



31 MAI 2010

A Garden

By Pierre Donadieu

In the midst of buildings, a large garden wasn't cultivated for a long time. As no one knew what to do, the condominium arranged a meeting for this purpose. But only three people attended.

Raoul, a retired claimed his right as gardener. He explained: I'm the only one in the neighborhood, who knows how to grow vegetables and flowers. Not only because I do need these products because my retirement is modest, but also because I can sell them to people in the buildings.

Rachel, an old lady older than Raoul, was the owner of the land she wanted to sell. That explained why she had ended the Raoul' lease. But the prospective buyer wanted to build, which displeased to Rachel who wanted to preserve the view on four birch trees she had planted.

Rachid represented the local youths. He defended the right of the group to retain the use of the garden where they gather, drink, smoke and listen to music.

Having listened to the arguments of each, the condominium found the difficult decision to make. The reasons were high to allocate the garden to Raoul, which also satisfied Rachel, but excluded Rachid and his friends. Raoul took advantage of his experience for himself and the neighbors. And as far as Rachel lived in the building, the land could not be sold.

From a theoretical point of view, the fair solution is not necessarily the same for everyone. For those who advocate the diminution of income inequality, the proposition in favor of Raoul is the most fair. But those who prefer the freedom to dispose of his property shall approve the proposition of sale of Rachel. However, given the use of a space for a group is defended by those – the libertarians-who think that it is preferable that the young retain an outside area of freedom rather than to gather in the basement or the stairwells.

The condominium then thought to organize a democratic consultation of the co-owners. Despite the high abstention (those whose windows did not open on the garden), the vote indicated that the inhabitants were divided. The mothers wanted games for their children, the retired bowls and the youths wanted to keep their space of freedom.

The condominium was then advised to call a landscaper. The latter proposed to buy the land and meet the needs of everyone, the dimensions of the land allowing it. A solution that was firmly declared unacceptable: by all due to financial costs to support, by Raoul because the garden would become too small, and by Rachid and mothers because the use by everyone seems incompatible.

In the meantime, Rachel, who left to a nursing home, had sold her land. At the statutory meeting of the condominium, the construction of a new building was announced.

This short story shows that a collective decision on the future of an area is a complex process. Theorists of justice as equity (that is to say as fairness) cannot predict how the values of actors - the economic egalitarianism for Raoul, the utilitarianism for Rachel, the libertarianism for Rachid- will converge or diverge. That's why, the landscape geomeditation (see chronique 18), which is not a panacea, may not succeed.

But it can also achieve its ends. If it is possible to reconcile - not necessarily by overcoming systematically the disagreements- in a given place, the eradication of poverty, the right to enjoy his property

and to accept otherness, then the geomeditation solution will be obvious to all of those who want and can take individual advantages, which will become collective.

In this last case, it is to the social institutions (here the condominium) and to the public reasoning to achieve democracy through discussion, that is to say, to realize social achievements. And not to a hypothetical ideal and transcendental justice proposed by public institutions. At least it is the message of the economist Amartya Sen, Nobel Prize in Economics in 1998 in his latest book *L'idée de justice*¹. I borrowed him, by adapting it, the story of three children and a flute (p. 38).

¹ Amartya Sen. *L'idée de justice*. Paris, Flammarion, 2009.