

A Glossary of Commoning

from the "Magna carta manifesto, liberties and commons for all" by Peter Linebaugh

GLOSSARY

The following definitions depend on the *OED* or the *Oxford New English Dictionary on Historical Principles*, on Raymond Williams, *Keywords: A Vocabulary of Culture and Society* (New York: Oxford University Press, 1976), Ambrose Bierce, *The Devil's Dictionary* (New York: Dover, 1958), Captain Grose, *Classical Dictionary of the Vulgar Tongue*, 3rd edition (1796), and on Iain Boal's glossary in *The Battle of Seattle: The New Challenge to Capitalist Globalization*, ed. Eddie Yuen, Daniel Burton Rose, and George Katsiaficas (New York: Soft Skull Press, 2001). To several medieval archaisms I've added a modern amplification, abbreviated mod. amp.

AFFOREST. To convert into a forest or hunting ground; Henry II afforested many woods and wooded wastes. Essentially, a juridical process or type of management, rather than an act of planting.

AGISTMENT. The action of opening a forest for a specified time to livestock; "the common of herbage" (Manwood, *Treatise and Discourse of the Lawes of the Forrest* [1598]). Free range is a restricted mod. amp.; milk, bacon, and beef are an expanded mod. amp.

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AMERCEMENTS. The infliction of a penalty left to the "mercy" of the inflictor, generally milder than a fixed fine.

ANGLOPHONOPHILIA. Literally, love of an English speaker (anglophone + philia); the mask that formerly disguised a predisposition of white supremacy.

ASIENTO. The license or contract granted by the Treaty of Utrecht (1713) for allowing the subjects of Great Britain to import African slaves into Spanish America.

ASSART. A piece of forest land converted to arable by grubbing up trees and brushwood; the action of doing so. Urban squats qualify as a mod. amp.

BALKS. A strip of ground left unplowed as a boundary line between two plowed portions; as an area at the end of the furrow in which to turn the plow and its team of oxen. Covetous men plow up "the common balks and walks."

BLACKING. The action of applying some substance to color something black. In the eighteenth century blacking became a means by which poachers and commoners disguised their individual identity while expressing sympathy with African slaves, sailors, and pirates.

BRANKS. A torture instrument applied to women said to be scolds. It consists of an iron framework enclosing the head with a sharp metal bit or gag that enters the mouth and restrains the tongue.

CABAL. A small group or clique of persons whose exact identity is disputed and who intrigue secretly for sinister purpose. Five aristocratic Whigs during Charles II's reign provide the acronym, Clifford, Arlington, Buckingham, Ashley, and Lauderdale. Like the conspiracy, its existence is doubted by historians, skeptics, and innocents.

CARTBOTE. An allowance of wood to a tenant for making and repairing carts, a definition suggesting that it is in the gift of the landlord rather than a right, custom, or entitlement. Public transport is one form of the mod. amp.

CAMPING. Besides sleeping outdoors or under tents, camping has meant contending or fighting, as well as an early form of football, such as a game of 1840 cited in the *OED* between the English

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counties Norfolk vs. Suffolk on Diss common with three hundred on a side; it lasted fourteen hours with several fatalities.

CHATELS. Moveable possessions, property, goods, money; originally from Norman French appearing in the thirteenth-century vernacular, deriving from cattle or livestock as property. The *OED* comments on the two meanings, cattle and money, that "the history is better understood by treating the word as a historical whole."

CHIMINAGE. A toll formerly paid for passage through a forest, and expressly regulated to favor commoners by the Forest Charter. Mod. amp. = public transport.

CLOUTED SHOON. Patched shoes or shoes whose soles are studded with nails; expressing both poverty and outdoor work on rough ground requiring traction. Name for common people, like redneck, *bras nus*, sansculotte, blue-collar, or **hand** (q.v.).

COMMODITY. Something useful and something for sale. Also, female private parts, a meaning overlooked in Karl Marx's otherwise indispensable disquisition in *Das Kapital*, but more than hinted at in the Bastard's long speech in Shakespeare's *King John*.

COMMON LAW. The body of law derived from the accumulated weight of past judicial decisions, as distinct from law deriving from legislative **statute** (q.v.) or from the customs of a trade, locality, or commons.

COMMONS. From the quaint village commons to the cosmic commons of the electromagnetic spectrum, from the medieval subsistence economy to the general intellect, no term has been simultaneously so ignored and so contentious, so comic and tragic as this cognate of communism. It has provided the universal horizon upon which as Rousseau noted, the privatizer, the commodifier, and the capitalist have intruded with ever-increasing savagery. From monastic times it meant the allowance of victuals. Captain Grose provides an antidote to the theoretical meanings: he says it refers either to Parliament or to "the necessary house" (toilet).

COMMUNISM. With a little *c* it is the theory of society that both vests all property in the community and organizes labor for the common

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benefit of all. "From each according to his capacity, to each according to his needs." During the 1840s, the decade of the Irish potato famine, it was the "specter haunting Europe." The Irishman Bronterre O'Brien wrote the history of the Babeuf Conspiracy (1797), named after the first theorist of communism whose early experience was the defense of peasants' common rights.

COMMUNISM. With a big *C* it refers to the political party of the twentieth century whose ideology sought the overthrow of capitalism by proletarian revolution.

COMPURGATION. The process of clearing a person of an accusation by the oaths or testimony of others, "oath helpers." Local or class solidarity is a mod. amp.

CONSTITUTION. The political notion arising between 1689 and 1789 that a written document (U.S.A.) or documents (U.K.) could express and prescribe the principles of government of the body politic. It has other meanings, such as (1) the arrangement of parts to make a whole; (2) temperament of mind; (3) vitality and strength of body, all of which are much needed to augment the political notion. It can go nowhere until it includes *economic* relations.

COPPICIE. Wood or thicket consisting of small trees grown for the purpose of periodical cutting.

COPYHOLD. A kind of ancient English land tenure, in contrast to the freeholder, held "at the will of the lord according to the custom of the manor" or by "immemorial custom." Valuable part of this tenure were the common or customary rights held by custom. In the era preceding photocopying machines it was held in the memory of most senior citizens.

COURT LEET. An annual or semiannual local court of record held in a hundred (a medieval administrative unit) or manor before the lord or steward and attended by all the residents of the district for administering common affairs. Neighborhood assemblies from Bolivia to Oaxaca are mod. amps.

DIGGERS. A section of the Levellers who in 1649 began to dig and plant the commons with parsnips, carrots, and beans. Hippies with the

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same name three centuries later added marijuana to the program. "You noble Diggers all, stand up now, stand up now."

DIPLomatics. Of or pertaining to official documents and charters; of the nature of official papers connected with international relations; of the pouch wherein such papers are transmitted.

DISAFFOREST. To exempt from the operation of the forest law; to reduce from the legal state of forest to ordinary land. See **afforest**. A mod. amp. is to return to commons.

DIVISION OF LABOR. Adam Smith gave it two meanings, (1) regional, national, or global specialization of production; and (2) the specialization of tasks within the workshop such as described in the famous example of pin manufacture. The former produces for the export sector leading to monoculture, the latter fractionates work so that it will be obediently and best done by the "stupid" worker, to use his description.

DRIFTS. Acts of driving of cattle within the forest to one place on a particular day to determine ownership, accompanied by hoots and hollers against the blowhards trumpeting the **tragedy of the commons** (q.v.).

DUE PROCESS OF LAW. Filling out the correct forms correctly, or to quote *Black's Law Dictionary*, "the conduct of legal proceedings according to established rules for the protection of private rights." In history of Magna Carta the phrase replaced "law of the land" (chapter 39), whose agrarian meaning necessarily included the commons. Thus, due process and commoning inhere.

EJIDO. Land distributed by the state to individual families or to villages of "tillers" that could not be sold, as prescribed by Article 27 of the 1917 Mexican Constitution.

ÉMEUTE. French term for riot, but this translation is far too simple to express the complexity of the sentiments and passions that lead to the action and its organization. In England the term "riot" was rarely employed during most riotous centuries; mutiny, commotion, turbulence served instead. *Émeute* and emotion have the same cognate.

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logical alternative to the commodity economy of *laissez-faire* and devil-take-the-hindmost.

OPEN FIELD. Unenclosed, undivided (hence, champion) arable land. A method of village farming by strips whose loss was lamented. Oliver Goldsmith or John Clare sang its praises. Survived into mid-twentieth century in Laxton parish, Northamptonshire.

PAN-AFRICAN. Pertaining to persons of African birth and descent (and therefore to all human beings, according to contemporary physical anthropology). A political movement of Caribbean and African anticolonial activists in the first half of the twentieth century.

PANMAGE. The feeding of swine in the forest; the right of pasturing pigs in the woods; pig's food or meat called mast, consisting of acorns, nuts, and the like. Thomas Spence edited a communist newspaper in the 1790s entitled *Pig's Meat* "to promote among the laboring part of mankind proper ideas of their situation, of their importance, and of their rights." It is thus historically one of the roots of modern Communist theory. In the cold war George Orwell in *Animal Farm* inverted the relation and made the pigs the privatizers.

FREE. Another term, like freeman, undergoing democratization over the centuries. It still retains its meaning as a member of the British nobility; a second modern meaning, and still subject to legal contention, is used in jury selection as a person of equal status, income, or ethnicity with the defendant in a trial.

POUGHBOTE. The wood that the tenant had a right to cut for making and repairing plows. Vehicle repair = mod. amp.

POLLARD. A tree that has been cut back or polled at some height above the ground, for the purpose of producing at that point young branches inaccessible to grazing animals.

PRIMITIVE COMMUNISM. At one time with Lewis Henry Morgan a term to describe clearly the simple technology and classless property relations of the Seneca people and later adopted by Frederick Engels and Karl Marx. Ideologically motivated opponents turned it into an academic put-down often with racialist overtones.

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ENCLOSURE. The action of surrounding land with a fence or hedge, the means of conversion from common land to private property. Juridically, accomplished by acts of Parliament, and actually measured out by the surveyor's chain, or "devil's guts" (slang). Considered by some the original sin of capitalism, a view challenged by Federici, who argues that the enclosure of land was preceded by that of the body, particularly the uterus.

ENCUENTRO. A term in Spanish referring to any meeting. It has been increasingly used by activists in the anti-globalization movement in Europe and North America who have taken the Zapatistas as their political reference point to refer to their international gatherings.

ESTOVERS. "Necessaries allowed by law" would be the translation from Norman French. *OED* says it refers to wood that a tenant is "privileged" to take from his landlord's estate so far as it is necessary for repairing his house, hedges, implements, etc. Under **boot** *OED* has "the right of a tenant to take timber, &c., for repairs, firing, and other necessary purposes." Ambrose Bierce in *The Devil's Dictionary* reminds us that the dictionary is "a malevolent literary device for cramping the growth of a language and making it hard and inelastic."

EYRE. An itinerant court, such as the forest eyre.

FELLOWSHIP. Participation, sharing, companionship are the key notions that the *OED* backs up with quotes from Wycliff, Coverdale, Milton, and Swift. The *OED* says "something in common" and quotes Caxton's *Acop* offering as a pearl of class etiquette, "The poor ought not to hold fellowship with the mighty."

FENCE. A barrier, wall, hedge, railing, palisade, along the boundary of a park, field, yard, or any place from which intruders are to be excluded. Its etymology belongs with that of "defense." A belligerent action disguised as landscape or architecture, as with the Berlin Wall, the wall around Israel, or fence between the United States and Mexico.

FIREBOTE. The fuel granted by the landlord to the tenant, or the right of the tenant to take firewood from off the landlord's estate. Cf.

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gasoline prices in Venezuela, or Nigerian oil taking, to find suitable mod. amps.

FOLK-MOTE. A general assembly of people, compared to a soviet, convention, powwow, or other deliberative gathering of people.

FOREST. Based on medieval Latin term meaning "the outside woods," i.e., unenclosed; a woodland district set apart for hunting and having special laws.

FRANKLEDGE. A Norman mistranslation of an Anglo or Saxon term meaning an assembly of every inhabitant of a tithing. Eight hundred years later it was the bee in the bonnet of Granville Sharp, searching for a sweet resting place in India, France, and Africa.

FREEMAN. Mark Twain called the expression a sarcasm. Also an open gate to rhetoric that formerly all students were required to walk through: "Had you rather Caesar were living and die all slaves, than that Caesar were dead, to live all free men?" asked Brutus, wiping the still wet blood from the blade. A pedantic means employed by English history professors of crushing any remaining ideals among their students who might have thought there was more to the term than the meaning now foisted upon them of property relations.

FUEROS. These are Spanish equivalents to the medieval charters of England. The term originates in the Latin *for* forum, an open space, a meeting place, a market, and tribunal. It acknowledges rights rather than grants privileges. Used by militarists and corporativists to bypass legislation.

HABEAS CORPUS. "you should have the body" (Latin). A writ requiring a person named to be brought before a judge; requiring the body of a person restrained of liberty to be brought to court in order that the lawfulness of the restraint may be investigated and determined. Once rather grandly considered indispensable, now become increasingly passé.

A HAND. A person employed by another in any manual work; a worker. A mid-seventeenth-century contribution to the semantics

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of alienation. The First International referred to "workers of the hand and the brain."

HANGM TUM. A hanging; humorous parody of judicial Latin, all ways expressed in the second person. As a euphemism it belongs to the general class of payments vice pays to virtue; also to a subclass in which the judicial class accepts backtalk as long as it is expressed in a foreign tongue.

HAUBERK. Defensive armor made of chain mail at first to protect neck and shoulders, which evolved gownlike in the course of time and fashion to knee length.

HERBAGE. Herbaceous growth or vegetation; pasture, as distinct from the ground on which the grass grows.

HOUSEBOTE. "The right of a tenant to take wood to repair a house from a landlord's estate." Public housing is the mod. amp.

INSPEXIMUS. A charter in which the grantor avouches to have inspected an earlier charter that he recites and confirms. Latin for "we have inspected," the first words the king uses in confirmation of the charters.

JUNGLE. Derived from the Hindi word for waste or desert, uncultivated ground of "bewildering complexity" (*OED*). In America a camp for tramps and hoboes.

JURY. A company of persons sworn to render a verdict or give a true answer to questions of fact, of law, or of mixed fact and law. Generally brow-beaten by judges, flattered by lawyers, and ill-paid by employers.

LEVELLERS. The activity of leveling those fences or digging up those hedges that privatized property, an activity that led to a political party under Charles I determined to level differences in rank or status.

LOPS AND TOPS. Cuttings or trimmings of superfluous growth from a tree.

MORAL ECONOMY. Whereas moral theology, moral law, and moral psychology will be found in *OED*, moral economy will not, yet at the end of the twentieth century it expressed a widespread, nonideo-

PRIVATIZATION. The policy or process of making private, as opposed to public, a commercial enterprise free of government control or regulation. The relinquishing of what belonged to all to the enjoyment of a few and called enterprise. Jain Boal shows that in origin the word was related to "deprivation."

RUNDALE. Irish land tenure. Joint occupancy of land kept in small strips. It is also a verb, as land may be rundaled through different farms.

RUNRIG. A form of Scottish land tenure, and the act of making it, as in "lands were runrigged"; a ridge lying among others.

SATYAGRAHA. The philosophy of nonviolent resistance as propounded by Mohandas Gandhi. A Hindu word combining two others meaning truth + force. Martin Luther King Jr. rendered it as silent force or soul force. John Goines, *Concise Dictionary of Indian Philosophy: Sanskrit Terms Defined in English* (1989) gives two meanings for *satya*, absolute truthfulness and the golden age, one putting it in the future, the other in the mythic past.

SCOTALE. A forced contribution levied at an ale or festival where ale was drunk at the invitation of the lord of the manor or a forester. Stubbs in *Constitutional History* says "the nature of this exaction is very obscure. It was however levied by the sheriff for his own emolument." Merrie Englande?

SCUTAGE. A tax paid in lieu of military service; hence a means of avoiding war by the rich.

SIDEWALK. Path running parallel to the main road, the latter for wheeled vehicles and the former for pedestrians. Considered by Jane Jacobs to be the essence of urban civilization. Subject to intense political negotiation, foot by foot and inch by inch, at election time, during picketing and demonstrations.

SNAP WOOD. An 1813 *View of Agriculture in Hampshire* stated, "a claim . . . of taking what is called snap-wood, that is, all fallen branches or such as can be snapped off by hand."

STATUTE. Law or decree made by sovereign authority; an enactment made by legislature expressed in formal document; sometimes a mod-

ifier of something recognized by statute, such as a statute fair or annual gathering held in certain towns or villages for hiring agricultural servants.

STINT. A limitation or restriction; customary portion; allotted amount of cattle permitted to each portion of land. Cf. **drifts**.

SUBSISTENCE. This word has fallen from the metaphysical heights of Plato, where it referred to both all physical substance and the reality of the soul, to its medieval and modern meaning of means of support or livelihood, down to the minimum amount of food to sustain life; that which keeps body and soul together.

TURBARY. Land where turf or peat may be dug for fuel; the right to cut such peat or fuel, a right called barbarian by privatizers. Public fuel allotment = mod. amp.

USUFRUCT. Temporary possession, or use, of the advantages of another person's property.

VILLEIN. (The preferred spelling in a virtuous age.) A class of serfs or peasant occupiers, bondsmen who, according to the followers of Kett's Rebellion in 1549, were Christ's blood set free.

WASTE. Ravaged, injured uninhabited or wild (rhetorical). In legal use, a piece of land not in any individual's occupation but lying in common.

Wild foods around in July

nettles
blackberry
rosebay willowherb
yarrow - toothache
lemon balm

fennel
pastursium
lovage
sweet cicely
valerian
ela campagne - roots (bronchial)
dandelion
mouse eared chickweed

dandelion
borage
plantain - broad and narrow leaf
garlic mustard/jack in the hedge
evening primrose
white dead nettles
love in the mist
horseradish
Burdock
american land cress
poppy
pansy

marigold
fat hen
oregano
wood sorrel
greek cress

Resources:

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