizen of bourgeois associations as the atom for the new society.

In terms of the heterotopic, the bourgeois empire began by creating a highly ordered space, with both cultural and natural attractions situated in it. Then, after realizing its value, they added enclaves of difference and status, with private domains installed inside the public domains. It was almost as if the common worker was given access into the heterotopically ordered park to provide amusement, alongside the other follies. Or, alternatively, that the purpose of the park was to actually juxtapose the different classes and give them each their place, so to speak, as in a museum collection.

In their book *Dans les beaux quartiers*, Pinçon and Pinçon-Charlot (1989: 97) take the approach that the new sport clubs were 'quasi-clandestine' in the sense that they implemented strong, illegitimate regulations that restricted the use of the communal municipal spaces to people with a certain rank. The step-wise appropriation of the park grounds represents what they call an 'extreme concentration of elites' (ibid.: 35) of haute bourgeoisie and old aristocracy. And this also brought into existence an extreme contrast within the park, between the clubs and the spaces left for the working classes. Hence, the glorious vision of the nature of the park, as expanding both the health and mentality of the generalized urbanite, was overtaken by a vision of sports and play as fundamental to the proper formation of the bourgeois citizen. The clubs affirmed social stratification at the same time that they celebrated the newly won liberties and equality. This implied a transition where a realm of elitist civil society had expanded into and eclipsed public space (see also Blomley 2008).

One finds some of the handles on the history of this dawning aspect of Parisian civil society after 1852 in Habermas's ([1962] 1989) account of the public sphere. A central argument for him was that with the advent of modern European capitalism, a new era of the public emerged—first in Florence, then in London and Paris. The bourgeois sphere developed as a variation of the royal court, but whereas the royal court was really a space of representation and

performances for the common public, the bourgeois court took on ‘homely’ private and exclusive properties. In Bois de Boulogne, the sport clubs became centers for such private-cum-public life. This homely new sphere of the clubs became the meeting places not only for relations of commerce, but also for all sorts of social activities of amusement and familiarity among peers—giving rise to the new idea of ‘the social’. As Hannah Arendt (1998) writes, this emergence of a new concept of ‘society’ completely blurred old distinctions between public and private. Whereas in previous periods the private denoted a solitary and brute space deprived of any participation in political life or relational activity, the invention of the bourgeois association was to inflate the private sphere with social relations, as well as economic and political activity. The life of the association was being defined as the location of society, a society with free and open relationships between equals that were not held down or restricted by hierarchical relations of family, church, or state.

However, with Nancy Fraser’s (1990) rethinking of the public sphere, we get a little closer to the conflicts involved in this invention of society. Like Habermas, Fraser acknowledges that the ideology of the bourgeois public sphere upheld values of open and accessible dialogue, an ideology of equality among peers, and a sense of consensus about the common good (*ibid.*: 59). But as she sees it, this was largely a utopian vision, never realized in practice, since polarization by class, gender inequality, or colonial racial issues muddled up what should be the common good and for whom. The civil society clubs became the very marks of the ‘distinctions’ that Bourdieu (1984) has conceptualized as key for addressing elitism in France. Paradoxically, in that process, the clubs’ claims to suspend status hierarchies at the same time became strategies for distinction. Fraser’s (1990) critique of Habermas concerns the way that these male civil society associations were not the only public societies available. It was just that they were the ones gaining hegemony in a “plurality of competing publics” (*ibid.*: 61).

But another argument can also be made here by understanding the spatial juxtaposition of the commons and associations from the point of view of the state. For there is a tendency in the above discussion of placing the associations into a discourse of an emergent and unregulated form of power, male and bourgeois—a civil society that arose in competition with state forms. As Habermas goes in the direction of pinpointing how civil society overturned or eclipsed the state, Fraser’s argument follows suit in suggesting that the associations in a sense destroyed the commons and the possibility of a more broadly defined public sphere. But if ‘society’ in the form of bourgeois associations were from the start installed in exceptional spaces such as Bois de Boulogne, a heterotopic site orchestrated by Haussmann and Louis-Napoléon and strictly set apart from the daily life of Paris, then the role of the state must also be acknowledged. I have tried above to indicate that the reforms of Paris in the

decades after 1848 first and foremost testify to the intense reordering of society, not only as a material reordering of housing, avenues, and parks, but also as a way to mark out spaces for the life of the new human being that had arisen from the many revolutions—a human being constructed with both a healthy body and a healthy mind, and an active participant in ‘society’. At first, that new being was given a limited and artificial space in the enclosed commons of Bois de Boulogne. In that laboratory of the new human, the state could in a sense experiment with its many forms, juxtapose them and compare them against each other.

Associative Life

Arguably, the result of the state’s experimentation with social forms under the Second Empire and Third Republic was a massive adaptation of the association as a nucleus of social organization in France. Under the Law of Associations (1901), Article 1 states that an association is “an agreement whereby two or more persons group together, in a permanent manner, their knowledge or activity for a purpose other than making a profit.”³ Such associations have the legal status of moral persons and thus differ from businesses and unions. To be freely able *to associate* became the main French way of forming egalitarian relationships. Within the realm of a group activity, one could step out for a while from family structures as well as the preordained social status structures of work life. Since that upshot after the 1848 revolution, associations have continued to flourish in France. In the 1950s, around 5,000 associations were created each year, and in the 1990s, 60,000 each year. In the early twenty-first century, about 40 percent of the French adult population belonged to at least one of the approximately 1.5 million associations in the country. This is an indication of a sentiment in France that if you are not in an association, you are not taking part in ‘society’. Julian Bourg (2007: 345) calls this movement “the ethical enlivening of intermediary civil spaces.” Highlighting the motto “the more associations there are, the more people are free,” Bourg also claims that there is in France a view that civil society “is full of life” (ibid.: 346), and that this is the arena of an authentic and righteous French society.

Within that terrain of associations, certain values and moralities are clearly hegemonic. Pierre Bourdieu (1984: 162–163) made this note about elite sports clubs and their importance in French society:

All the evidence suggests that although a number of them are officially organized around some rare, selective activity, which is often a mere pretext (golf, polo, riding, pigeon-shooting, sailing etc.), smart clubs (*les clubs chics*) are opposed to specialized clubs ... in that *they take account of the whole social person* [italics added]; and the more prestigious they are, and

the more concerned they are to achieve a total harmony of interests and values (for example, the Jockey Club, the Cercle du Bois de Boulogne or Le Nouveau Cercle), the more this is the case.

It goes hand in hand with the historical developments after the bourgeois revolution of 1848 that a certain double standard has thereby emerged when it comes to public space and the commons in France. According to the law on the uses of *domaines publics* and *espaces communs*, and in the eyes of the state, public space is open to the articulation of the freedom and equality of the individual, but according to the moral values of the Republic, this freedom should be exercised within the parameters of a registered association. Associations take account of the whole social person in the sense that they provide a secluded and indeed artificial space of equality here in the forest, to be enjoyed in short breaks before returning to a society ordered on inequality.

Appreciating the commons through the lens of Foucault's heterotopia—alongside his view of other public spaces like the cemetery, the museum, the brothel, or the theater—casts an interesting light on the exceptional state of egalitarianism in such spaces. Similar to these other institutions, a person is able to enter the Bois de Boulogne and may observe and even take part in the many activities there. As in other accounts of commoning practices (see Bruun 2015), the association members are temporary 'stewards' and take part in the facilities there, say the swimming pool or the tennis court, as common resources. An association's grounds are open and accessible for its members, providing fresh air and an atmosphere of enjoyment and play. They are spaces that people pass through, and they have a temporary, liminal status in people's lives, requiring preparation and purification. This is also underscored by the tendency in these clubs to allow members not to pay for anything while inside; they can leave their possessions behind and move around without restrictions. But what is completely eclipsed while inside the heterotopic domain is that this commoning activity is a restricted right, and that an association's access to land is based on a temporary concession granted by the city.

Life outside Egalitarianism

But what is the status of activities in the forest outside the domains of the associations? After taking this tour of Bois de Boulogne, one realizes that the forest has been split into two parts. On one side we have the spaces defined and enclaved by walls and private membership; on the other side are indifferent spaces such as roads or the few open green areas and fields. The first spaces are prestigious, exude wealth, and are tied to certain economic and political classes, with maintenance taken care of and the grounds presented in

an impeccable state. Outside the walls, the forest is in a state of decay. Fallen trees block the paths, an undergrowth of shrubs makes passage hard, the soil is muddy and moist, and everywhere you go you step over waste, drug needles, and especially paper towels piling up from the sex scene. This division into two such mutually incompatible kinds of public spaces is extraordinary in such a condensed space.

In a comment on this division, Kevin Geay (2015) describes the entanglements and alliances between city politics and the Paris Racing Club, in which the prostitution in the park is simply ignored. In policy documents and agreements between the city and the associations, it is as if this life outside the walls does not exist. This allows a situation where the social outcasts often find themselves standing face to face with the most prominent members of society, but in a relation of exclusion or, indeed, in a customer-client relation in sex work. In a television report on the sex workers' demonstration in opposition to Sarkozy's law against prostitution in 2012, one of the protesters dryly commented that President Sarkozy himself had been coming regularly to her for oral sex during his jogs around the park.⁴ This form of intimate proximity and juxtaposition—between the extremely public and the extremely private, the powerful and the precarious, the righteous and the illegal—testifies to the heterotopic construction of the park.

The life playing out in the spaces that are open to all—in between *les clubs chics*—is the life of the indifferent, invisible, not-counting-for-anything citizen. These spaces are occupied by the lonely walker or jogger, private couples, people taking photographs for their marriage albums, or even more, in my experience, the social outcasts—the many sex workers, who are literally outlaws and paperless, and the homeless living in small, improvised camps in the woods. They come to the public park as a sanctuary from the alienation, reification, and violence of the city center, and here they find materials to build temporary homes that provide shelter, safety, independence, and friendship and solidarity among equals (see Lion 2014). They are attracted to the forest commons as spaces where they too can live an idealized egalitarian life—in solitude or in camps with others. In the sense that they also become temporary 'stewards' of the commons, they mirror their neighbors, the members of the sports associations. But they are barred from interaction with these neighbors, and they are barred from enjoying rights to the park, since the key to those rights lies embedded in expensive membership fees. At regular intervals, the police carry out razzias and evict them. This means that the social life outside the walls of the associations is paradoxically not an egalitarian life acceptable to the values of the commons. This gives another meaning to the bounded life of the association after the revolution of 1848. It is not only that the associations have taken it upon themselves to articulate the full extent of what 'a life' is and the norms that should apply to it, as noted by Bourq above, but also that

these norms overflow into other domains of society outside of the associations. Thereby, your life as a lonely walker or dweller in Bois de Boulogne has little value, and you sense that the commons is not for you.

Conclusion

An incident took place during my fieldwork—one that I feel crystallizes the larger challenge of commons being spaces of egalitarian life in France. During the summer of 2016, a big media debate developed around the ban on a female garment—the veiled Muslim bathing suit, or burkini—on the beaches in southern France. The mayors of these cities of the Côte d’Azur argued that since the beach was a public place and commons, it was also the territory of the secular republic and should therefore be free of religious symbols, similar to public schools. Prime Minister Manuel Valls and other leading figures supported the ban, calling the burkini “a provocation against the values of the Republic.” There were scenes in Cannes and on Corsica where police officers forced Muslim women to undress or leave the beaches. But, quite surprisingly to many, at the end of August the Conseil d’État (Council of State) ruled against such a ban, deeming it unconstitutional and illegal since it invaded personal liberties and the commons. Hence, from the point of view of the state, it was clear that such a ban was unlawful since it threatened the value of that space as a pure domain of state authority. In accordance with the order of commons as exceptions to the running of society, it was stated that egalitarian life should be free to unfold in all such places. From the point of view of the mayors and those who spoke for “the values of the Republic,” on the contrary, it seemed that the beach, as an arena for leisure and sports, should follow the rules of civil society associations like sports clubs. Muslim women had by then learned that their egalitarian life on the public beach was in fact limited by an undefined and unlawful current in French society (see also Khemilat 2021).

This leisurely domain, ostensibly open to all, was restricted by invisible rules of conduct, aesthetics, and dress code. The events indicated a need and a will to bypass the egalitarian foundation of state and circumscribe the beach, and thereby possibly all public spaces such as roads, squares, cafés, and parks, within strong regulations of a moral kind. A slippage in decisions by the prime minister, the many mayors, and their supporters was arguably produced by their model of the sports club as the only ‘real’ society. The beach as an open arena for private enjoyment came under threat from a regulatory device as if the beach required membership and dedication to a particular etiquette. This was in reality a veritable clash between state and civil society over who is to govern the commons, a struggle that has been ongoing ever since Napoleon III supervised the advent of the civil society association.

A cry for egalitarian life unfolds in France, first and foremost in public spaces—in squares, streets, and parks—but it does not find a place to settle there. It runs into obstacles, walls, and fences. This conflicted capacity of the heterotopic sites of the Republic was probably what Foucault (2008: 21) had in mind when he commented that “there are [heterotopia] that look like pure and simple openings, but that, generally, conceal curious exclusions. Everyone can enter into those heterotopian emplacements, but in fact it is only an illusion: one believes to have entered and, by the very fact of entering, one is excluded.” What the commons in France present to the lonely walker is also that trick or illusion—upon entry you think you have walked into the commons, only to find that everywhere you are outside of its high walls.

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Notes

1. To learn about the Fondation Louis Vuitton's commitment to "the contemporary arts within an historical perspective," see <https://www.fondationlouisvuitton.fr/en/fondation>.
2. To read about the protests and the views of this association, see <http://sauvonsleboisdeboulogne.over-blog.com/qui-sommes-nous>.
3. More details can be found at <https://www.associations.gouv.fr/les-associations-en-france.html>.
4. For a Daily Motion interview with a prostitute at the demonstration against the Sarkozy laws, see <https://www.dailymotion.com/video/x36cu63>.

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