



**DYNIVERSITY**

# **Kokopelli (France)**

## **Case study analysis**

**DYNAmic seed networks for managing European diversity:  
conserving diversity *in situ* in agriculture and in the food chain**



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# PART 1: DESCRIPTION

## 1.1 Contextualising the case

Kokopelli is an association that was been created in 1999. Before founding the Kokopelli association, Dominique Guillet developed the Botanical Garden of La Mothe in the city of Saint-Menoux in the northwest department of Allier in Auvergne, France). In 1994, Guillet created a seed company called "Terre de Semences". In 1998, the French authorities mandated the registration of so-called "old" varieties developed by Terre de Semences to be added to the French catalogue under the rather derogatory annex entitled "old varieties for amateur gardeners". While a number of small seed companies offering seeds from population varieties agreed to have their varieties registered in this catalogue, Dominique Guillet refused. He considered the official request not aligned with the societal demand for cultivated biodiversity. On that basis, Dominique Guillet decided to change the legal structure of his organisation, moving from a private company to an association. By so doing it was his hope that the organization would be able to overcome the authorities' demand and avoid legal restrictions for its activities. "A flat-rate membership with access to the seed bank would make it possible to get out of the conventional field of marketing and thus bypass the law" (Kokopelli Association 1999). This change in 1999 gave rise to what is now known as the Kokopelli Association.

The 3,000 varieties of Terre de Semences seeds have since been transmitted to the association. In the first year of the association, access to the seed collection was only available to members of the Kokopelli Association (Magarinos-Rey, 2015: 128). The following year in 2000 the collection was marketed— meaning sale was made to companies beyond Kokopelli. Twenty years later in 2019 Kokopelli has become an association of some 13,000 members. Today it employs 20 people and 15 seasonal workers and boasts a customer base of 120,000 customers (mainly internet-based sales). In 2016, its turnover reached 3.2 million euros (Paul, 2017), compared to 800,000 euros some ten years earlier (Agriculture and Environment, 2008).

In order to safeguard its freedom to operate and its independency, Kokopelli operates without public subsidies. Financial contributions come from memberships, the sale of seeds, donations, and some support from private foundations (e.g. Patagonia, Human Earth Foundation). On two occasions, the Association has been summoned to court. The first trial, filed by French authorities, took place from 2005 to 2008. This trial tested the legality of seeds in circulation. The second trial, filed by the seed company SAS Graine Baumaux, ran from 2005 to 2014 and the case concerned unfair competition in the marketing of royalty-free seeds.

Dominique Guillet's approach is based on the idea of "co-evolution between humans and Mother Earth". This approach is referred to as Gaia theory (theory of the planet as one living organism). It refuses the division between "society" and "nature". This point is essential to understanding Kokopelli's approach and guiding philosophy. For Dominique Guillet, alias Xochi, Gaïa is an entity which brings together life, connecting human and non-human beings.

## 1.2 « Doing »

### 1.2.1 Properties WITHIN the initiative (closure)

The Kokopelli association is rooted in an open approach to seed conservation and seed distribution. This vision has its origins in the work done in the United States around the concept of "open-pollination". The founder of Kokopelli has been building relationships in the U.S. since the 1980s. The concept of "open pollination" (or "open pollinated" seeds) has allowed Dominique Guillet to link his passion for botany with the development of open plant innovations in the service of Gaian life. This alternative ethos of 'open access' via open pollination has been the anchor of the Kokopelli Association. More specifically, open pollination refers to natural pollination of plants by insects or wind. At the seed saver's level, this may also include manual pollination by humans. During his stays in the United States, Guillet made contact with North American Seed Saver's networks which were being developed since the 1970s. These networks included breeders and creators of varieties such as Alan Kapuler, Tom Wagner, and open-pollinated seed maintenance and distribution organizations like the Seed Savers Exchange, Abundant Life Seed Foundation, and Wild Garden Seeds. This include initiatives stemming from California (Soleri, 2018) to Maine (Steinberg, 2001), the South (Campbell and Veteto, 2015; Campbell, 2012), Wisconsin (Lyon *et al.*, 2011), and national structures such as the Seed Savers Exchange (Volkening, 2018), or Organic Seed Alliance and the Open Source Seed Initiative - OSSI (Deibel and Kloppenburg, 2015; Kloppenburg, 2014).

Dominique Guillet's interest in open pollination is twofold. First, at the genetic level, it allows experimenting with a broad spectrum of genetic variation. Second, it allows freedom in seed saving and reproduction. Open-pollinated varieties are in the public domain and can be exchanged as desired. Thus, open-pollinated seeds combine relevant agronomic and

political aspects. This is in contrast with F1 hybrids which are closely controlled and privatized by intellectual property rights.

Dominique Guillet and later Kokopelli made the distinction between these "open-pollinated" seeds and "old varieties". The term "old" is considered too vague. In their view, the term "old" only indicates that it refers to seed that existed before the entry into force of the legislation on the release of seed varieties through the establishment of national catalogues. "I prefer to call such varieties "open-pollinated" varieties rather than old varieties, as "old varieties" means nothing. I prefer to call them open-pollinated varieties in the public domain. And they are in the public domain because they are not protected by intellectual property rights. " (interview Blanche Magarinos-Rey). By using open-pollination seeds, Dominique Guillet also distinguishes these seeds from "farmer seeds". According to him, "farmer seeds" simply means farm-produced seeds.

In lieu of his criticism of the conventional seed system, Dominique Guillet proposed a space for other seeds outside of the existing catalogues. Behind this call for a space for open seeds and in the name of co-evolution, Guillet refuses to take control of seed or life. Dominique Guillet underlines that for 25 years "We have been demanding that all agricultural varieties in open pollination and belonging to the public domain be excluded from any national, European or international legislation" (Xochipelli 2018 : 12).

### 1.2.2 Properties BEYOND the initiative (outreach)

In terms of seed circulation, Kokopelli plays the role of spreading seeds with "open, royalty-free pollination". The Association produces very few seeds. The Kokopelli system includes 4 types of supply:

- 1) A French network of around ten seed producers/multipliers.
- 2) Purchase/resale from external suppliers on the international organic seed market. According to the former stock manager in Alès and Mas d'Azil, this supply represents between 45% (2011/2012) and 66% (2014) of the overall stock (Grimm, 2017; 64). Purchases are made from Sativa (Switzerland), Arcoiris (Italy), and the United States, from companies such as Sustainable Seeds, Wild Garden Seed, High Mowing Organic Seeds, Inside Passage Seeds, Praorie Moon Nursery, and other individual producers (Alan Adesse, Alan Kapuler, Dylana Kapuler). In 2014, Dominique Guillet indicated that the purchase in the United States represented about 10% of the total purchase.
- 3) A network of godparents within the association. Each of these multiplies one or more varieties and sends the production back to the Association. In 2004, 2000 members participated in this dynamic, though only a quarter of these participants were able to return their production (Kokopelli, 2008; 18). This mode of supply was modified in 2017 to secure a higher seed return to the Association.
- 4) Since 2016, Kokopelli has started its own seed production operation on its farm in Ariège, France.

The association distributes its seeds through four successively structured channels:

- 1) Marketing within the store, at fairs, and via the internet within a niche market referred to as the "boutique range;
- 2) The distribution of seeds to the southern countries of Europe, through their "Seeds Without Borders" Campaign;
- 3) Limited access to members within the "collection range" market (abolished in 2017);
- 4) A 'clandestine' channel for and directly to farmers

The diagram below provides a visualisation of the four seed distribution channels

	<b>Boutique range</b> (2000-present)	<b>Seeds Without Borders</b> (2002-present)			<b>Collection range'</b> (collection range)(2002 - 2017)	<b>Clandestine range</b> (without date)
<b>Procurement</b>	External suppliers (other seed companies)	Kokopelli network of professional producers	Unsold from the shop	On-farm production	Amateur sponsorship network	Kokopelli collection (the whole collection)
<b>Objective</b>	Open-pollinated seed distribution free of charge					
	Financing the activity	« Humanitarian »			Participation	Service provision
<b>Recipients</b>	Customers	Precarious communities / « needy »			Members	Farmers
<b>Type of access</b>	Open to all by the market	Semi-open (on request)			Closed, limited to members only	Closed, by relationship
<b>Strategy</b>	Economic	Generosity			Belonging	Service
<b>Method of access</b>	Market	Solidarity			Membership	Personal relationship

### 1.2.3 Transformative effects beyond the initiative

The association uses a website ([kokopelli-semences.fr](http://kokopelli-semences.fr)). It also publishes an annual booklet that presents the varieties and provides information on seed production.

## 1.3 « Organizing »

### 1.3.1 Properties WITHIN the initiative (closure)

The association is managed by a board of directors composed of people close to the Guillet family. This mode of organisation aims to preserve the essence of the association.

# PART 2: ANALYSIS

## 2.1 Framing

### 2.1.1 Properties WITHIN the initiative (closure)

Through the distribution of seeds to members, vulnerable populations, and farmers and gardeners, Kokopelli connects different groups of actors sharing Kokopelli approaches. The transition from a company to an association has given Dominique Guillet the means to build an audience called "People of seeds", "for the liberation of seeds and humus". The association offers three entry points:

- 1) the use of seeds (production, training), intended mainly for gardeners;
- 2) the appropriation and dissemination of the problem of access to seeds, their free circulation, the designation of the economic domination exercised by certain actors. Non-gardeners can participate (access to political positioning articles);
- 3) reconnection to mother earth.

Thus, Kokopelli has three networks (gardeners, activists and people in search of reconnection with Nature (Gaia)) and different respective messages among members of these different networks. Two "objects" support its actions. The annual edition of Dominique Guillet's book entitled "Les semences de Kokopelli" (Guillet, 2018) is an informational resource on seed production and on the seeds in their collection, a publication that also gives access to a series of critical texts written and reprinted from year to year. Open-pollinated seed bags also contribute to this construction. Kokopelli's seed can be an element of food production, or could also become a political object, object of a spiritual nature, or either of these different forms simultaneously. People who buy, who are members of the Kokopelli association, feel concerned and become ambassadors, where they are located. They promote Kokopelli's message and products. Without all these channels, seeds and ideas would not circulate as effectively.

The people involved, in part or in whole, in the mission that Dominique Guillet has given himself, spread seeds to all winds in the service of Mother Earth. Gardeners will find plant diversity with which to experiment freely. They can rely as much on the seeds sold by the association as on Kokopelli's reference book. The cultivation of open pollinated varieties embodies an act of resistance rooted in the daily and ordinary practice of gardening.

People seeking a connection with Mother Earth, to be in connection with Gaia, can also listen to the call of the "Drums of Gaia". As for militants adhering to anti-capitalist and/or libertarian ideas, they may draw from the Association's proposals a matter and a practice of resistance to domination from industrial seed system. Beyond the ordinary practices of the garden, activists and people linked to Gaia demand the recognition of this freedom and/or this renewed connection with the earth that they translate into the idea of co-evolution with Gaia. Through the distribution of Kokopelli seed bags, both access to seeds and access to Gaia are transmitted.

Dominique Guillet takes on board people other than farmers who are directly affected by the ban on the commercial circulation of seeds not registered in national catalogues. Kokopelli's blog (accessed May 7, 2018) states: "We are the Seed People: where we walk, we sow. We sow, in consciences and in hearts, the seeds of a fertile and living revolution! Where we walk, the sellers of death and misery tremble with helplessness before the hope we represent. We are the People of Seeds and, together, we create a future based on respect for the Biosphere, based on co-evolution with Mother Earth...".

#### 2.1.2 Properties BEYOND the initiative (outreach)

"Seed People" gathering spaces bring together Kokopelli's various stakeholders and increase their visibility in the public opinion. The latest event on this trajectory was the Festival "Les Tambours de Gaïa" in June 2018. For three days, on its farm (Le Mas-d'Azil – Arriège), Kokopelli organized this festival. It was punctuated throughout the day by conferences, screenings and workshops, while the evenings were exclusively dedicated to concerts. This arrangement proved interesting since it made it possible to structure the days around two main themes, one more formal, and the other more entertainment-based (a comedy theatre show was presented on the first day, and singing workshops were held throughout the 3 days). These moments provide a pleasant incentive for the public to take further interest in Kokopelli's themes; the festival-goers seemed to be people who already knew of Kokopelli and were therefore already connected to the cause of the association, rather than simply a population of novices at the festival purely out of musical attraction. Of the some 3,000 festival-goers expected during these 3 days, a considerable number were strongly influenced to come by the musical and festive aspects of the festival.

The public present during this weekend was mainly composed of supporters of the association, or at least people who had heard about its activities or who were just involved in the cause of open-pollinated seeds. A small number of individuals who did not know Kokopelli were also in attendance, although of these it seemed that many attended with friends who were associated with Kokopelli. Among these friends were some 'curious' people, especially people living in the area, who had heard of the Association and had come to form their own ideas. Many were convinced at this event or brought into the fold of Kokopelli thereafter.

A number of amateur gardeners were also present at the festival. For this group, the festival gave them the opportunity to obtain information about practical situations and solutions to these that they face in their own vegetable activities.

The Association has shown openness in the types of actors involved, offering a diversity of environments for the application of the traditional seed issue. With regard to the objects involved, it is also interesting to highlight Kokopelli's ability to extend the subject of seeds to the domain of the living. This is why the festival did not revolve exclusively around seeds. The question of beekeeping was addressed, basketry workshops were organized, forest walks were conducted to discover wild plants, and a projection on the miraculous *Artemisia annua* natural remedy for malaria was

shown. Once again, all these subjects offer wide and complex perspectives concerning the application of non-conventional or 'traditional' seeds.

It is interesting to note the recognized and respected roles of some of Kokopelli's major figures. We are referring here to Ananda, Blanche and Dominique's people. The latter, for example, despite his physical absence during the festival, was repeatedly mentioned in such a way that indicated being known of and accepted by all. In general, these three individuals are clearly identifiable as dominant personalities. Throughout the interventions and conferences, the work they have initiated and continue to do has been valued. In this regard, it was interesting to observe the facial expressions or reactions of the festival-goers when one of these three people was mentioned several times. Blanche is particularly remarkable in this regard, invested in many projects supported by Kokopelli, such as the Maisons de l'Artemisia or the film Des Clics de Conscience, where she has helped to draft amendments tabled in parliament by the two directors.

### 2.1.3 Transformative effects beyond the initiative

The way in which Kokopelli extends beyond its network is mainly through its ability to communicate issues related to the lawsuits filed against it. On two occasions in the same period, the association was sued. The first trial, filed by the French authorities, took place from 2005 to 2008. It concerned the illegal distribution of seeds. The second trial, filed by the seed company SAS Graine Baumaux, ran from 2005 to 2014 and concerned unfair competition in the marketing of royalty-free seeds.

We do not develop an analysis of the trials, but of their impacts. For more information on these trials, read Hecquet (2019) or Magarinos-Rey (2015). While the Kokopelli Association has stood on the limits of legality, the testing of its practices by trials has propelled it to the heart of the controversy over the release or privatization of seeds. The justifications that the Association is developing in court testify to the defence of freedom of access for a variety of seeds. Despite the technical assistance of lawyers, however, it may not be able to win the case completely.

Trials produce other results as well. Kokopelli has attracted the interest of the media, which, in turn, has been broadening and amplifying even wider interest in the issues Kokopelli is fighting for. At the legal level, Kokopelli lost the first trial with the French State. But the outcome of the trial was disqualified by citizens, the media and some political actors who consider the laws governing seed activity to be illegitimate. The resistance of the Kokopelli Association, its fight and the media coverage of the two trials, has placed the Association at the forefront as a notable spokesperson on the issues around seed sharing. Kokopelli has, in these instances, denounced the holders of seed in the conventional seed system for garnering power for themselves.

In the end of the trial, as the Association was required to justify itself by the criteria of industrial efficiency and market competition and lost the case. These trials, however, have given Kokopelli the opportunity to ignite a *tour de force* as the cases allowed Kokopelli to promote itself to the level of the best defender of public interest. Legal failure was, importantly for the Association itself, a political and commercial success. The trial period resulted in an increase in membership and sales.

## 2.2 Networking

The main bridge concerns the ability of the Kokopelli Association to build a network between three different worlds or groups of seed people (gardeners, activists and people linked to Gaïa).

## **PART 3: SUMMARY**

The Kokopelli cases is very interesting as it identifies three central points in the construction of a network.

First, the grouping of heterogeneous actors (gardener, activists, etc.) is orchestrated by the association and more particularly by its leader. This leads to the question related to the creation of a network: is Kokopelli a network? The Association does not seem to set up spaces for the co-construction of knowledge and know-how between its three audiences. The production of the message comes from the Association's management.

Therefore, people adhere to the message or at least to elements of the message, but they do not seem to be co-producers of it. This situation raises a second issue: how are the distribution of power and the management of tensions within the association organised? In a book, former employees denounce the Association's managerial practices, but what about the distribution and transparency of decision-making? To our knowledge, this seems to be organized in a small group around the founder. Therefore, the construction of the Kokopelli audience seems to be based on trust established between a few people.

Finally, the last lesson on the construction of an audience concerns the use of trials. Kokopelli's media capacity provided a sound launching board for its message and the seeds it markets. This dynamic is reflected in all the organizations involved in the management of cultivated biodiversity.

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