

Turning away from entering to trespass the landscapes?



One of the main issues of a civil society is freedom in physical behavior.

That is to say: citizens are allowed to enter their surroundings; most of civil society's region is public. This is the bourgeoisie paradigm of cities and it is one of their historic achievements.

Still there is private property but the city has to be mainly open to the public.

You don't need extra allowance to pass through streets, districts and parks and there are a lot of public buildings like museums, theatres or those of authorities, where people can experience being part of a corporation.

This experience gives them self confidence and reassures them that their attitude of response is at the right place. You don't need to say what you are looking for, doing or wanting at a special place. That also has important implications for the behavior of the others.

There is also a public tradition in rural landscapes but it is usually limited to special places and communities. In history there were of course special places in villages where public matters were carried out and there was also common land that was used by the people together.

But the opening of rural territories to the public is a modern result of the urban civil society.

So the land didn't develop this usage by itself – it was owned by land owners and it was guaranteed by law that you could enter it without any permission.



Now some things happened in the last century that took this right of entry away again.

Often these changes were well justified. For example the entering of military training areas often is perilous.

And to set foot on a mining field is perilous as well.

The mining law also changed landscapes into the estate of the mining enterprise.

Suddenly it is considered trespassing to set a foot on it. Mining law is one of the most rigorous of law and many people object it and find it is incompatible with a modern society that guarantees civil rights.

However, after the abandonment of a mining or military training area, entry is still considered a trespass – now it is mainly due to the danger of the weak ground or of the ammunition scrap.

The effort by the government to re-establish the civil right of entry is unequal. It depends on power balances and different interests – and of course it depends on the next owners.

If you compare the engagement of German politics in re - establishing people's rights of entering these areas you will above all find many differences between military and mining areas.



There are also other constraints when you are just walking in a landscape. Some of them are plausible to me. Maybe I'm allowed to enter the meadow but I'm not interested in close contact with a bull. So the acceptance of borders like these is usually high, especially because the fences are often only temporary.



Another issue is the destruction of ways and paths in agricultural landscapes. In East Germany it happened in various episodes.

On this picture you see an old cemetery near my house – of course there was a way leading to it because people wanted to get there. It was ploughed in the sixties. Fifty years ago there were five ways leading into my village or rather from here into the other villages. Now there is only one way left and it is a street. You won't be interested in using it by foot.

The next push was in the time after 1989 because many farmers' cooperatives then became private enterprises and they wanted to stop people from looking at what they were doing on the fields.

The options for pedestrians or cyclists are now strongly limited. There are already landscapes where you won't feel welcomed as an ambler without any permission.

It is by all means not a good base for a civil society – and it isn't either for a big environmental society.



On this photo you see the owl we were talking about at the beginning. That sign stands in front of the protected Grumsiner Forst in Germany. These woods have been designated to belong to the UNESCO list of world's heritage of nature and of course the politicians are very proud of it. In former times the forest could be entered by the people without any limitations. I accept that the change in status might be necessary because even the social framework had changed. Now there are much more people travelling and mobility as a whole has risen. 25 years ago there were 1.5 million East Berliners and only a few owned cars. Now there are 4 million people and most of them own a car. Maybe there should be another protection. Maybe it is an essential strategy of modern civil societies to abandon the right of entry. But to be honest I think that the right of free entry at least for the locals is something worth considering and if you avoid it you should have good reasons and excellent instruments to organize other forms of local participation. Nature conservation often fails to create these instruments.



My last picture is a poster we made for an exhibition about forest development in Germany. It was to point out that the German forest statute guarantees the right of entry to forests for hikers.

You are allowed to set foot into the woods, whether it is private or public property. Nobody can challenge your reasons as a rambler. There are some rules that limit what you are allowed, but that's all.

The Germans are often said to have a woods obsession and that it comes from the early history – the Germanic tribes in the woods and all that mythology stuff.

I didn't find such connections to the landscapes during my research.

In spite of a mythological projection it was just a connection to a part of the landscape that was free.

You can enter the forest and it is not trespassing. That special law often tends to be forgotten. I'm convinced that the high engagement of German people in forestry policy has to do with that.

It is a very important issue for the future of landscapes and the situation is quite different from country to country.

On one of my holidays I stayed in Norfolk at the countryside. I liked it very much but I didn't manage to find a path for my daily jogging. It was all fenced in and in the end I had to run along the big streets. How is the situation of right of entry in Great Britain and how would you estimate its meaning?