



"Ye the Great Ones of the Earth, the Powers of this World... Your First Estate was Innocency and Equality with your fellow creatures, but your Lordly power over them, both Persons and Consciences, your proud fleshy imaginations, lofty thoughts of yourselves, are the fruits of darkness which you are kept under: The whole Creation groaneth and is in bondage even until now waiting for deliverance."

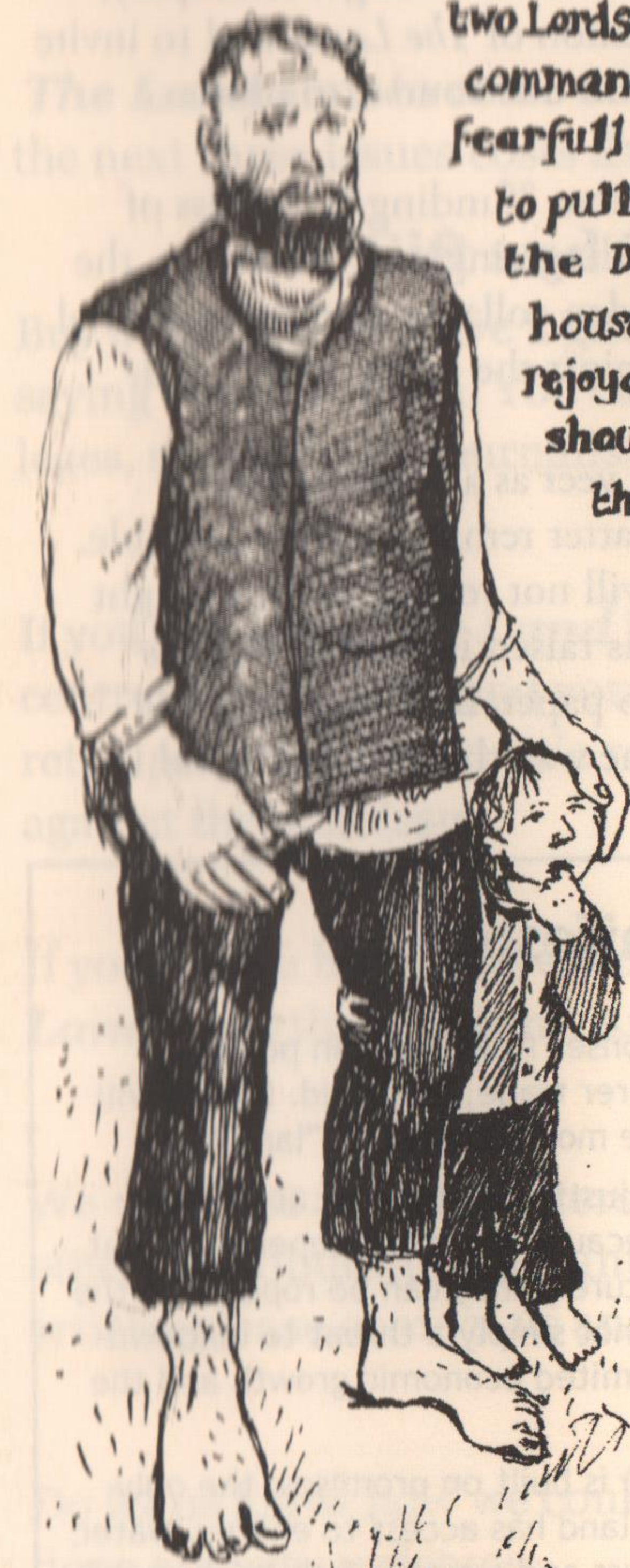
John Taylor ~ The True Levellers Standard Advanced.

St George's Hill today.

Cover illustrations from *A Short History Lesson*, by Kate Evans, 1996, which can be viewed in full at www.cartoonkate.co.uk



two Lords of the Manor commanded their fearfull tenants to pull down the Diggers houses and rejoiced with shoubing at the fall



St George's Hill, 1649

Dismantling the Commons – a History of Enclosure in Britain

THE LAND

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OBJECTIVES

The Land is written by and for people who believe that the roots of justice, freedom, social security and democracy lie not so much in access to money, or to the ballot box, as in access to land and its resources.

The Land reflects the preoccupations of two previous publications: **The Land Is Ours Newsletter**, which for nine years informed people about land campaigns, in the UK and abroad; and **Chapter 7 News**, which since 1999 has published news and views about the UK planning system.

The views expressed in **The Land** do not necessarily represent those of The Land Is Ours, Chapter 7, or the editors. We encourage debate and will consider for publication any material submitted relating to the politics of land, provided it is not racist, sexist or similarly inflammatory. However, editorial policy reflects the basic objective of TLIO — which is to “campaign peacefully for access to land, its resources and the decision-making processes affecting them, for everyone, irrespective of race, creed, age or gender.”

SUBSCRIPTION

Either two or three issues appear every year. A subscription to the Land costs £10, p and p included (£7 unwaged), for three issues, but you are welcome to donate more. Please make cheques out to The Land.

ADVERTISING

We do not take paid advertising, but will, at our discretion, take advertisements or announcements for land projects, people seeking land-based opportunities, and associated campaigns, publications or events.

1649 AND ALL THAT

Any reader who finds history boring will be disappointed in this issue of *The Land*, which is dominated by an analysis of enclosure — the 500 year long privatization process which gave birth to our current pattern of land ownership. The “short history”, which at 16 pages is rather long for a magazine, was originally written to be published as a pamphlet; but when articles on similar subjects arrived on our desk, we judged it better to publish everything together in a special issue.

We originally planned to include articles showing how the pre-industrial enclosure of land had been echoed in 20th and 21st century enclosure of planning rights and global and ethereal commons. But the historical material took up all the space — and anyway almost everything we publish in *The Land* in some way or another reflects the great historical metaphor that is enclosure.

* * *

This issue therefore provides a historical backcloth for what we publish in the future. What that future will hold is not certain since *The Land* is likely to undergo some changes. Up till now the finances of the magazine have been underwritten by the generosity of readers, to whom we are deeply grateful. Its spirit has been buoyed by all who have written in and said that you like what we produce.

However an anonymous funder has recently awarded us a sum that allows us to spread our wings a bit. We now have a budget to employ, part-time, someone to expand the distribution of *The Land*, and to invite others onto the editorial board. We hope, in due course, to produce three issues a year, rather than two.

More than one person has warned us that “funding is the kiss of death”, by which they presumably mean a lingering one. However, the alternative would probably have been sudden collapse through editorial burn-out; now we have to be on guard against the other peril, a slide into subsidized banality.

In whatever direction *The Land* may veer as a result of this relatively modest injection of cash, one matter remains non-negotiable. Unlike some other magazines, *The Land* will not retreat to the twilight world of the internet. Despite the concerns raised in Steffen Böhm’s article on page 6, we remain committed to paper, believing that the tangible will outlive the virtual, in the same way that access to land is more reliable than access to money.

From Our Manifesto

Demands to “make poverty history”, and responses from those in power, revolve around money: less debt, freer and fairer trade, more aid. Rarely will you hear someone with access to a microphone mouth the word “land”.

That is because economists define wealth and justice in terms of access to the market. Politicians echo the economists because the more dependent that people become upon the market, the more securely they can be roped into the fiscal and political hierarchy. Access to land is not simply a threat to landowning élites — it is a threat to the religion of unlimited economic growth and the power structure that depends upon it.

The market (however attractive it may appear) is built on promises: the only source of wealth is the earth. Anyone who has land has access to energy, water, nourishment, shelter, healing, wisdom, ancestors and a grave. Ivan Illich spoke of “a society of convivial tools that allows men to achieve purposes with energy fully under their control”. The ultimate convivial tool, the mother of all the others, is the earth . . .

Rome fell; the Soviet Empire collapsed; the stars and stripes are fading in the west. Nothing is forever in history, except geography. Capitalism is a confidence trick, a dazzling edifice built on paper promises. It may stand longer than some of us anticipate, but when it crumbles, the land will remain.

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COMMENT

ONE MAN'S PIRATE . . .

One man's terrorist, so the saying goes, is another man's freedom fighter, and the same can be said for pirates. Francis Drake was a war hero to the English, but a privateer to the Spanish. People who download music or films from the internet are no better than thieves in the eyes of corporate media, but others see them as liberators of the creative commons. So it comes as no surprise that the pirates off the coast of Somalia who are causing such problems for international shipping magnates are viewed somewhat differently in their home country. According to a BBC report from the Somali town of Garowe, the pirates prefer to call themselves "coastguards."

The coast they are guarding straddles some 2000 miles, the longest national stretch on the African continent, and is under assault from two forces. The first of these was revealed to BBC World Service listeners late in 2008 when the twelve year old daughter of a BBC reporter based in London pleaded "Mummy can I ring the pirates" and to everyone's surprise made contact with a Somali called Daybad talking from the bridge of the hijacked tanker Sirius Star. Daybad claimed that Somalis were left with no choice but to take to the high sea:

"We've had no government for 18 years. We have no life. Our last resource is the sea, and foreign trawlers are plundering our fish."

If the international media were more on the ball, and governments of rogue fishing nations cared more about the resource problems of the world's poor, then this matter might have been addressed before Somali fishermen turned en masse to piracy. In 1999, the Somali Maritime and Fisheries Institute published a paper describing in detail how factory ships from developed and developing nations were pillaging Somalia's fishery:

"The illegal fishing vessels stay in deeper waters during the day but come closer to the shore at night. They apply their destructive fishing techniques, which reduce the local population's harvest and damage nets and traps set by local fishermen. . . . Some of these vessels are equipped with large purse seines while others set and haul their colossal nets from the stern, quickly processing and deep-freezing nearly all the fish they catch, working around the clock in all even the worst weather conditions. . . . The draggers (N American term for trawlers) target huge aggregations of fish when they are spawning, a time when the fish population is highly vulnerable to capture and to the physical impacts of the bottom-trawling gear on the environment."

The report gave a list of the countries of origin of the offending boats: China, France, Germany, Great Britain, Honduras, India, Italy, Japan, Kenya, Korea, Pakistan, Portugal, Saudi Arabia, Soviet Federation, Spain, Sri Lanka, Taiwan, Thailand and Yemen. The authors warned: "This is a critical time for the world at large, in particular international organisations, to integrate Somali people with their environment and safeguard their natural resources."

Yet seven years later Somali fishing organizations were appealing to the UN and to the international community for action against what was now an estimated 700 foreign boats plundering their waters, some of them armed.

"It is now normal to see them on a daily basis a few miles offshore" stated a fisherman called Jeylani Shaik Abdi. "They are not only taking and robbing us of our fish, but they are also trying to stop us from fishing. They have rammed our boats and cut our nets."

But fishing isn't the only form of aggression into Somali waters. Since the early 1990s ships from industrialized countries have been dumping nuclear and chemical waste into Somali waters. A Swiss firm called Achair Partners, and an Italian waste company called Progresso — allegedly contracted to for more respectable European companies — made a deal with Ali Mahdi, one of the warlords who took over power after the overthrow of Siyad Barre, that they could dump containers of waste material in Somali waters. Al Madhi was said to be charging about \$3 a ton, where as to properly dispose of waste in Europe costs about \$1000 a ton.

In 2004, the Tsunami washed ashore several leaking containers, which according to Nick Nuttall, a spokesman for the United Nations Environmental Program, contained "uranium, radioactive waste, lead, cadmium, mercury and chemical waste." Locals in the Puntland region of Somalia started to complain of severe and previously unreported ailments, such as abdominal bleeding, skin melting off and a lot of immediate cancer-like symptoms. The dumping still continues to this day, according to UN Envoy for Somalia, Ahmedou Ould-Abdallah.

In the face of these assaults, it is hardly surprising that local fishermen should resort to direct action in order to guard their coastline, nor that they should enlist the assistance of former militiamen to provide them with firearms and expertise. Now, as one Somali writer puts it, "deterrence has become less noble, and the ex-fishermen with their militias have begun to develop a taste for ransom at sea. This form of piracy is now a major contributor to the Somali economy." The pirates have become the new élite: "They wed the most beautiful girls; they are building big houses; they have new cars; new guns."

As is so often the case with pirates, one is tempted to admire them for their spirit more than one condemns them for their avarice. But it is hard to feel any sympathy for the governments of the world and shipping fleets who have been so embarrassed by this marine resistance movement — they had it coming.

SOURCES: G H Musse and M H Tako, *Illegal Fishing and Dumping Hazardous Wastes Threaten the Development of Somali Fisheries and the Marine Environments*. In Tropical Aquaculture and Fisheries Conference, Malaysia 1999 (<http://www.geocities.com/gabobe/illegalfishing.html>) • *Somalia: Fishermen Appeal for Help over Foreign Fishing Ships*, Reuters (IRIN News) 9 March 2006 • Knaan, *Why We Don't Condemn Our Pirates in Somalia*, URB Magazine. April 14, 2009.

UNsung HEROES

Road protesters are photogenic, a factor which in the 1990s helped the movement to get the press on its side. The cream of the UK's environmental photographers joined various protest camps and between them came up with iconic images. One of these, Adrian Arbib, has recently published a book of pictures from the Solsbury Hill campaign in Bath, from which the accompanying illustrations are taken.

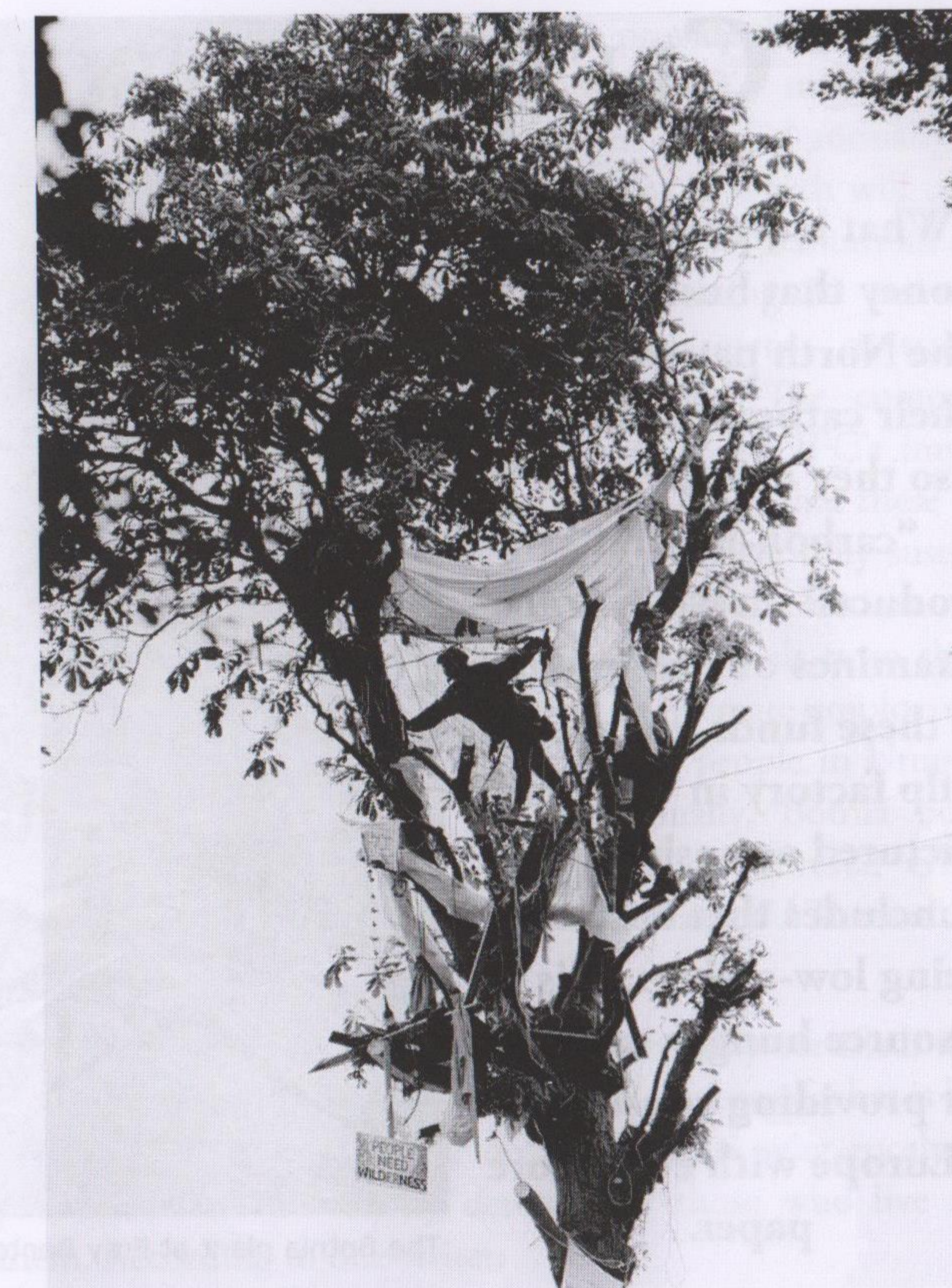
The heyday of tree squatting, tunnelling and locking onto bulldozers came to an end around 1996 when the Conservatives shelved their multi-billion pound roadbuilding programme. Protest camps still occur here and there, attracting local rather than national interest. The camp at Titnore Woods near Worthing, where protesters are currently fighting a new Tesco, 850 houses and associated "overdevelopment", has been maintained continuously for the last three years.

But most of the heroes of today's road protest movement lead a less glamorous existence. In July 2009, the long-running proposal for the Westbury bypass in Wiltshire, scheduled to plough up a valley flanked by the town's famous White Horse, was turned down by the Secretary of State. Mostly this was due to the dogged campaigning of an organization called the Corridor Alliance.

The A36 Corridor Alliance was formed in Salisbury in 1993 by a group made up largely of former Twyford Down protesters, with the object of preventing the piecemeal development of a dual carriageway stretching from Southampton to Bristol. Over time the alliance has seen the Salisbury Bypass dropped as well as several revived schemes along the southern end of the corridor. But roadbuilders do not give up easily, especially the bull terriers in Wiltshire Council, and for the last ten years the alliance has been fighting off one attempt after another to build a sequence of bypasses around the five main towns of west Wiltshire which, once strung together, would form the basis of a strategic artery.

Countering these proposals involves a phenomenal amount of work: responding to consultations, attending panels, preparing evidence, briefing councillors, persuading local groups to co-operate, mailing out newsletters and raising funds — the Westbury appeal cost £80,000, and there is still £10,000 to find.

Alliance members, including secretary Pat Kinnersly, treasurer Jennie Raggett, and Twyford Down stalwart Chris Gillham, work ridiculous hours for no pay, marshalling evidence against an army of salaried consultants, lawyers and council officers. This is perhaps not as boring as sitting for days on end up a tree drinking tea and reading Terry Pratchett novels — but few of us would relish regurgitating the same arguments about how road-building increases traffic and exacerbates global warming, day in day out for years, at a succession of hired suits who are paid not to listen.



People like Kinnersly, Raggett and Gillham are the unsung heroes of the environmental movement. Nobody will ever publish a photo collection of them tapping at their computers and stuffing their envelopes. Yet they win, anonymously, the battles that the direct activists lose gloriously.

However it is the glorious losses that secure the discreet gains. Both forms of protest are dependent upon each other. The Westbury protesters warned of "another Twyford Down" if the scheme went ahead. In a society where wealth buys power, the last sanction of the weak against the forces of development is the threat of civil disobedience, of order descending into chaos, of Trafalgar Square in flames. Yet riot is ineffective until mediated through negotiation: the poll tax riot got rid of Thatcher, but only once the Tory party had worked out other reasons why she had to go.

The conflagrations of the poll-tax demonstration were an exception. British protesters are often wimps, and sometimes they are quite good at inventing non-violent forms of civil disobedience. It was the genius of the road protests to devise a form of good-humoured riot that was threatening to the establishment, yet acceptable to middle England and to the media. The road protests are comparable to the well-orchestrated resistance of the 18th century bread riots that led E P Thompson to define what he called the "moral economy". Their mere memory unnerves the roadbuilders at the Department of Transport (who still dream of doubling traffic by 2050); and with help from the Climate Camp, will prevent any further expansion at Heathrow. Collections of photos like that published by Adrian Arbib serve to keep that memory alive.

Adrian Arbib, *Solsbury Hill: Chronicle of a Road Protest*, Bardwell Press, 2009 • www.solsburyhill.org.uk • www.corridor-alliance.co.uk • www.protectourwoodland.co.uk

CLEAN CONSCIENCE MECHANISM

What happens to the money that businesses in the North pay to offset their carbon emissions so they can advertise “carbon-neutral” products? STEFFEN BÖHM examines one recipient of these funds, the wood pulp factory in Uruguay pictured opposite, and concludes that far from being low-carbon, it is a resource hungry scheme for providing consumers in Europe with even more paper.



The Botnia plant at Fray Bentos

In 2007, Eurostar, the Anglo-French high-speed rail company, announced that it was “proud to offer carbon neutral journeys.” As part of its “Tread Lightly” initiative, Eurostar explained:

“We have made a commitment to reduce carbon dioxide emissions by a further 25% per traveller journey by 2012. Consequently, we will be making changes across all areas of our business, from the big things like energy efficiency, paperless ticketing and waste management, through supply chain selection to smaller cultural changes like recycling in our offices . . . Any remaining emissions will be offset, at no cost to the traveller, meaning that from November 14th 2007, the opening day of St.Pancras International, Eurostar is proud to offer carbon neutral journeys.”¹

The “Tread Lightly” initiative is supported by Friends of the Earth (FoE) UK, whose “Big Ask Climate Change” campaign is, in turn, endorsed by Eurostar. FoE’s Executive Director, Tony Juniper, says: “Eurostar is leading the way by making a real reduction” in carbon emissions.

Meanwhile, seven thousand miles away, in the Pampas region in South America, local landowners and a handful of multinational pulp and paper companies have discovered that the area is suited for growing huge eucalyptus tree plantations, which provide the raw material for the production of pulp and paper. There are already a number of existing pulp and paper mills in this area, and new ones are currently being constructed, turning the Pampas region into a growth area for the global wood pulp industry.

One of these new mills, constructed and operated by Botnia, the Finnish multinational pulp and paper company, is currently starting production in Fray Bentos, a small Uruguayan town on the banks of the River Uruguay, famous in Britain for corned beef and steak pies. The International Finance Corporation (IFC), part of the World Bank, which helps to

finance this project, says that this mill “will help the country [Uruguay] move up the value chain beyond the export of raw materials, while generating some 2,500 much needed local jobs . . . The plant will generate value added equivalent to 2 percent of Uruguay’s entire GDP.”² Additionally, Botnia is planning to generate environmentally friendly electricity from biomass in the power plant which is part of the pulp mill. The IFC claims that the electricity sold by the Botnia mill to the national grid “can be called green power because it is produced using biomass, which is a renewable resource.”

What links Eurostar and Botnia is the Clean Development Mechanism (CDM), an arrangement under the Kyoto Protocol which allows industrialized countries to invest in projects that reduce emissions in developing countries as an alternative to making more expensive emission reductions in their own countries.

When Eurostar says that it will “offset” all those carbon emissions that it cannot avoid itself, and when it claims that all Eurostar train journeys are now “carbon neutral”, it means that the company purchases so-called “carbon credits” in a number of emerging carbon trading schemes, of which CDM is by far the largest. Eurostar (and hence its passengers) finance carbon reduction projects in developing countries, such as Botnia’s biomass electricity generation project, in the hope that this will reduce the planet’s overall carbon emissions.

The connection between Eurostar and Botnia’s mill in Uruguay is not direct. Capitalist markets are always impersonal: the links between buyers and sellers are hidden, as the commodity (“carbon” in our case) can be traded from one place to the other, concealing the labour that has produced it in the first place – as Marx explained in *Das Kapital*. So, I’m not claiming here that Eurostar directly finances a pulp and paper mill in Uruguay. Indeed, this is one of the problems with the emerging carbon markets. Often one cannot trace what one’s carbon

offsetting money is really doing to distant communities around the world; one cannot make direct links between carbon sellers and buyers, which means that one cannot scrutinise the carbon reduction claims made.

Nonetheless we have a duty to open the black box of these carbon markets. The money that Northern companies, such as Eurostar, spend on being “green” and “carbon neutral” can all too easily be used to prop up industries in the South which are run by neo-colonial Northern companies such as Botnia, whose practices, taken as a whole, may actually increase global greenhouse gas emissions.

Three-Legged Profit Machine

Botnia’s offsetting project at Fray Bentos financed by the CDM consists of a 32 Megawatt biomass-based electricity generation plant. Electricity will be generated in the pulp mill’s power plant on mill site. About 270 Gigawatt hours will be generated annually — enough to supply all the electricity consumed by 150,000 Uruguayan homes. The project is designed to use black liquor (renewable biomass material derived from the pulping process) for steam and electricity generation in the recovery boiler. Botnia claims that burning eucalyptus to generate electricity emits less greenhouse gas than traditional oil and gas-based electricity generation; and that it will sell the surplus electricity to Uruguay’s national grid, thus offsetting 68,000 tons of carbon dioxide a year.³

At first, this sounds like a beneficial arrangement for all concerned. Uruguay’s economy is boosted, its consumers get electricity, and the environment is spared. It is also good news for Botnia, which stands to profit three times over from its eucalyptus plantations: first, by turning pulp wood into paper; second, by selling electricity to the Uruguayan grid, and third, by selling carbon credits to polluting countries and companies in the North. It seems to prove the point that green and sustainable development is indeed possible, and that companies which do ‘good’ can still make a healthy profit. But, as is often the case with such mega-developments, all is not quite what it is made out to be.

Green Soldiers

The first major problem with the Fray Bentos scheme is that its main raw material, eucalyptus, is mass-produced in very harmful ways, leading to an array of negative impacts on local communities. Eucalyptus plantations are just as problematic as other biofuels grown across the developing world at the moment, leading to shortages in many core food categories, not to mention the neo-colonial landgrabbing that is a hallmark of large agribusiness operations throughout the so called developing world.

Botnia, for example, through its subsidiary Forestal Oriental SA (FOSA), currently has 89,000 hectares of eucalyptus planted, and a further 103,500 acres available for future use. The aim



Aracruz workers spraying eucalyptus with herbicides

is to provide the Fray Bentos mill with 3.5 million cubic meters of wood annually, 70 per cent of which will come from its own plantations and the remaining 30 per cent from farmers contracted to Botnia.⁴ The company, as well as the IFC’s impact studies, claim that these tree plantations are fully sustainable, no adverse environmental effects result from them, and they create employment for rural people in Uruguay. Additionally, Botnia boasts that “all of Forestal Oriental’s plantations have received FSC certification”.⁵ That’s alright then.

However, even if the tree plantations are fully certified, these control mechanisms don’t provide a full picture of what is happening on the ground. Nor do they explain why eucalyptus plantations are universally detested by those who live near them. According to one writer:

“In Brazil, plantations are referred to as ‘green deserts’ due to their reputation for destroying biological diversity. In South Africa they are known as ‘green cancer’ because of the tendency of the eucalyptus in the plantations to spread wildly into other areas. In Chile plantations are called ‘green soldiers’ because they are destructive, stand in straight lines, and steadily advance forward.”⁶

Eucalyptus trees originate from Australia where they thrive in a dry climate, developing very deep roots to access water. Plantations have spread around the world because they are fast-growing (on the pampas the trees are mature in about six to seven years) and eucalyptus is fast growing because it is greedy. Each tree consumes up to 100 litres of water per day, so a whole plantation can lower the water table which local people rely on. A World Rainforest Movement (WRM) study on the impact of monocultures in the backyard of the new Botnia plant in Uruguay reported a host of complaints from local residents. A farmer in Guichón, whose land is now surrounded by FOSA plantations, complained that as a result the Boyado stream, which runs through his farm, had completely dried up. In an area called Paraje Pence in the department of Soriano one local man stated: “All the people here have been left with no water; I have a little bit but the well is dirty. Close to here where my father lives there’s no water at all.” Another villager told WRM: “I’ve lived here my whole life, and we never had any problems with water until they established all these plantations around eight years ago. Now we depend on the local government to bring us water.”⁷

Eucalyptus plantations are also called “green deserts” because they allow nothing else to grow within them; and plantation managers use herbicides and pesticides to ensure that their tree plantations remain monocultures. “From a biological perspective, eucalyptus forests are inferior to other types of reforestation, due to their homogeneity and low biodiversity. In this sense, the use of the term ‘forest’ for these plantations is mis-



A Via Campesina supporter chopping down a eucalyptus tree. A eucalyptus plantation provides one job for every 185 hectares, while a small farm provides one job per hectare

leading, but it continues to be manipulated as an ideological tool by the cellulose-producing companies.⁷⁸ In regions with large-scale eucalyptus plantations “the rivers have been degraded by pollution caused by wide-spread use of pesticides and a process of desiccation, compromising fishing and the quality and quantity of drinking water.”⁷⁹

Eucalyptus plantations are likely to become even more artificial if current proposals to plant genetically modified trees with reduced levels of lignin become a reality. Lignin is a natural glue-like substance that holds wood cells together and makes trees strong and inedible. Because lignin causes yellowing of paper, any lignin remaining has to be bleached away, so paper made from low-lignin trees would be less polluting. However trees with reduced lignin are more susceptible to viral infections and pest attack, and therefore require increased pesticide use; and there is a risk that reduced-lignin GM trees might cross-fertilize with other trees and spread these characteristics into the wider forest environment.¹⁰

Pulp Affliction

The renewable electricity generated by Botnia’s mill is only made possible because of the pulp processing industry. Thousands of pages of reports, commissioned by the IFC and other governmental and extra-governmental bodies, have concluded that no adverse social and environmental impacts are produced by the new Botnia mill¹¹ — but many local residents and some environmental groups from within Uruguay have consistently argued the exact opposite. Pulp processing has been labelled “one of the three most polluting industries of the planet”, because of the following problems, all examined in a study on pulp mills carried out by the World Rainforest Movement.¹²

• **Size and scale:** Today’s pulp mills are mega-factories and their very size makes them a risk. The effluents from a large 600,000 metric ton plant are approximately 1000 litres per second.” In an industrial process using so many toxic chemicals, any small release is magnified because of the scale of the factory. Toxic chemical releases may be small compared to the volumes processed, yet more than an ecosystem can support.

• **Smell and other emissions:** Emissions into the air by pulp mills contain carcinogenic chemical compounds causing hormone imbalance, and reduced sulphur compounds which give off a “rotten egg” smell that becomes a problem for the surrounding inhabitants’.

• **Bleaching agents:** To produce white pulp and paper, bleaching agents are needed. “Many chemical bleaches are reactive and dangerous to transport and for this reason must be made in situ or near by. This is the case for 21 chlorine dioxide, an extremely reactive greenish yellow gas that explodes easily, representing a major threat to the workers and the neighbouring inhabitants in the event of an accident. Another agent used, elemental chlorine, is very toxic. It is a greenish gas that is corrosive in the presence of dampness.”

• **Effluents and water pollution:** “The enormous demand for water in pulp mills may reduce the level of water and the effluents may increase the temperature, a critical issue for the river ecosystem. Generally, mills are installed near a watercourse with a good flow where they can get their supply (at a lower cost) and also discharge their effluents. Chemical and organic residues can combine to produce pollutants that may reduce the oxygen levels in the watercourses where they are released and prove lethal to fish. Studies have revealed genetic damage, hormone changes, liver alterations, cell function problems, changes in blood composition, skin and brachia lesions and reactions by the fishes’ immunological system.”

• **Chlorines:** The pulp industry is the world’s second largest consumer of chlorine and the greatest source of toxic organochlorines in watercourses. Some effluents produced in pulp production may combine to form dioxins, furans or other organochlorines which biodegrade slowly and can accumulate in the tissues of humans or other living creatures.

Incidents of contamination have frequently occurred at other locations and continue to do so. In Valdivia, Chile, for example, CELCO (the forestry subsidiary of the Angelini group) opened its new pulp mill in 2004, five years behind schedule because of protests. “Less than a month later, the nearby communities began complaining about the unbearable smell from the mill.” But bad smells were not the only problem. “Faced with repeated complaints, environmental and health authorities began to set up inquiries . . . They found categorical evidence establishing that the company had no system for emissions abatement, control and monitoring.” Serious water contamination from the mill, registered in the nearby Nature Sanctuary Carlos Anwandter at the Rio Cruces, was linked with the death and sickness of dozens black-necked swans, an endangered migratory bird.

The CELCO plant is designed to produce 550,000 tons of bleached pulp annually. When Botnia’s mill is in full production it will have an annual output of 1 million tonnes of bleached eucalyptus pulp, one of the biggest mills of its type in the world. To gain an idea of the volume, consider that a

factory of this size needs to be serviced by over 200,000 HGV journeys a year, or one every 2.5 minutes, 24 hours per day, every day. The environmental impacts of pulp production are likely to get worse with the large scale of plants being built today.

It is mainly because of the pollution that the people of the Argentinian town of Gualeguaychú, which overlooks Fray Bentos from the other side of the river, have been up in arms protesting against the project. The town is an important tourist destination, famous for its annual carnival, which draws thousands of visitors to the city every year. Tourists also come to Gualeguaychú to enjoy its tranquil river shores, fishing and water sports. No one whose livelihood depends largely on tourism or agriculture, wants to have a giant pulp mill constructed in their back yard.

Development for the Overdeveloped

However, while the people of Gualeguaychú look on the construction of the Botnia Mill with foreboding, many in people in Fray Bentos and Uruguay welcome the investment into the Botnia pulp mill, which constitutes the country’s largest foreign direct investment in its history, and will establish the country as one of the world’s major pulp exporters. The project is expected to generate revenues equivalent to two percent of the country’s GDP, and to create 2,500 jobs, of which 300 will be in the mill and the rest in ancillary forestry and transport. The project fits in with the World Bank Group’s long-term strategy for the development of Uruguay, which recommends investments in forestry and in the diversification of the country’s export base to increase its competitiveness globally.¹³

Whether Uruguayans will actually benefit from these revenues is another matter. The plant is being built in a *Zona Franca* — one of the many Free Trade Zones installed in developing countries over the past decades. These designated areas provide easy investment opportunities for multinational companies without burdening them with national taxes and other unwanted costs. The land for the pulp mill was rented to Botnia for \$20,000 for 30 years — enough to rent a flat in London for a year. Botnia does not have to pay any customs duty on machinery and equipment imports, most of which is manufactured in Finland, nor does it have to pay income tax under the free trade area contract. The profits will mainly be given in the form of dividends to foreign shareholders and thus exported out of the country; that is, back to Finland. So, it’s actually a development of the Finnish economy. Furthermore, the government has:

“provided forestry companies with generous subsidies, soft credits, and tax exemptions. Over 12 years, the Uruguayan government’s support for this sector exceeded \$500 million in tax exemptions and direct disbursements, an amount representing almost 4 percent of the country’s annual GDP. To facilitate the transportation and export of the wood, the governments of the day made further investments in new ports, bridges, roads, and railway lines.”¹⁴

While this could all be seen as long-term investment in the economic growth of the country, the “problem is that future investors will certainly demand equal treatment from the state, and the companies will continue to avoid paying taxes. A factory of this size, representing Finnish interests is a powerful economic agent in a country like Uruguay; granting tax exemptions to encourage foreign investment means that this power is transferred to foreign companies.

These arrangements maintain the unequal power relationships between North and South that have been in place ever since the colonization of South America 500 years ago. Virtually all of the production of the Botnia mill is for export, serving the Northerners’ wasteful consumption of ever more pulp and paper. People in the European “knowledge economy” consume up to 430 kg per head per year, on everything from junk mail to government reports, compared to only about 40-50 kg in the Pampas region.¹⁵ This means that the jobs that are being created in the South are dependent on the wasteful over-consumption in industrialized countries — and will disappear if ever we in the North put our house in order.

What is not taken into account by the IFC and other development institutions is the amount of jobs that are being destroyed. Brazil’s Landless Workers Movement (MST) says that a corporation such as the huge pulp firm Aracruz “creates only one job for each 185 hectares planted, while a small farm property creates one job per hectare.” A Via Campesina poster even claims 5 jobs for every hectare.¹⁶

In effect the eucalyptus plantations perpetuate the South American tradition of large *latifundia*, estates covering vast areas of fertile lands,

which originally were violently expropriated from indigenous people. As Eduardo Galeano has described so vividly in *The Open Veins of Latin America*, ever since the European invasion, Latin America’s lands have served to provide goods in demand in Europe. First it was sugar, then coffee, cacao and cotton; today it is soya, maize, and eucalyptus. These monocultures were made possible because local elites and foreign proprietors owned vast estates, while peasants, forced off the land, have been driven into cities such as Sao Paulo, Rio de Janeiro and Buenos Aires.

Resistance

The plantations have therefore become a focus of resistance for social movements such as the peasants organization Via Campesina, and Brazil’s Landless Workers Movement (MST). The MST has been engaged in the fight against the Aracruz’ eucalyptus plantations in the Brazilian state of Espírito Santo, where indigenous communities have been struggling to reclaim thousands of hectares of land stolen from them under the Brazilian dictatorship in the 1970s. In August 2007 the Tupinikims and Guarani indigenous people declared victory when the Brazilian government decided that Aracruz should return to them 14,227 hectares of illegally occupied land.¹⁷ On 8 March 2006, on International Women’s Day, about 2000 women from Via Campesina occupied an Aracruz plantation



The book by Eduardo Galeano that Hugo Chavez, president of Venezuela gave to US President Obama.

in Rio Grande do Sul, "denouncing the social and environmental impacts of the growing green desert created by eucalyptus monocultures. "These social movements campaign for real development, by the locals for the locals, where "100% of production [is] destined for the tables of Brazilian workers".¹⁸

Resistance against pulp mills and eucalyptus plantations has also been inspired by the long struggle of the The Citizens' Environmental Assembly of the Argentinian city of Gualeguaychú which faces the Botnia mill from the other bank of the river. The campaign initiated by environmentalists grew to represent a wide cross-section of town's population from university teachers and business professionals to pensioners a farmers". They organised road blockades, internet campaigns, legal challenges against Uruguay, and other more clandestine actions, such as the imitation of the corporate website of Botnia.¹⁹ Their slogan, "No a la papeleras, Si a la vida!" (No to the cellulose plants, Yes to life!) can be seen everywhere in the city: on cars, in shops, in restaurants, and on billboards. Their campaign made national news over three years and although they

didn't manage to stop the construction of the Botnia plant, they have succeeded in delaying the construction of another pulp mill planned by ENCE, the Spanish multinational, right next to the Botnia factory. ENCE is now looking to build the plant further down the river.

A Global Scam

Botnia and its financiers want us to believe that an industry with a long track record of pollution, land rights violations and other negative impacts is sustainable, and are using the electricity generation side of the project to give it a green gloss. But even the claim that the electricity is carbon neutral is spurious, because the releases generated by the project as a whole are not taken into account. Besides the emissions arising from the construction of the factory, there are all the carbon releases resulting from project operation: the emissions from the factories producing chemicals associated to pulp production; the consumption of fuel by forestry machinery; timber transportation by trucks to the factory; port movements; and fuel consumption by ships taking pulp to paper factories in Finland

and China, etc. A full life cycle analysis of all these energy costs would almost certainly show that "total releases of greenhouse effect gases by Botnia will be higher than those that would have occurred in the country without its presence".²⁰ And the sole purpose of this carbon expenditure is to ensure that we in the North can continue to consume ten times as much paper as people in Uruguay.

This kind of greenwashing is not unique to Botnia. Celulose Irani was the first Brazilian pulp and paper company to sell carbon credits under the CDM, when, in 2006, it sold US\$1.2 million worth of credits to Shell, which will use them to continue exploring, drilling, flaring, spilling and polluting.²¹

Nor is this scam unique to the pulp industry. The single largest project type applying for the CDM is hydropower, with more than 400 large dams in China alone applying for credits, while biomass power plants like that at Botnia are the second biggest project type.²² Like pulp mills, hydro schemes are riddled with environmental problems, and are responsible for displacing hundreds of thousands of peasants from their land. And like the Botnia power plant, many hydro-electric dams are "non-additional" — that is to say that they would have been constructed anyway, even if there had been no finance through the CDM, so in effect carbon credits are not reducing carbon emissions at all, but simply subsidizing "business as usual".

In the last ten years, carbon has become a new commodity. Carbon trading and offsetting is an industry that grows at an alarming rate without any serious checks and balances in place to monitor the real progress in reducing carbon emissions

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The Tucuruí Castro hydro-electric dam in Brazil. Hydro-electric schemes and biomass power generation between them account for 42 per cent of all carbon offset projects in the CDM pipeline.

International Rivers

worldwide. Already there is overwhelming evidence that the carbon markets do not work, in terms of the objective they were created for: reducing greenhouse gas emissions. Not only have they failed to introduce significant carbon reductions; in the case of Botnia, and many similar projects, they have the very opposite effect of what they were intended to achieve: they legitimize a further increase in greenhouse gas emissions and prolong the introduction of the measures that will force the Northern countries that have caused climate change to significantly reduce their emissions.

This article is taken from *Upsetting the Offset: The Political Economy of Carbon Markets*, a working paper by Steffen Böhm of the University of Essex. E-mail steffen@essex.ac.uk

The Seedlings Broke the Silence

There was a sepulchral silence over the 18,000 hectares stolen from the Tupi-guarani peoples over ten thousand Quilombola families evicted from their territories over millions of litres of herbicides poured in the plantations

There was a promiscuous silence over the chlorine used for whitening paper producing carcinogenic toxins which affect plants, animals and people. over the disappearance of more than four hundred bird species and forty mammals in the north of Espírito Santo

There was an insurmountable silence about the nature of a plant that consumes thirty litres of water/day and does not give flowers or seeds about a plantation that produced billions and more billions of dollars for just a half a dozen gentlemen

There was a thick silence over thousands of hectares accumulated in Espírito Santo, Minas, Bahia and Rio Grande do Sul

There was an accomplice silence over the destruction of the Atlantic Forest and the pampas due to the homogenous cultivation of a single tree: eucalyptus

There was a bought silence over the voluptuousness for profit Yes, there was a global silence over Swedish capital over Norwegian companies over large national stalls Finally, there was an immense green desert in concert with silence

II
Suddenly, thousands of women got together and destroyed seedlings the oppression and lies The seedlings shouted all of a sudden and no less than suddenly the smile of bourgeoisies became amazement became a grimace, disorientation

III
The order raised incredulous crying out progress and science imprecating in vulgar terms obscenity and bad language Newspapers, radios, magazines, the Internet and TV, and advertisers well spoken businessmen crawling advisers clever technicians reluctant governments the yelling right and all the centre extremists in chorus, echo, assemblies and declarations to defend capital: "They cannot break the silence!" And cried for beheading!

IV
Suddenly no less than suddenly thousands of women destroyed the silence On that day the so called Aracruz land the women from Via Campesina were our gesture were our voice

Poem published in solidarity with the women of La Via Campesina in Rio Grande do Sur, Brasil.

and China, etc. A full life cycle analysis of all these energy costs would almost certainly show that "total releases of greenhouse effect gases by Botnia will be higher than those that would have occurred in the country without its presence".²⁰ And the sole purpose of this carbon expenditure is to ensure that we in the North can continue to consume ten times as much paper as people in Uruguay.

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In the last ten years, carbon has become a new commodity. Carbon trading and offsetting is an industry that grows at an alarming rate without any serious checks and balances in place to monitor the real progress in reducing carbon emissions

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A NEVER-ENDING STRUGGLE

While we in the North wring our hands about the disappearance of tropical forests, people who live there face an endless struggle against encroachments, enclosures and invasions from companies seeking to strip the land of its resources in order to support our excessive consumption of not very essential commodities. Here are a few recent examples from South America.

Colombia Land Grab

Many of the incursions into the Amazon are pioneered by cowboy companies who are unconcerned about cultivating a green image. One such company Muriel Mining Corp, based in the US and Colombia, has recently entered Colombia's Jiguamiandó River Basin, to prospect for copper and gold. On January 8 2009, over 280 indigenous Embera and Afro-Colombians representing more than a dozen communities converged in Coredocito to face down Muriel's incursions into their ancestral territory.

The Indians contend that the company has failed to consult them properly and violated the Colombian Constitution of 1991, and a number of other decrees. The dispute dates back to 2005, when the Colombian state awarded Muriel a 30 year mining concession on 11,000 hectares of indigenous and Afro-Colombian territory in the region. According to La Hermana, a nun who attended the convergence on behalf of the Interchurch organization Justicia y Paz :

"The multinationals want all the wealth and will destroy the rivers and the environment and leave people in misery to get it. This is the savage neo-liberal economic model. These are the plans of the multinationals.. Do you know what the river means to the community? Food, bathing, washing clothes — it is their life. If the river is destroyed, they will have to leave. The communities know this."

This is not the first time local people have seen their lands



Pedro Lemous of Muriel Mining (right, with sidekick) meets the Embera Indians (above) whose land he wants to mine.



threatened. Over 4,000 indigenous and Afro-descendent communities in the Lower Atrato region of Chocó were forcibly displaced and hundreds massacred during a joint military-paramilitary operation in 1996 and 1997 known as Operation Genesis. Displaced people returned to their land years later only to find it taken over by large-scale cattle ranchers and multinational corporations.

Colombia Reports, 21 January 2009, David Goodener and Megan Felt

Gunboat Diplomacy and Free Trade in Peru

In June 2009, Indigenous groups in Peru called off protests after Peru's Congress revoked two controversial decrees on land ownership in the Amazon River basin which would have allowed foreign oil and mining companies and other commercial interests to exploit resources in the Amazon forest.

About 30 Amazon natives of the Ashanika community wearing feather headdresses and traditional garb, witnessed the vote in Congress. The Amazon Indians — 400,000 strong out of a population of 28 million Peruvians— have been in conflict with the government over half a dozen decrees issued in 2007 and 2008. The protests erupted into bloody clashes on June 5 and 6 where at least 24 police and 10 protesters were killed after police were sent in to clear roadblocks set up by the groups at Bagua, 1,000km (600 miles) north of Lima.



A nodding donkey oil rig operated by Perenco in the Gabon rainforest

The protests began in March when more than 100 Amazonian communities declared a permanent "state of emergency" after Peru granted a large oil concession to Brazilian and Colombian companies. In May, protesters blockaded one of the Amazon's main tributaries, the Napo River, with canoes and a cable to stop oil company vessels getting upriver. A Peruvian Navy gunboat and a boat belonging to Anglo French oil company Perenco broke through the blockade after several days.

Perenco is working in a part of the Amazon, called Block 67, inhabited by two of the world's last uncontacted tribes. The company does not acknowledge the tribes exist. According to Survival International, Perenco's chairman François Perrodo met with Peru President Alan Garcia, pledging to invest US\$2 billion in Block 67. Days later, Peru passed a law declaring Perenco's work a "national necessity."

Perenco is one of a number of European and US firms working in the area. "Look at a commercial map of Peru," Alexander Zaitchik wrote recently in the *New Republic*, "and you'll see a quilt of concessions covering nearly three-quarters of the rain forest — far more than in any other Amazonian country. Small firms like Occidental, Burlington, Harken, Plus Petrol, and Repsol are doing the early work, paving the way for bigger firms to roll in later."

cont next page

The influx of US firms into the Amazon has been encouraged by the Peru Trade Promotion Agreement, a bilateral free trade pact between the US and Peru signed three years ago, which has been a main target of the protests. However, Peru's Prime Minister Yehude Simon, who has promised to resign once the dispute is settled, has made it clear that whatever policies might be reversed, the free trade agreement was not at risk.

Meanwhile the EU has been negotiating a similar free trade agreement, EU-CAN, with the Community of Andean Nations, consisting of Peru, Bolivia, Ecuador, Colombia and Venezuela. However Hugo Chavez pulled Venezuela out two years ago and the left wing governments of Bolivia and Ecuador are also dragging their feet, so, as the cartoon on the right suggests, if the free trade agreement is ever signed, it might be another cosy bilateral one. With the rise of left wing governments in the region, the corporate neo-colonialist project in South America is beginning to unravel.

The Peruvian Times; New Republic, ABC News, Bilaterals.org



"Pst. Mr EU negotiator, to save time couldn't you simply sign the Free Trade Agreement with Peru?"

Carlin

Surinam Maroons

The Saramaka are a group of Maroons — descendants of African slaves who fought their first battles to win their freedom in the late 17th century and by the 19th century had established autonomous communities in 9,000 square kilometres of rainforest. In 1963, they lost almost half their traditional territory to a hydroelectric dam built to power an Alcoa bauxite factory. Many Saramaka were displaced and remain in resettlement camps.

Now they are fighting loggers. In the late 1990s, the Surinamese government gave army support to Chinese logging companies. After loggers allegedly constructed roads through Saramaka farmland in 1996, two community leaders, Hugo Jabini and Wanze Eduards organized meetings, and formed the Association of Saramaka Authorities, to represent the estimated 30,000 Saramaka who live in the region's 63 villages.

The association used GPS technology to document their traditional territory and the loggers' activities. With this evidence, the Saramaka took their case to the Inter-American Court of Human Rights, which in November 2007 ruled that the Surinam government had "violated, to the detriment of the members of the Saramaka people, the right to property," and ordered it to modify the logging concessions to preserve the Saramaka's survival.

The decision is the first international ruling to state that a non-indigenous minority group has legal rights to the natural resources within their territory. In April 2009, Jabini and Eduards were awarded the Goldman Environmental Prize.

Bolivian Land Reform Compromised

In January 2009, Bolivian voters approved a new constitution limiting the size of landholdings and giving 36 indigenous groups rights to territory, language and their own "community" justice — as well as allowing Evo Morales, Bolivia's first indigenous president, to stand for a second five-year terms in office.

However, this was a drastic retreat from an earlier draft constitution that had been violently opposed by the landowning and business elite based in the wealthy eastern part of the country. The original draft required the confiscation and redistribution of any landholdings above either 5,000 or 10,000 hectares — a threshold to be decided by public vote. But congress decreed that the threshold should only apply to newly acquired land. While the new charter permits the government to seize idle land, most large landholdings will remain untouched, in a country where 400 individuals own 70 per cent of the country's productive land. Seventy nine per cent of Bolivians voted for the stricter maximum of 5,000 hectares, demonstrating the support that exists for land redistribution.

In spite of this major concession, the new constitution received little support in the opposition-controlled east of the country, particularly the prosperous eastern district of Santa Cruz, where 100 families of mainly European descent control over 20 million hectares of land — 60 per cent of the entire territory. Leading the opposition in Santa Cruz is the region's governor Ruben Cruz who owns 15,000 hectares of land. Another bigwig heading the Santa Cruz Civic Committee, Branko Marinkovic, comes from an Ustashi Croat family estimated to own 90,000 hectares of land.

From the 1950s, successive Bolivian governments and military dictatorships funnelled money into Santa Cruz supporting the vast latifundia devoted to soya bean production and cattle ranching. Pro-Hitler Ustashi Croats driven out of socialist Yugoslavia and Nazis fleeing a defeated Germany settled in Bolivia in the 1940s onwards. During Hugo Banzer's dictatorship in the 1970s, tracts of lands, some exceeding 100,000 hectares, were handed over to political cronies regardless of whether indigenous people occupied them or not. Much of this land was left idle; where it was worked, landowners established a system of indentured labour. Banzer even offered 800,000 hectares of land to Rhodesian and South African farmers, his Immigration Secretary telling them "you will certainly find our indians no more stupid or lazy than [your] own blacks". Banzer also protected the Bolivian cocaine trade, while the discovery of large gas reserves in the eastern part of the country augmented its wealth.

Despite the well-funded opposition from the East, Morales is holding his ground. So far, the most important measure of his government has been the establishment of a Constituent Assembly. Convened in August 2006, its purpose has been to refound Bolivia as a state that represents the indigenous majority rather than the privileged white and mestizo minority. Morales government has also resisted US economic and political domination in a number of ways. It opposed a free trade agreement with the US and in March 2006 refused to renew its standby agreement with the IMF which had been responsible for imposing the neoliberal policies that devastated the country in the 1980s and 1990s.

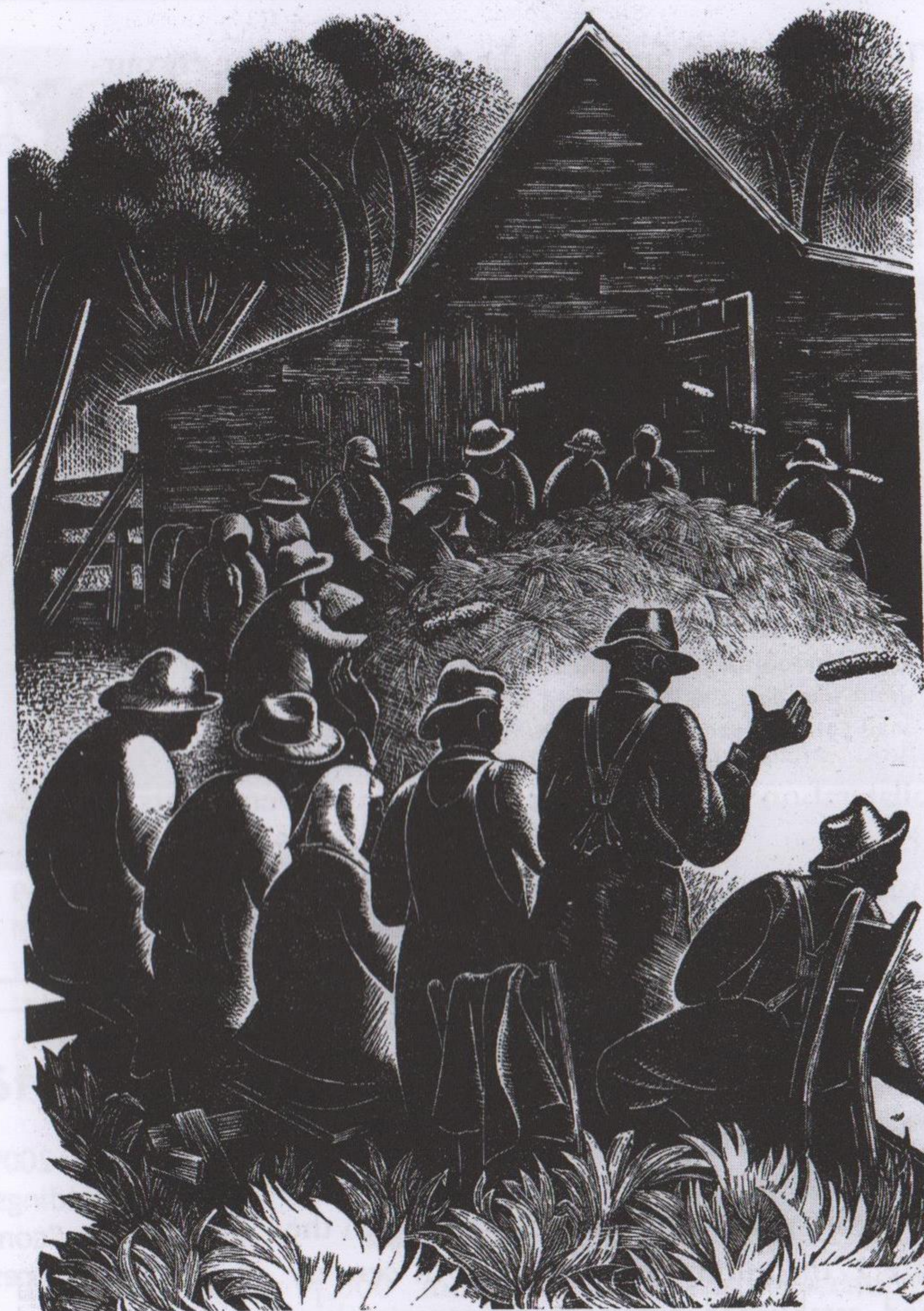
THE LAST PLANTATION

Where have all the black farmers gone? In 1900, 14.2 per cent of all US farmers were black; by 2002 only 1.4 per cent were black. While not the sole factor, racial discrimination has helped drive black farmers out of the business in huge numbers, many of them losing their homes, their farms, and their land. Across the South, white local and regional USDA managers routinely denied Black farmers critical farm loans and disaster assistance — aid that was easily accessible to White farmers. This federal assistance often meant the difference between a viable farm and foreclosure. The US Department of Agriculture (USDA) has a long and ugly history of discrimination against Black people which led the Department's new Secretary, Tom Vilsack, to comment recently: "Some folks refer to USDA as the last plantation."

In 2001, a man named Timothy Pigford stood up for Black farmers, filing a class action lawsuit called *Pigford v. Glickman* that led to a landmark settlement: Black farmers who could show evidence of discrimination in getting loans and other aid were entitled to \$50,000 and a tax break. But there was a tight deadline for filing a claim, and the government did such a bad job letting people know about the settlement that many farmers didn't find out about it in time.

As a senator, Barack Obama fought to get these folks access to the money they deserved, and he won. Congress set aside \$100 million to start paying the farmers back, knowing that this would only cover a small part of the total amount owed. The understanding was that more money would be made available later.

But now Obama is President, his administration's lawyers have argued that \$100 million should be a cap on the total amount of money paid out. This would give each farmer as little as \$2,000, even though the bill Obama passed as a senator said farmers should get the full amount called for in the original settlement.



Cornshucking in North Carolina, by Clare Leighton, from *Southern Harvest*, 1942.

President Obama has said that it takes folks at the grassroots level to hold politicians accountable — himself included. He has spent hundreds of billions of dollars bailing out banks and car companies after years of greed and mismanagement. It's time for the administration give these farmers the relief that they've been denied for too long.

By the Color Of Change team, April 2009, <http://colorofchange.org/farmers/?id=1989-796609>.

A Response to Oliver Tickell

from Molly Scott Cato

Oliver Tickell ("Managing Atmospheric Commons", *Land 6*) is to be congratulated for framing the global warming debate in terms of the atmosphere as a global commons. However, he has put me personally in a rather difficult position. First, in exaggerating my role in developing the Cap-and-Share proposal, in which I have been a minor player compared to the hard-working bunch at FEASTA. Secondly, in identifying me with this proposal when I am the economic speaker for the Green Party which has as its official policy David Fleming's proposal for personal tradable quotas.

We are agreed on the two key points: there must be a realistic cap and the right to produce carbon must be shared fairly, and fairly means an equal right to each person who lives on planet earth. However I agree with Simon Fairlie's criticism of the Kyoto2 plan. Economists love to play about with time, and Kyoto2 appears to allow them to do this by 'borrowing carbon from the future'. If the situation were likely to improve we might get away with this, but it is actually more likely to deteriorate. Perhaps Oliver wrote the book before "borrowing from the future" had the political resonance it does today, when our children's children have been put in hock to prevent the collapse of our banking industry.

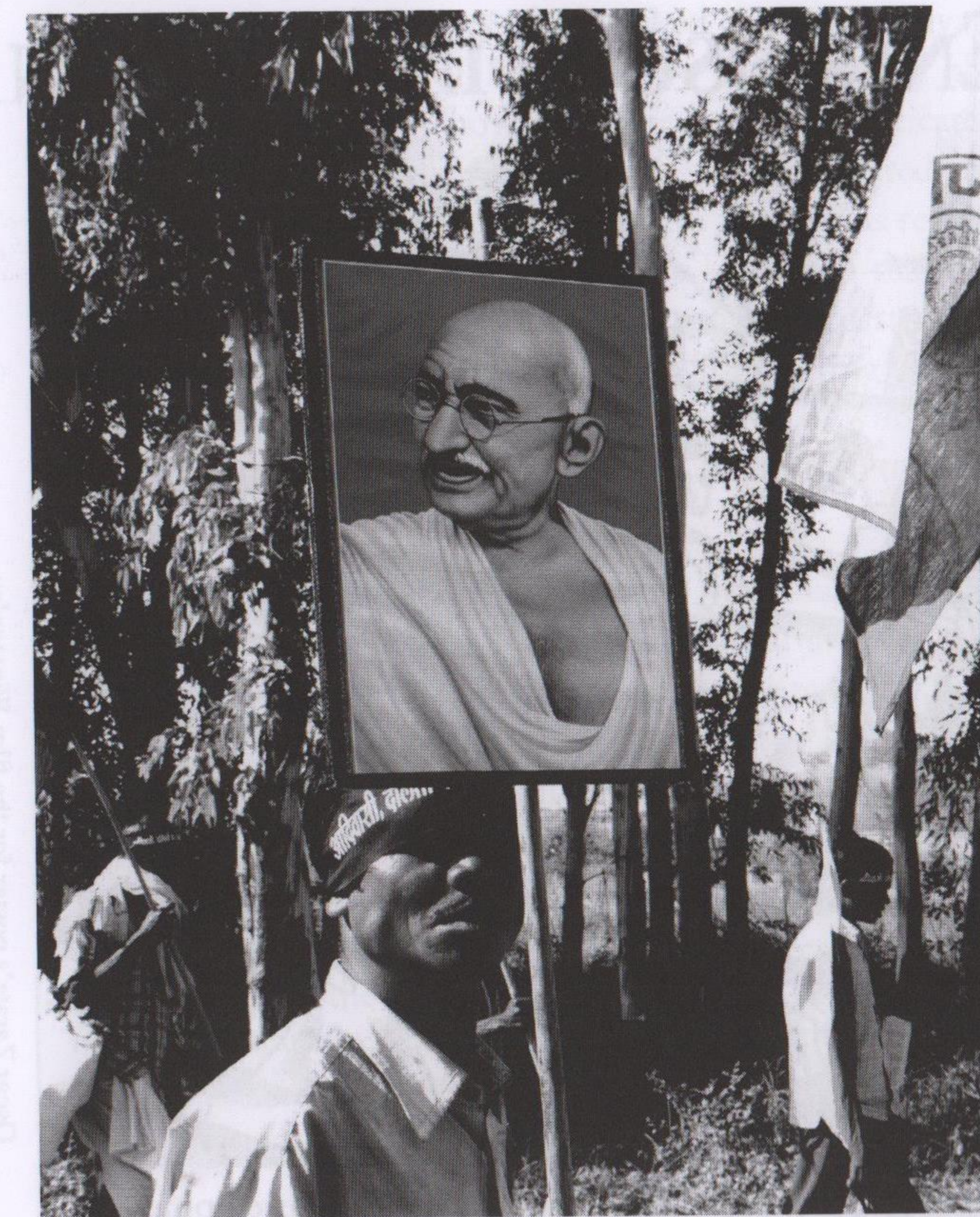
Which brings me to money. Oliver writes that "Contraction and Convergence would transfer large sums of money from government of countries such as the USA, EU nations and Japan, which would need to buy permits, to governments of (mainly populous) countries with relatively low greenhouse gas emissions. The money would then be theirs to spend as they wished." But if this "money" is to be dollars

then what is to prevent the US from either "borrowing it from the future"—as they have just done to bail out the banks — or creating it from thin air by what they are now calling "quantitative easing", which is the digital age equivalent of printing money. The answer to both these questions is, nothing at all. That is the benefit of controlling a "reserve currency", and the same applies to the other countries or economic blocs identified by Oliver, plus ourselves of course, so long as the pound continues to be held in foreign reserves and considered safe.

In other words, just as the US has created money and used it to buy imports from around the world at virtually no cost, so it could print this money to buy the permits. In this scenario a properly enforced carbon cap could lead to even greater inequality, with the US still enjoying a high consumption lifestyle but the countries of the South struggling even harder to buy a right to subsistence.

A smarter solution, however, and one which has also been discussed by Richard Douthwaite and by FEASTA, is to create a new international trading currency called Ebcu, or environment-backed currency unit.* This would make real the green economist's contention that, rather than time being money as under capitalism, energy should be money. Countries would agree to hold their reserves, balance their trade accounts and, crucially, trade emissions rights only in terms of the Ebcu. Once you talk about trading the right to produce CO2 the concept of the atmosphere as a global commons has, as Oliver rightly points out, moved into the realm of metaphor. But creating a money over which all the countries of the world have equal ownership rights might help to move it back towards reality.

Molly Scott Cato has examined how the Ebcu might work in a paper published in *Ecopolitics*, which is available from *The Land* on request.



Gandhi on the Road Again

Maddalena Cammelli describes the Janadesh march on Delhi for land reform.

On 2 October 2007, the anniversary of Mahatma Gandhi's birth, 25,000 people started walking from Gwalior, in central India, to Delhi, 350 kilometres to the north. A human river stretching four kilometres, comprising tribals, *dalits* (untouchables) and other poor rural people, wound its way slowly along Highway 2 for 28 days. This was Janadesh, the march of the people, who were walking for dignity and for land.

I was able to spend a few days on the Janadesh. Heading the march were 5 Buddhist monks from Japan who were playing vibrating mantras on the drums. Following them was a line of women with flags and then there was Raj Gopal, the founder of the movement, with his wife Jill. After came the mass of the people, who were divided into 25 groups of about 1000 people each. In front of each group were posters, behind them there were women divided in three organized lines that corresponded to the white lines on the street. The women made a colourful picture with their saris; some of them had a bag or a water container on their heads, others had their children on their backs or their babies in their arms and some even gave milk while they were walking. Behind them came the men and the rainbow of rich colours suddenly changed to a monotone grey/white. This sequence was repeated 25 times, as male and female contingents walked slowly, close behind each other, step by step.

The people came from all over India to join Janadesh, from Tamil Nadu and Kerala in the south, from Orissa, Gujarat, Madhya Pradesh, Jharkhand, and Maharashtra in the centre, from Bihar, Uttar Pradesh, Rajasthan, Chattisgarh and Bengal in the north. There were poor people that had never gone outside of their small villages before, and who now were walking on the capital. In each group there was music and songs, and women and men dancing together to the rhythm of struggle. The energy was special:



Above: Gandhi on the 1930 Salt March on Delhi — the original act of *satyagraha* (non-violent resistance); and left, looking rather angry on the 2007 Janadesh.

the spirit and truth of their demands could be felt in every step of the march. *Jay Jagath!* Long live the world!

Every day the marchers started walking at sunrise and stopped after 10 kilometres, to spend the afternoon cooking, eating and washing. At sunset, 25,000 people laid down to sleep on the road they had been walking along.

Janadesh focuses on the need for land. It was organised by Ekta Parishad, a movement which for the last 20 years has campaigned for land reform in villages throughout the country. Ekta Parishad was demanding that the state set up a national land commission to push forward the land reform process. According to Raj Gopal's Canadian wife, Jill, access to land is the first link in a chain of benign consequences:

"Then people are in a better position to grow food, to have a livelihood, to have a loan from the bank, to have dignity, to have power, because land is power. Land is power in this country, land is identity, land is livelihood, and land is also a social power. If you don't have land you don't have social power, you're socially excluded. So we see land as fundamental to this social power."

On 28 October Janadesh finally arrived in Delhi. After a few moments of tension, the government eventually announced it had decided to establish a commission for land reform. Janadesh was a success — its immediate demands had been met.

Janadesh showed that *satyagraha* — the people's march — is still a powerful and effective weapon of resistance that we should remember and learn from. However, even if there is a land commission and even if it really does lead to land reform, it will not change the underlying political conditions that have made the land reform a necessity.



Photos: M Cammelli

A SHORT HISTORY OF ENCLOSURE IN BRITAIN

SIMON FAIRLIE describes how the progressive enclosure of commons over several centuries has deprived most of the British people of access to agricultural land; and shows that the historical process bears little relationship to the “Tragedy of the Commons”, the theory which ideologues in the neoliberal era adopted as part of a smear campaign against common property institutions.



Oscar Zarate's poster for the film *Winstanley*.

Over the course of a few hundred years, much of Britain's land has been privatized — that is to say taken out of some form of collective ownership and management and handed over to individuals. Currently, in our “property-owning democracy”, nearly half the country is owned by 40,000 land millionaires, or 0.06 per cent of the population,¹ while most of the rest of us spend half our working lives paying off the debt on a patch of land barely large enough to accommodate a dwelling and a washing line.

There are many factors that have led to such extreme levels of land concentration, but the most blatant and the most contentious has been enclosure — the subdivision and fencing of common land into individual plots which were allocated to those people deemed to have held rights to the land enclosed. For over 500 years, pamphleteers, politicians and historians have argued about enclosure, those in favour (including the beneficiaries) insisting that it was necessary for economic development or “improvement”, and those against (including the dispossessed) claiming that it deprived the poor of their livelihoods and led to rural depopulation. Reams of evidence derived from manorial rolls, tax returns, field orders and so on have been painstakingly unearthed to support either side. Anyone concocting a resumé of enclosure such as the one I present here cannot ignore E P Thompson's warning: “A novice in agricultural history caught loitering in those areas with intent would quickly be despatched.”²

But over the last three decades, the enclosure debate has been swept up in a broader discourse on the nature of common property of any kind. The overgrazing of English common land has been held up as the archetypal example of the “tragedy of the commons” — the fatal deficiency that a neoliberal intelligentsia holds to be inherent in all forms of common property. Attitudes towards enclosures in the past were always ideologically charged, but now any stance taken towards them betrays a parallel approach to the crucial issues of our time: the management of global commons and the conflict

between the global and the local, between development and diversity.

Those of us who have not spent a lifetime studying agricultural history should beware of leaping to convenient conclusions about the past, for nothing is quite what it seems. But no one who wishes to engage with the environmental politics of today can afford to plead agnostic on the dominant social conflict of our recent past. The account of enclosure that follows is offered with this in mind, and so I plead guilty to “loitering with intent”.

The Tragedy of the Commons

In December 1968 *Science* magazine published a paper by Garrett Hardin entitled “The Tragedy of the Commons”.³ How it came to be published in a serious academic journal is a mystery, since its central thesis, in the author's own words, is what “some would say is a platitude”, while most of the paper consists of the sort of socio-babble that today can be found on the average blog. The conclusion, that “the alternative of the commons is too horrifying to contemplate,” is about as far removed from a sober scientific judgment as one could imagine.

Yet “The Tragedy of the Commons” became one of the most cited academic papers ever published and its title a catch phrase. It has framed the debate about common property for the last 30 years, and has exerted a baleful influence upon international development and environmental policy, even after Hardin himself admitted that he had got it wrong, and rephrased his entire theory.

But Hardin did get one thing right, and that is the reason for the lasting influence of his paper. He recognized that the common ownership of land, and the history of its enclosure, provides a template for understanding the enclosure of other common resources, ranging from the atmosphere and the oceans to pollution sinks and intellectual property. The

physical fences and hedges that staked out the private ownership of the fields of England, are shadowed by the metaphorical fences that now delineate more sophisticated forms of private property. That Hardin misinterpreted the reasons and motives for fencing off private property is regrettable, and the overview of land enclosure in Britain that follows is just one of many attempts to put the record straight. But Hardin must nonetheless be credited for steering the environmental debate towards the crucial question of who owns the global resources that are, undeniably, “a common treasury for all”.

Hardin's basic argument (or “platitude”) was that common property systems allow individuals to benefit at a cost to the community, and therefore are inherently prone to decay, ecological exhaustion and collapse. Hardin got the idea for his theory from the Oxford economist, the Rev William Forster Lloyd who in 1833 wrote:

“Why are the cattle on a common so puny and stunted? Why is the common itself so bareworn and cropped so differently from the adjoining enclosures? If a person puts more cattle into his own field, the amount of the subsistence which they consume is all deducted from that which

was at the command of his original stock; and if, before, there was no more than a sufficiency of pasture, he reaps no benefit from the additional cattle, what is gained one way, being lost in another. But if he puts more cattle on a common, the food which they consume forms a deduction which is shared between all the cattle, as well that of others as his own, and only a small part of it is taken from his own cattle.”⁵

This is a neat description, and anybody who has lived in a communal situation will recognize that, as an analogy of human behaviour, there is more than a grain of truth in it: individuals often seek to profit from communal largesse if they can get away with it. Or as John Hales put it in 1581, “that which is possessed of manie in common is neglected by all.”

Hardin, however, takes Lloyd's observation and transforms it by injecting the added ingredient of “tragic” inevitability:

“The rational herdsman concludes that the only sensible course for him to pursue is to add another animal to his herd. And another; and another . . . But this is the conclusion reached by each and every rational herdsman sharing a commons. Therein is the tragedy. Each man is locked into a system that compels him to increase his herd without limit — in a world that is limited. Ruin is the des-

Private Interest and Common Sense

Any well-structured economy will allocate resources communally or privately according to the different functions they perform. The main advantage of common ownership is equity, particularly in respect of activities where there are economies of scale; the main advantage of private ownership is freedom, since the use of goods can be more directly tailored to the needs of the individual.

The open field system of agriculture, which until recently was the dominant arable farming system throughout much of Europe, provided each family with its own plot of land, within a communally managed ecosystem. In villages where dairy was prominent, management could shift back and forth between individual and communal several times throughout the course of the day. The system described below was outlined by Daniel Defoe in his observations on the Somerset town of Cheddar⁴, but elements of it can be found throughout Europe.

PRIVATE In such a system cows are owned and lodged by individual families, who milk them in the morning, and provide whatever medicinal care they see fit. There are no economies of scale to be derived from milking centrally, and the milk is accessible to consumers, fresh from the udder, providing a substantial economy of distribution. Each family also gets its share of the manure.

PUBLIC At an appointed time in the morning, a communally appointed cowherd passes through the village and the cows file out to make their way to the common pasture. There are clear economies of scale to be gained from grazing all the cows together.



In a Swiss village, a herd of cows departs for communal summer pastures.

PRIVATE In the evening the herd returns and cows peel off one by one to their individual sheds, where they are again milked. Their owners can calibrate the amount of extra feed cows are given to the amount of milk they require.

PUBLIC Milk surplus to domestic requirements is taken to the creamery and made into cheese, another process which benefits from economies of scale.

PRIVATE At Cheddar, families were paid with entire cheeses, weighing a hundredweight or more, which they could consume or market as they saw fit. Unfortunately Defoe does not tell us what happens to the whey from the creamery, which presumably was given to pigs.

This elegant system paid scant allegiance to ideology — it evolved from the dialogue between private interest and common sense.



A pattern of open field strips plainly visible from the air, at Byfield Hill, Northants. Continual ploughing towards the centre of each strip caused them to heap towards the centre, and demarcated the strips with low lying drainage

tionation toward which all men rush, each pursuing his own best interest in a society that believes in the freedom of the commons. Freedom in a commons brings ruin to all.”

Having established that “the inherent logic of the commons remorselessly generates tragedy”, Hardin then proceeds to apply this tragedy to every kind of common property that he can think of. From fish populations to national parks and polluted streams to parking lots, wherever resources are held in common, there lies the path to over-exploitation and ruin, from which, he suggests, there is one preferred route of escape: “the Tragedy of the Commons, as a food basket, is averted by private property, or something formally like it.”

Hardin continues:

“An alternative to the commons need not be perfectly just to be preferable. With real estate and other material goods, the alternative we have chosen is the institution of private property coupled with legal inheritance. Is this system perfectly just? . . . We must admit that our legal system of private property plus inheritance is unjust — but we put up with it because we are not convinced, at the moment, that anyone has invented a better system. The alternative of the commons is too horrifying to contemplate. Injustice is preferable to total ruin.”

To be fair to Hardin, most of the above was incidental to his main point which was the need for population control. But it was music to the ears of free market economists who were convinced that private property rights were the solution to every social ill. A scientific, peer-reviewed, mathematical formula proving that common property led inexorably to ruin, and postulating that privatization, even unjust privatization, was the solution — and all encapsulated under the neat title of Tragedy of the Commons — what could be better? From the 1970s to the 1990s Hardin’s Tragedy was picked up by right wing theorists and neo-colonial development agencies, to justify unjust and sometimes ruinous privatization schemes. In particular, it provided agencies such as the World Bank and marine economists with the rationale for the enclosure and privatization of fisheries through the creation, sale

and trade of quotas.⁶

But as well as being one of the most cited papers, it was also one of the most heavily criticized, particularly by anthropologists and historians who cited innumerable instances where limited common resources were managed satisfactorily. What Hardin’s theory overlooks, said E P Thompson “is that commoners were not without commonsense.”⁷ The anthropologist Arthur McEvoy made the same point, arguing that the Tragedy “misrepresents the way common lands were used in the archetypal case” (ie England before enclosure):

“English farmers met twice a year at manor court to plan production for the coming months. On those occasions they certainly would have exchanged information about the state of their lands and sanctioned those who took more than their fair share from the common pool . . . The shortcoming of the tragic myth of the commons is its strangely unidimensional picture of human nature. The farmers on Hardin’s pasture do not seem to talk to one another. As individuals, they are alienated, rational, utility-maximizing automatons and little else. The sum total of their social life is the grim, Hobbesian struggle of each against all, and all together against the pasture in which they are trapped.”⁸

Faced with a barrage of similar evidence about both historical and existing commons, Hardin in the early 1990s, retracted his original thesis, conceding:

“The title of my 1968 paper should have been ‘The Tragedy of the *Unmanaged Commons*’ . . . Clearly the background of the resources discussed by Lloyd (and later by myself) was one of non-management of the commons under conditions of scarcity.”⁹

In fact, this background wasn’t clear at all, since it makes a nonsense of the idea of an inexorable tragedy. If degradation results from non-management and collapse can be averted by sound management, then there can be no “remorseless logic” leading to inevitable “ruin”. Nor is there any reason why a private property regime (particularly an unjust one) should necessarily be preferable to the alternative of maintaining sound management of a commonly owned resource.

But even within the confined parameters of Hardin’s “Hobbesian struggle of each against all”, one wonders whether he has got it right. Is it really economically rational for a farmer to go on placing more and more stock on the pasture? If he does so, he will indeed obtain a higher return relative to his colleagues, but he will get a lower return relative to his capital investment in livestock; beyond a certain level of degradation he would be wiser to invest his money elsewhere. Besides — and this is a critical matter in pre-industrial farming systems — only a small number of wealthy farmers are likely to be able to keep sufficient stock through the winter to pursue this option.

The most “rational” approach for powerful and unscrupulous actors is not to accrue vast herds of increasingly decrepit animals; it is to persuade everybody else that common ownership is inefficient (or even leads remorselessly to ruin) and therefore should be replaced with a private property system,

Ploughing season in open fields in Wollo, Ethiopia, c.1980s. Before enclosure similar scenes would have been familiar to English country dwellers.



Mark Edwards

of which they will be the beneficiaries. And of course the more stock they pile onto the commons, the more it appears that the system isn’t working.¹⁰

The following account provides a generalized overview of the forces that led to inequitable reallocation of once communal resources. The over-exploitation of poorly regulated commons, as described by William Lloyd, certainly played a role at times, but there is no evidence, from Hardin or anyone else, that degradation of the land was inevitable or inexorable. At least as prominent in the story is the prolonged assault upon the commons by those who wanted to establish ownership for their own private gain — together with the ideological support from the likes of Lloyd and Hardin that has been used to clothe what otherwise often looks like naked acquisitiveness.

The Open Field System

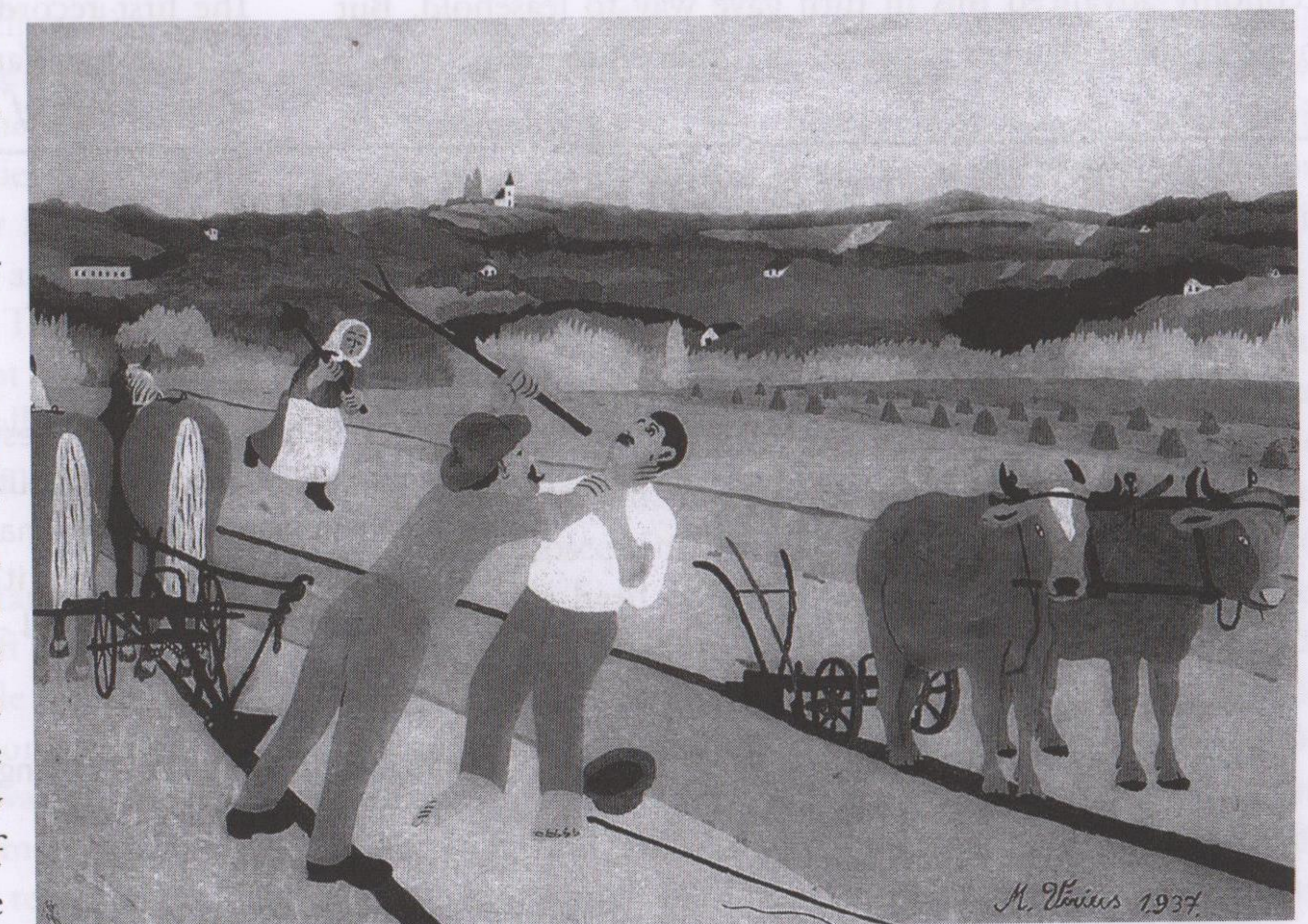
Private ownership of land, and in particular absolute private ownership, is a modern idea, only a few hundred years old. “The idea that one man could possess all rights to one stretch of land to the exclusion of everybody else” was outside the comprehension of most tribespeople, or indeed of medieval peasants. The king, or the Lord of the Manor, might have owned an estate in one sense of the word, but the peasant enjoyed all sorts of so-called “usufructory” rights which enabled him, or her, to graze stock, cut wood or peat, draw water or grow crops, on various plots of land at specified times of year.

The open field system of farming, which dominated the flatter more arable central counties of England throughout the later medieval and into the modern period, is a classic common property system which can be seen in many parts of the world. The structure of the open fields system in Britain was influenced by the introduction of the *caruca* a large wheeled plough, developed by the Gauls, which was much more capable of dealing with heavy English clay soils than the lightweight Roman *aratrum* (Fr *araire*). The *caruca* required a larger team of oxen to pull it — as many as eight on heavy soils — and

was awkward to turn around, so very long strips were ideal. Most peasants could not afford a whole team of oxen, just one or two, so maintaining an ox team had to be a joint enterprise. Peasants would work strips of land, possibly proportionate to their investment in the ox team. The lands were farmed in either a two or three course rotation, with one year being fallow, so each peasant needed an equal number of strips in each section to maintain a constant crop year on year.

Furthermore, because the fields were grazed by the village herds when fallow, or after harvest, there was no possibility for the individual to change his style of farming: he had to do what the others were doing, when they did it, otherwise his crops would get grazed by everyone’s animals. The livestock were also fed on hay from communal meadows (the distribution of hay was sometimes decided by an annual lottery for different portions of the field) and on communal pastures.

The open field system was fairly equitable, and from their analysis of the only remaining example of open field farming, at Laxton, Notts, the Orwins demonstrate that it was one where a lad with no capital or land to his name could gradually build up a larger holding in the communal land:



“Argument” wrote Jeanette Neeson “is an index of the degree of connection and interdependence in a common field village.” This little altercation on open fields in Yugoslavia could have taken place 200 years ago in England. Perhaps they are arguing about the relative merits of oxen and horses.

Mirko Virius

"A man may have no more than an acre or two, but he gets the full extent of them laid out in long "lands" for ploughing, with no hedgerows to reduce the effective area, and to occupy him in unprofitable labour. No sort of inclosure of the same size can be conceived which would give him equivalent facilities. Moreover he has his common rights which entitle him to graze his stock all over the 'lands' and these have a value, the equivalent of which in pasture fields would cost far more than he could afford to pay."¹¹

In short, the common field system, rather ingeniously, made economies of scale, including use of a whopping great plough team, potentially accessible to small scale farmers. The downside was a sacrifice of freedom (or "choice" as it is now styled), but that is in the nature of economies of scale when they are equitably distributed — and when they are inequitably distributed some people have no choice at all. The open field system probably offered more independence to the peasant than a New World latifundia, or a fully collectivized communist farm. One irony of these economies of scale is that when large-scale machinery arrived, farmers who had enclosed open fields had to start ripping out their hedges again.

It is hard to see how Harding's Tragedy of the Commons has any bearing upon the rise and fall of this open field system. Far from collapsing as a result of increased population, the development of open field systems often occurred quite late in the Middle Ages, and may even have been a response to increasing population pressure, according to a paper by Joan Thirsk.¹² When there was plenty of uncultivated land left to clear, people were able to stake out private plots of land without impinging too much upon others; when there was less land to go round, or when a single holding was divided amongst two or three heirs, there was pressure to divide arable land into strips and manage it semi-collectively.

The open fields were not restricted to any one kind of social structure or land tenure system. In England they evolved under Saxon rule and continued through the era of Norman serfdom. After the Black Death serfdom gave way to customary land tenure known as copyhold and as the money economy advanced this in turn gave way to leasehold. But none of these changes appeared to diminish the effectiveness

of the open field system. On the other hand, in Celtic areas, and in other peripheral regions that were hilly or wooded, open fields were much less widespread, and enclosure of private fields occurred earlier (and probably more equitably) than it did in the central arable counties.

However, open fields were by no means restricted to England. Being a natural and reasonably equitable expression of a certain level of technology, the system was and still is found in many regions around the world. According to one French historian, "it must be emphasised that in France, open fields were the agricultural system of the most modernised regions, those which Quesnay cites as regions of 'high farming'."¹³ There are reports of similar systems of open field farming all over the world, for example in Anatolia, Turkey in the 1950s; and in Tigray, Ethiopia where the system is still widespread. In one area, in Tigray, Irob, "to avoid profiteering by ox owners of oxenless landowners, ox owners are obliged to first prepare the oxenless landowners' land and then his own. The oxenless landowners in return assist by supplying feed for the animals they use to plough the land."¹⁴

Sheep Devour People

However, as medieval England progressed to modernity, the open field system and the communal pastures came under attack from wealthy landowners who wanted to privatize their use. The first onslaught, during the 14th to 17th centuries, came from landowners who converted arable land over to sheep, with legal support from the Statute of Merton of 1235. Villages were depopulated and several hundred seem to have disappeared. The peasantry responded with a series of ill fated revolts. In the 1381 Peasants' Revolt, enclosure was an issue, albeit not the main one. In Jack Cade's rebellion of 1450 land rights were a prominent demand.¹⁵ By the time of Kett's rebellion of 1549 enclosure was a main issue, as it was in the Captain Pouch revolts of 1604-1607 when the terms "level-ler" and "digger" appeared, referring to those who levelled the ditches and fences erected by enclosers.¹⁶

The first recorded written complaint against enclosure was made by a Warwickshire priest, John Rous, in his *History of the Kings of England*, published around 1459-86.¹⁷ The

first complaint by a celebrity (and 500 years later it remains the most celebrated denunciation of enclosure) was by Thomas More in *Utopia*:

"Your shepe that were wont to be so meke and tame, and so smal eaters, now, as I heare saye, be become so great devow-erers and so wylde, that they eat up and swallow down the very men them selves. They consume, destroye, and devoure whole fields, howses and cities . . . Noble man and gentleman, yea and certeyn Abbottes leave no ground

Life Without Hedges

In the Dark and Middle Ages
If we trust to History's pages,
You might search the landscape round,
Not a hedge was to be found.
Instead of tiny little squares.
Mine and his, and yours and theirs,
My field, his field, your field, their field,
All formed one enormous bare field.
How they knew without a hedge
How far any land extended,
Which was middle, which was edge,
Where the whole caboodle ended,
History, that tells so much
About the French wars and the Dutch
Never says a word to show.

I should also like to know
In a land of hedge divested
Where on earth hedge-sparrows nested,
And what did hedgehogs do about it?
Hedge for them means home and name;
What was their life like without it?
Were they simply — what a shame! —
Hogs, until the hedges came?
History, that talks so much
Of wars and dates and lists of kings
And stuffy constitutional things,
Growth of Parliament and such,
Always somehow seems to miss
Interesting points like this.

R H Charles, in *Punch*



In 2007, villagers from Cotesbach in Leicestershire celebrated the 400th anniversary of local protests — part of the Captain Pouch uprising — when 5000 "tumultuous persons" tore down enclosure fences.

for tillage, thei inclose all into pastures; they throw down houses; they pluck down townes, and leave nothing standyng but only the churche to be made a shepeshowse."¹⁸

Other big names of the time weighed in with similar views: Thomas Wolsey, Hugh Latimer, William Tyndale, Lord Somerset and Francis Bacon all agreed, and even though all of these were later executed, as were Cade, Kett and Pouch (they did Celebrate Big Brother properly in those days), the Tudor and Stuart monarchs took note and introduced a number of laws and commissions which managed to keep a check on the process of enclosure. One historian concludes from the number of anti-enclosure commissions set up by Charles I that he was "the one English monarch of outstanding importance as an agrarian reformer."¹⁹ But (as we shall see) Charles was not averse to carrying out enclosures of his own.

The Diggers

A somewhat different approach emerged during the English Revolution when Gerrard Winstanley and fellow diggers, in 1649, started cultivating land on St George's Hill, Surrey, and proclaimed a free Commonwealth. "The earth (which was made to be a Common Treasury of relief for all, both Beasts and Men)" state the Diggers in their first manifesto "was hedged into Inclosures by the teachers and rulers, and the others were made Servants and Slaves." The same pamphlet warned: "Take note that England is not a Free people, till the Poor that have no Land, have a free allowance to dig and labour the Commons, and so live as Comfortably as the Landlords that live in their Inclosures."²⁰

The Diggers appear to be not so much a resistance movement of peasants in the course of being squeezed off the land, as an inspired attempt to reclaim the land by people whose historical ties may well have already been dissolved, some generations previously. Like many radicals Winstanley was a tradesman in the textile industry. William Everard, his most prominent colleague, was a cashiered army officer. It is tempting to see the Diggers as the original "back to the land" movement, a bunch of idealistic drop-outs.²¹ Winstanley wrote so many pamphlets in such a short time that one wonders whether he

had time to wield anything heavier than a pen. Nevertheless during 1649 he was earning his money as a hired cowherd; and no doubt at least some of the diggers were from peasant backgrounds.

More to the point, the Diggers weren't trying to stop "inclosures"; they didn't go round tearing down fences and levelling ditches, like both earlier and later rebels. In a letter to the head of the army, Fairfax, Winstanley stated that if some wished to "call the Inclosures [their] own land . . . we are not against it," though this may have been just a diplomatic gesture. Instead they wanted to create their own alternative Inclosure which would be a "Common Treasury of All" and where commoners would have "the freedom of the land for their livelihood . . . as the Gentry hathe the benefit of their Inclosures". Winstanley sometimes speaks the same language of "improvement" as the enclosers, but wishes to see its benefits extended to the poor rather than reserved for wealthy: "If the wasteland of England were manured by her children it would become in a few years the richest, the strongest and the most flourishing land in the world".²² In some ways the Diggers foreshadow the smallholdings and allotments movements of the late 19th and 20th century and the *partageux* of the French revolution — poor peasants who favoured the enclosure of commons if it resulted in their distribution amongst the landless.

It is slightly surprising that the matter of 50 or so idealists planting carrots on a bit of wasteland and proclaiming that the earth was a "Common Treasury" should have attracted so much attention, both from the authorities at the time, and from subsequent historians and campaigners. 200 years before, at the head of his following of Kentish peasants (described by Shakespeare as "the filth and scum of Kent") Jack Cade persuaded the first army dispatched by the king to pack up and go home, skilfully evaded a second army of 15,000 men led by Henry VI himself, and then defeated a third army, killing two of the king's generals, before being finally apprehended and beheaded. Although pictured by the syco-phantic author of *Henry VI Part II* as a brutal and blustering fool with pretensions above his station, Cade was reported by contemporaries to be "a young man of goodlie stature and

right pregnant of wit".²³ He is potentially good material for a romantic Hollywood blockbuster starring Johnny Depp, whereas Winstanley (who has had a film made about him), after the Digger episode, apparently settled into middle age as a Quaker, a church warden and finally a chief constable.²⁴

The Blacks

Winstanley and associates were lucky not to die on the scaffold. The habit of executing celebrities was suspended during the Interregnum — after the beheading of Charles I, anyone else would have been an anticlimax. Executions were resumed (but mainly for plebs, not celebs) initially by Judge Jeffries in his Bloody Assizes in 1686 and subsequently some 70 years later with the introduction of the Black Acts.

The Black Acts were the vicious response of prime minister Walpole and his cronies to increasing resistance to the enclosure of woodlands. The rights of commoners to take firewood, timber and game from woodlands, and to graze pigs in them, had been progressively eroded for centuries: free use of forests and abolition of game laws was one of the demands that Richard II agreed to with his fingers crossed when he confronted Wat Tyler during the 1381 Peasants Revolt.²⁵ But in the early 18th century the process accelerated as wealthy landowners enclosed forests for parks and hunting lodges, dammed rivers for fishponds, and allowed their deer to trash local farmer's crops.

Commoners responded by organizing vigilante bands which committed ever more brazen acts of resistance. One masked gang, whose leader styled himself King John, on one morning in 1721, killed 11 deer out of the Bishop's Park at Farnham and rode through Farnham market with them at 7 am in triumph. On another occasion when a certain Mr Wingfield started charging poor people for offcuts of felled timber which they had customarily had for free, King John and his merry men ring-barked a plantation belonging to Wingfield, leaving a note saying that if he didn't return the money to the peasants, more trees would be destroyed. Wingfield paid up. King John could come and go as he pleased because he had local support — on one occasion, to refute a charge of Jacobinism, he called the 18th century equivalent of a press-conference near an inn on Waltham Chase. He turned up with 15 of his followers, and with 300 of the public assembled, the authorities made no attempt to apprehend him. He was never caught, and for all we know also eventually became a chief constable.²⁶

Gangs such as these, who sooted their faces, both as a disguise and so as not to be spotted at night, were known as "the blacks", and so the legislation introduced two years later in 1723 was known as the Black Act. Without doubt the most viciously repressive legislation enacted in Britain in the last 400 years, this act authorized the death penalty for more than 50 offences connected with poaching. The act stayed on the statute books for nearly a century, hundreds were hanged for

the crime of feeding themselves with wild meat, and when the act was finally repealed, poachers were, instead, transported to the Antipodes for even minor offences.

This episode in English history lives on in folk songs, such as *Geordie* and *Van Dieman's Land*. The origins of the Black Act, and in particular the exceptional unpleasantness of prime minister Walpole, are superbly recounted in E P Thompson's *Whigs and Hunters*. Resistance to forest enclosure was by no means confined to England. In France there was mass resistance to the state's take-over of numerous communal forests: in the Ariège, the *Guerre des Demoiselles* involved attacks by 20 or 30, and on occasion even up to 800 peasants, disguised as women.²³ In Austria, the "war of the mountains" between poachers and the gamekeepers of the Empire continued for centuries, the last poacher to be shot dead being Pius Walder in 1982.²⁴

THE late P—m—r M—n—r.



Lo! What are all your schemes come to?

A cartoon celebrating Robert Walpole's death. The 20 stone Prime Minister was detested by many, and his pro-enclosure policies met with public resistance. When Queen Caroline asked Walpole how much it would cost to enclose St James' Park, Walpole replied "Only a crown, Madam."

Draining the Fens

Another area which harboured remnants of a hunter gatherer economy was the fenland of Holland in south Lincolnshire, and the Isle of Axholme in the north of the county. Although the main earner was the summer grazing of rich common pastures with dairy cattle, horses and geese, in winter, when large tracts of the commons were inundated, fishing and fowling became an important source of income, and for those with no land to keep beasts on over winter it was probably a main source of income. During the Middle Ages, Holland was well off — its tax assessment per acre was the third highest in the kingdom in 1334 — and this wealth was relatively equitably distributed with "a higher proportion of small farmers and a lower proportion of very wealthy ones".²⁹

In the early 1600s, the Stuart kings James I and Charles I, hard up for cash, embarked

on a policy of draining the fenland commons to provide valuable arable land that would yield the crown a higher revenue. Dutch engineers, notably Cornelius Vermuyden, were employed to undertake comprehensive drainage schemes which cost the crown not a penny, because the developers were paid by being allocated a third of the land enclosed and drained.

The commoners' resistance to the drainage schemes was vigorous. A 1646 pamphlet with the title *The Anti-Projector* must be one of the earliest grass roots denunciations of a capitalist development project, and makes exactly the same points that indigenous tribes today make when fighting corporate land grabs:

"The Undertakers have always vilified the fens, and have misinformed many Parliament men, that all the fens is a meer quagmire, and that it is a level hurtfully surrounded and of little or no value: but those who live in the fens and are neighbours to it, know the contrary."

The anonymous author goes on to list the benefits of the fens including: the "serviceable horses", the "great dayeries which

afford great store of butter and cheese", the flocks of sheep, the "osier, reed and sedge", and the "many thousand cottagers which live on our fens which must otherwise go a begging." And he continues by comparing these to the biofuels that the developers proposed to plant on the newly drained land:

"What is coleseed and rape, they are but Dutch commodities, and but trash and trumpery and pills land, in respect of the fore-cited commodities which are the rich oare of the Commonwealth."³⁰

The commoners fought back by rioting, by levelling the dikes, and by taking the engineers to court. Their lawsuits were paid for "out of a common purse to which each villager contributed according to the size of the holding", though Charles I attempted to prevent them levying money for this purpose, and to prosecute the ringleaders.

However, Charles' days were numbered, and when civil war broke out in the 1640s, the engineering project was shelved, and the commoners reclaimed all the fen from the developers. In 1642 Sir Anthony Thomas was driven out of East and West Fens and the Earl of Lyndsey was ejected from Lyndsey Level. In 1645 all the drainers' banks in Axholme were destroyed. And between 1642 and 1649 the Crown's share of fenland in numerous parishes was seized by the inhabitants, and returned to common.

Just over a century later, from 1760, the drainers struck again, and this time they were more successful. There was still resistance in the form of pamphlets, riots, rick-burning etc. But the high price of corn worked in favour of those who wanted to turn land over to arable. And there was less solidarity amongst commoners, because, according to Joan Thirsk, wealthy commoners who could afford to keep more animals over winter (presumably because of agricultural improvements) were overstocking the commons:

"The seemingly equitable system of sharing the commons among all commoners was proving far from equitable in practice . . . Mounting discontent with the existing unfair distribution of common rights weakened the opponents of drainage and strengthened its supporters."

Between 1760 and 1840 most of the fens were drained and enclosed by act of parliament. The project was not an instant success. As the land dried out it shrunk and lowered against the water table, and so became more vulnerable to flooding. Pumping stations had to be introduced, powered initially and unsuccessfully by windmills, then by steam engines, and now the entire area is kept dry thanks to diesel.

Since drainage eventually created one of the most productive areas of arable farmland in Britain, it would be hard to argue that it was not an economic improvement; but the social and environmental consequences have been less happy. Much of the newly cultivated land lay at some distance from the villages and was taken over by large landowners; it was not unusual to find a 300 acre holding without a single labourers' cottage on it. Farmers therefore developed the gang-labour system of



Nowadays there is a movement to undrain some of the fens, for environmental reasons. At Wicken Fen (above) near Cambridge, the National Trust already manages 930 hectares of fen, and is aiming to convert another 4,600 hectares of farmland back to a "wetland wilderness". Although the National Trust was born out of the 19th century movement to preserve the commons, it is probably not going to promote a new generation of fishing and fowling commoners.

employment that exists to this day:

"The long walk to and from work . . . the rough conditions of labour out of doors in all weathers, the absence of shelter for eating, the absence of privacy for performing natural functions and the neglect of childrens' schooling, combined to bring up an unhappy, uncouth and demoralized generation."

The 1867 Gangs Act was introduced to prohibit the worst abuses; yet in 2004, when the Gangmasters Licensing Act was passed (in the wake of the Morecambe Bay cockle pickers tragedy), the government was still legislating against the evils of this system of employment.

But even if large landowners were the main beneficiaries, many of the fenland smallholders managed to exact some compensation for the loss of their commons, and what they salvaged was productive land. The smallholder economy that characterized the area in medieval times survived, so that in 1870, and again in 1937, more than half of the agricultural holdings were less than 20 acres. In the 1930s the "quaint distribution of land among a multitude of small owners, contrary to expectations, had helped to mitigate the effects of the depression."

Scottish Clearances

By the end of the 18th century the incentive to convert tilled land in England over to pasture was dying away. There were a number of reasons for this. Firstly, the population was beginning to rise rapidly as people were displaced from the land and ushered into factory work in towns, and so more land was required for producing food. Secondly, cotton imported from the US and India, was beginning to replace English wool. And thirdly, Scotland had been united with England and its extensive pastures lay ready to be "devoured by shepe".

The fact that these lands were populated by Highland clansmen presented no obstacle. In a process that has become known as the Clearances, thousands of Highlanders were evicted from their holdings, and shipped off to Canada, or



The Last of the Clan, by Thomas Faed, the best known painting of the Clearances, showing embarkation of dispossessed peasants, probably for Canada.

carted off to Glasgow to make way for Cheviot sheep. Others were concentrated on the West coast to work picking kelp seaweed, then necessary for the soap and glass industry, and were later to form the nucleus of the crofting community. Some cottagers were literally burnt out of house and home by the agents of the Lairds. This is from the account of Betty Mackay, who was sixteen when she was evicted from the Duke of Sutherland's estates:

"Our family was very reluctant to leave and stayed for some time, but the burning party came round and set fire to our house at both ends, reducing to ashes whatever remained within the walls. The people had to escape for their lives, some of them losing all their clothes except what they had on their back. The people were told they could go where they liked, provided they did not encumber the land that was by rights their own. The people were driven away like dogs."³¹

The clearances were so thorough that few people were even left to remember, and the entire process was suppressed from collective memory, until its history was retold, first by John Prebble in *The Highland Clearances*, and subsequently by James Hunter in *The Making of the Crofting Community*. When Prebble's book appeared, the Historiographer Royal for Scotland Professor Gordon Donaldson commented:

"I am sixty-eight now and until recently had hardly heard of the Highland Clearances. The thing has been blown out of proportion."³²

But how else can one explain the underpopulation of the Highlands? The region's fate was poignantly described by Canadian Hugh MacLennan in an essay called "Scotchman's Return":

"The Highland emptiness only a few hundred miles above the massed population of England is a far different thing from the emptiness of our North West territories. Above the 60th parallel in Canada, you feel that nobody but God had

ever been there before you. But in a deserted Highland glen, you feel that everyone who ever mattered is dead and gone."³³

Parliamentary Enclosures

The final and most contentious wave of land enclosures in England occurred between about 1750 and 1850. Whereas the purpose of most previous enclosures had been to turn productive arable land into less productive (though more privately lucrative) sheep pasture, the colonization of Scotland for wool, and India and the Southern US states for cotton now prompted the advocates of enclosure to play a different set of cards: their aim was to turn open fields, pastures and wastelands — everything in fact — into more productive arable and mixed farm land. Their byword was "improvement". Their express aim was to increase efficiency and production and so both create and feed an increasingly large proletariat who would work either as wage labourers in the improved fields, or as machine minders in the factories.

There is, unfortunately, no book that takes for its sole focus of study the huge number of pamphlets, reports and diatribes — often with stirring titles like *Inclosure thrown Open* or *Crying Sin of England in not Caring for the Poor* — which were published by both supporters and critics of enclosure in the 17th, 18th and early 19th centuries.³⁴

The main arguments of those in favour of enclosure were:

- (i) that the open field system prevented "improvement", for example the introduction of clover, turnips and four course rotations, because individuals could not innovate;
- (ii) that the waste lands and common pastures were "bare-worn" or full of scrub, and overstocked with half-starved beasts;
- (iii) that those who survived on the commons were (a) lazy and (b) impoverished (in other words "not inclined to work for wages"), and that enclosure of the commons would force them into employment.

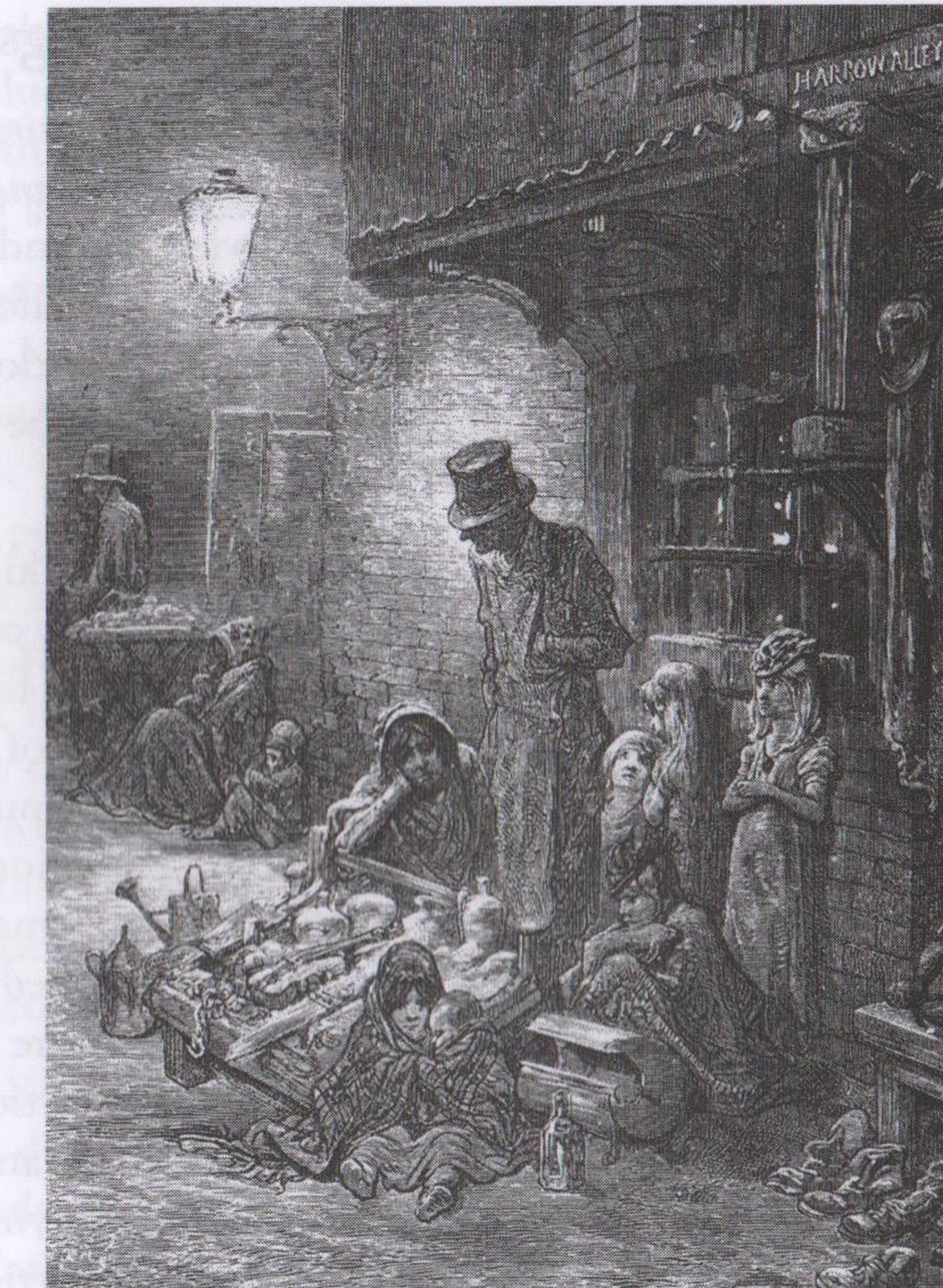
The main arguments of those against enclosure were:

- (i) that the common pastures and waste lands were the mainstay of the independent poor; when they were overgrazed, that was often as a result of overstocking by the wealthiest commoners who were the people agitating for enclosure
- (ii) that enclosure would engross already wealthy landowners, force poor people off the land and into urban slums, and result in depopulation.

The question of agricultural improvement has been exhaustively assessed with the benefit of hindsight, and this account



The 19th century saw a massive migration of the poor from countryside to city. Illustrations of cottagers from Pyne's notebook, 1806; and a London street in 1871, by Gustave Doré.



will come back to it later. At the time the propaganda in favour of enclosure benefited considerably from state support. The loudest voice in support of improvement, former farmer Arthur Young (a classic example of the adage that those who can, do — those who can't become consultants) was made the first Secretary of Prime Minister William Pitt's new Board of Agriculture, which set about publishing, in 1793, a series of General Views on the Agriculture of all the shires of England. The Board "was not a Government department, like its modern namesake, but an association of gentlemen, chiefly landowners, for the advancement of agriculture, who received a grant from the government." Tate observes: "The ninety odd volumes are almost monotonous in their reiteration of the point that agricultural improvement has come through enclosure and that more enclosure must take place."³⁵

Whilst the view that enclosure hastened improvement may well have been broadly correct, it is nonetheless fair to call these reports state propaganda. When Arthur Young changed his opinion, in 1801, and presented a report to the Board's Committee showing that enclosure had actually caused severe poverty in numerous villages, the committee (after sitting on the report for a month) "told me I might do what I pleased with it for myself, but not print it as a work for the Board. . . probably it will be printed without effect."³⁶ Young was not the only advocate of enclosure to change his mind: John Howlett was another prominent advocate of enclosure who crossed the floor after seeing the misery it caused.

Between 1760 and 1870, about 7 million acres (about one sixth the area of England) were changed, by some 4,000 acts of parliament, from common land to enclosed land.³⁷ However necessary this process might or might not have been for the improvement of the agricultural economy, it was downright theft. Millions of people had customary and legal access to lands and the basis of an independent livelihood was snatched away from them through what to them must have resembled a Kafkaesque tribunal carried out by members of the Hellfire Club. If you think this must be a colourful exag-

geration, then read J L and Barbara Hammonds' accounts of Viscount "Bully" Bolingbroke's attempt to enclose Kings' Sedgmoor to pay off his gambling debts: "Bully," wrote the chairman of the committee assessing the proposal, "has a scheme of enclosure which if it succeeds, I am told will free him of all his difficulties"; or of the Spencer/Churchill's proposal, in the face of repeated popular opposition, to enclose the common at Abingdon (see box p 26).³⁸ And if you suspect that the Hammonds' accounts may be extreme examples (right wing historians are rather sniffy about the Hammonds)³⁹ then look at the map provided by Tate showing the constituency of MPs who turned up to debate enclosure bills for Oxfordshire when they came up in parliament. There was no requirement, in the parliament of the day, to declare a "conflict of interest". Out of 796 instances of MPs turning up for any of the Oxfordshire bills, 514 were Oxfordshire MPs, most of whom would have been landowners.⁴⁰

To make a modern analogy, it was as if Berkeley Homes, had put in an application to build housing all over your local country park, and when you went along to the planning meeting to object, the committee consisted entirely of directors of Berkeley, Barretts and Bovis — and there was no right of appeal. However, in contrast to the modern rambler, the commoners lost not only their open space and their natural environment (the poems of John Clare remind us how significant that loss was); they also lost one of their principal means of making a living. The "democracy" of late 18th and early 19th century English parliament, at least on this issue, proved itself to be less answerable to the needs of the common man than the dictatorships of the Tudors and Stuarts. Kings are a bit more detached from local issues than landowners, and, with this in mind, it may not seem so surprising that popular resistance should often appeal to the King for justice. (A similar recourse can be seen in recent protests by Chinese peasants, who appeal to the upper echelons of the Communist Party for protection against the expropriation of collective land by corrupt local officials).

Allotments and Smallholdings

Arthur Young's 1801 report was called *An Inquiry into the Propriety of Applying Wastes to the Maintenance and Support of the Poor*. Young, Howlett, David Davies, and indeed most of those who were concerned for the future welfare of the dispossessed (whether or not they approved of enclosure), argued that those who lost commons rights should be compensated with small enclosures of their own.

The losers in the process of enclosure were of two kinds. First there were the landless, or nearly so, who had no ownership rights over the commons, but who gained a living from commons that were open access, or where a measure of informal use was tolerated. These people had few rights, appeared on no records, and received nothing in compensation for the livelihood they lost. But there was also a class of smallholders who did have legal rights, and hence were entitled to compensation. However, the amount of land they were allocated "was often so small, though in strict legal proportion to the amount of their claim, that it was of little use and speedily sold." Moreover, the considerable legal, surveying, hedging and fencing costs of enclosure were disproportionate for smaller holdings. And on top of that, under the "Speenhamland" system of poor relief, the taxes of the small landowner

who worked his own land, went to subsidize the labour costs of the large farmers who employed the landless, adding to the pressure to sell up to aggrandizing landowners.⁴¹

Since it was generally acknowledged that a rural labourer's wages could not support his family, which therefore had to be supported by the poor rates, there were good arguments on all sides for providing the dispossessed with sufficient land to keep a cow and tend a garden. The land was available. It would have made very little impression upon the final settlement of most enclosure acts if areas of wasteland had been sectioned off and distributed as secure decent-sized allotments to those who had lost their common rights. In a number of cases where this happened (for example in the village of Dilhorn, or on Lord Winchelsea's estates), it was found that cottagers hardly ever needed to apply for poor relief. Moreover, it had been shown (by research conducted by the Society for Bettering the Condition of the Poor and the Labourer's Friends Society) that smallholdings cultivated by spade could be more productive than large farms cultivated by the plough.⁴²

In the face of such a strong case for the provision of smallholdings, it took a political economist to come up with reasons for not providing them. Burke, Bentham and a host of lesser names, all of them fresh from reading Adam Smith's *Wealth*

of Nations, advised Pitt and subsequent prime ministers that there was no way in which the government could help the poor, or anybody else, except by increasing the nation's capital (or as we now say, its GDP). No kind of intervention on behalf of the landless poor should be allowed to disturb the "invisible hand" of economic self interest — even though the hand that had made them landless in the first place was by no means invisible, and was more like an iron fist. At the turn of the century, the Reverend Thomas Malthus waded in with his argument that helping the poor was a waste of time since it only served to increase the birth rate — a view which was lapped up by those Christians who had all along secretly believed that the rich should inherit the earth.

Ricardo's theory of rent was also pulled in to bolster the arguments against providing allotments. A common justification for enclosure and attraction for landowners had always been that rents rose — doubled very often — after enclosure. This was blithely attributed to improvement of the land, as though there could be no other cause. Few gave much thought to the possibility that an increase in rent would result from getting rid of encumbrances, such as commoners and their common rights (in much the same way, that nowadays, a property increases in value if sitting tenants can be persuaded to leave, or an agricultural tie is removed).

Rent may show up on the GDP, but is an unreliable indicator of productivity, as contemporary writer Richard Bacon pointed out when he gave this explanation (paraphrased here by Brian Inglis) why landowners and economists were opposed to allotments:

"Suppose for argument's sake, 20 five-acre farms, cultivated by spade husbandry, together were more productive than a single 100-acre farm using machinery. This did not mean that the landowners would get more rent from them — far from it. As each 5 acre farm might support a farmer and his family, the surplus available for tenants to pay in rent would be small. The single tenant farmer, hiring labourers when he needed them, might have a lower yield, from his hundred acres, but he would have a larger net profit — and it was from net profit that rent was derived. That was why landlords preferred consolidation."⁴³

Richard Bacon deserves applause for explaining very clearly why capitalism prefers big farms and forces people off the land. It is also worth noting that the increased rent after enclosure had to be subsidized by the poor rates — the taxes which landowners had to pay to support the poor who were forced into workhouses.

Corn Laws, Cotton and County Farms

In 1846, after a fierce debate, the tariffs on imported corn which helped maintain the price of British grown wheat were repealed. The widespread refusal to provide land for the dispossessed, and the emergence of an urban proletariat who didn't have the option of growing their own food, made it possible for proponents of the free market to paint their campaign for the repeal of the Corn Laws as a humanitarian gesture. Cheap bread from cheap imported corn was of interest to the economists and industrialists because it made wages cheaper; at the same time it was of benefit to the hungry landless poor (provided wages didn't decline correspondingly,

which Malthus claimed was what would happen). The combined influence of all these forces was enough to get tariffs removed from imported corn and open up the UK market to the virgin lands of the New World.

The founders of the Anti Corn Law association were John Bright, a Manchester MP and son of a cotton mill owner, and Richard Cobden, MP for Stockport and subsequently Rochdale. Their main interest was in cheap corn in order to keep the price of factory labour down, (Bright was opposed to factory legislation and trade union rights); but their most powerful argument was that only a handful of landowners benefited from high prices. It was in a belated attempt to prove the contrary that in 1862 Lord Derby persuaded parliament to commission a land registry; but the publication in 1872 of the *Return of Owners of Land*, confirmed that Bright and Cobden were broadly right: 0.6 per cent of the population owned 98.5 per cent of the agricultural land.⁴⁴

Had the labourers of Britain been rural smallholders, rather than city slum dwellers, then a high price for corn, and hence for agricultural products in general, might have been more in their interest, and it is less likely that the corn laws would have been repealed. If England had kept its peasantry (as most other European countries did) there would have been fewer landless labourers and abandoned children, wages for factory workers might have been higher, and the English cotton industry might not have been so well poised to undercut and then destroy thousands of local industries around the world which produced textiles of astonishing craftsmanship and beauty. By 1912 Britain, which couldn't even grow cotton, was exporting nearly seven billion yards of cotton cloth each year — enough to provide a suit of clothes for every man woman and child alive in the world at the time.⁴⁵ Globalization was a dominant force by the end of the 19th century.

Ironically, it was the same breed of political economists who had previously advocated improvement that was now arguing for grain imports which would make these improvements utterly pointless. The repeal had a delayed effect because it was not until after the construction of the trans-continental American railways, in the 1870s, that cereals grown on low-rent land confiscated from native Americans could successfully undermine UK farming. By the 1880s the grain was also being imported in the form of thousands of tonnes of refrigerated beef which undercut home produced meat. There were even, until the late 1990s, cheaper transport rates within the UK for imported food than for home-grown food.⁴⁶ The lucky farm workers who emigrated to the New World were writing back to their friends and family in words such as these:

"There is no difficulty of a man getting land here. Many will let a man have land with a few acres improvement and a house on it without any deposit"

"I am going to work on my own farm of 50 acres, which I bought at £55 and I have 5 years to pay it in. I have bought me a cow and 5 pigs. If I had stayed at Corsley I should ever have had nothing."⁴⁷

Unable to compete with such low rents, England's agricultural economy went into a decline from which it never properly recovered. Conditions of life for the remaining landless

Otmoor Forever!

Otmoor Common near Oxford, a wetland that some viewed as a "dreary waste", was a "public common without stint . . . from remote antiquity" — in other words local commoners could put as many livestock as they wanted on it. Even so, summer grazing there for a cow was estimated to be worth 20 shillings; and a contemporary observer reported a cottager could sometimes clear £20 a year from running geese there — more than the seven shillings a week they might expect as a labourer. On the other hand, an advocate of enclosure, writing in the local paper, claimed of the commoners:

"In looking after a brood of goslings, a few rotten sheep, a skeleton of a cow or a mangy horse, they lost more than they might have gained by their day's work, and acquired habits of idleness and dissipation, and a dislike to honest labour, which has rendered them the riotous and lawless set of men that they have now shown themselves to be."

The "riotousness" is a reference to the resistance put up by the commoners to the theft of their land. The first proposal to drain and enclose the land in 1801, by the Spencer/Churchill family, was staved off by armed mobs who appeared everytime the authorities tried to pin up enclosure notices. A second attempt in 1814 was again met with "large mobs armed with every description of offensive weapon".

The enclosure and drainage was eventually forced through over the next few years, but it failed to result in any immediate agricultural benefit. A writer

WHEREAS it hath been represented to His Majesty's Government that the Laws have been violated by maliciously disposed Persons conspiring together, and riotously and tumultuously assembling by Night and cutting the Fences and destroying the Bridges on

OTMOOR.

whereby serious injury has been done to the Property, and the Peace of the Neighbourhood has been disturbed—Now, in order to discover and bring to justice the Offenders,

A REWARD OF One Hundred Pounds

is hereby offered to any Person who shall give such information to any of His Majesty's Justices of the Peace for the County of Oxford as shall lead to the conviction of any Person or Persons upon any Indictment that may be preferred against him or them for having actually committed any of the crimes of **Felony, Riot, or Conspiracy,** upon the Moor, or for having instigated or encouraged the commission of any of those Crimes either by Words, or by giving Money or Beer.

And, as a further encouragement, HIS MAJESTY'S

FREE PARDON

is hereby promised to any Person giving such information.

By order of His Majesty's Secretary of State for the Home Department.

Whitehall, March 2, 1833.

In 1833, a reward offered to people turning in Otmoor rioters.

in another local paper judged: "instead of expected improvement in the quality of the soil, it had been rendered almost totally worthless . . . few crops yielding any more than barely sufficient to pay for labour and seed."

In 1830, 22 farmers were acquitted of destroying embankments associated with the drainage works, and a few weeks later, heartened by this result, a mob gathered and perambulated the entire commons pulling down all the fences. Lord Churchill arrived with a troop of yeomen, arrested 44 of the rioters and took them off to Oxford gaol in a paddy wagon.

"Now it happened to be the day of

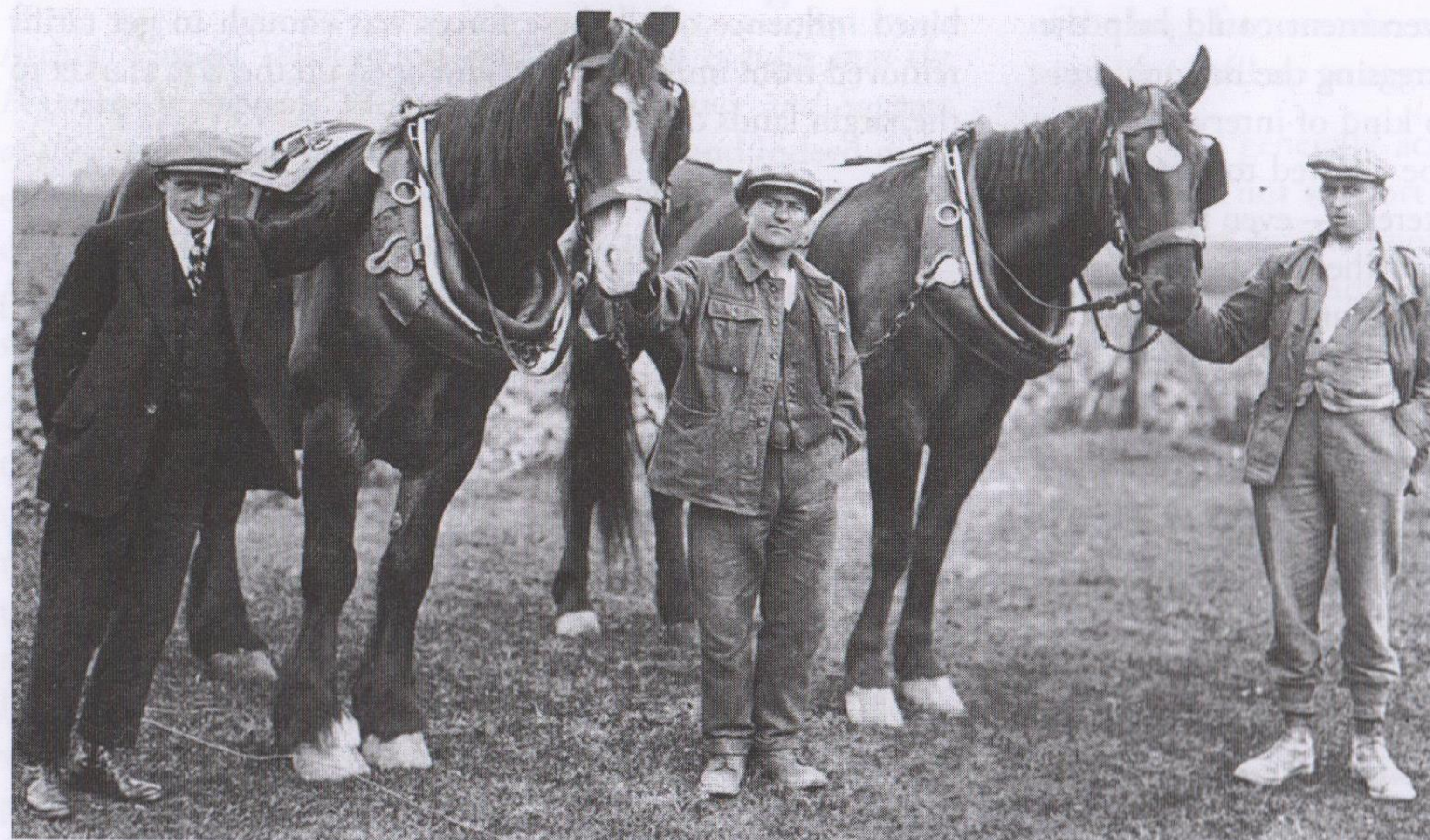
St Giles' fair, and the street of St Giles along which the yeomanry brought their prisoners, was crowded. The men in the wagons raised the cry 'Otmoor forever', the crowd took it up, and attacked the yeomen with great violence, hurling bricks, stones and sticks at them from every side . . . and all 44 prisoners escaped."

Two years later Lord Melbourne observed: "All the towns in the neighbourhood of Otmoor are more or less infected with the feelings of the most violent, and cannot at all be depended upon." And, tellingly, magistrates in Oxford who had requested troops to suppress the outrages warned: "Any force which the Government may send down should not remain for a length of time together, but that to avoid the possibility of an undue connexion between the people and the Military, a succession of troops should be observed."

From *The Village Labourer*, by J L and Barbara Hammond, 1911 Chapter 3.



Today, 400 acres at Otmoor have been returned to a wetland bird sanctuary — but the local community is now fighting off a proposed "eco-town".



Smallholders occupying county smallholdings in Hertfordshire, pictured with their horses at Clothall Common, Baldock in the 1920s. Hertfordshire County Council bought an 878 acre estate at Baldock, mainly to resettle ex-servicemen, and provided a central pool of horses, tractors and equipment as well as training and bulk purchase of seeds and feeds. By 1939, Hertfordshire County Council leased out 236 full-time and part-time smallholdings, with an average size of 26 acres. The county's farm estate is now nearly twice as extensive, but only has about 70 farms, with an average size of 150 acres.

agricultural workers deteriorated even further, while demand for factory workers in the cities was not expanding as it had done in the early 19th century. Of the 320,000 acres enclosed between 1845 and 1869, just 2,000 had been allocated for the benefit of labourers and cottagers.⁴⁸

It was in this context that the call for smallholdings and allotments was revived. "Three Acres and A Cow" was the catch phrase coined by liberal MP Jesse Collings, whose programme is outlined in his book *Land Reform*. In 1913 the parliamentary Land Enquiry Committee issued its report *The Land* (no relation) which included copious first hand evidence of the demand for and the benefits of smallholdings. Both books focused on the enclosure of commons as the prime source of the problem.⁴⁹ A series of parliamentary statutes, from the 1887 Allotments Act, the 1892 Smallholding Act, and the 1908 Smallholding and Allotments Act provided local authorities with the power to acquire the land which now still exists in the form of numerous municipal allotments and the County Smallholdings Estate.

The County Smallholdings, in particular, came under attack when a second wave of free market ideologues came into power in the 1980s and 1990s. The Conservative Party's 1995 Rural White Paper advocated selling off the County Farms, and since then about a third of the estate has been sold, though there are signs that the number of sales is declining.⁵⁰

The End of Enclosure

The enclosure movement was brought to an end when it started to upset the middle classes. By the 1860s, influential city-dwellers noticed that areas for recreation were getting thin on the ground. In the annual enclosure bills for 1869, out of 6,916 acres of land scheduled for enclosure, just three acres were allocated for recreation, and six acres for allotments.⁵¹ A protection society was formed, the Commons Preservation

Society, headed by Lord Eversley, which later went on to become the Open Spaces Society, and also spawned the National Trust. The Society was not afraid to support direct action tactics, such as the levelling of fences, and used them successfully, in the case of Epping Forest and Berkhamstead Common, to initiate court cases which drew attention to their cause.⁵² Within a few years the Society had strong support in parliament, and the 1876 Commons Act ruled that enclosure should only take place if there was some public benefit.

In any case, in the agricultural depression that by 1875 was well established, improvement was no longer a priority, and in the last 25 years of the 19th century only a handful of parliamentary enclosures took place. Since then, the

greatest loss of commons has probably been as a result of failure to register under the 1965 Commons Registration Act.

In some case commons went on being used as such well after they had been legally enclosed, because in the agricultural slump of the late 19th century, landowners could see no profit in improvement. George Bourne describes how in his Surrey village, although the common had been enclosed in 1861, the local landless were able to continue using it informally until the early years of the 20th century. What eventually kicked them out was not agricultural improvement, but suburban development — but that is another story. Bourne comments:

"To the enclosure of the common more than to any other cause may be traced all the changes that have subsequently passed over the village. It was like knocking the keystone out of an arch. The keystone is not the arch; but once it is gone all sorts of forces previously resisted, begin to operate towards ruin."⁵³

The Verdict of Modern Historians

The standard interpretation of enclosure, at least 18th-19th century enclosure, is that it was "a necessary evil, and there would have been less harm in it if the increased dividend of the agricultural world had been fairly distributed."⁵⁴ Nearly all assessments are some kind of variation on this theme, with weight placed either upon the need for "agricultural improvement" or upon the social harm according to the ideological disposition of the writer. There is no defender of the commons who argues that enclosure did not provide, or at least hasten, some improvements in agriculture (the Hammonds ignore the issue and focus on the injustices); and there is no supporter of enclosure who does not concede that the process could have been carried out more equitably.

Opinion has shifted significantly in one or two respects. The classic agricultural writers of the 1920s, such as Lord

Ernle, considered that agricultural improvements — the so-called agricultural revolution — had been developed by large-scale progressive farmers in the late 1800s and that enclosure was an indispensable element in allowing these innovators to come to the fore.⁴⁷ In the last 30 years a number of historians have shown that innovation was occurring throughout the preceding centuries, and that it was by no means impossible, or even unusual, for four course rotations, and new crops to be introduced into the open field system. In Hunmanby in Yorkshire a six year system with a two year ley was introduced. At Barrowby, Lincs, in 1697 the commoners agreed to pool their common pastures and their open fields, both of which had become tired, and manage them on a twelve year cycle of four years arable and eight years ley.⁵⁵

Of course it might well take longer for a state-of-the-art farmer to persuade a majority of members of a common field system to switch over to experimental techniques, than it would to strike out on his own. One can understand an individual's frustration, but from the community's point of view, why the hurry? Overhasty introduction of technical improvements often leads to social disruption. In any case, if we compare the very minimal agricultural extension services provided for the improvement of open field agriculture to the loud voices in favour of enclosure, it is hard not to conclude that "improvement" served partly as a Trojan horse for those whose main interest was consolidation and engrossment of land.

A main area of contention has been the extent to which enclosure was directly responsible for rural depopulation and the decline of small farmers. A number of commentators (eg Gonner, Chambers and Minguay) have argued that these processes were happening anyway and often cannot be directly linked to enclosure. More recently Neeson has shown that in Northants, the disappearance of smallholders was directly linked to enclosure, and she has suggested that the smaller kinds of commoner, particularly landless and part-time farmers, were being defined out of the equation.⁵⁶

But these disputes, like many others thrown up by the fact that every commons was different, miss the bigger picture. The fact is that England and Wales' rural population dived from 65 per cent of the population in 1801 to 23 per cent in 1901; while in France 59 per cent of the population remained rural in 1901, and even in 1982, 31 per cent were country dwellers. Between 1851 and 1901 England and Wales' rural population declined by 1.4 million, while total population rose by 14.5 million and the urban population nearly tripled.⁵⁷ By 1935, there was one worker for every 12 hectares in the UK, compared to one worker for every 4.5 hectares in France, and one for every 3.4 hectares across the whole of Europe.⁵⁸



Dennis Drinkwater on Portmeadow Common, Oxford, where his family have grazed cattle for over 100 years.

preference for primogeniture (bequeathing all your land to your eldest son). But enclosure of common land played a key role in Britain's industrialization, and was consciously seen to do so by its protagonists at the time.

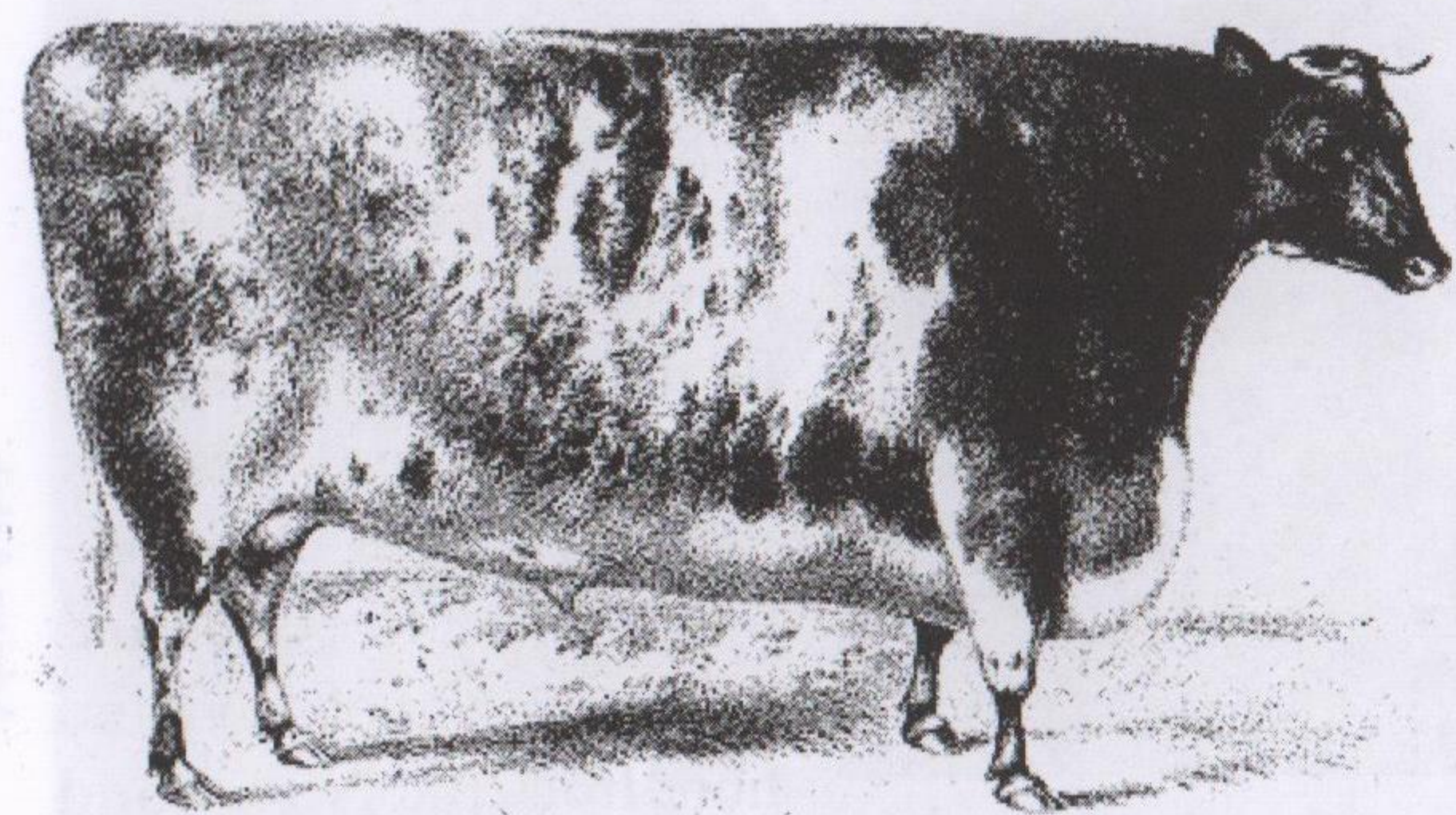
The Tragedy

The above account of the enclosure of the English commons is given for its own sake; but also because the management of English common pasture is the starting point of Hardin's thesis, so it is against the tapestry of English commons rights and the tortuous process of their enclosure that Hardin's formulaic tragedy may initially be judged.

Hardin's theory springs from the observation that common pastures allowed individuals to benefit from overstocking at the community's expense, and therefore were inherently prone to ecological exhaustion and ultimately "ruin". Without doubt there were common pastures which matched the description given by William Lloyd, as amplified by Hardin. But the salient fact that emerges from the copious historical studies that have been compiled from local field orders, land tax returns, enclosure awards and so on, is that 18th century commons and common pastures were about as different, one from another, as farms are today. Many were managed according to very detailed rules set by the local manorial court regulating stocking levels (or "stints"), manuring, disease control and so forth; but these rules varied considerably from one village to another. In some places they were found to be more necessary, or were more scrupulously observed than they were in others.

There were indeed "unstinted" commons where there was little control upon the number of animals, though this did not invariably result in impoverishment (see box p26); and there were others where stints were not applied properly, or commoners took advantage of lax or corrupt management to place as many animals on the common as they could at the common expense. Where there was overstocking, according to Gonner, this was "largely to the advantage of rich commoners or the Lord of the manor, who got together large flocks and herds and pastured them in the common lands to the detriment of the poorer commoners . . . The rich

In the 16th century, judging by Lucas van Leyden (right), barefoot peasants milked cows that were not that distant from the modern smallholders' Jersey: mostly bone, bag and belly. By contrast this print of the Durham Ox (below) and similar bovine pinups suggest that by the early 19th century, the fad for "improved" fatstock had become obsessive, bordering on pathological.



crowded their beasts on, and literally eat out the poor." Time and again historians on both sides of the ideological divide come up with instances where overstocking was carried out by one or two wealthy farmers at the expense of the poorer commoners, who could not overstock, even if they wanted to, because they had not the means to keep large numbers of animals over winter.⁵⁹ Even advocates of enclosure conceded that it was the wealthy farmers who were causing the problems, as when Fitzherbert observed:

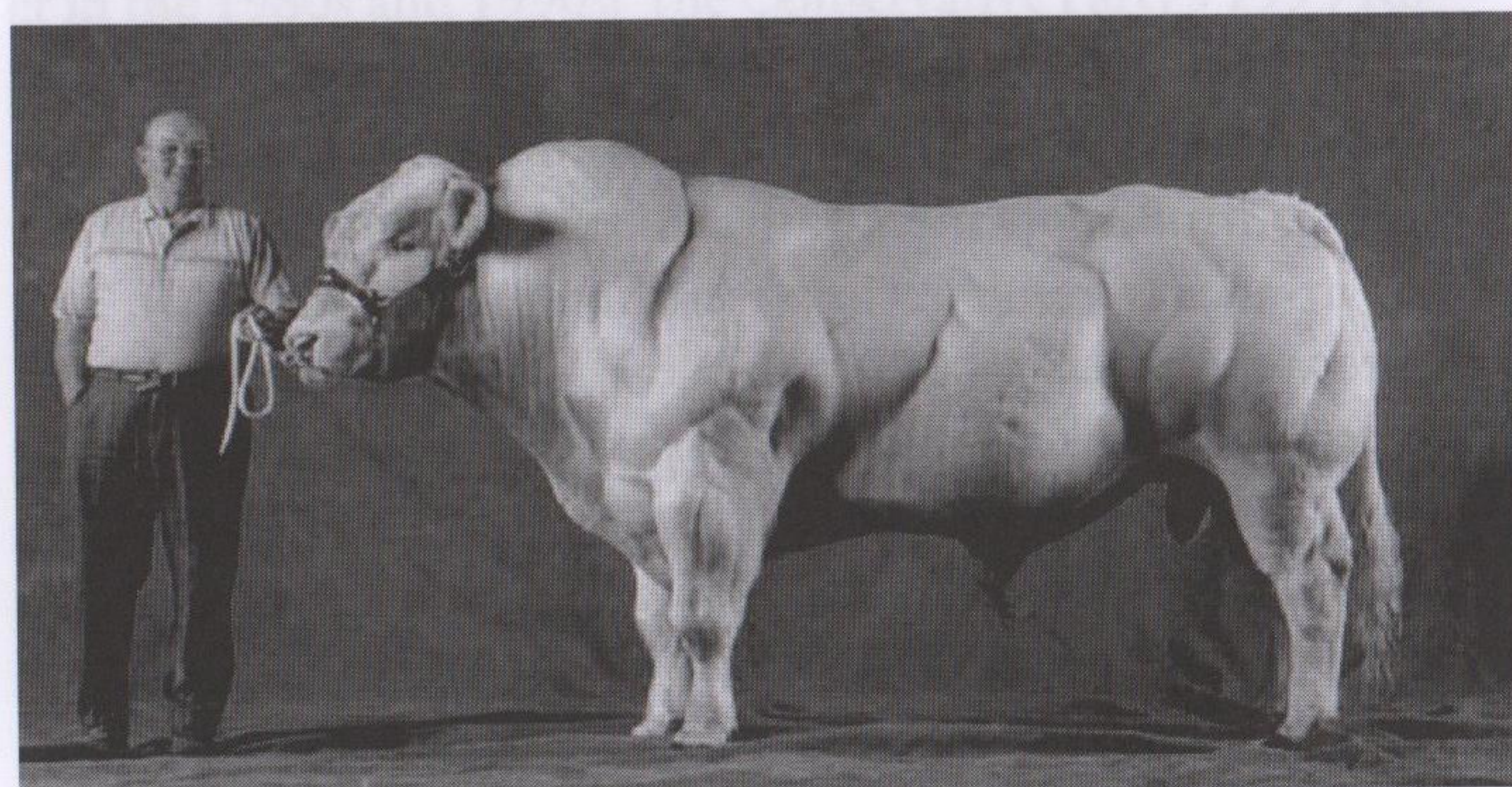
"Every cottage shall have his porcyon [portion, ie plot of land] assigned to him according to his rent, and then shall not the riche man oppress the poore man with his catell, and every man shall eate his owne close at his pleasure."⁶⁰

This comes as no great surprise, but the presence of powerful interest groups, possibly in a position to pervert the management regime, suggests a different scenario from that given by Hardin of "rational herdsmen" each seeking to maximise their individual gain. Hardin's construct is like the Chinese game of *go* where each counter has the same value; real life is more like chess, where a knight or a bishop can outclass a pawn.

Perhaps there were instances where a profusion of unregulated, "rational" yet unco-operative paupers overburdened the commons with an ever-increasing population of half-starved animals, in line with Lloyd's scenario. But even when there are reports from observers to this effect we have to be careful, for one man's puny and stunted beast is another man's hardy breed. Stunting is another way of stinting. Lloyd was writing at a time when stockbreeders were obsessed with producing

prize specimens that to our modern eye appear grotesquely obese. In 1800, the celebrated Durham Ox, weighing nearly 3000 pounds, made a triumphal tour of Britain, and two years later about 2,000 people paid half a guinea for an engraving of the same beast.⁶¹ To these connoisseurs of fatstock, the commoners' house cow must have appeared as skeletal as do the zebu cattle of India and Africa in comparison to our Belgian Blues and cloned Holsteins. Yet the zebus provide a livelihood for hundreds of millions of third world farmers, are well adapted to producing milk, offspring, dung and traction from sparse and erratic dryland pastures and poor quality crop residues, and in terms of energy and protein are more efficient at doing so.

Much the same may have been true of the commoners' cows. According to J M Neeson a poor cow providing a gallon of milk per day in season brought in half the equivalent of a labourer's annual wage. Geese at Otmoor could bring in the equivalent of a full time wage (see box p26). Commoners sheep were smaller, but hardier, easier to lamb and with higher quality wool, just like present day Shetlands, which are described by their breed society as "primitive and unimproved". An acre of gorse — derided as worthless scrub by advocates of improved pasture — was worth 45s 6d as fuel for bakers or lime kilns at a time when labourers' wages were a shilling a day.⁶² On top of that, the scrub or marsh yielded innumerable other goods, including reed for thatch, rushes for light, firewood, peat, sand, plastering material, herbs, medicines, nuts, berries, an adventure playground for kids and more besides.



21st century "improvement": a double muscled Belgian Blue, fattened on a diet of grain, whose calves are so large they have to be born through Caesarean operation — compared to a hardy Red Sindhi milking cow from Pakistan.

No wonder the commoners were "idle" and unwilling to take on paid employment. "Those who are so eager for the new inclosure," William Cobbett wrote,

"seem to argue as if the wasteland in its present state produced nothing at all. But is this the fact? Can anyone point out a single inch of it which does not produce something and the produce of which is made use of? It goes to the feeding of sheep, of cows of all descriptions . . . and it helps to rear, in health and vigour, numerous families of the children of the labourers, which children, were it not for these wastes, must be crammed into the stinking suburbs of towns."⁶³

While the dynamic identified by Lloyd clearly exists and may sometimes dominate, it represents just one factor of many in a social system founded on access to common property. Hardin's Tragedy bears very little relationship to the

management of open fields, to the making of hay from the meadows, or to various other common rights such as gleaning, none of which are vulnerable to the dynamic of competitive overstocking. The only aspect of the entire common land system where the tragedy has any relevance at all is in the management of pasture and wasteland; and here it is acknowledged by almost all historians that commons managers were only too aware of the problem, and had plenty of mechanisms for dealing with it, even if they didn't always put them into force. The instances in which unstinted access to common pastures led to overstocking no doubt played a role in hastening eventual enclosure. But to attribute the disappearance of the English commons to the "remorseless workings" of a trite formula is a travesty of historical interpretation, carried out by a theorist with a pet idea, who knew little about the subject he was writing about.

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SHEEP EAT MEN

by SIMON FAIRLIE

"Forsooth my lord (quoth I) your sheep that were wont to be so meek and tame, and so small eaters, now, as I hear say, be become so great devourers and so wild, that they eat up, and swallow down the very men themselves."

Thomas More, *Utopia*.



Why can you never find a piece of baler twine when you want it? I needed a dog lead, and had been trudging up the lane leading into the border foothills for nearly half a mile, scanning gappy hedgerows and sagging fences for a glimpse of orange, without finding anything longer than a teabag string. It seemed unlikely that the tousled mongrel who had bounded after me as I set off from the house would start chasing sheep once I ventured off-road — he came obediently to heel when a car passed — but I wasn't taking any chances.

Eventually I found a three foot length of that stout stuff they use on large bales. I took my scarf from round my neck and tied it round the dog's, attached the twine, and while I clambered over the gate, he snuck under. We were leaving the world of tarmac, where men and dogs give way to cars, and entering the realm of grass, where sheep make way for men and dogs — or give the appearance of so doing.

We made our way uphill through the patchwork of small fields and now I was scanning the hedgerows and fences for signs of a gate, a stile, or failing that, a spot where I could hoist my legs over the fence without undue risk to trousers or manhood. It was only after we had sailed through gaps in the hedge as far as field number three, and found it populated with the same sheep as fields number two and one, that I realized that barbed wire acrobatics weren't going to be necessary. These fields were being ranched: the farmer had thrown open the gates, stopped maintaining the hedges and left his sheep to wander at will across the entire range of his property bounded by the road we had left.

Ranching is the Herefordshire sheep farmer's answer to the comparative advantage of places like New Zealand where huge populations of sheep graze miles of rangeland with a minimum of human surveillance. British farmers have been free-ranging sheep for centuries on moorland and rough hill pastures which feed a fraction of a beast per acre. But now, apparently it makes economic sense for landowners to ranch on better quality land — land which previous generations of landowners enclosed in order to improve it.

Ranching herbivores, unless you do it on the migratory wildebeest scale, is a good way to decrease the productivity and

health of your improved pasture. Sheep, like children, have no sense of household economy. Given the chance they will return again and again to nibble the emerging shoots of the tastiest grasses, and leave less appetizing plants to go to seed. The purpose of enclosing livestock is to impose carefully timed rotations over restricted areas which force them to take the plain with the pearl. Whether the absence of this discipline was responsible for the heavy infestations of creeping thistle in the sward I was walking across, was something I could only ponder. But the occasional bleached jawbone on the ground indicated a laissez-faire approach to animal management.

As we breached another hedgerow the farmhouse came into view. I tightened my grip on the dog's lead, but soon I could see that the farm had long been abandoned. The shuppen was dry thanks to a makeshift tin roof, but the kitchen lay open to the sky, its hearth cold as the mouth of a corpse. Four circular stone columns testified to a former wagon shed, and a cruck frame barn was teetering, on the point of collapse. Sheep browsed around the ruins, oblivious to human tragedy, like fish swimming through a wreck.

"Sheep eat men", I mused as dog and I continued on our way, and then I realized that we had met no human other than the driver of the single car which had passed us on the road. Nor were we to meet a single person for the rest of our journey, even though this was a fine May afternoon in fertile countryside, criss-crossed by ancient footpaths.

When we hit the lanes again (and I could take off the dog's lead) there was at least evidence of human presence. Stone buildings whose purpose had once been agricultural had been done up by occupants whose intentions were plainly far from that. Beside a brand new barn, anorexic horses on matchstick legs, the equine equivalent of Kate Moss, pecked at bare-cropped turf.

When we finally approached what was clearly a working farm, the dog suddenly slid under a gate and took off across a field scattering sheep to the four winds. My first thought, that his lupine urge to chase sheep had finally surfaced, was dispelled by menacing barks from the farmyard dogs which persuaded me that he was just taking a safer way home. I followed him over a rise into a square field where I found him waiting for

me in one corner while a hundred sheep cowered in the diametrically opposite one, white pawns immobilized by a single black queen. "This way" he motioned and slipped into the undergrowth, leaving me to follow. After scrambling over the fence, across a stream and through a thicket of briars I found myself at the house I had left three hours earlier.

* * *

When I mentioned the deserted farmhouse and the ranching to my host, Andy, I found I had touched a nerve. The rancher in question had amassed a ribbon of contiguous land, several hundred acres, stretching from the summer pastures I had walked across, down to the valley below. He produced silage in the bottoms, but a large amount of his winter feed, including sheep nuts, was bought in.

But Andy is a farmer of 10 years experience, not inclined to censure colleagues who are only following economic logic in difficult circumstances. His fury was reserved for Hereford Council, and he thrust into my hands a photocopied excerpt from their *Land Character Assessment*, entitled "Section 7.13 Ancient Border Farmlands".

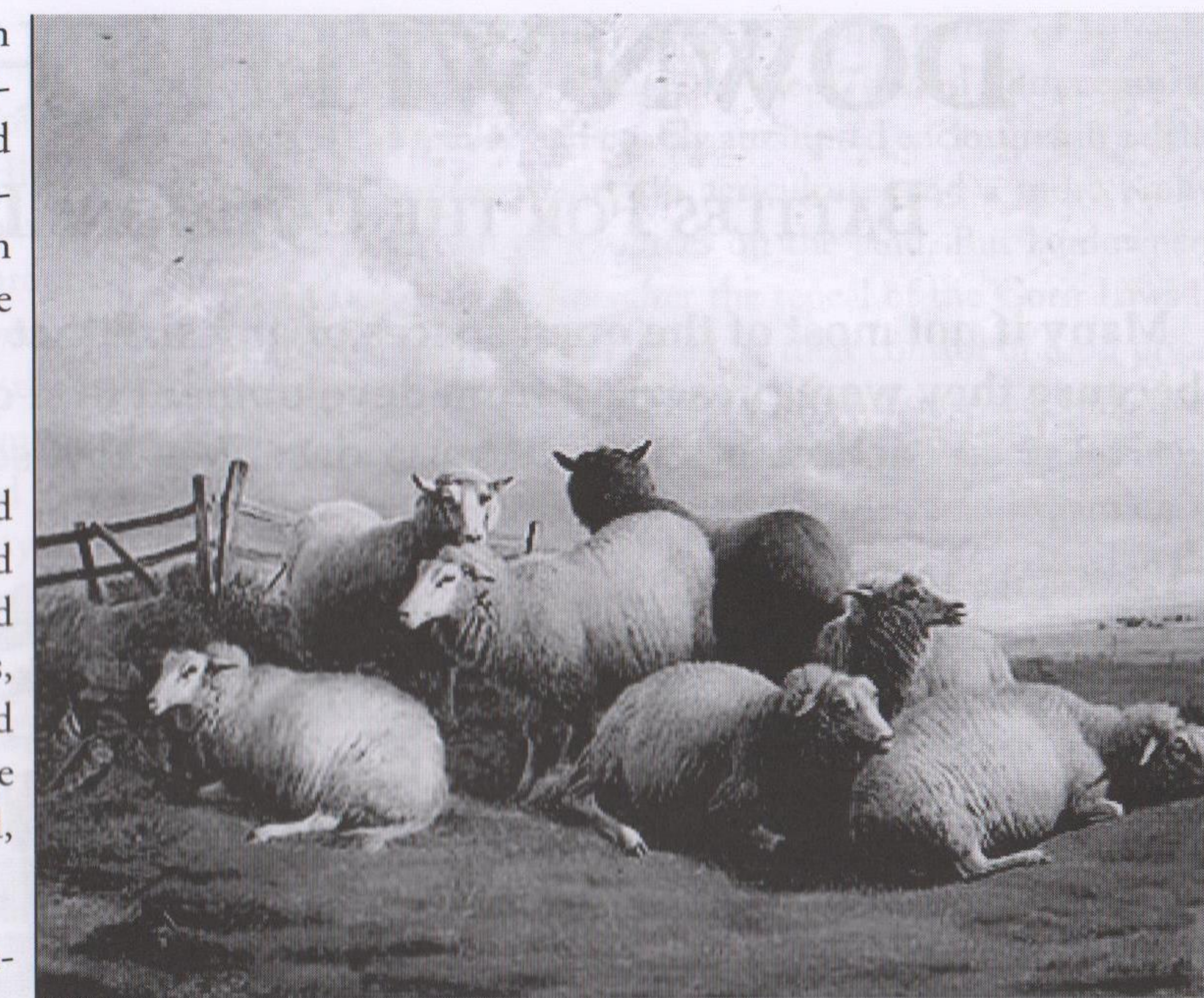
"Look at this" he said, "here they are complaining that 'the overwhelming dominance of the hedgrows is being lost through lack of maintenance, allowing stock to browse and trample through them. This is leading to a ranching characteristic as fields are being opened up to each other.'

"But then further down the page it says this is a pastoral landscape, formed by pastoral activity, and that the pastoral land use should be encouraged. Do these guys know what they're talking about?"

He disappeared into the back of his kitchen and came out with a rolled up manuscript. "This is based on the 1843 tithe map. It shows you what the land use was on every single field. Now see these fields marked with an A. Those are arable land. The ones marked GR are grass."

The map covered several hundred fields and about half of them were marked with an A. It seemed rather a lot and Andy noticed my eyebrow lifting. "They weren't all cropped at once," he said "they wouldn't have had the fertility. They were probably put down to grass from time to time. But there's no doubt that this area produced wagon loads of grain. Those barns that the council allows people to convert into second homes, don't they realize they are threshing barns? The huge openings on each side weren't for doors, they were for wooden sails which were set to direct the wind onto the stacks of corn to dry them, or onto the threshing floor to winnow the chaff."

He picked up the Land Character Assessment again. "Now listen to this: 'It is possible that the traditional Welsh pattern of inheritance, which favours the subdivision of land, may have contributed to the pattern of small, irregular, often rounded shaped fields.' What crap! All the land around here was owned by aristocrats with names like De La Haye, Lacey



"Sheep in an Extensive Landscape" by Thomas Sidney Cooper 1803-1902

and Neville. Those guys didn't just arrive in the French revolution. The field boundaries are nothing to do with inheritance, they follow topographical changes, relating to slope or drainage, and you'll find that the arable fields are the aggressors. The old boys thought it was worthwhile to extend an arm of arable into a slab of permanent pasture if the land warranted it."

Andy sounded authoritative, but he does have an interest to declare. He is himself an arable farmer, currently cultivating three acres of organic vegetables alongside a small herd of beef cows. At his former holding in the same locality, which he quit three years ago when he split up from his wife, he was cultivating 12 acres of vegetables; now he is trying to get re-established.

Unfortunately, in the council's eyes he is a threat to the landscape. They have imposed an enforcement notice on the abandoned cottage and caravan which he and his partner live in because these conflict with the "sparsely scattered low density settlement pattern" — whereas threshing barns converted for second homes apparently do not. And they turned down his application for a polytunnel and barn on the grounds that "the use of land for horticultural purposes etc is not characteristic of Ancient Border Farmlands, where pastoral land use is the key characteristic".

How shallow, how ignorant of both history and geography, are our planners and landscape assessors! It is nearly 500 years since Thomas More made his famous observation that sheep, which produce little food and require little maintenance, are eaters of men. It is nearly 250 years since Oliver Goldsmith lamented the deserted village, swept away by "trade's proud empire". Yet council officers, more through ignorance than through ideology, are still churning out policies that favour the "covetous and insatiable cormourants" who "inclose many thousand acres of ground within one pale or hedge", and the sheep that have become so great that they devour men.

DOWN WITH THE FENCES

BATTLES FOR THE COMMONS IN SOUTH LONDON

Many if not most of the open spaces of any size that remain today in South London exist because they were preserved from development by a combination of legal tactics and direct action. MICHAEL BRADLEY describes how some of them were saved.

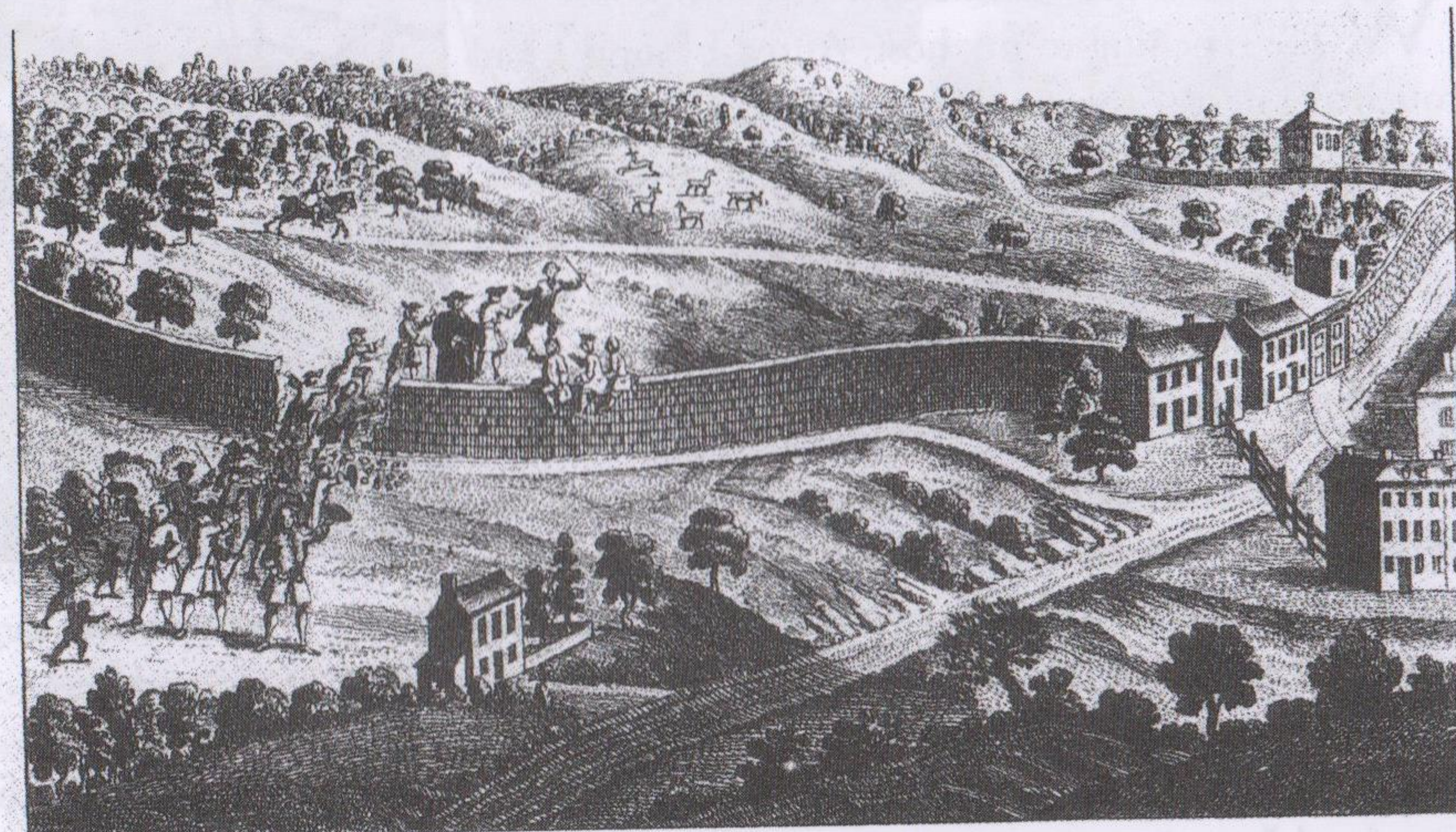
Between the 16th and the 19th centuries, much of the open land, commons or woods in South London was enclosed for development, usually by rich landowners, or sold off for house building. In many of the commons, local people had traditionally benefited from customary rights of use, mostly grazing of animals and wood for fuel, but also planting small plots on the fringes of commons for market gardens or feeding themselves.

Despite its name, common land was rarely land held in common: it was almost always land owned by the Lord of the Manor, on which other local people had come to exercise some rights. But these rights often had no legal weight, they were part of an unwritten social contract. As time went on the commoners, those with acknowledged customary rights, could become wealthy individuals themselves. Thus later struggles sometimes developed into struggles between different local rich people.

Enclosures were often opposed by a section of the establishment. In the 17th century, the king and certain sections of the nobility sought allies among the rural population against the rising merchant and improving classes. In this power struggle, pressure could sometimes be put on the authorities, to stop enclosures. There was also an ideological motive: the paternalist state was opposed to over-extreme exploitation and ruthless destruction of social ties that could lead to mass upheaval. For example, when, in 1614 a new owner enclosed the whole of Barnes common, digging ditches and removing cattle, 100 villagers marched to petition the king, and a court hearing eventually reversed the enclosure.

Richmond Park

However, the king's opposition to enclosures by lesser mortals didn't stop him from trying his hand at it himself. Charles I, always short of cash, not only attempted to raise money through agricultural improvement, but was also fond of creating new hunting parks. In the 1620s, he established Richmond Park by carving out common land from surrounding parishes and annexing property from wealthy landowners. Locals lost access to wood and other fuels, to water supplies and grazing land. Even the king's supporters advised him that such behaviour was likely to bring about rebellion, which of course it did. After Charles' execution, Richmond Park was seized by the Commonwealth, but the Restoration led to it being enclosed again.



Parishioners break down the walls of Richmond Park in 1755

This grievance smouldered locally for over 100 years. In the 18th century, the Park was farmed out to rich politicians and royals, who took on the post of "Park Ranger", which carried with it a large income. Prime Minister Robert Walpole (whose son was officially the Ranger), refused the public access to the park, and turned it into a resort of the nobility and royalty, let in on a ticket or key system: commoners were excluded, and ladders over the walls were replaced by man-traps.

But the park was also full of deer, rabbits and hares. Between 1723 and 1725 there was a mini-war between deer-stealers and gamekeepers, involving arson of keepers' houses, and "diverse outrages and disorders". At least two poachers were executed. John Huntridge, landlord of the Halfway House Inn on the wall of the Park, was charged with harbouring deerstealers, but he was acquitted, to popular acclaim.

The next Ranger was Princess Amelia, a particularly snotty royal. Under her Rangership, simmering local hostility broke into the open. On May 16th 1751, a crowd of parishioners broke into the park, claiming they were beating the bounds of the parish (the old ceremony for marking out the boundaries). This was tantamount to asserting their rights of access to the old commons. Further break-ins followed. The agitation of the 1750s was led by one John Lewis, a local brewer and printer, and a strop character, who declared himself "unwilling to leave the world in a worse state than he found it." In 1755, Lewis forced his way through the gate, was kicked out, and brought a case against Princess Amelia. By 1758, he had obtained a verdict opening up the park's paths as rights of way, but folk start to wander round the whole park, treating it as common. Lewis' printing business went broke due to his legal campaign, but Richmond residents had a whipround to provide a small annual grant for him.

Sydenham Common

Sydenham Common, which no longer exists, once covered a large area between modern Sydenham and Forest Hill. The battle against enclosure began around 1605, when a local squire, Henry Newport, attempted to fence a large part of the common off for "improvement". At this time there were large numbers of squatters on the common, encouraged by the lack of restrictions there on grazing of animals. They supported themselves almost entirely by raising pigs, cows and sheep: "above 500 poore householders with wives and manye children greatly relieved by sayde Common . . . would be utterly undone yf yt should be unjustly taken from them."

After years of inconclusive legal wrangling, Newport and his allies tried violently to evict the poor and enclose the land. Locals apparently led by the vicar of Lewisham, Abraham Colfe, challenged this by going to court and marching en masse to petition the king in 1614. But although the court ruled the enclosure illegal, Newport wouldn't budge, so the locals resorted to the time-honoured tactic of tearing down his fences and filling in his ditches. Every time he put fences up again, crowds gathered to break them down. Eventually the Privy Council ruled that the enclosures were illegal and put a stop to them in 1615. Part of the reason why the local vicar and other landowners opposed the enclosure was the prospect of evicted squatters becoming a burden on the taxpayers of the parish. Colfe's more legal approach was obviously an attempt to tone down the violent resistance of local squatters. Not for the last time, legal and violent tactics ran in parallel.

Throughout the 18th century there was a succession of confrontations between Sydenham commoners and enclosers until in 1792, Michael Bradley and others broke in to assert their traditional rights to cut wood. Samuel Atkinson, who had enclosed the land and sold building plots on the new main road, met them and warned them off, before shooting Bradley dead. Although the case caused uproar, it seems to have marked almost the end of a struggle for common rights lasting nearly 200 years: Sydenham Common was finally enclosed around 1812.

The Nineteenth Century

In the 1790s and the early 19th century, the long war against revolutionary and Napoleonic France increased pressure for land to grow food, as the country faced economic blockade. Commons were appropriated for drilling of troops and citizen volunteer brigades. On Streatham Common, the local poor had long had the right to cut furze (gorse bushes) for fuel. The Lord of the Manor, the Duke of Bedford, began around this time to strip the furze to sell for profit, depriving the commoners of their customary rights and also enclosed part of the land. In response, in 1794 a mob of local residents burnt the furze before he could collect it; simultaneously, "six men dressed in black" drove up in a hackney carriage and demolished his paled enclosure. The sinister way this is described is worth relating to the climate of the times — respectable folk were terrified by the Jacobin Terror of the French Revolution, and by reformers and the threat of rowdy mobs at home.

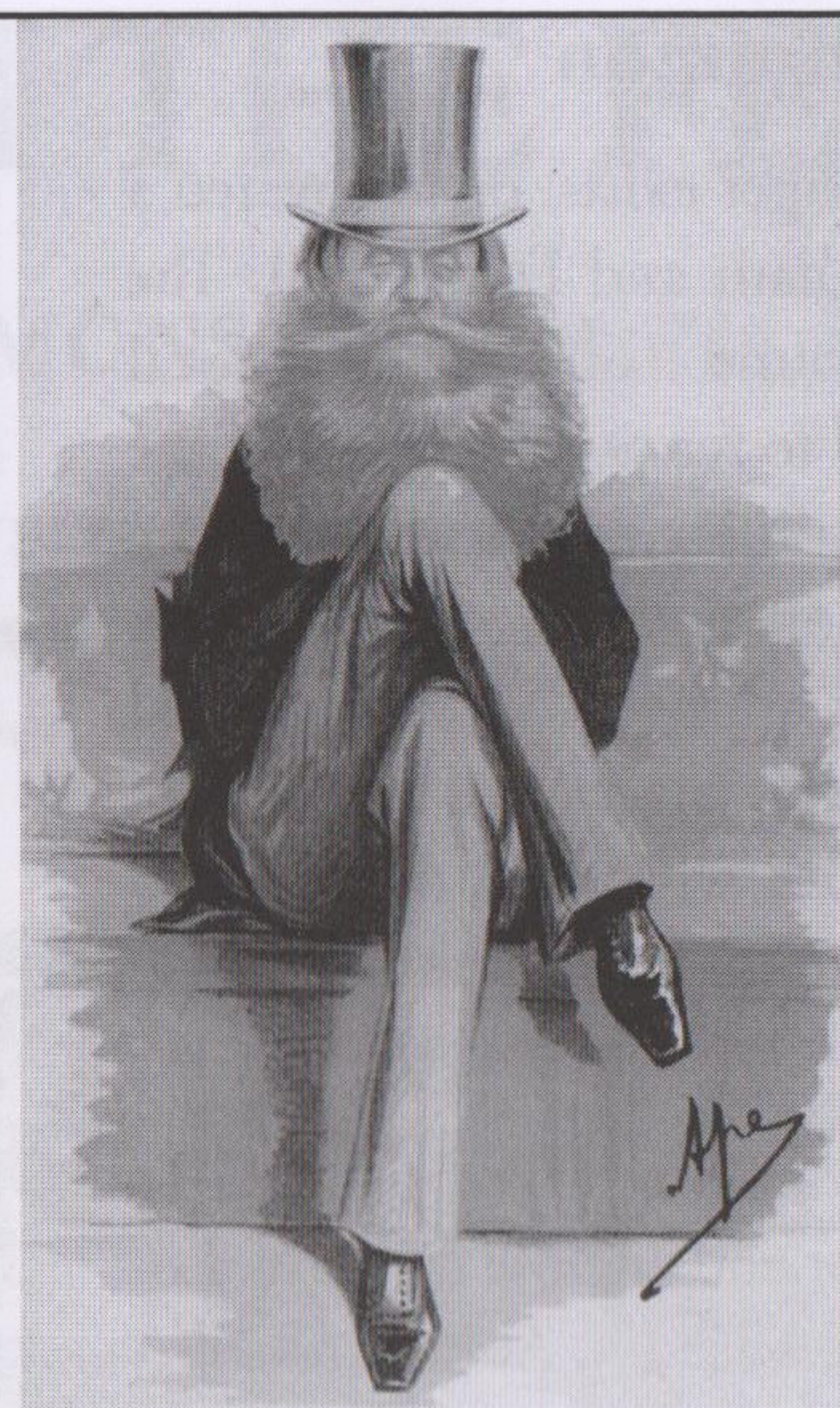
But as the 19th century progressed, the nature of struggles over space began to change. In the 17th and 18th centuries lords of the manor had mostly attempted enclosures in a drive towards "improvements" in agriculture, and a more profitable exploitation of resources on the land. But landowners' power began to decline after the repeal of the Corn Laws in 1846: free trade in food struck at their control of food prices and hit the value of agricultural land. From the 1830s on, the pressure was for land for development, mostly for housing. From the 1840s there was also the rapid expansion of railways: much open land and housing was devastated in the laying of lines. South London landowners like the Spencer family saw opportunities in selling off tracts of land for housing developments.

Correspondingly, the resistance to enclosures and development from people with an interest in the commons for economic reasons, gradually transformed into struggles for open space for recreation. The subsistence economy that supported the poor had been undermined by rural enclosures: to a large extent they had been driven from the land into the factories. As throughout the century, factory reform and economic growth reduced working hours, "leisure" time for both working and middle classes became an issue. In the rapidly expanding city, green space became important.

By the 1850s and 1860s, concerned social reformers were articulating the need for urban parks, to relieve the stress and overcrowding of the city for the millions packed into built up areas — "lungs" for the city. Landscaped parks would improve the morals of the poor, by encouraging them to appreciate the finer things. A flip side was the conversion of some open spaces that were seen as trouble spots or meeting places for unruly plebs into respectable parks fit for the middle and aspiring working classes. Some of the committee that pushed through the creation of Victoria Park in East London, for instance, hoped that landscaping a previous haunt of Chartists and rioting radicals would have a gentrifying effect on the neighbourhood. Battersea Fields, until the 19th century a place of bawdy working class recreation, including animal fairs, stalls, drinking etc, became Battersea Park. Local vicar Reverend Fallon proposed building the modern park to encourage the poor to "become orderly". As part of this process in 1852 all persons "trespassing" on the park with animals or barrows were to be nicked. Kennington Common, long a mass meeting place for working class radicals (including the last great Chartist rally in 1848), was also enclosed into a landscaped and policed park in the 1850s — once again with the support of the local vicar. However this decontamination often only moved the "disorderly crowds" elsewhere. In 1852, there were protests from wealthy folk around Clapham Common about the rowdy crowds who had moved there from recently fenced-in Kennington Common.

Wimbledon Common

In 1864, Earl Spencer announced he had decided to sell 300 acres of Wimbledon Common and enclose the 700 remaining acres. There had been plenty of previous attempts: in 1723 there was unrest when the Duchess of Marlborough bought



Right: the fifth Earl Spencer, who oversaw the final attempts to enclose Wandsworth Common; and (above) Spencer house, in St James Place overlooking Green Park, the only private palace in London, currently leased by the Spencers to the Rothschilds. The Spencer-Churchill family, alias the Dukes of Marlborough and the Earls of Spencer, crop up time and again in the history of enclosure. The Spencers were the main force behind the enclosure of both Wimbledon and Wandsworth Common. The Duke of Marlborough initiated the enclosure of Otmoor, and commanded the force that arrested the protesters (see box p26). Lady Diana Spencer, ancestor of the modern Lady Di, was the wife of Bully Bolingbroke, though they had divorced before Bully embarked on his notorious enclosure of King's Sedgemoor. To extricate himself from debt, Bully sold off his Battersea estate to Viscount Spencer in 1763.

the manor and attempted to curtail commons rights, and there was further protest in 1812 when the Lord of the Manor felled oak pollards which had provided firewood for local folk, and sold the timber. But Earl Spencer apparently nursed the idea that it should be made into a park. He claimed the land was "boggy", that "noxious mists and fogs" arose from it and that "great nuisance was caused by gypsies" who camped on it. He was opposed by wealthier commoners, who refused his proposals to buy out their rights, claiming their consent was needed over any changes to the Common. They formed a Wimbledon Common Committee, led by Henry Peek (of biscuit manufacturing family Peek Frean), to fight the Earl in court. In 1870 by asserting common rights they forced a settlement and Earl Spencer gave the land to a trust which managed the land "for the public", to keep it open as a public green space.

Leading members of the Wimbledon committee were instrumental in 1865 in setting up the Commons Preservation Society, a committee of the great and good to oppose enclosure of commons nationally (now the Open Spaces Society). The CPS was involved in many of the battles to save green spaces in South London in the late 19th century. While their actions were aimed at lobbying and court battles, they often worked in tandem with more unofficial mass actions. They were instrumental in getting the 1866 Metropolitan Commons Act passed, which protected land that could be shown to have been the focus of common rights in the past.

Wandsworth Common

Wandsworth Common is the remains of more extensive common land which included part of the wastes of the Manor of Battersea and Wandsworth. Between 1794 and 1866, 53 enclosures reduced its size; most of them carried out by the

Spencer family. Earl Spencer's actions sparked protests in December 1827, when "a very numerous meeting of the most affluent and respectable gentry" of Battersea, Wandsworth and Clapham (held at the Swan in Stockwell) opposed an impending inclosure Bill for the three respective Commons. They were partly concerned at threats to their own livelihoods, but also greatly worried that many poor would be deprived of a subsistence living — and thus become a burden on the rates, as had happened at Bexley and Bromley Commons. The Bill was defeated, but small scale enclosure continued.

There was further unrest in the 1840s and 1860s, but attempts by local people to preserve the Common against further en-

croachment began in earnest in 1868 when unsuccessful appeals were made to the Metropolitan Board of Works to take over responsibility, following the Metropolitan Commons Act of 1866. In 1869, 2000 people pulled down enclosure fences where Chivalry Road is now, and the following year Henry Peek (see Wimbledon Common) formed a Common Defence Committee (later the Wandsworth Common Preservation Society) to save the land threatened by the Spencers. Large public meetings were held in Wandsworth, Putney and Battersea. The Committee fought an unsuccessful legal battle that April over Plough Green (now Strathblaine Road, Vardens Road, off St Johns Hill).

This legal action worked hand in hand with direct action. On 14 May 1869, John Buckmaster, a leading light of the Committee, appeared at Wandsworth Police Court, accused of "wilfully and maliciously destroying a fence enclosing the property of Mr Christopher Todd at Wandsworth Common." Buckmaster stated that he was asserting common right: Todd had bought the land from the railway Company, but campaigners claimed that the Lord of the Manor had had no right to sell it to the railway. Public meetings on the Common (including one allegedly 5000 strong in January 1868) had passed resolutions to tear down Todd's fences. Next year, on 13 April, "a large number of persons assembled and asserted their right of way by breaking down the fences". Some 300-400 people armed with hatchets and pickaxes re-established a footpath enclosed at Plough Green. "At each crashing of the fence there was a great hooting and hurraing." Eventually, in the face of continual opposition both from wealthier residents and from working class folk, Earl Spencer agreed to transfer most of the common to the Defence Committee — except for the area which later became Spencer Park.

Plumstead Common

Plumstead Common belonged to the Provost and Scholars of Queens College, Oxford. Freehold tenants had enjoyed rights of cattle-grazing, and collection of gravel, turf, loam etc for centuries. It was a wild and picturesque place, loved by locals, especially kids. From 1816 onward there had been small enclosures, but in 1859 the College embarked on a policy of excluding freeholders, claiming it was the sole owner, and various encroachments were made, reducing the Common by a third by 1866.

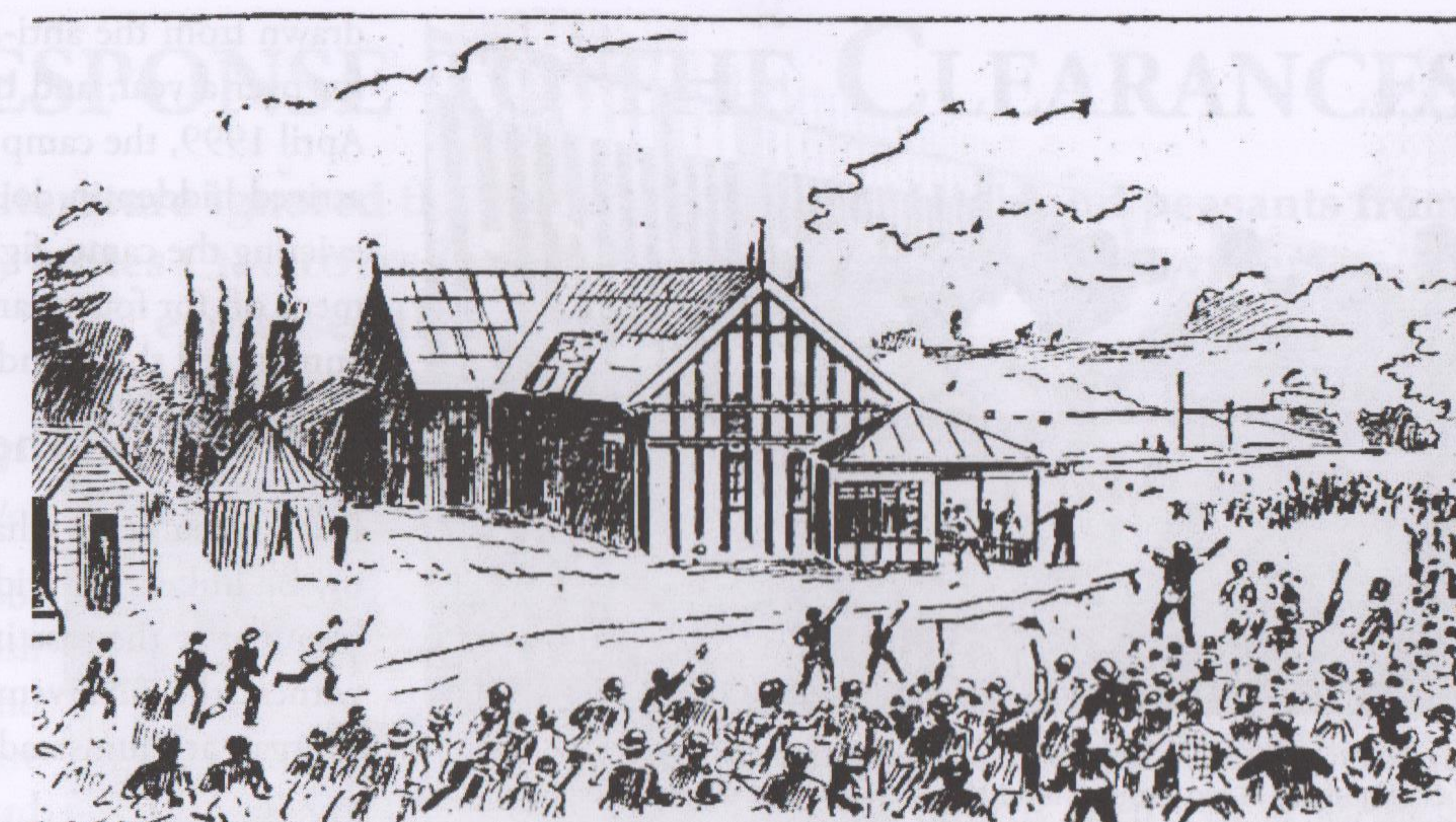
This prompted the forming of a protest committee, and in March 1866, fences around the Green and around Heathfield and Bleakhill were forcibly removed. In a legal challenge by Manor tenants to the College, the Master of the Rolls ruled the enclosures out of order.

However, "illegal" encroachments continued — often met with unofficial demolition by locals. Their main targets were the fenced property of William Tongue, and his crony, magistrate Edwin Hughes (later Tory MP for Woolwich). Hughes was a powerful local figure who "had the key to the Borough in his pocket". On a Saturday in May 1870, "a number of the lower class, who were resolved to test their rights" demolished fences and carried off the wood. "A party of women, armed with saws and hatchets, first commenced operations by sawing down a fence enclosing a meadow adjoining the residence of Mr Hughes." Fences belonging to William Tongue were pulled down. The next day hundreds of people gathered and attacked fences put up by a Mr Jeans.

From 1871 the military from nearby barracks took over large sections of the common for exercises, and in 1876 Queens College leased the greater part of it permanently to the army for extensions to the Woolwich Barracks parade grounds. Local people, including many workers from Woolwich Dockyard, objected to the plans. On 1 July, over 1000 people marched to the north side of the Common and peacefully tore down fences. The following day the crowd returned to demolish the already rebuilt fences: a police attack led to a battle with stones thrown and fires started. Monday saw more rioting: according to a witness there were 10,000 there on Monday and Tuesday, and "I never saw a scene so disorderly and lawless." The furze on Tongue's land was set on fire.

A local radical, John de Morgan and several other organisers were charged with incitement to riot. At the trial, in October 1876, three men were acquitted, but de Morgan was found guilty. Sentenced to a month in jail, he was unexpectedly released early: a planned 20,000 strong march to demand his release turned into a mass celebration with bands. Effigies of Hughes and his supporters, were burned on the Common.

In the aftermath of the riots, the constitutional campaigners stepped up their negotiations with the Queens College, in an



THE ATTACK ON THE GOLF HOUSE.

attempt to prevent further rioting. The upshot was that the Metropolitan Board of Works bought Plumstead Common for £16,000, and it remains a public open space.

The Golf War

One Tree Hill, in Honor Oak, had always been an open space, a traditional gathering spot for locals, more recently for recreation. In Autumn 1896 it was suddenly enclosed by a golf club. Locals were understandably pissed off and held a large number of protest meetings in the spring and summer of 1897, many in the open air on Peckham Rye. An Enclosure of Honor Oak Hill Protest Committee was formed with support from the Commons Preservation Society.

The committee proceeded to collect evidence about traditional access to the Hill, but there was unrest among the membership over the slow progress they were making. After several failed attempts to get the Committee to authorize direct action against the fence, a mass meeting on October 3rd 1897 voted for the removal of the fence the following Sunday. On the 10th, some 15,000 people assembled, pulled down part of the fence in Honor Oak Park and then rushed onto the hill. "The hill was soon covered with a disorderly multitude, and it was quickly found necessary to reinforce the police who had been posted to keep order."

Although the Protest Committee disassociated itself from the violence, two former members also publicly went to pull down a section of fence on 16 October, stating they'd been instructed to do so on behalf of the public. The Golf Club however was still maintaining they had bought the land fair and square from the previous owners. On Sunday the 17th, a crowd of from 50,000 to 100,000 people gathered but were prevented from demolishing the fence by about 500 police, whom the crowd pelted with stones. The following Sunday, the 24th, thousands again gathered at the Hill.

Meanwhile, the Protest Committee, although condemning the rioting, took advantage of the threat to public order and persuaded a joint committee of Camberwell and Lewisham Church Vestries to go to court over the enclosure. Over the next few years, though the riots never revived, the court process ground on, with Camberwell Borough Council putting pressure on the owner of the Hill. Eventually London



May 2009: Protesters attempt to pull down fences erected by Shell at Glengad Co Mayo around land they have taken over to build a gas refinery that local people do not want.

County Council stuck a clause in their 1902 General Powers Bill, for a compulsory purchase, leading to the Hill being bought for £6,100 in 1904. It is still a very lovely open space with its fine view of London, definitely worth a visit. In 1997, a hand-crafted centenary bench was put up to remember the riots, though it has since vanished.

Recent Times

In the last 100 years, many open green spaces in South London have been more or less protected from development. But the vast profits available in London from building office buildings and housing, still lead to attempts at open theft by greedy developers, and some places such as Pullens Green in Walworth, have been lost quite recently.

As in the past, only active resistance has prevented woods and parks being lost. In 1993, proposals to drive a new motorway, part of the East London River Crossing, through ancient woodland at Oxleas Wood, were resisted by fierce campaigning from locals and environmentalists. A "Beat the Bulldozer" pledge was launched, with the aim of getting 10,000 people to pledge to be there if the bulldozers went in. With the TV pictures of direct action at Twyford Down fresh in their minds, the Government knew what would happen if they violated Oxleas Wood and backed down.

A few years later Bromley Council published plans to sell off the top end of Crystal Palace Park to develop a huge multiplex cinema complex. While a broad-based Crystal Palace Campaign mounted a strong legal challenge, an eco-camp was set up in the threatened part of the park by people mainly

Past Tense

This article is drawn from the pamphlet *Down with the Fences* published by Past Tense.

Past Tense publishes pamphlets, maps and free leaflets relating to radical, subversive and social history, mainly based around London, but also ranging wider afield. We don't see history as an academic study, but as part of ongoing struggles to change our present and our future for the better. We mainly research out publications ourselves, or reprint interesting items we have unearthed. We also welcome texts, ideas and suggestions for publication.

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drawn from the anti-roads movement. It remained occupied for over a year, and treehouses and barricades were built. In April 1999, the camp was violently evicted by the police who arrived hidden in double decker buses. However, the cost of evicting the camp, fighting legal challenges etc, held development off for four years until, in May 2003, Bromley Council announced the abandonment of the plan.

The Wider Context

It is debatable to what extent all these struggles were begun by, or linked, to wider radical movements. This may have been partly the case in the later (eg late 19th century) fights: witness the involvement of secularists and radicals like De Morgan at Plumstead Common.

However, many of the movements that arose to oppose enclosures are notable for their broad, cross-class nature. While most of the rioting and direct destruction of fences was carried out by the lower orders, people of all classes, certainly up till the 19th century, saw enclosures and the loss of access to the commons as breaching a traditional order, a set of social relations, admittedly hierarchical with everyone in their place. In this world-view it was held to be legitimate to defend what many saw as long-established rights using violence. Riots and protests against enclosures fitted into a broadly paternalist view of society.

There was also clearly a split within the ranks of the better off, as to the rights and wrongs of enclosure. Many parish officials and, later, ratepayers clearly understood the social upheaval caused by enclosure. Divorcing people from longstanding means of subsistence forced them into crime or rebellion or to seek relief from the parish funds. Added to this, from the mid-20th century onwards, there was a belief in the civilizing effect of open spaces, properly ordered of course, on the unruly working classes.

The battles mentioned here were only the tip of the iceberg. There are many more of our most beloved open spaces in South London and elsewhere, which would not be there if they hadn't been preserved by legal and illegal means. We should never take them for granted. Better still, would be if we could start reclaiming some of the commons nicked from us over the years. When will we begin turning golf courses into woods, office blocks into fields, industrial estates back into wetlands?

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LITERARY RESPONSE TO THE CLEARANCES

The big names of Scottish literature ignored the forced removal of Highland peasants from their homes and land, writes CHARLOTTE FAIRLIE, but many lesser known writers expressed their dismay.

"And every bit of fat or value, they have grabbed with Land Law from us"

Mary Macpherson *Incitement of the Gaels*

Robert Burns, Sir Walter Scott, and Robert Louis Stevenson were the only Scottish writers I came across at school in England in the 1960s and '70s. All three were Lowlanders: Burns, the cleverly-marketed "Heaven taught ploughman"; Scott, the pragmatic romantic in his baronial mansion; and Stevenson, the exile in Fiji. Their lives span the period of the Highland Clearances, yet their work rarely, if ever, mentions the eviction of thousands of their fellow Scots from their homes in the name of "improvement."

Burns, who died in 1796, as the pace of the Highland Clearances accelerated, would certainly have been aware of the impact of the Lowland Clearances. It would be nice to think that had he lived longer, the outspoken lover of liberty, the man who sympathized with a mouse whose home was destroyed, would have written as eloquently of a human family "turn'd out" of a "wee-bit housie." However, I have not been able to track down such a poem even though Gaelic poets were addressing the issue by the mid-eighteenth century. A tenant farmer himself, Burns understood their struggles and privations, but in *The Character of a Ruined Farmer*, he blames "fickle Fortune" for their difficulties.

Websites describing the Clearances often cite Scott (1771-1832) with a quotation that appears to suggest his sympathy for the Highlanders:

"In too many instances the Highlands have been drained, not of their superfluity of population, but of the whole mass of the inhabitants, dispossessed by an unrelenting avarice, which will be one day found to have been as shortsighted as it is unjust and selfish. Meantime, the Highlands may become the fairy ground for romance and poetry, or the subject of experiment for the professors of speculation, political and economical. But if the hour of need should come — and it may not, perhaps, be far distant — the pibroch may sound through the deserted region, but the summons will remain unanswered." (*Manners, Customs and History of the Highlanders of Scotland*)

Here Scott attributes the depopulation of the Highlands to greed and recognises its injustice, but why is it a shortsighted policy? Because if Highland soldiers are needed to defend the Empire, there won't be any. The pragmatist reveals himself. Saree Makdisi points out that even though Scott was writing his novels during the period of the most notorious Clearances, he ignores them. In his novel *Waverley*:



An abandoned Highland croft.

"the events of the present, the people of the present — who were being cleared off their land and forced at bayonet-point either to the wild coasts of Ross and Sutherland or to the farthest reaches of the British empire — are neither heard nor seen."

Scott is often seen as having his heart in the Highlands of yore and his head firmly entrenched in the English world of progress and modernity. In the case of the Clearances, those two worlds clash, and Scott chooses to create a romanticized past rather than use his story-telling gifts to help people understand the Highlands of his own time. According to Eric Richards, a leading scholar of the Highland Clearances, Scott "endorsed the idea of rapidly converting the Highlanders into a "new race", "a quiet and peaceable

peasantry" appropriate to the times."

Stevenson (1850-1894) left his homeland at a young age, and his Scottish novels, like Scott's, explore Scottish character and the human psyche by evoking an earlier period. His poem *In the Highlands* expresses ex-patriot nostalgia for "the country places, Where the old plain men have rosy faces." *To S. R. Crockett*, also a poem of longing, suggests more awareness of contemporary social conditions as Stevenson reflects on "the vacant wine-red moor / Hills of sheep, and the howes of the silent vanished races." But Stevenson's reference here is oblique at best, melancholy rather than angry.

Searching for more explicit protest means going outside the traditional canon of British literature. Inevitably, the earliest examples are by Highland poets and written in Gaelic (quoted here in translation from *The Poetry of Scotland*, ed. Roderick Watson). A common theme among these poets is forced emigration. John MacCodrum (1693?-1779), in *Song to the Fugitives*, bluntly refers to "The idiot lairds" who "won't let you live / In the land you're aquaint with." Duncan Bàn Macintyre (1724-1812) in one of his later poems, *Song to the Foxes*, praises foxes because they kill the sheep that are replacing people in the Highlands, forcing people into "exile." John MacLean (1787-1848), in *The Poet in Canada*, lashes out at

"the smooth-tongued coaxers who brought us hither against our will . . . the cursed wretches who drive out people since first this Clearance was set afoot."

Emigration to the New World often landed people not in a land of liberty and plenty, as promised, but on poor, rocky soil, where, as MacLean says, survival meant "digging to win bare living."

By the 1880s, criticism of the Clearances was widespread, due partly, Richards argues, to the increasing social conscience of Victorians, rising literacy in the Highlands, and interest in Celtic Societies, and in 1886, Parliament passed the Crofters Act. In 1883, Alexander Mackenzie, described by Richards as a "radical propagandist," published accounts of specific evictions, notably in Sutherland. His work, republished in 1914, introduces to a receptive new audience specific stories which had been recounted in the mid-nineteenth-century by the stonemason, Donald Macleod. Mackenzie tells of ministers not standing up for their parishioners; cattle starving after heather has been burned to prepare for sheep; redcoats marching to Dunrobin Castle to quell opposition; old men, their homes burned, "wandering about in a state approaching . . . absolute insanity"; a woman falling through the roof of her house as she tries to protect her property; and a "bedridden old woman [being] carried out in flames." He seems to have significantly influenced later authors as these images recur well into the 20th century.

Mathilde Blind's lengthy 1886 poem, *The Heather on Fire*, is a mixture of Victorian sentimentality and indignation. Her description of the crofting community, the "bonnie glen," before it is decimated sounds more like a Cotswold village, with its "strip of garden," its "crooked street" all "aglow in sunset's ray." However, Blind also takes aim at Britain's use of Scottish men to build the empire, "where he and fellows like him helped to gain / The day for England's king." She recognizes the connection between colonial power and the power of the absentee landlord, "the lord of all that land," and his "hated factor," the man who will perform the evictions, approaches with an "arrogant strut and a 'harsh, imperious voice.'" Mackenzie's influence is evident as victims in *The Heather on Fire* include confused old men; an "old bedridden mother," whose "blankets and bedding blazed / Around the poor soul"; and a courageous young mother, defying the factor like "some warrior queen . . . foremost upon the ramparts as the foe / Scales her fair walls before their overthrow."

Perhaps surprisingly given her atheist tendencies, Blind does not implicate the Church, but she does portray the young men of the community as passive, even cowardly, as an old man compares his memories of a heroic Highland past to the present generation:

"Oh the shame!--
Our braw lads ran away—ran, sir, like tame,
Pale-livered sheep or rabbits in hot flight!"

As radical as Blind is, she dishes out some blame to the victims here.

Butchers Broom, a 1932 novel by Neil M. Gunn, presents a more realistic view of village life. Gunn, after all, grew up on the bare coast of Caithness. Again, there is a lot of burning, another bedridden woman, an old madman, and a pregnant woman defending her home. The men are happy to obey the clarion call to defend the empire but do not fight for their own homes because they are conditioned to do what the Laird says and the pulpit encourages:

"These men had not merely the police against them, and all the power, civil and military, the police stood for, but, more potent than these, their age-long spiritual attitude to the authority of their chief and of their God."

Although names are changed, the setting is clearly Sutherland, the landlords are the Countess of Sutherland and her English husband, and the factor, Mr. Heller, is a thinly-disguised Patrick Sellar, Sutherland's factor (estate manager), who was tried for but cleared of atrocities carried out while implementing "improvements" to the estate. Like Blind, Gunn presents the Clearances

Breadalbane Blues

Robert Burns seems to have viewed emigration as liberation rather than exile. In 1786 he wrote an "Address of Beelzebub" to the Earl of Breadalbane, President of the Highland Society, whom he accused of devising "ways and means to frustrate the designs of five hundred Highlanders, who as the Society were informed by Mr. M'Kenzie of Applecross, were so audacious as to attempt an escape from their lawful lords and masters whose property they were, by emigrating . . . to the wilds of Canada, in search of that fantastic thing — Liberty."

The address began:

Long life, my Lord, an' health be yours,
Unskaited by hunger'd Highland boors . . .
Faith you and Applecross were right
To keep the Highland hounds in sight:
I doubt na! they wad bid nae better,
Than let them ance out owre the water,
Then up among thae lakes and seas,
They'll mak what rules and laws they please:
Some daring Hancocke, or a Franklin,
May set their Highland bluid a-ranklin;
Some Washington again may head them,
Or some Montgomery, fearless, lead them,
Till God knows what may be effected
When by such heads and hearts directed,
Poor dunghill sons of dirt and mire
May to Patrician rights aspire!

In 1901, James Mactavish of Waterside Doune, a tenant of the Marquis of Breadalbane, penned the following complaint:

It's Aa' the Markiss's

From Kenmore tae Ben Mohr
The land is aa' the Markiss's
It's aa' the Markiss's,
The land is aa the Markiss's

The mossy howes, the heathery knowes
An' ilka bonny park is his,
The beardie goats, the toosie stots
An' aa' the braxy carcasses;
Ilk crofter's rent, ilk tinker's tent
An ilka collies bark is his,
The muir cock's craw, the piper's blaw
The gillies hard days wark is his;
Yon castle haugh sae big an' braw,
Your diamond crusted dunkesses;
The burnin' hame, the burnin' shame,
The factor's dirty work is his;
The puir foks vexed, the lawyers' text
Yon schmeckin' legal shark is his.

From Kenmore tae Ben Mohr
The land is aa' the Markiss's
It's aa the Markiss's,
The world is aa' the Markiss's.

The chorus and first four verses are printed in *Chosen Words* by Ivor Brown, Penguin, 1955, under the listing "braxy" (which means "dying a natural death" — braxy carcasses were normally the shepherd's perks.). The last three verses appear in Dougie Macleans' stirring but over-cheerful musical setting of the poem at <http://www.youtube.com/watch?v=AqxUj4GhcPE> — worth hearing.

as an act of colonization, but he also explores the economic forces and the concept of agricultural improvement. Gunn was part of the Scottish Literary Renaissance, writers who believed literature could restore what they saw as a decayed Scottish culture. The bleak story ends on a faint note of regeneration, the reunion of a father and son, who carry the corpse of an old Highland woman toward their new life on "the distant shore."

While Gunn sees the Church as culpable, *Butchers Broom* does not feature a minister as a central character. His contemporary, Fionn MacColla, however, focuses squarely on religious hypocrisy in *And the Cock Crew* (1945). MacColla, too, uses the familiar Mackenzie imagery to describe the destruction and its impact on the people of the glen.

However, the central conflict of the novel is between Maighstir Sachairi, the minister, who decides God is destroying the community as punishment for its sins, and Fearchar the Bard, who sees it as a chapter in the history of English dominion. The village men, like those in *Butchers Broom* and *The Fire in the Heather*, are essentially passive, trusting their minister. The Patrick Sellar figure here is "the Black Foreigner," a man whose cruelty is rooted in his fear of the unknown, the otherness of the Gaelic-speaking tenants. The novel is deeply psychological. Readers learn early that the "defencelessness" of the people "exasperate[s]" the factor to "a lust of pure hate," but it is not until the end that MacColla reveals Maighstir Sachairi's personal history and its influence on his decision to betray his flock.

Patrick Sellar makes a third appearance, this time under his own name, in *Consider the Lilies* by Iain Crichton Smith (1968). Exile is a central theme in Smith's work, and this novel examines the Clearances through the eyes of an old woman who must face her eviction alone because her son has emigrated. Like MacColla, Smith exposes the role of the Church as the minister tells Mrs. Scott that the people "have deserved this" and that Patrick Sellar seems to be "a reasonable man, a man who must carry out his orders, albeit a man who will show humanity to the weak." While the voice of opposition in *And the Cock Crew* is a bard, symbolizing an ancient order, here it is Donald Macleod. Based on the historical figure, Macleod is a stonemason who also publishes journalism on the Clearances. Although he represents a newer, more urban and mobile Scot, visiting Edinburgh frequently, he is, like Fearchar, something of an outsider, ostracized in the community for his lack of belief in God.



A statue commemorating the emigration of victims of the Clearances from Helmsdale. There is a cast of the same sculpture in Winnipeg Canada where the emigrants settled.

Space precludes an exhaustive study here, but what is most remarkable about these examples of literature on the Clearances is their consistency, especially from the 1880's on. While the earlier Gaelic poetry is less polemical and more generalized, the later works are outspoken attacks on the Sutherland Clearances, the most infamous of all. As Richards emphasizes, historical documentation backs up this "popular version" of the Clearances. The image of the bedridden woman, for example, echoes the case of ninety-year-old Margaret Mackay, whose house Sellar was accused of having burned, thus causing her death. This was, Richards writes, an "appalling experience" for the small farmers that take centre stage in the literature. However, he goes on to argue that some of those who suffered most, the "anonymous sub-peasantry" of "cottars and squatters," as well as the many acts of resistance and the "communal

character of protest" during the Clearances, have been rendered invisible by this narrow emphasis. The issue of defiance has been controversial in the history of the Clearances. Richards concludes that there was "considerable resistance, passive and active," and that ministers were "by no means uniformly complicit," so the repeated depictions of the "pale-livered" men and the traitorous ministers help us forget real-life acts of courage. Similarly, when the event is framed simplistically as greedy absentee landlord with cruel lowland factor against warmhearted, hospitable, defenceless Highland community, it is easy to idealize poverty, ignoring the cycles of famine and the population growth that were major elements in the events.

Still, as Iain Crichton Smith points out in his own introduction, these are works of literature—not history—and however much they may distort or oversimplify, they constitute a powerful body of dissident voices raised in support of the powerless. As such it is no wonder that for the most part they have been dismissed to the sidelines, overshadowed by the giants of the canon.

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The Clearances

The thistles climb the thatch. Forever
this sharp scale in our poems,
as also the waste music of the sea.

The stars shine over Sutherland
in a cold ceilidh of their own,
as, in the morning, the silver cane

cropped among corn. We will remember this.
Though hate is evil we cannot
but hope your courtier's heels in hell

are burning: that to hear
the thatched sizzling in tanged smoke
your hot ears slowly learn.

Iain Crichton Smith

WILL THE REAL FARM LABOURER PLEASE STAND UP?

K D M SNELL compares Thomas Hardy's depiction of Dorset farm labourers with the testimony of real people.

Influential arguments have been made suggesting that Hardy is a dependable witness to the social history of Dorset. To Merryn Williams, for example, he was "the first writer to achieve the necessary range and realism of the novel of English country life". And Raymond Williams has written strongly in support of this view. According to him, "the fiction is not only about Wessex peasants, it is by one of them". Norman Page has argued that Hardy "demonstrates a strikingly well-informed acquaintance with the circumstances of [agricultural labourers'] lives" in *Tess of the D'Urbervilles* and *The Dorsetshire Labourer*, indicating his "intimate knowledge of the life and customs of the rural labourer, and his understanding of the forces that were making for change".

Many other authors have made similar arguments, including some of Hardy's contemporaries. Charles Kegan Paul, for example, preferred Hardy's presentation of the "rustic" to that provided by George Eliot: "Only a few [writers] have attained to know the labourer as he is, and fewer still have written, or can write about him with truth and insight, yet without false condescension."

Hardy himself made similar claims for the accuracy of his representation of rural life in the General Preface to the Wessex edition of 1912:

"At the dates represented in the various narratives things were like that in Wessex: the inhabitants lived in certain ways, engaged in certain occupations, kept alive certain customs, just as they are shown doing in these pages . . . I have instituted inquiries to correct tricks of memory, and striven against temptations to exaggerate, in order to preserve for my own satisfaction a fairly true record of a vanishing life."

But how accurate is the picture of rural life painted by Hardy? To assess this, it is necessary to sketch briefly the local and economic context. Dorset by the mid-nineteenth century had achieved an unenviable position, which it retained throughout Hardy's life, as having the lowest wages of any county in England. Only Norfolk in the later 19th century, parts of Suffolk, and South Wiltshire could rival it in this regard. In 1850 its average agricultural wage was 7s 6d and in some areas it was as low as 6s. Dorset's real wages fell very markedly in the 50 years after 1770, and astonishingly it was as late as 1880 before they rose back to their 1767-70 level. The rise after about 1872 was mainly due to large-scale out-migration and agricultural trade unionism and occurred despite the late 19th century depression. The fact that during



Members of the agricultural workers union, after eviction, Milbourne, Dorset 1874

the depression farmers were still able to increase money wages points to considerable exploitation of wage labour earlier.

In this context it is instructive to quote at length the views of two Dorset agricultural workers interviewed by Alexander Somerville in his book *Whistler at the Plough*.

A labourer; with a wife and two children; and wages of 8s weekly.

"It be not much, be it?"

"No, it is not much. How do you manage to live?"

"Not well; and there be three more - wife and two children. We had another boy, but he died two weeks aback; as fine a boy as you could wish to see he wur, and as much thought on by his mother and I; but we ben't sorry he be gone. I hopes he be happy in heaven. He ate a smart deal; and many a times, like all on us, went with a hungry belly. Ah! We may love our children never so much, but they be better gone; one hungry belly makes a difference where there ben't enough to eat."

"You must have a very hard struggle to keep yourselves alive?"

"Ees, hard enough. It makes one think on doing what one would never do, but for hunger. . ."

"He, the late Lord I mean, was a clergyman - was he not?"

"I've heard he wur once, but I don't know much of what he wur, 'cept that he transported me".

"Transported you! What for?"

"For poaching. I got seven year; and wur killed near almost. And they killed my brother at once - knocked his skull to pieces".

"Who - the gamekeepers I suppose? Did you make much resistance?"

"No; I heard them fall on my brother, and I wur fifty yards from him. And when I wur hiding, they came and took hold on me, and beat in my skull. Here, you can feel with your hand; out of that part, and this, and this, eleven pieces of bone were taken. I never wur expected to live for a long time. No, I never made no resistance; for they had broken my head and killed my brother afore I knew they saw me."

He wishes, he says, and prays to God, that he could now for himself and family at home have such an allowance of food as he had in the West Indies when a convict.

"We had a terrible good living", this was his expression, "by as ever I had for working in England. Fresh beef three times a-week, pork and peas four times a-week. . . father died soon as I wur gone — one son killed, and me a'most, and then transported, wur too much for him to stand. Ah! He wur brokenhearted."

A labourer putting flints on the highway.

He says he has eight shillings a week, and has received notice that after next week he will only have seven. Says he saw me talking to old-un, and would like to know what he said about wages. I told him that we talked of many things, but I forgot to mention wages. . .

"And what did old-un say to thee then?"

"He said he never forgot anything".

"Never forgot anything!" exclaimed the labourer, as if highly amused with his examination and my replies; "Never forgot nothing!" he again repeated, "no, old-un be not likely to forget nothing as will put a penny in his pocket and keep it out of another man's. Old-un won't forget that he told his men last week he would take them down a shilling; but he be's a long as a journey from here to London on a pig's back afore his memory be's good enough to raise wages, at the time he promises when he takes them down!"

And having thus spoken, he applied himself with great vigour to his work. . .

"I ben't no farmer myself; wish I wur".

"Why do you wish you were?"

"What do thee think I work for?"

"For wages".

"And how much do thee think I get I"

"You told me you had only eight shilling, that you are to be reduced to seven".

"And how much do thee think I eat over a whole week out of that?"

"I cannot say; I should like to know; perhaps you will tell me?"

"Suppose, rather than I tell thee, that thou tries. Take thee to breaking flints and making roads at eight shillings a week for a year, do thee think thou could tell what thee lived on? . . . Well, an I wur a farmer I would always have as much to eat as to be able to know what it wur; I don't be able to tell it now at times, 'cause how I go with an empty belly so often that my grub ha'n't no name. Ah! you be a precious lot o' hard screws on a poor man, the whole lot of you be . . . I see you ha' got a good coat on your back, and a face that don't look like an empty belly; there be no hunger looking out atween your ribs I'll swear. You be either a farmer or somebody else that lives on somebody else. May be you be a lord for aught I know on; or a squire; or a parson, dang it you be a parson perhaps! One thing I see, you ben't one of them as works fourteen hours a day, to feed lords, and squires, and parsons, and farmers; dang the farmers, they be the worst of the lot of ye".

"Why do you think the farmers are the worst?"

"Why! What need of me to tell you why? You wouldn't believe me wur I to tell why; but I dare say you know without telling. I

dare say you be one of them as has your daughter, an you ha' a daughter, playing the piano on a Saturday night to drown the noise of them brutes of labouring men what come to get their wages through a hole in the wall; what cannot be allowed to set foot within a farmer's house nowadays; what must be paid through an opening in the partition, lest they defile the house of a master what gets rich as they get poor; a master what must get his daughter to play music lest the voice of a hard-working man be heard through the hole in the wall! Ah! It be enough to drive men mad; it ha' made men think on things they never would ha' thought on".

"But", said I, "you are wrong in supposing every person to be your enemy who is not one of yourselves. Do you speak of a farmer in particular who pays his men through a hole in the wall while his daughter plays the piano inside, or do you say all the farmers do so?"

"Oh, you know, master, what I mean; you be not such a stranger here as you would make me believe. . . I dare say you be about to go and tell all you heard me say now. I dare say you be one of 'em as come from London to kill game, that a poor man, like I, must not look at. Ah! I don't care; we must just go on. We be all like to have justice sometime; there ben't no noblemen in heaven, they say. . ."

"Will there be any poor men there?"

"Not an the rich can help it; not an the rich can keep the poor out, I should think. But I be told no rich be to get there neither. . . Ah! I ben't like to be much longer here; I be like to try my hand in another part of the country. Seven shillings won't do; eight wur bad enough, but seven won't do".

Rural Radicalism

These statements make clear the subjective feelings and experience of farm labourers in a way never found in Hardy, and provide a good indication of the range of discontents: for example, the game laws, low wages, pretentious living standards of the farmers, or the bad diet and difficulty in keeping their families alive.

There had been much unrest in Dorset earlier — for example, the "Swing" rioting of 1830-1, particularly acute in the Blackmoor Vale, where Hardy lived — and this continued throughout the nineteenth century, falling off during the briefly profitable mid-century years, but very evident again from about 1870. One recalls also the nonconformist and trade union organisations (the early case of the Tolpuddle Martyrs in 1834 comes readily to mind), and evidence of political radicalism. A reporter for the *Morning Chronicle* wrote as early as 1850 of his being

"Astonished at the extent to which I have found Socialist doctrines prevailing among the rural poor [in Dorset] . . . their progress being promoted, if it was not originated, by the daily contemplation of their own wretched lot. . . They contend that they have "a right to live, and to live comfortably, as well as the best of them", and they. . . reason with themselves that they cannot do this until land is treated not as a property, but as a trust. . . They are becoming more and more imbued with these sentiments, and many of them will tell you so."

And the rising money wages after 1872 bear witness to the effects of rural Unionism, which significantly came as a surprise to many contemporaries who held to the bovine and Hodge-like stereotypes of the labourer. As late as the 1880s and 1890s there was so much arson in some areas of



"The postures and gaits of the women . . . their knuckles being mostly upon their hips (an attitude which gave them the aspect of two handled mugs)." (*The Mayor of Casterbridge*). The woodcut is Agnes Miller Parker's illustration to Hardy's poem *We Field-Women*.

How it rained
When we worked at Flintcomb-Ash
And could not stand upon the hill
Trimming swedes for the slicing-mill
The wet washed through us — plash, plash, plash:
How it rained!

How it snowed
When we crossed from Flintcomb-Ash
to the Great Barn for drawing reed,
Since we could nowise chop a swede.
Flakes in each doorway and casement-sash:
How it snowed!

How it shone
When we went from Flintcomb-Ash
To start at dairywork once more
In the laughing meads, with cows three-score,
And pails, and songs, and love — too rash:
How it shone!

Great poem, great illustration . . . but how accurate is Hardy's frequent depiction of women employed in field work? K D M Snell writes that by the late 1860s "where women continued to work it was mainly in a dairying capacity. Rider Haggard was struck merely by two women helping a shepherd to pick swedes, which he described as 'a very curious sight'. The accounts of Flintcomb Ash, or of Tess on the threshing machine, were assuredly not realistic portrayals of female work in the 1880s."

Dorset that it was reported, and later recalled by elderly labourers, that many young men dared not go out in the evenings for fear of being accused as arsonists.

Poetic Licence

This then was the economic environment and class context of Hardy's Dorset. Parts of it may be familiar from his novels. But we should now consider the extent and limitations of his "realism". Hardy was hardly a peasant: his father was a builder, and employed six or more men, and Hardy himself trained as an architect in London. He attended an expensive school in Dorchester where he learnt classics, literature, and mathematics; he moved socially among the London literati for much of his life; he insisted on his family having an old Dorset lineage and when in "Wessex" he lived comfortably in Sturminster Newton and Wimborne; and he carefully cultivated his connections with the landed and professional classes.

Hardy's first novel, *The Poor Mall and the Lady*, was rejected by Macmillan explicitly because of its attack on the middle classes, and Hardy rapidly learnt the lesson; indeed he had to in order to be published in *Longman's*, *Blackwood's*, *Cornhill* and the other magazines where much of his work first appeared. (In 1912, Hardy admitted that in *The Distracted Preacher*, a story he had written for a magazine 30 years earlier, he felt obliged to marry off the heroine to the preacher, when he would have preferred her to emigrate with the local smuggler.) And as he rose socially there were even stronger reasons to eschew realistic portrayal. He would of course have been a far less successful writer had he not done so, for the attitudes of the labouring poor were a worrying matter to his country readership, who preferred reassurance. Those who did attempt a realistic portrayal of the labouring poor — one thinks, for example, of George Morland or Alexander Somerville — usually paid the penalty and lived and died in penury.

Thus, although set in a rural context, agricultural labourers feature remotely in his novels, and very rarely as developed characters. Jude's early crow-scaring gives way to his scholastic aims and work as a stone-mason. Henchard's work as a rather incompetent hay-trusser rapidly ends as Hardy scoops him up to become mayor of Casterbridge (an incredible feat of upward social mobility, surely far beyond the reach of a nineteenth-century rural labourer in Dorset). Tess' work in the fields is described to epitomize her degradation and humiliation, rather than to portray the experience and sentiments of agricultural labour as a class. Gabriel Oak's dependable and responsible values are clearly thought to pertain more to the farm bailiff or small owner-occupier class than to labourers dependent on short-term hired labour.

And other developed Hardy characters bear even less proximity to "Wessex peasants" — by now, of course, not a "peasantry" in any sense of the word, but an agrarian proletariat with almost no opportunities for upward social mobility in rural society. Hardy ignored the disagreeable conditions of Dorset and romanticized or remained silent on the issues highlighted in government and other reports. In his 1883 article *The Dorsetshire Labourer*, he reassured the reader:

"The farm labourer is the most peaceful of all men, the

least given to agitation . . . Permit him to live and he is satisfied. He has no class ill-feeling, either against farmer or landowner, and he resists all attempts to introduce ill-feeling. He maintains a steady and manly attitude, calm, and considering, without a trace of hasty revolutionary sentiments."

And yet this was a period when fire insurance companies refused to insure farmers against arson in many areas of Dorset; when cattle maiming could take on ugly proportions; when the agricultural unionist George Edwards wrote of how "the whole countryside was seething with discontent"; when attacks on poor law guardians and relieving officers were regularly reported in county newspapers, insisting on an intensification of the rural police force.

If Hardy's discussion in *The Dorsetshire Labourer* fell into the usual dismissive stereotypes, how did he present the rural worker in his novels? Repeatedly, one finds an image of comic and derisory Hodge, with an occasional touch of ludicrous magniloquence. Hardy's "rustics" in *The Mayor of Casterbridge* giggle: "I do, hee-hee, I do", "Ay — that I do — hee-hee"; and in depicting Abel Whittle, Christopher Coney, Buzzford, "and the rest of that fraternity" he clearly had his readers' amusement in mind:

"There is sommit wrong in my make, your worshipful!" said Abel, "especially in the inside, whereas my poor dumb brain gets as dead as a clot afore I've said my few scraggs of prayers. Yes - it came on as a stripling, just afore I'd got man's wages, whereas I never enjoy my bed at all, for no sooner do I lie down than I be asleep, and afore I be awake I be up. I've fretted my gizzard green about it, maister, but what can I do?"

What indeed? After all, wrote Hardy, these were "farm-labourers and other peasants, who combined a little poaching with their farming and a little brawling and bibbling with their poaching" — a "mixed assemblage of idlers". As for their wives, their seeming industry and cleanliness was "belied by the postures and gaits of the women. . . their knuckles being mostly on their hips (an attitude which gave them the aspect of two-handed mugs), and their shoulders against doorposts". Even the language of movement implies animalistic comparison: "Whittle then trotted on down Back Street." And Hardy makes clear that Whittle was, of course, illiterate.

In *A Pair of Blue Eyes* Hardy even names two lower-class villagers "Lickpan" and "Worm", and their names are matched by their stupid and derisory behaviour throughout. Or in *The Hand of Ethelberta* the hostler refers to himself and the milkman as "you or I or any other poor fool". The conversation continues: "I think to myself, more know Tom Fool than Tom Fool knows."

"Ah! That's the very feeling I've feeled over and over again, hostler, but not in such gifted language. 'Tis a thought I've had in me for years, and never could lick into shape! - O-ho-ho-ho! Splendid! Say it again, hostler, say it again! To hear my own poor notion that had no name brought into form like that - I wouldn't ha' lost it for the world! More know Tom Fool than — than — h-ho-ho-ho-ho!"

And the "ho-ho-hoing" continues for the next two paragraphs. In a similar passage in *A Pair of Blue Eyes* each rustic is given his own onomatopoeic guffaw, like so many donkeys:

"Ha, ha, ha! . . ."
"Haw, haw, haw! . . ."
"Huh, huh, huh"
"Hee, hee, hee!"

Each laughs in turn to the same silly joke, told for the "thousandth" time by "Lickpan" himself. The descriptions could be multiplied endlessly — all approximate closely to the usual reassuringly comic and bovine stereotypes, and have nothing whatever in common with the deeply felt statements recorded in Dorset by Somerville. Reading Hardy's descriptions, landowning and tenant farmer classes could readily ignore their guilt over the condition of the labourer. Hardy's own "rustic" in the novels came close to the one he outlined at the start of *The Dorsetshire Labourer*:

"A degraded being of uncouth manner and aspect, stolid understanding, and snail-like movement. . . Hodge hangs his head or looks sheepish when spoken to, and thinks Lunnon a place paved with gold".

The argument that Hardy was a "peasant", immersed in the values of the labouring poor, writing about them in an unprecedentedly realistic fashion, seems misplaced. Certainly one finds in Hardy (and perhaps this is more common in his earlier writing) occasional mention of overcrowded cottages or accounts of agricultural work, occasionally perceptive descriptions of the experience of landscape and geographical horizon, or accounts of village superstitions, and I do not wish to discount these. In his emphasis on problems of personal alienation and marital estrangement, he was firmly embedded in and responsive to the social history of the period.

But the novels rarely enter seriously and sympathetically into the area of labourers' values, priorities, and subjective experience, and are revealingly reticent on the actual conditions of life in Dorset: on the low wages and unemployment; on the prevalence of and reasons for religious nonconformity; on the reality and character of political belief; on the agricultural unionism and bitterness of class antagonism; on labourers' attitudes to work and the use of the land; on working-class sexuality; on familial relationships and the treatment of the elderly; on the notorious hostility to the New Poor Law and its administrators. For Dorset, these and other matters bearing on social relations and the standard of living were being brought constantly to the attention of contemporaries by parliamentary blue books and newspaper reportage. But one finds them ignored in Hardy, and replaced by a romanticising and pastoral gloss which, from the viewpoint of the social historian, is simplistically misrepresentative in suggesting an amiable docility of labourers seen largely as bucolic clowns. This misrepresentation held reassurance for the agricultural employing class and Hardy's readership, and reveals its political partiality in all that it deliberately omits and discounts.

This article is drawn from the first half of "Thomas Hardy, Rural Dorset and the Family" in *Annals of the Labouring Poor: Social Change and Agrarian England 1660-1900*, Cambridge, 1985; other aspects of Hardy's work are also discussed in Professor Snell's original paper, for which there is no space here.

EVERYONE'S RIGHT

Swedish rights to common land owe their existence to a strong peasantry writes **LOUKAS CHRISTODOULOU**

Public access to land in Sweden is not a privilege, it is a long cherished right. Gathering berries and mushrooms, hiking across and even camping on private land are all liberties enshrined in the Swedish constitution. This has come about, not due to the benevolence of landowners or governments, but due to centuries of struggle, which have given rise to fundamental Swedish beliefs and social practices regarding the nature of land use and ownership. Broadly similar land laws also exist in Finland (united with Sweden from c.1000-1809) and Norway (united with Sweden 1814 and 1905) and, to a much lesser extent, in Denmark.

The *allmansrätt* — meaning “everyone’s right” — was only written into law in 1994, and so it is wrong to look at it as a ‘law’ as such. The story of the *allmansrätt* is the story of the defence of people’s right to use in common the land and the forests. It is a story of the victory of social norms over the interests of state power and landowners’ greed. Even today there is no real, solid, definition of the right — it still remains based on a vague concept of what is “fair”. The Swedish environmental protection agency (*Naturvårdsverket*) interprets the *allmansrätt* according to the motto “don’t disturb, don’t destroy.” So collecting berries is OK, but taking away a berry bush is not. Camping on someone’s pasture or within a national park is OK, but camping in someone’s garden, or hiking across a sown field, is not. The *allmansrätt* is therefore constantly being renegotiated and redefined; its story is not over. It does not, for example, apply to golf courses, an example of a re-negotiation in favour of landowners. But its power is that its roots run so deep in Sweden’s society that any general assault on it by farmers or tourist industry is almost unthinkable.

Stand Up for Your *Allmansrätt*

The Swedish peasantry was never enslaved. While the vast majority of Europeans lived in serfdom or other forms of bonded labour, the medieval Swedish peasantry consisted of free farmers. In fact, the Swedish word *bonde*, meaning a cultivator of the land, does not discriminate between rich and poor — whereas it is hard to find any word in English which does not assign a land worker to a particular social level.

By 1560, after the dissolution of church land, independent peasants owned 62% of the land. As far as can be made out from the historical sources, these peasants, although formally tenants of the crown, had the right to own and work their land as long as they paid state taxes. Directly owned royal land formed 21 per cent of all land and the nobility’s share was 16 per cent. This was in stark contrast to the picture of land ownership across the rest of Europe, where the crown and the aristocracy dominated, apart from exceptions such as Norway and Switzerland.

Dating from the late middle ages, these free farmers formed one of the four groups within the Swedish assembly of “estates” (the rest of the *ståndersförsamlingen*, as it was called, comprised the clergy, the nobility and the rich townspeople or burghers); the only European equivalent at this time was in Switzerland. Farmers and peasants who were taxpayers or crown tenants also

had representatives in the Swedish parliament (*riksdag*) from 1527. This was partly a recognition by the new king of the powerful role that peasant revolts had played in winning Swedish independence from feudal Denmark.

The pre-industrial collective farming practices that fostered the idea of common land usage were similar to those that existed in England. Hay and grazing were organised collectively (*allmän betesmark*). The wasteland (*utmarken*) was common land (*allmänning*) and all could use it for their own needs. The plot (*teg*) that a family worked was theirs — inasmuch as they had the right to harvest what they had sowed. However, after the harvest all could graze their animals on the grass and weeds that grew on the plots. Sowing of plots was therefore organised collectively to ensure that enough grazing was always available. The *utmarken* was also used for grazing and as a timber resource (*virkesförråd*). The strength of this customary usage of the wasteland can be shown in the way it spread to other forms of land: crown parks, for hunting, were also seen by peasants as legitimate areas for timber foraging, even though this was not formally allowed by law.

Use of the common land did diverge across the regions. In South and Middle Sweden, the *allmänning* became the exclu-



Sandvik warriors: sketch of Swedish peasant soldiers, drawn by Paul Dolnstein, who fought against them on the Danish side (c 1502). Swedish peasants used staff-swords (swords mounted on a long haft) made out of local metal which in 1555, Olaus Magna described as “excellent steel, found in the North in such abundance, that it to the fullest fulfills the need for natives’ cuirasses, helmets, swords and spears.”

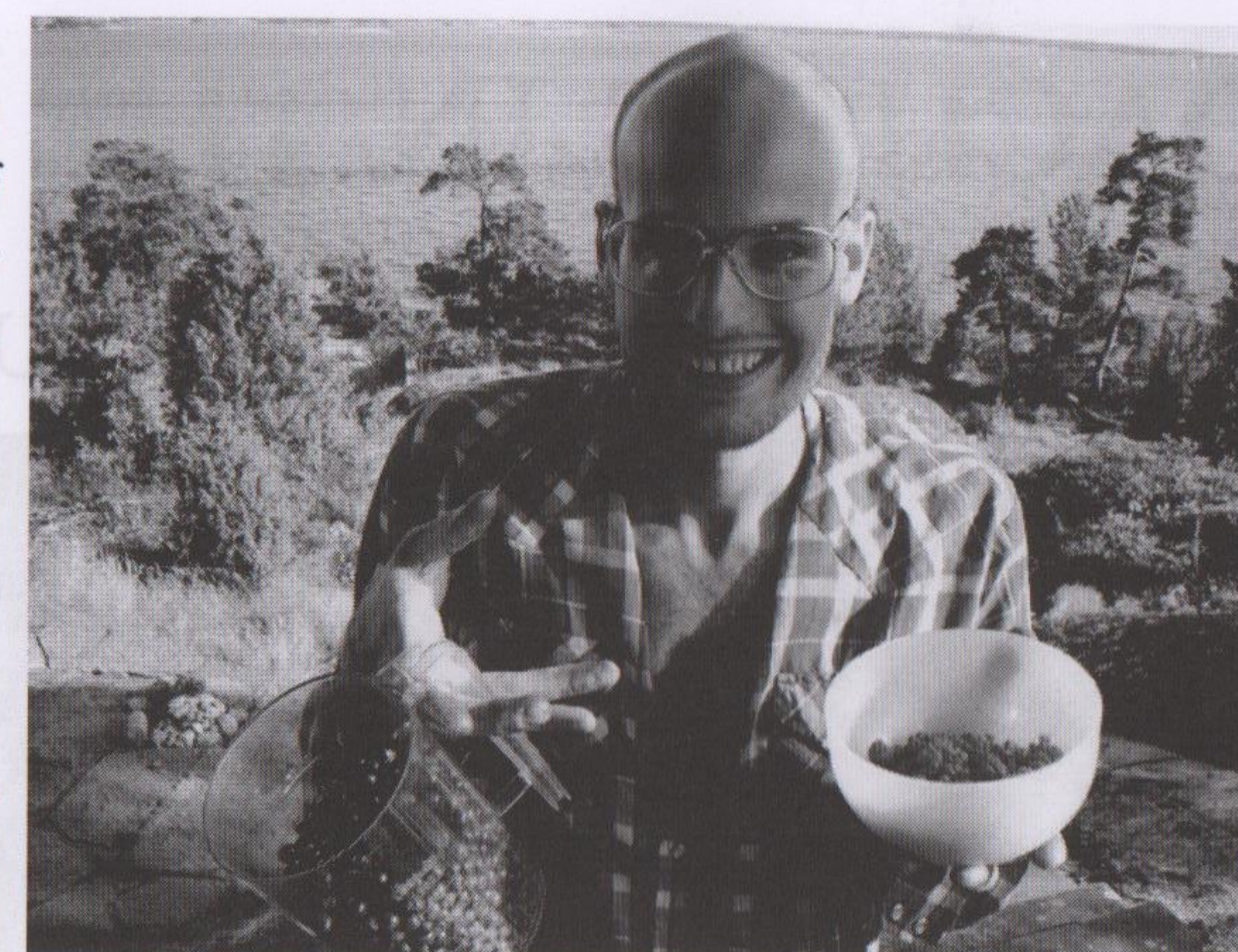
sive right of a limited group of owner-farmers while in the North and in Dalarna, in the middle of the country, the meaning of the word was completely different. Prior to the 19th century most northern forests were not even subject to the same exact drawing of borders between different settlements as in the south.

Close Shaves with Enclosure

There were no Swedish peasant uprisings from 1543-1743. This was partly a result of the success of previous revolts. Peasants were represented in the parliament and supported in their grievances in the local courts (*ting*). However during the 17th century the nobility started to encroach on independent peasant land — with the result that the peasants’ share declined from 62 per cent to only a third in 1700. This could have been the beginning of a process of enclosure — as had taken place in England a century earlier. Through the imposition of punitive tolls and taxes nobles attempted to drive peasants to ruin and then buy up their land cheap. To support the peasants against the nobility’s encroachments the crown appointed, or influenced the appointment, of the local judges. These judges usually decided verdicts based on common-law, a crucial key to the preservation of customary rights and freedoms. In comparison, the peasants in Skåne on the southern tip of Sweden (then ruled by Denmark) faced a nobility that sat in direct judgement over local courts, leading to harsher punishments and greater abuses of power. In Sweden, the nobility’s attempt to encroach on the land of peasants and bring it within the *säteriar*, the manor lands, only affected about 10 per cent of independent peasant land.

Miscarriages of justice by nobles did occur, but the legislature provided a recourse to members of the public oppressed by taxes. From court records we can read of big landowners, like the aristocrat Louis de Geer, being warned by the law that no violence must be done to the common people. In 1672 the noble Jacob Fleming complained to the winter assembly (*vintertinget*) that “his” peasants only came with one draught animal to perform the day labour owed to him. He also complained about how much they used the fruits of the forest — bringing two carts to hold their takings. But the district court (*häradssättan*) judged against him. This situation stands in contrast to that of, for example, medieval and early modern England, where the royals only occasionally protected the common people against the enclosures and other abuses carried out by nobles and wealthy landowners. In Sweden a well organised and militant peasantry was a force to be reckoned with.

This period of relative social peace and legal defence of peasants’ rights continued right up until the dawn of the modern age. In the 1740s, Sweden declared war against Russia (again) and soldiers mutinied when ordered to the battlefield in Finland. These soldiers were members of the county regiment of Dalarna, stronghold of one of the most powerful peasant movements. When this news of the mutiny of their regiment reached Dalarna the peasants rose to support them. They imprisoned the county’s governor and other officials and, mingling with the mutinous soldiers, marched on Stockholm, which they effectively controlled for several days. The frightened government ordered an attack. Forty rebels were killed, although



PYO Swedish style: berries are abundant on common land.

some troops had refused to fire. Six rebel leaders were sentenced to death, as were the soldiers who refused to fire (later commuted to a lifetime of hard labour). But this episode showed that the government could not rely on an army of peasants’ sons to crush peasant revolts: even the elite Stockholm garrison had not proved trustworthy. The government and the parliament from then on became responsive to peasants’ demands, placing the common people in a very strong position for the coming modern industrial era.

Although in 1700 the crown and the nobility each held one third of the land, by 1878 the peasants’ share of the land was back to 60 per cent, while the nobility’s share was untouched. Since the beginning of the Great Northern War (1701) the Swedish state had been desperate for cash, and had encouraged richer peasants to buying up crown land. Selling crown land to well-off peasant proprietors meant it was worked harder, and the crown got a guaranteed income from the farmers’ tax and rent. A number of the peasantry had been getting richer thanks to the rising demand on the market for food. State taxes were levied as a flat rate on land, not on goods sold, so it paid well for farmers to produce more. In addition the 18th century’s rising inflation caused tax, in real terms, to sink for peasants. It was those who were paid in cash — army officers and public officials — who saw their situation worsen during this period. But as we have already seen, the government did not dare to press the strong peasantry on the issue of taxation.

The 19th century saw growing class differences between farmers and the landless (*obesuttna*). Even by the 18th century it was not the crown tenants themselves who were able to buy crown land as it was mostly independent peasants who had the money. Why did the rise of capitalist agriculture not result in enclosures of common land and the ending of collective land rights? My theory would be that there was no lack of land in Sweden, especially in the northern forests, and the newly market-focused big farmers were, nevertheless, bound by a network of obligations to other, smaller cultivators, for whom collective land use was part of their way of usefully working the land.

Even in modern Sweden the pressure not to stick out, not to seem ostentatiously successful, is enormous. How much bigger must it have been during a period where most communities were used to surviving by sticking together and by maintaining strict equality. A web of traditional laws and community norms must have helped to stave off a land-grab by the bigger farmers, and to make sure that, even when arable land was increasingly owned by certain farmers, it was seen as ‘everyone’s right’ to forage, hike and camp on it.

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Main Sources: Behre, G., Larsen, L.-O., Österberg, E., Sveriges historia, 1521-1809, (Stockholm, Liber, 2001); Myrdal, J, Svenska jordbrukets historia v.2: Jordbruk under feudalism 1000-1700, (Natur och kultur, 1999).

This has been a brief attempt to sketch out some of the history around the Swedish struggles over land. If you have any comments or suggestions, please contact Loukas Christodoulou via *The Land*.

POACHERS IN THE ALPS

HEROES OF A CLASS STRUGGLE

The following account is drawn from an article by **ROLAND GIRTLER, and GERALD KOHL** in the guidebook of the Poachers' Museum at St Pankraz, Austria.

The Spanish philosopher José Ortega y Gasset wrote in his Meditations on Hunting that a poacher "is a distant likeness of a stone-age man, he is a stone-age man who has been touched by culture, an eternal troglodyte living in our villages. Frequently abiding in the solitude of the mountains, he has succeeded in adjusting his instincts a little, instincts which amongst city-dwellers are in tatters . . . A poacher still gives off the faint smell of predators, and his eye is that of a fox, a marten or a ferret."

When a civilized hunter, Ortega continues, "glimpses a poacher in the wild going about his work, he realizes he himself is no hunter; that for all his expense and effort, he will never penetrate the mysteries of the chase as deeply or richly as the poacher."



The hunt, whether carried out by the nobility or poachers, has always exerted a singular fascination upon men. Even in many ancient cultures, the status of hunters was esteemed and members of the hunting caste would keep a lofty distance from less worthy people. Over the centuries it has remained an honourable activity, even whether or not it is carried out for subsistence reasons.

Since hunting has always been viewed as a noble activity, those who wish to keep it so have an interest in restricting access to the hunt and making it accessible only to people in high circles. Since time immemorial they have gone to great lengths to prevent the common man, the peasant or the woodsman, from taking part. For this reason, no doubt, Kaiser Franz Joseph, who ruled Germany for 68 years until 1916, made a point of collecting his own hunting permit in person from the local captain's office in Gmunden. Franz Joseph was given, like others of his kind, to going hunting with a huge retinue of professional marksmen, whom he embellished with pompous decorations and titles. They would bag ostentatious quantities of wild animals, to which the enormous amount of antlers in the Kaiser's villa BadIschl is a grotesque testament.



Kaiser Franz Josef dressed for the hunt.

But it was not only aristocrats who gained renown as hunters. Successful poachers were respected, not only amongst the common people, but even amongst citizens of good standing, for their pluck, their taste for adventure, and their insistence upon their primordial rights. Although poachers broke the law – or perhaps for that very reason – people were fascinated by them. The songs and legends celebrating poachers are rooted in an ancient culture of resistance, which stretches back to the time when peasant farmers began to be exploited and humiliated by the aristocracy.

The origins of the right to hunt remain unclear. According to ancient Germanic law, any free peasant has the right to hunt. Poachers in bygone times used to call upon this law in support of their right to hunt. But as the centuries passed, increasing areas of woodland were turned into hunting reserves for kings and nobles, and became no go areas to the peasantry. Feudal lords would bestow hunting rights, independent of property, as a remuneration for vassals.

The right to hunt for the table was not the only factor that prompted peasants to take to poaching — the rearing and protection of game caused great inconvenience to peasants and damage to

their crops, and the complete lack of concern on the part of the nobles engendered deep resentment. In many areas, peasants were not permitted to enter woodlands, in order to avoid disturbing the royal stag or the baronial wild boar. They were forbidden to protect their fields with fences from the ravages of deer and other pests and noble hunters would ride over their land.

The peasants' insistence upon their right to hunt was a central demand of the wave of peasant uprisings in the 16th century. The "Bundschuh" (or "Peasants' Boot") rebellion of 1502 demanded full freedom to hunt. In 1521, Thomas Münzer, the millenarian communist leader of the revolt in Thuringia, spoke out against the Sachsenspiegel (the most significant German legal code of the Middle Ages):

"Furthermore, it is forbidden for the peasants to catch game, birds or fish, which seems to us both unseemly and unbrotherly. The authorities even wish to keep game for the purposes of causing damage."

In 1524 the great Peasants' War broke out, mobilizing an estimated 300,000 insurgents. The most influential manifesto of the moment was the so-called *Twelve Articles of the Peasants of Upper Swabia*. A contemporary called them "the fundamental and proper principal articles of all the peasantry and the bane of spiritual and temporal authorities, because of which they feel aggrieved." Several of these articles referred to woodlands and the fourth, to hunting, demanding the freedom to shoot, and to capture birds and fish, since "as the Lord God created mankind, so He also gave him authority over all animals, over the birds in the sky and the fish in the sea." It appeared to the peasants "quite unseemly and unbrotherly . . . self-serving and not befitting of the word of God" that no "poor man" should be permitted to catch game, birds or fish. And again, attention was also drawn to the damage caused by the game.

The Rise of Private Property

After the defeat of the peasant rebels, in 1525, and the slaughter of an estimated 100,000 of them, territorial sovereignty was reinforced through the incorporation of concepts of absolute property rights, derived from Roman law. This provided a new theoretical basis for hunting rights: lords were now sole proprietors of their land and thus the only ones with an inalienable right to hunt.

This led to disputes between the aristocracy, and lower orders of nobility who now owed their rights to the munificence of the feudal overlord. As a rule, this ended in an arrangement whereby "lower-order hunting" involving smaller animals fell to lower status groups, while "higher-order hunting" of royal animals such as stag and ibex accrued to the territorial lords.



Peasants in the Bundschuh rebellion fighting under the colours of the laced boot.

The controversies between the territorial lords and their immediate underlings aggravated the situation of the peasants, who now suffered from an increased appetite for hunting on the part of the lesser nobles. Peasants were forced to serve as beaters, to entertain hunters and to carry home the quarry, and still they had to put up with huntsmen riding through their fields and destroying their crops. The damage and injustice increasingly convinced the bolder peasants that, with all hopes of revolutionary communism now dashed, the best option was to turn to poaching.

Since hunting was a symbol of courtly life, poaching was considered by the upper classes to be a form of disrespect, and from the 16th century onwards, miscreants were treated with increasing severity. Sentences imposed upon poachers depended on the type of animal shot and on the method, whether working in bands, by night, or for commercial purposes. Punishment included chopping off a hand or plucking out eyes, or a sentence to the galleons, public works (usually digging trenches), imprisonment or military service. For lesser offences, fines were imposed, or the malefactor was put in the stocks. There were particularly harsh penalties for collaboration: often an entire family was evicted from their home and farm, and banished from the area. The Empress Maria Theresa dispatched poachers to Hungary "to dig trenches in irons".

The death penalty was sometimes used — Matthias Klostermeister, known as the "Bayrische Hiesel" was executed in 1771 by the wheel, the most barbaric of all medieval tortures. But the imposition of the death penalty led to legal quibbles as to whether or not it would be just to condemn a poacher to death over an animal.

However none of these sanctions stemmed the tide of poaching. Emperor Charles VI's "poacher's licence" of 23rd March 1740 has a weary tone about it: "Despite proclaimed prohibitions, the



The Bayrischen Hiesel looked more like Cyrano de Bergerac than Robin Hood.

nuisance caused by poachers is on the increase in stately and even regal circles. Despite these prohibitions, poachers are still to be seen with weapons, gunpowder and lead. Therefore it is forbidden anew: 1) On all sovereign and other lordly hunting grounds, it is forbidden to shoot game; riotous assemblies and dangerous threats are to be averted. 2) It is forbidden for subjects to purchase gunpowder and lead, and this will be deemed as a sign of breach of the peace . . . 4) Those who take part in riotous assemblies will be considered as having breached the peace and will be dealt with accordingly."

The peasants do not seem to have been greatly deterred by this order as a further order dated 19th January 1741 states: "In order to combat poaching, military assistance is requested in an emergency by way of a military commission"

The policy of zero tolerance against poachers continued to have little success. Bolder peasants carried on poaching undeterred, and they had the backing of the populace. It became a source of pride to be arrested for the theft of game, as this verse from central Austria in the early 1800s shows:

I shot a chamois
On Stoder's peak
Now I'm in chains
Because of the beak.

From the 17th century onwards poachers rather than revolutionary rebels such as Munzer, became heroes of the common people. Famous poachers such as the 18th century Matthias Klostermeier, also known as the "Bayrischen Hiesel",



Archduke Franz Ferdinand after a hunt



The Dairy Hut, a 19th century illustration. Poachers could hardly fail to get on with the dairymaids who made cheese up in the mountain pastures during summer. Is the look of concern on this poacher's face because he fears it is a gamekeeper approaching up the track? Or might it be a rival for the milkmaid's affections? Or even her father?

the 19th century Georg Jennerwein or the 20th century Pius Walder, have all been commemorated in verse and song. The Bayrischen Hiesel, an Austrian equivalent of Robin Hood, was leader of a band of poachers who championed the interests of the poor and shared their booty with them, until he came to his sticky end.

Peasant Clearances

After the 1848 Revolution, thanks to a motion proposed by the 25 year old student Hans Kudlich, peasant liberation was granted, seignory was brought to an end, and aristocratic hunting privileges were abolished. Hunting rights were now exclusively tied to property, and in practice the right to hunt was dependent upon owning a plot of land of 115 hectares or more. The proposals for more open access to hunting circulating during the revolution did not materialize, because the newly liberated peasant in the mountains was now under massive financial pressure. Under the terms of the agrarian reform, they had to pay monetary compensation to the lord of the manor for part of the loss which he had suffered. Large numbers of peasants fell into debt and buyers with financial muscle, such as old aristocrats and bankers, were able to take possession of peasant properties, a process which continued until the Second World War. In his book *Jakob der Letzte* (The Last Jacob), Peter Rosegger describes how peasant liberation turned into peasant clearances and small farmers were forced from their lands, while their properties were auctioned off to pay off their debts.

This was the era of the extravagant hunting sprees Kaiser Franz Josef and his nephew Arch Duke Ferdinand. To satisfy the hunger of the privileged classes for hunting, mountain pastures were reforested and the peasants were forced to serve as beaters. Game was reared specifically for hunting and peasants once again had reason to complain about the damage it caused to their crops and lands.

Poaching Today

The classic poacher, whose type was common until a few decades ago, and exists even today in the most remote regions of Austria, has remained a symbolic figure, especially for the poor mountain peoples. For a long time after the Second World War, poaching continued to denote courage and love of adventure.

Only since the early 1960s, and the rise of consumer prosperity, has poaching begun to lose its attractiveness. Nevertheless the tradition of poaching still exists as is clear from the case of Pius Walder, shot dead in 1982, whose gravestone in East Tyrol is now a site of pilgrimage. Reports in newspapers confirm that even today there are still those who venture out at night to take game illicitly.

Another phenomenon in recent decades has been the appearance of women poachers. In the old days a dairymaid might sometimes have shot game together with her boyfriend, but this would be the exception, since poaching was a form of manly ritual for the young mountain lads. But there have been women who have taken up what was formerly a man's role: Asching Nandl from St. Wolfgang and, a few years ago, a young girl from Vorarl mountain, became famous for being female poachers. It is even said that a priest from Southern Tyrol was on the move as a poacher in the 1990s.

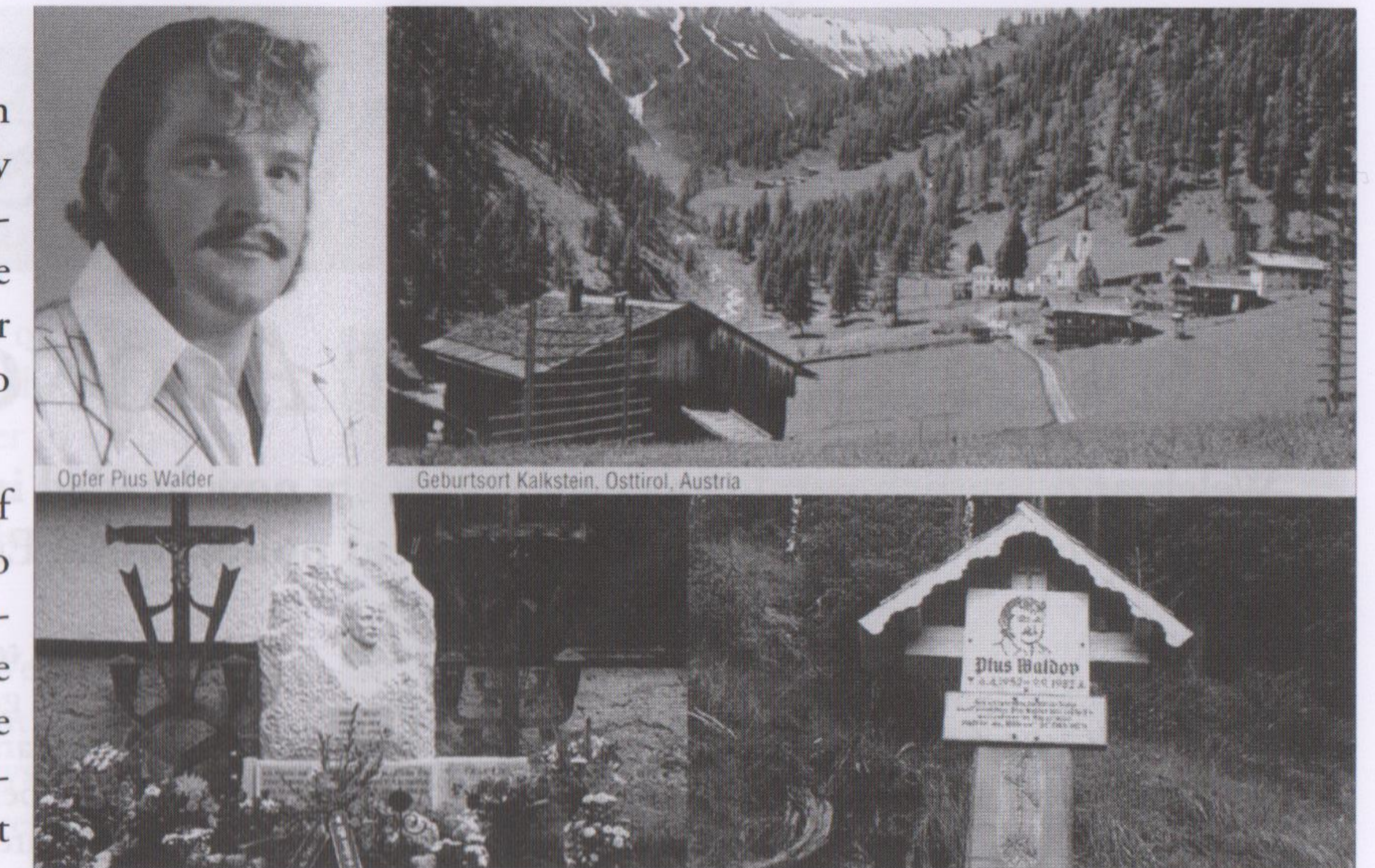
The one modern development that is unwelcome is the practice of shooting game from cars, after bedazzling it with the vehicle lights. The Bayrischen Hiesel and Pius Walder would be turning in their graves.

This article is drawn from a translation by Peter Cousins, of "Wildschützen: Zur Geschichte Sozialen Rebellentums", in *Wilderer in Alpenraum: Rebellen der Berge*, Ennsthaler Verlag A-4402 Steyr, 1998 — the guidebook of the Wilderer Museum at St Pankraz, Austria.

It is not the intention of the authors of this text to glorify poaching, nor justify any illegal behaviour. It merely seeks to understand and to explain the way in which peasant mountain poachers from earlier epochs, went about their business.

If you are in Austria pay a visit to the Poachers' Museum at St Pankraz, near Windischgarsten, on the A9 between Linz and Liezen.

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www.wilderermuseum.at



Death and the poacher. Above a postcard showing the home village and shrine of Pius Walder, (his name means Holy Woodsman) who was shot dead in 1982. Below: A Poacher Comes to Grief, by E Jekel. Inset: the death of Georg Jennerwein in 1878



All the illustrations in this article, except the Bundschuh engraving, are taken from reproductions in the museum's guidebook, *Wilderer in Alpenraum: Rebellen der Berge*.

CHAPTER 7 NEWS

RURAL POLICY RIFT ALONG OFFA'S DYKE

Welsh and English rural planning policy are now headed in opposite directions, as Wales proposes a Low Impact Development policy, while England axes half of PPS7.

In May 2009 the English government brought out a new draft of *Planning Policy Statement 4 (PPS4)* which proposes to scrap nearly half of PPS7, the planning policy statement on the countryside. In July, while this issue of *The Land* was at the printers, the Welsh Assembly published a draft of *Technical Advice Note 6 (TAN6)*, the Welsh equivalent of PPS7. The two policy shifts could not be more different.

First, let's look at the changes to English policy. Just before Christmas 2007, the government issued a consultation draft of *PPS4: Planning for Sustainable Economic Development*. It didn't say much and the redrafting seemed a pretty pointless exercise (see *The Land* 5 p. 54). But soon after it came out, the banking system collapsed and in the panic that ensued, sustainability paled into insignificance, compared with the need to jerk the economy back into gear. The 2007 draft was quietly buried, and a new draft has now emerged, entitled *PPS4, Planning for Prosperous Economies*. Sustainability still pops up in the text, but it no longer has headline status.

Most of this new document is preoccupied with issues hitherto covered by PPS6 on retail development, which is also to be scrapped. Its main change is to remove the requirement for developers to demonstrate any need for the supermarkets or large retail stores that they wish to build. However, large swathes of PPS7, the planning guidance on the countryside will also disappear: not, we hasten to add, Annex A, which deals with agricultural dwellings, but almost all the material at the beginning on rural sustainability. This will be replaced with a seven-point rural policy in PPS4 which runs to barely a page.

Most notably, the Government wants to scrap all of its "objectives for rural areas", and all except one of its "key principles" — in other words all the material introduced in 2004 that gave a high profile to sustainability in the countryside. Some of this material can be found in PPS1 (and that is where applicants for sustainable rural ventures will have to go to find it in order to support their case). But there is now almost nothing that refers specifically to rural sustainability, and support for sustainable farming is severely reined in. The objective "to promote a sustainable, diverse and adaptable agricultural sector" is axed, as is the advice that "when determining planning applications local planning authorities should support development that delivers diverse and sustainable farming enterprises." Not all references to sustainable farming have been cut, but the emphasis on it has been greatly reduced.

The thinking behind these drastic excisions is explained in the introduction to PPS4 which states:

"The evidence shows that there is no such thing as a separate rural economy — the economies in rural and urban areas are similar, in terms of the mix of businesses and employment and are closely inter-related. . . . Subject to the need to ensure robust protection of the countryside, all types of business and enterprise can be appropriate for rural areas."

The idea that town and country are becoming indistinguishable has been gathering momentum in urban intellectual circles for ten years or more, not least amongst economists of the Anglo Saxon persuasion, and carries with it a corollary: if town and country are identical what need is there for separate policies? And if all types of business are appropriate in the countryside, then why bother to protect agriculture from incursions by more lucrative activities? The Government fondly imagines that the environment of the countryside can be protected while its land-based activities are swamped by footloose industries seeking cheap premises in a leafy setting: that a landscape can survive independently of the economy that created it.

TAN 6

Since devolution in 1999, Welsh planning policy has slowly diverged from English, notably with the document *Planning Policy Wales (2002)* which gave a higher profile to sustainability. However TAN6 remains a carbon copy of PPG7 on the countryside, which was introduced in England and Wales in 1997 and was superseded by PPS7 in England in 2004.

The new draft of TAN6, far from sidelining agriculture, gives it greater prominence. The section entitled "Sustainable Agriculture" comprises 34 paragraphs out of 103, and much of the rest of the document is specifically about farming. One innovation designed to support farms is to allow farm shops to double up as village shops, sub-post offices etc where such facilities are absent locally. Another is to allow second dwellings on farms for part-time workers and future successors to the business, "to encourage younger people to manage farm businesses."

But the most radical proposal is for One Planet Developments, which the draft states "take forward Low Impact Development in the Welsh context." The objective is to allow developments, either within settlements or in the open countryside, that "have an ecological footprint of 1.88 global hectares per person or less" which represents "the global average availability of resources". Local authorities are encouraged to set out policies in their development plans against which such developments can be assessed.

The Land is worried that the headline emphasis on ecological footprinting and one-planet lifestyles demands more of the planning system than it can achieve — matters such as flying to Thailand or eating Amazon soy beans are beyond its control. But this is an inspired initiative which, if it is followed through, will finally put LID on the policy map in Wales, whence it will seep across the border into stodgy old England.

There is neither time nor space to cover TAN6 fully here but *The Land* will be publishing a more detailed review. Readers in Wales are advised to write to the Welsh Assembly in support of TAN6 before 16 October. The text of TAN6 and the address to respond to can be found at <http://wales.gov.uk/consultations/planning/drafttan6/?lang=en>.

Draft PPG4 can be found at <http://www.communities.gov.uk/publications/planningandbuilding/consultationeconomicpps>

WHERE NEXT FOR LID IN WALES?

MARK DYSON reflects on Policy 52 and the forthcoming Lamma appeal.

Some questions are only realistically capable of a single answer. Is racism a bad thing? Did we get here through evolution? Are we all doomed? However the answer to such questions is not always so obvious when they are asked for the first time, and universal acceptance often only comes after a protracted struggle with the *status quo*.

As such it was very heartening to see the Welsh Assembly Government (WAG) including in its recent consultation exercise on development in the open countryside questions about the place of LID within such a policy regime (see *The Land* 6, p59). It implied very strongly that the WAG had asked themselves the question "Is Low Impact Development a good thing?" and miraculously concluded that indeed it is.

More than that, it removed the opportunity from others within "the system" to answer "No". What it probably failed to do was to remove the urge to do so. I have yet to see the responses to the WAG consultation (the outcome to a Freedom of Information request is eagerly awaited). However what I expect is no more than at best a cautious welcome, with significant caveats.

Furthermore it seems unlikely that the LID aspect of the consultation had more than tacit political support. Taking these matters together it would be unwise to think that significant change at Welsh national level is just around the corner, still less that it is likely to arrive in time to affect the present round of Local Development Plan preparation. Even when it does come, national policy is likely to be general in its terms, with many questions left to be resolved at Local Planning Authority level.

So far Pembrokeshire County Council and the National Park have led the way in getting to grips with those questions before even the WAG consultation, through their Policy 52 for Low Impact Development. Unhappily, Policy 52 has, in the eyes of many, failed to illuminate the way or to deliver significant numbers of Low Impact Developments operating within the planning regime. There are indications that Pembrokeshire County Council (though not the National Park) are now having second thoughts about the policy and a cynic might conclude that it has fulfilled its purpose by finding a solution to the otherwise intractable problem (for the planners) of the Roundhouse at Brithdir Mawr, whose planning process dragged on for 10 years until it was given consent under Policy 52,

So which way now for LID in Wales? The answer may lie in Proposed Policy 3.3 in the WAG consultation which said:

"To introduce the LID concept and an enabling policy into national planning policy. Local Planning Authorities . . . could develop criteria based policies as part of the Local Development Plan (LDP) against which LID applications would be assessed . . . National Guidance would be developed and consulted upon in the revision of *Technical Advice Note 6 Agricultural and Rural Development*.



Another of those roundhouses goes up in Wales

In other words rather than a top down policy approach the WAG are happy to continue with a bottom up approach whereby Local Planning Authorities (LPAs) create their own policies and the WAG then harvest the best of them to form national guidance. At least one LPA (Ceredigion) have responded to this with the inclusion of LID in its Preferred Strategy document (a step in the preparation of their Local Development Plan) the consultation period for which has just ended.

Others may have done so too — another Freedom of Information Request on this matter is pending. However, in the absence of national advice on the formation of policy (beyond saying it should be "criteria-based") what are trail blazing local authorities to do?

Unfortunately the easy answer would seem to be "fall back on Policy 52". There are two good reasons not to do this. The first is that if Local Planning Authorities all do the same thing (assuming they are tempted to do anything at all) it will be a meagre harvest for WAG, and unless they all do the right thing it will lead to bad policy at national level. The second is that Policy 52 isn't the right thing to do.

With climate change and "the tipping point" breathing down our necks, what is needed is a simple flexible policy which starts from the position that any development which is low impact and which is used by those who live in it to meet

their own needs from the surrounding land is a good thing and should be supported by policy. Instead of assuming this, Policy 52 requires this and more to be proved. It puts emphasis on the need for "management plans", "biodiversity and landscape character assessments", "business and improvement plans" and "sustainability action plans" as necessary requirements to obtain permission. With that sort of mountain to climb, on top of finding and buying or renting the land, it is hardly surprising that Pembrokeshire haven't been flooded with applications. The paradox is that if the Lammas small-holding (which faces a planning appeal at the end of July) is

finally given permission — there is a danger that Policy 52 will be seen as the model to follow.

If this is not to happen then alternative policy approaches need to come forward. Of course it may be that the policy makers within LPAs will develop such approaches. However, if they do so in isolation such approaches are also unlikely to get it right. Perhaps the time has come to call a meeting for all those with an interest in LID to debate the issues around its place in the planning system? I doubt if this would lead to a single agreed position but it would raise the game, encourage better quality policy creation and bring forward the day when LID within the planning system is realistic and widely used.

NEWS FROM WEST WALES.

PAUL WIMBUSH, of the Lammas project, is becoming weary of struggle.

Pembrokeshire Planners appear to be back-peddalling with a fury these days. In the latest consultation for the new Pembrokeshire Local Development Plan (2011–2021) the planners seem to be defining sustainability as if it is something to do with continued economic growth. In fact it appears as if the word sustainability might be being used to mask (green wash) road building programmes and increased fossil fuel power generation. Indeed climate change itself is considered as an inconvenience which will have some environmental consequences that will impact on planning (flood defences, presumably?). I am beginning to wonder how it was that Pembrokeshire came to launch their pioneer low-impact development (LID) policy back in July 2006. In this latest consultation, low impact development is conspicuous by its absence. It seems like Pembrokeshire planners have had a change of heart and are trying to drop the low-impact policy. All this is despite strong policy guidance on sustainability (including LID) being proposed by the Welsh Assembly government.

I am beginning to question our approach in all this. Lammas as an organization was conceived as the first large-scale low impact project that would work with the planning sys-

tem. Oh, I wish it had been that simple! Back in 2006 we approached the planners with passion, enthusiasm and optimism. Three years down the line I personally have completely given up on local planning procedures as archaic, underhand and prejudiced. We joke among ourselves that it would be easier to have applied for planning permission to build a power station. It would undoubtedly involve less paperwork. Lammas is now pinning its hope on an appeal decision made by an Inspector appointed by the Welsh Assembly; the appeal (in the form of a hearing) will be decided by the end of the summer. Meanwhile Pembrokeshire County Council (PCC) continue to block every move we make.

From my perspective this summer will be a very revealing one in which I hope to find an answer to an important question: can the planning system actually allow real change? And following on from that, can our society support the radical change so desperately needed to avoid irreversible global warming? I think that our case will certainly be an interesting indicator.

There are other projects in a similar situation. Jenny Carr and Anthony Cutajar, who manage 90 acres of woodland, applied for temporary permission (2 years) to live in a caravan under the same low-impact policy in Pembrokeshire. After 18 months their application was refused. Anthony comments: "Dialogue with the planning department has been impossible; for instance a face to face meeting was promised before a decision would be reached, yet it never materialised". They too are preparing an appeal.

Meanwhile across West Wales the woodlands and small fields rustle with the quiet activity of others taking a more pragmatic approach to planning. It would seem that there is a whole wave of settlers these days. Thank goodness because, quite frankly, I am no longer convinced of the planning system's ability to accommodate low-carbon visions at a local government level.



A row of shacks in a plotland development in Northumberland

GREEN AND PEASANT LAND

Lobbying for a Low Impact Policy in Dorset

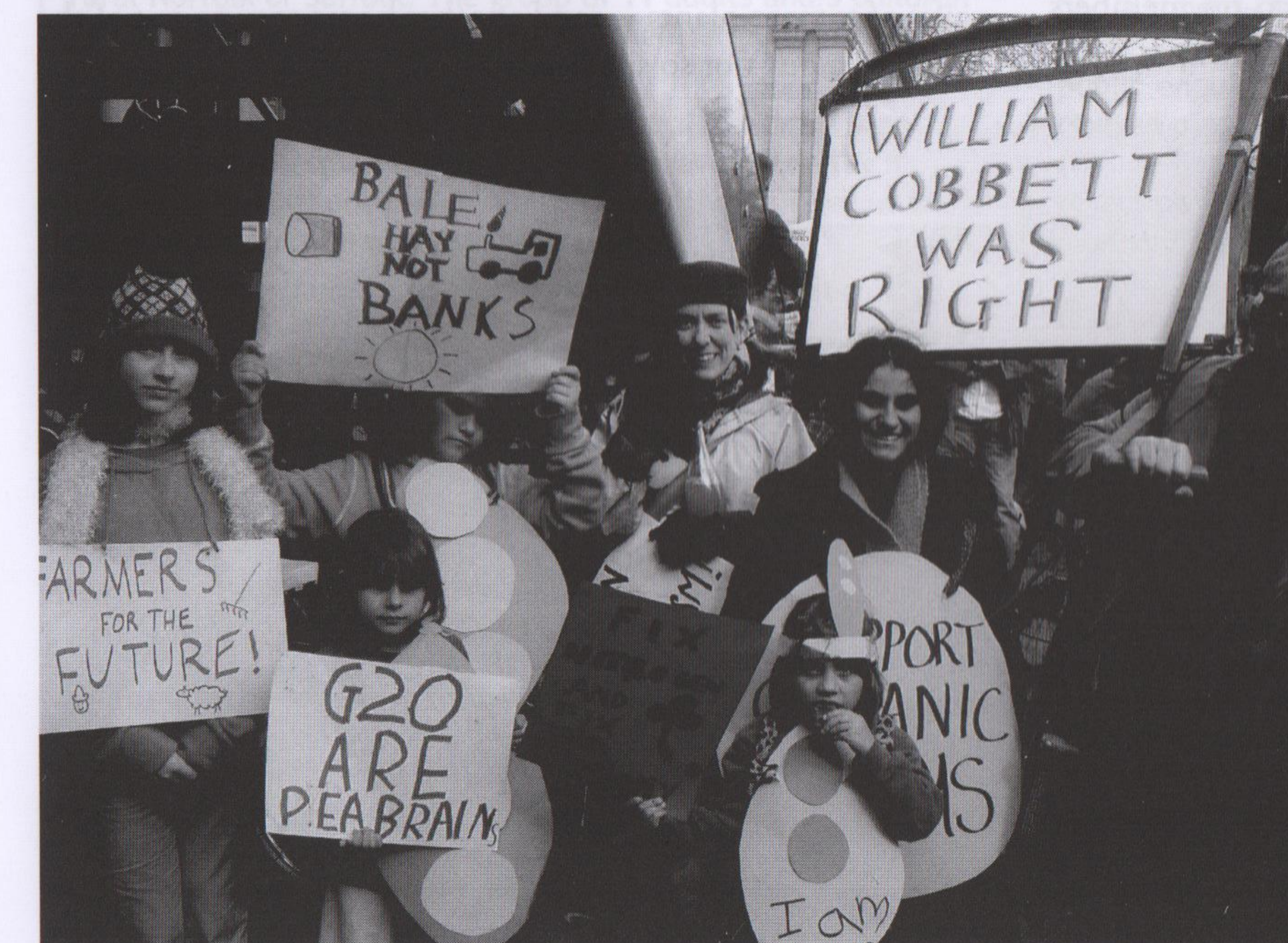
Inspired by the possibilities offered by the Pembrokeshire low impact policy, a group of five existing and aspiring small-holders are hoping to persuade West Dorset District Council to introduce a similar policy, when it replaces its local plan with a local development framework. The production of the report *Low Impact Policies for Local Development Framework* in September 2007 (available from Chapter 7 for £2) was a first step towards this goal. In recent months, the group have stepped up their efforts to engage with the local authority and other key organizations.

Although individuals and public figures are falling over themselves these days to prove their green credentials, many people still find the concept of low impact development (LID) deeply challenging. Hence, we have decided to take an approach of gently feeding in information about how LID could address issues such as sustainable land use, rural employment, energy efficiency and lack of affordable rural housing, in small, palatable portions over a long period. We are fortunate to have time on our side, since the public consultation for the West Dorset Local Development Framework (LDF) is not due to begin until June 2010.

So far we have had discussions with the leader of West Dorset District Council

and the planning policy manager, made a presentation on LID to the Affordable Housing Task Group, and contributed to the consultation process for the Dorset AONB Management Plan. All these meetings are helpful for us because they reveal specific fears that people have about encouraging LID. We hope to offer reassurance that such concerns would be addressed. For example, a common worry is that a policy enabling LID would open a floodgate for unsightly developments in the open countryside. Our view is that it would actually offer greater control than planning officers have currently. At present, a lack of policy is leading to the establishment of LIDs without prior consent, because people know they would probably get refused permission if they went through the correct channels. This situation effectively sidelines the local authority, and places the final decision in the hands of a planning inspector, since retrospective permission is more likely to be granted at appeal.

A well-defined low impact policy would give the council the power to determine where LID might take place, recommend building techniques in keeping with the local vernacular and restrict permission to those who have a genuinely low visual and environmental impact. The fact that LID is, by definition, reversible, means that



Green Peas Campaigning — A small group of peasants joined the G20 protests, to campaign for organic farming to be given support in the new green economy.

LOW IMPACT DEVELOPMENT IN WEST DORSET

THE CASE FOR A PLANNING POLICY TO ENABLE AND ENCOURAGE AFFORDABLE, SELF-BUILD HOMES ASSOCIATED WITH SUSTAINABLE, LAND-BASED LIVELIHOODS



- An opportunity to promote:
- Sustainable land use
 - Local food production
 - Affordable housing
 - Domestic energy efficiency
 - Wise use of natural resources
 - Rural employment and traditional skills



Cover page of the leaflet put out by the Dorset LID group

if conditions (such as land management agreements or the reliance on a land-based livelihood) fail to be met, planning permission could be withdrawn, any structures removed and the land would revert to its previous designation.

In direct contrast to the floodgate fear, is a concern that there is insufficient demand for a low impact policy to justify the hassle of creating one. This comes as a surprise to all of us whose lives are immersed in land-based occupations, since every second person we meet hopes to buy some land, build an eco-house and live the rural, semi-self-sufficient dream to a greater or lesser extent. One of our challenges therefore is to demonstrate this demand, and we are hoping to commission an independent survey to add weight to our "anecdotal" evidence.

Our current focus is on the organisation of an initial meeting to introduce to key people the case for a planning policy to enable and encourage affordable, self-build homes associated with sustainable, land-based livelihoods. We hope to attract planning policy officers, local councillors and other key people to a presentation and discussion in early June, at which we plan to sow the seeds of the idea. Watch this space to see if it germinates and grows.

If you are interested in any of our ideas contact: jjyoti@tlio.org.uk

THE PEPC GENERATION

Members of the Peasant Evolution Producers Co-operative (PEPC) believe that sharing resources is a way forward for the future.

PEPC is a group of local smallholders who have formed a co-operative so that we can support each other in various ways. We started out as an informal collective of low impact holdings in a small Dorset village, including two holdings at Fivepenny Farm and Brig's Farm just around the corner. We realized that if we registered as an official non-profit limited company, then we would qualify for funding that supports small producers.

The aims of the co-operative are (i) to develop projects which enable small producers to share resources, (ii) to campaign for an increase in the number and strength of small scale producers, and (iii) to run educational projects promoting local organic food production. We act as a support network for each other, holding gatherings for seasonal festivals like the solstice and apple pressings. We picked up more members as the facilities and equipment we had on offer became a reality (and the parties got better), and we now represent 26 smallholdings in the area.

We all needed processing facilities, so our first project was to build a processing barn for local producers where there are a meat cutting room, juicing room, preserves and herbs room, dairy and a big space for gatherings, courses and meals. The rooms are rented out on a daily rate to co-op members who can make their products in the facilities, which meet health and safety standards. This means that we all have access to good quality equipment without having to put up the money to build our own processing rooms. Most of us raise things on a small scale — keeping only a few pigs or chickens or having a mixed cropping system and could never justify buying all of the equipment for our scale of production on our own.

We held a series of courses in timber framing, thatching and cob construction to build the barn. When we held the barn-raising, loads of people in the co-op and people from the local village came up to help. We tried to make it into an old-fashioned barn-raising event by pulling the frames into place with a gin pole system,



the event fuelled by mountains of homemade sausages and cider.

As the project has gained momentum and we have attracted more members, our plans have expanded. We plan to run a series of low cost courses and skill-sharing days in skill ranging from butchery to using draught animals. We are also starting a business where we buy extra meat, veg and fruit off people when they have a surplus, which we will make into dry cured meat products and preserves. Dry-curing enables us to make a high value product from our meat without requiring a freezer. Similarly, the range of preserves can transform wasted vegetables and fruit into a product that can be sold year round.

We have ideas about all sorts of things from machinery rings for collectively-owned haymaking and sawmilling equipment, to collective

buying and growing of animal feed. As our numbers grow our overall ability to make them happen increases exponentially. These solutions are ones which we are creating in direct response to our needs.

A few weeks back we brought a new household into our fold with a house-raising on their low impact holding. Everyone was there, banging in cladding, stuffing in insulation, bearing gifts of tomato plants — and another home sprung out of the hedges in our not so silent peasant's evolution.

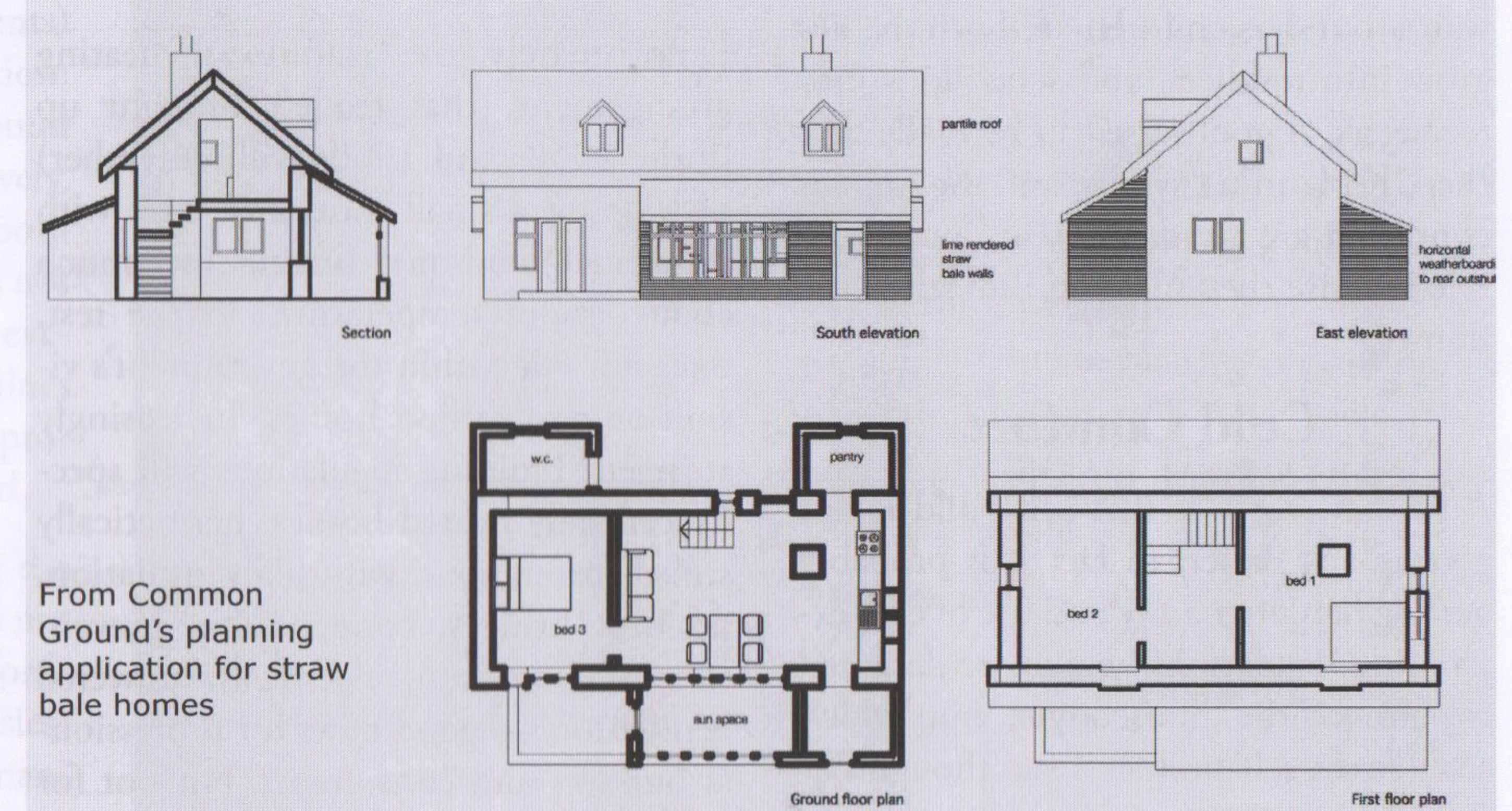


A LONG ROAD TO NOWHERE

Why do so many self-build affordable housing groups founder?

Over the ten years that Chapter 7 has been in existence we have come into contact with quite a number of grass roots projects with similar aims. They want to obtain land and permission for low income people to build their own affordable, sustainable homes, often with a measure of land-based activity, such as allotments or community woodland. Typically they start off with high hopes, sometimes they will get quite a long way down the road — and then they start to meet one obstacle after another, the project gets bogged down, people become worn out, disillusioned and drift away.

It is a familiar story. And yet the obstacles that cause projects to flounder are not always the same. In the three accounts given here of self-build housing projects, all of which have recently had to take a step back, the obstacles encountered are



different in every case. In To Gwyrdd the main problem was locating land, in Future Roots there was an option on a plot of land, and in Common Ground the land has already been acquired. On the other hand Common Ground saw its planning application turned down, and Future Roots was worn down by pre-application demands from planners and building regs, while To Gwyrdd had a promising rapport with the local planning authority.

Success depends on overcoming all these obstacles simultaneously. The trouble is it takes time to do so, longer than most people have at their disposal. Development companies are accustomed to keeping land and projects on the back burner for years while they wait for land allocation policies to change, or they push through a series of applications and appeals. If their architect or project manager leaves, they just hire another one. But ordinary

Common Ground

In 2001 a group of people set up a fully mutual housing co-op in Norwich called Nautia which has been housing four adults (12 people in total) ever since. Nautia is active in the secondary housing co-op, Radical Routes.

Founder members of Nautia and others formed Common Ground Co-op in September 2003, with the intention of living together in a co-operative, ecologically sustainable way in rural Norfolk or Suffolk. The group of 11 adults and 5 children made a plan and a policy document, then set about finding some land.

Twenty acres of grade 3 clay wheat field plus a large barn in village of Ilketshall St Andrew, in the Waveney valley in North Suffolk (where two of our members lived), gave us the opportunity to put our dreams into reality.

We bought the land in 2005, planted five acres of trees with a Forestry Commission grant, and seeded low-input grassland from surrounding commons. We managed the land by hand from a distance while working up a planning application to self-build ten low impact houses and a communal building within the developing agricultural holding. Our arguments and intentions were summarized in a 7-page supporting document to the application.

The application was submitted in Nov 2007. In February 2008 permission was refused on the following grounds:

- unsustainable location
- contrary to policy
- unenforceable constitution
- incongruous design of buildings
- does not meet local housing need

This was intensely disappointing, as we believed we had found solutions to all the sustainability problems of rural housing development that the Local Planning policy is

designed to prevent. However, we had largely expected that we would have to take our case to appeal.

Some members moved nearer to the land to make management more feasible during what looked like a prolonged phase not living on it. Others decided to leave the project.

In June 2008, we contacted a barrister who agreed that we had a cogent rationale for our project and who was prepared to present a fleshed-out resubmission to a planning appeal public enquiry. Common Ground decided to resubmit a free revised planning application within 12 months of the refusal (i.e. by February 2009), expecting to then appeal a second rejection under delegated officer powers six months later in August 2009. Our barrister estimated a 20 per cent chance with a fully worked through business plan and a sympathetic Planning Inspector.

We began the long process of getting more detailed documentation together to resubmit. Detailed legal, economic, environmental, building, access to services, and vehicle use plans were drawn up in response to the planners rejection letter. Meanwhile, we continued to manage the site for agricultural and ecological benefit.

In January 2009, we reviewed how far we had got, and decided we hadn't collated enough evidence to fully back up our arguments for a resubmission the following month. This uncomfortable truth has caused us to take stock of our initial vision in the light of our available time, energy and skills.

While financially tight, we are channelling our energies into land management and development at the present time, while actively pursuing other planning approaches.

Richard Jackson

people do not have this luxury. Life is short, while the planning process is long, and people who need a home cannot wait around as children are born, babies grow into toddlers, and schoolkids into teenagers. A good case can be made that the UK planning system and the human condition are fundamentally incompatible because they move in different time frames.

Cold Comfort

A further worry is that self-build is not getting any easier; in fact it is probably getting harder, mainly because of ever expanding regulations, which are designed to protect the housebuyer, but which shackle the self-builder. Even though Future Roots tried to circumnavigate some of these problems by opting for wood-framed mobile homes, current standards for residential static caravans, introduced in 2005, proved to be daunting and too expensive to achieve for people who were

otherwise capable of building a home to their own satisfaction affordably and simply.

Unfortunately the traditional heating arrangement (that readers brought up in the 1950s and 1960s will remember) of keeping a small focal area cosy with solid fuel, and not fussing too much about "room temperature" in the rest, does not fall within the government's vision of zero carbon homes. Increasingly stringent building regulations will specify centrally heated homes, hermetically sealed throughout, with high insulation, no heat bridges, condensation prevention measures and electrically powered ventilation — good news for professional builders and consultants, but not for self-builders.

This policy of plastering over energy leaks, rather than turning off the taps at source by rationing fossil fuels, is bound to have perverse consequences.

Owners of 15-roomed villas will be allowed to leave doors and windows open, heat their swimming pool and generally burn as much fuel as they fancy as long as their new home meets the required U-values — while people seeking to live in cheap and cheerful timber, or cob or straw-bale shacks, heated with scavenged wood, will have to stay outside the system.

Carpe Terram

There have been some successful self-build schemes allowed or even promoted by planning authorities: but these have nearly all been urban, an exception being the St Minver scheme (see *The Land* 6, p 57); none have offered opportunities for the sort of people who know how to house themselves and their family comfortably for under £50,000; and none offer the access to land that many people seek.

(cont next page)

Green Roofs

Newport, in the Pembrokeshire Coast National Park, has a severe affordable housing problem, partly because there are so many second homes. Around 2001 a group of local residents started up a housing group called To Gwyrdd (Green Roofs) with the aim of providing affordable green housing for local people. The parish of Newport is home to Brithdir Mawr, which became notorious for building low impact homes prior to getting planning consent. But we wanted to do things by the book, and work with the local authority

We had a good core of people, several of whom had professional experience in relevant areas. We carried out lengthy research, we held a conference, we lobbied the Joint Unitary Development Plan, and we produced a report showing that housing in Newport was unaffordable even for people on a substantial professional salary.

We also began working with Gwalia Housing Association, whose chief executive, Phil Roberts, is passionate about green affordable housing — they were to give us help with project management. I don't think we could have been more thorough, and of the several self-housing groups from other localities we met, I don't think there was any better organized. But the bottom line is that if you haven't got land you can't build.

At first it looked as though we might get some land from the local barony, but the baronet died, and that fell through. But then we started negotiating with the Church of Wales, which owns a large amount of land in the area. Initially the vicar was sympathetic and it looked as though we could come to an arrangement to lease some land in the development zone from them for affordable housing. Since the land was within the zone allocated for development, the site was in principle acceptable to the planners with whom we had established a good relationship. We only proposed postage-stamp sized plots, and although ideally we wanted land for allotments and a community orchard, we were prepared to do without this if necessary.

However, when the vicar discussed it with parishioners, there was a negative reaction, and one of them, a retired estate agent, warned that a social housing scheme would lower the value of the vicarage. The bishops' office at St David's argued that they had an obligation under charity law to sell the land to the highest bidder. We argued that a lease would be fine, and indeed, in respect of guaranteeing the continuing affordability of the homes, it was better to separate ownership of the land from ownership of the houses.

Since then we have been unable to find any suitable land for our project. We carried out a thorough investigation for possible rural exception sites on the edge of the town, but couldn't identify anything. Over time, people have drifted away from the project, because they couldn't wait around forever. Some other people have joined, but now there are only three trustees left from the original team of eight years ago, plus a number of members who are helping — and we now have children so we have less time to devote to the project.

As someone brought up in the Church of Wales, I wonder whether the idea of leasing church land for social housing is an idea worth exploring around the country. It seems like a perfect partnership — a christian institution with charitable objections facilitating the housing of the poor and homeless. Indeed in the past much land was left to the Church by well-wishers for the express purpose of helping the poor

We received plenty of encouragement from local politicians who wanted to "enable grass-roots groups to empower themselves". But so far eight years of hard work have produced nothing. Meanwhile, an incomer who bought a building plot in the town for £362,000, has constructed a house considerably larger than the planning consent permitted, and then got it allowed retrospectively. It makes you wonder.

From an interview with Steve Wilson

All the successful schemes that we know of — Kings Hill, Tinkers Bubble, Land Matters, Steward Wood (not to mention countless smaller one and two unit developments) — have been achieved through direct action: people moving onto land and starting to build first, and getting permission retrospectively. This is an unsatisfactory state of affairs, both for individuals, because the risk involved is not one that is willingly or sensibly taken by everybody; and for society, because it undermines the credibility of a planning system that protects the countryside from suburban sprawl.

But it is becoming increasingly clear that the planning and housing system in the UK is not going to budge to accommodate truly affordable self-build unless (as in the case of gypsies) the demand for it is manifested in an unmanageable number of unlawful settlements

Throughout history, most homes, settlements and communities have been established by people moving onto land, constructing something small and cheap, and gradually adding to it over time — not by sitting around for five years arguing about how it ought to be done. Our current planning system is in conflict with human nature, human culture and the human timespan, and it urgently needs to adapt.



One of the self-built Walter Segal houses at South Petherton completed in 1996. South Somerset District Council initiated the scheme and sold the land to Knightstone Housing Association for £1. The project took over three and a half years to go through planning, and just 18 months to build. Mr and Mrs X, one of the families participating in the scheme, were supposed to get £50,000 sweat equity in their home, but by the time everything had been paid for there was only £5,000 which they opted to spend on fittings. Thus they have ended up as tenants of the Housing Association, paying more than they would in a council house for the house they built. They are very pleased with the house — "you look after it more if you built it yourself" — but not at all pleased with Knightstone, whom they accuse of overcharging and "moving the goalposts".

Thoughts on the Demise of Future Roots

The amount of capital needed to develop the project became very large, in the region of £300,000. The spiralling development costs and the credit crunch seemed to combine, and no offers of money were made.

By trying to obtain planning first, we had to apply, and build under all the relevant regulations. This meant a plastic bucket compost loo gave way to rotary digesters, discharge licences and SUDs plans. The ground work, especially the road, which they wanted permeable, became expensive, as did the ground work to allow the 60 x 20 footprint and garden. The site was quite sloped, which increased the costs.

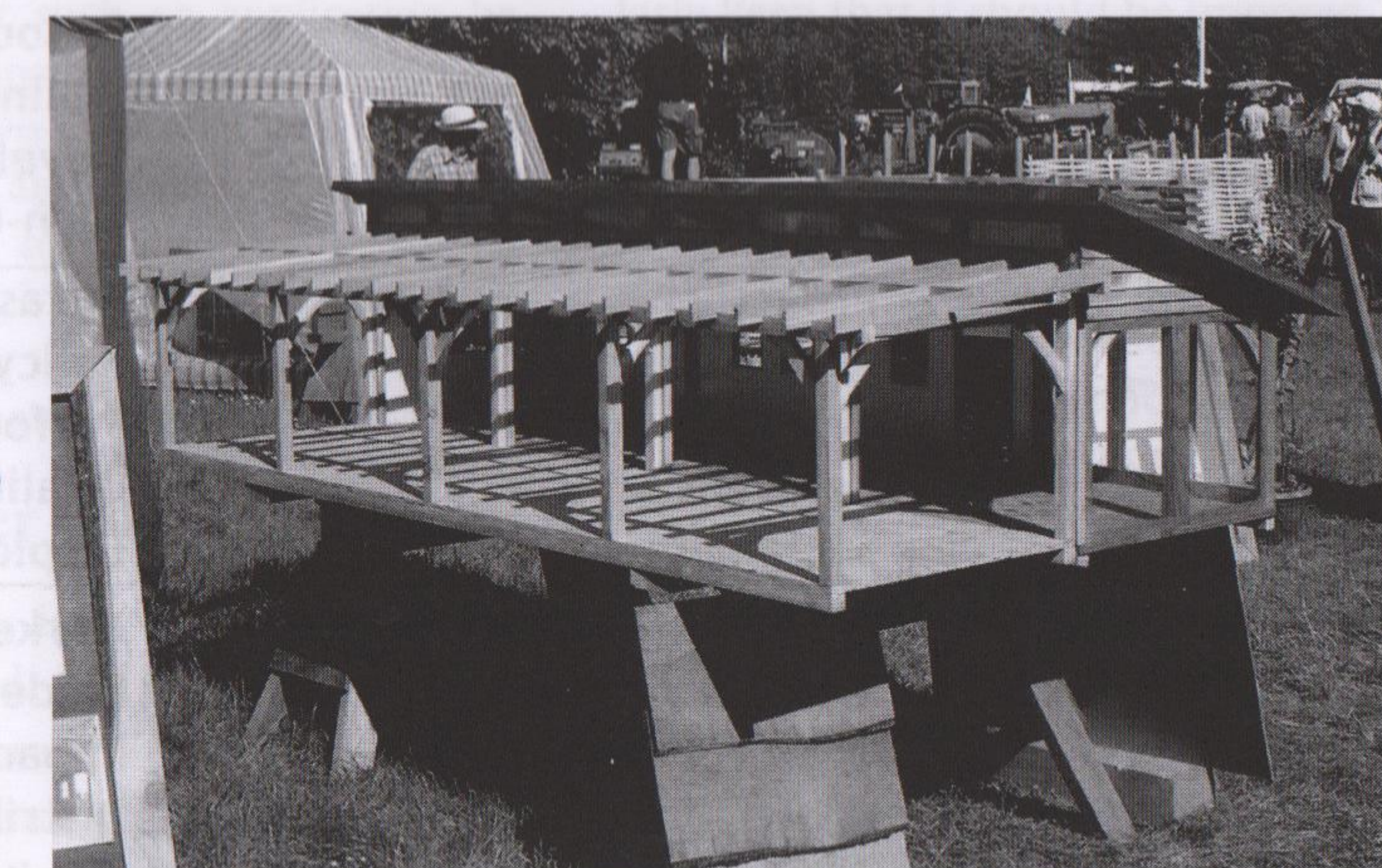
Energy was sapped by protracted negotiations about the terms of sale for the land.

The land was in a good position to be an exception site, but it had a road at the top, and parts were overlooked by houses. Some group members found they could not tolerate the built up nature of the site and left. This loss sapped the group's morale and increased the workload for those left.

People's expectations of home, and its location, do not match the planning policy. We distributed all the planning information at the start of the project, but many people are blinkered to the planning system by their dreams and ideals.

Some members just needed to find immediate housing solutions due to expanding families etc. Everyone had put in hours of hard work, and we didn't seem any nearer getting somewhere to live. People just needed to move on.

Building the prototype mobile home brought home just how expensive building is. Good quality ecobuild is particularly expensive, as it takes longer and the materials cost more. The level of skills and tools involved meant



that most people felt daunted by trying to build something to BS 3632. This involved air testing, acoustic testing and proof of u-values levels, which all had to be tested and certified.

When trying to raise the money we found a lot of people who wanted to sell their houses and buy into the community lifestyle. They all wanted to invest in the project and could have provided stable finance; they are however not in housing need and so couldn't be part of an affordable housing project.

Cost of building, i.e. a mortgage and repayment of the land and site development costs, became prohibitively expensive for those on low incomes.

After seeing the planners, and local councillors, who were very supportive, it became clear that the three years of work we had put in was just the start. We were trying to be a development company with no experience, financial backing or skills, when we had finished work and put the kids to bed.

Paul Score

In 2002, our mole in the Cabinet Office sent us a document for internal use only entitled *How to Write a Consultation Paper: a Guide for Civil Servants*, which we published in *Chapter 7 News No 9*. This document had been prepared in the run up to the 2001 Planning Green Paper. Now an updated version has been released, from which, exclusively, *The Land* brings you the following excerpt:

Random Concept Clusters

A useful exercise for students is to create "random concept clusters", through the use of the table given below. This works like a verbal fruit machine. The first column consists of adjectives, the second of nouns used as adjectives, and the third of straight nouns. Just think of three numbers under 25 and then string the ideas together. So, for example 1, 2, 3 gives us "Strategic Neighbourhood Indicators", while 13, 12, 11 is "Key Policy Check-List". There are over 15,000 different combinations.

Many of the concept clusters will sound perfectly normal, and it will not be long before you will select something that you have already met in a Government document. However if a combination sounds odd, do not give up on it. Try intoning the phrase over and over to yourself in an American accent. You will find that it will soon become familiar to you and then imbued with real meaning.

The next step is to string the concept clusters together with appropriate verbs such as "deliver", "access", "harness", "impact", "engage", "promote", "address" or "accommodate", to create meaningful sentences. So, for example, if you choose 6, 7, 8 and 4, 5, 6, you can announce to the world that "Robust resource mechanisms will be harnessed to promote long-term planning objectives." From here it is only a short step to writing a complete consultation paper.

1	Strategic	Design	Framework
2	Core	Neighbourhood	Statement
3	Local	Consultation	Indicators
4	Long-term	Community	Options
5	Shared	Planning	Evaluation
6	Robust	Information	Objectives
7	Major	Resource	Assessment
8	Spatial	Business	Mechanisms
9	Appropriate	Development	Vision
10	Responsive	High-Growth	Requirements
11	Proactive	Infrastructure	Check-list
12	Regional	Policy	Opportunities
13	Key	Performance	Signals
14	Relevant	Quality	Sector
15	Sustainable	Employment	Benefits
16	Wider	Market	Outcomes
17	Macro-economic	Evidence	Provision
18	Overarching	Impact	Choices
19	Knowledge-driven	Distribution	Innovations
20	Joint	Monitoring	Bodies
21	Emerging	Investment	Authority
22	Provisional	Amenity	Review
23	Global	Regeneration	Environments
24	Functional	Energy	Base
25	Inter-modal	Distribution	Network

All the above words are taken from the consultation draft of *Planning Policy Statement on Sustainable Economic Development* (PPS4). Students are advised to emulate this document's bold use of compound concept clusters, as, for example, in paragraph 15:

"Both regional planning bodies and local planning authorities play a pivotal role as place-shapers within their communities. Through the preparation of sustainable community strategies, local area and multi-area agreements, local development frameworks and regional spatial strategies, local authorities, working with regional planning bodies, can help to ensure that positive strategic planning is placed at the heart of the local authority, the local community and the local business community."

DEVELOPMENT CONTROL

STEWARD WOOD

Once again a low impact community sails through an appeal, after being blocked by a local authority's refusal. This time it is Steward Wood who have successfully renewed the five years temporary permission they received for their bender settlement at appeal in 2002. This decision is particularly welcome since Steward Wood had been held up by planning officers (at the Land Matters appeal and elsewhere) as an example of a failing project that was not "meeting its targets".

Although the decision letter is long (27 pages) and preoccupied with procedural complexities, the reasoning behind Inspector Brian Cook's decision is elementary. There is, he concludes, no agricultural or forestry justification for living on site; and the character and appearance of the woodland, and hence of Dartmoor National Park, are harmed by the presence of the community. Therefore the first purpose of the National Park — to "conserve and enhance its natural beauty, wildlife and cultural heritage" — is undermined by the development. In the inspector's words:

"This conflict with development plan policy is sufficient to require that the appeals should be dismissed unless there are material considerations to indicate otherwise."

Cook then proceeds to outline the benefits of the project. Whereas six years ago the community won planning consent because it was an "experiment", now he views its main value to be as an "educational resource provided by what is, in effect, a demonstration project of permaculture principles." Cook states that "it is my view that the value of the project is its holistic nature", and he takes note of the "many representations from those who have visited the community and gained from the experience." He also cites the low carbon footprint of the residents, though he does not appear to attach so much weight to this.

Finally, given that all the activities and buildings on site are easily reversible, Cook concludes that "the benefits of

this sustainable development project continuing for a further period outweigh the harm identified" in sufficient measure to justify a temporary permission.

Temporary, but for how long? Dartmoor National Park's head of planning, Colin Jarvis, argued that the period should be only two years. But he had earlier informed the Inquiry that a policy similar to Pembrokeshire National Park's policy 52 was likely to be put forward in a future Development Plan Document (DPD)

The Inspector therefore reasons:

"The Community has indicated that an application for a permanent planning permission will be submitted in due course. I believe that it is important that such an application be judged against the planning policy that Mr Jarvis indicated was likely to be in place and, although I have no evidence as to the timetable for its preparation, I consider that five years should allow the appropriate DPD to be prepared and adopted."

Chapter 7's Assessment

This decision is a welcome result for Steward Wood, and for the team of lawyers and expert witnesses who conducted it. But it doesn't get us any nearer to a rational planning approach towards low impact development: essentially it is a fudge on the same lines as decisions taken in respect of Tony Wrench's roundhouse in Pembrokeshire National Park to "wait and see what policy the local authority comes up with."

The Inspector makes little attempt to gauge the sustainability or the environmental impact of the development, beyond its impact on the landscape of the Park. The community had been assessing its progress annually against the Rural Planning Groups' "Fifteen Criteria", to comply with a condition in the original permission. But Cook ignores these as-



A residence in the early days of Steward Wood

David Sperto

assessments and discounts the criteria because they have not been incorporated into national or development plan policy. He refuses to reapply the condition, even though "the Community is particularly keen that it should be imposed." He continues:

"I do not consider that the information provided assists with an objective assessment of the success of the project... This is not to say that the community should not continue to provide an annual report if it wishes to do so."

The trouble is that Cook doesn't have any other set of criteria to substitute. Aside from a condition stating that no petrol or diesel powered generator should be used on site, there is no measure in this permission to safeguard the low impact of the development. There is nothing to stop the residents, if they so choose, heating their houses with oil fired boilers, running two cars per family, commuting daily to Bristol, saturating their land with chemicals, generating limitless quantities of consumer waste or establishing a high carbon second home lifestyle in the middle of a wood in a national park.

Of course this is not likely to happen within the five year duration of the permission, because the community regulates itself. But communities not infrequently change orientation or change

hands, and awarding permission on the basis of the good intentions of existing occupants is hardly a sound way of coming to a planning decision

To compensate for the lack of control over the environmental impact, there are draconian controls over what the community can provide for itself in terms of shelter, even when there is negligible additional impact. The occupants cannot extend, alter, move or rebuild their living structures, and cannot allow visiting caravans, living vehicles or tents onto the site without applying for planning permission —except for hiking tents on just 20 nights of the year. Given that a planning application to carry out any of these activities, however small, would cost either £166 or £330, the chances of this condition being complied with are negligible.

The Steward Wood permission is therefore in sharp contrast with that of Tink-

ers Bubble where occupants are subject to environmental conditions restricting the number of cars that can run from the site, and the deployment of fossil fuels, concrete, chemicals etc on site — yet they can construct, extend or rebuild residential or visitors' buildings anywhere within a circumscribed zone, providing that a certain square footage is not exceeded, and that only local, renewable materials are employed. The terms of the Tinkers Bubble permission (which are not far removed from those of a Simplified Planning Zone) offer more freedom to low impact residents, yet safeguard the low impact of the development more securely.

Tinkers Bubble's application was allowed in 1999 by enlightened committee members who defied the recommendations of their officers. Unfortunately, appeal inspectors and development control officers tend to resist imposing low impact con-

ditions, even when applicants demand them. When Tinker's Bubble's permission was renewed in 2004 by delegated decision, planning officers removed the conditions restricting the use of building materials against the applicants' wishes. And time and again, appeal inspectors refuse to impose legal agreements tying a residence to agricultural land, even when the appellants demand it

The Steward Wood decision reminds one that planners react to failure like obstinate children. They fight tooth and nail to prevent you getting permission on the grounds that you will have a harmful impact on the environment— yet once you have got permission, when you offer them tools to control the impact, they go into a sulk and say "we don't need that".

APP/39497/C/08/2083419-28; Inspector Brian Cox; Steward Wood advocate, David Stephens, and expert witnesses John Gower, Andy Goldring and Dave Wood.

KARUNA

An appeal decision on another permaculture holding, Karuna in Shropshire, makes a complete contrast to the Steward Wood decision. Inspector Claire Sherratt's decision is a text-book example (clear, well-written and unadventurous) of how to refuse an application for an agricultural worker's dwelling.

She finds that the presence of well-screened green-painted caravans seriously harms the AONB. She finds that the reasons given for living on site, "even taking the various elements cumulatively", do not constitute a functional need to live on site. She has "serious misgivings, based on the business plan, about whether the project could support the self sufficient existence intended" without recourse to an outside income. And she concludes that any educational benefits are small scale so the enterprise "would not add significant value as a pioneering project to an extent that it may justify setting aside stringent countryside policies.

The family resident at Karuna, the Wheelhouses, might justifiably feel aggrieved since it is hard to see any great difference between what they are doing and the folks at Steward Wood, who have even less functional need to live on the land, who make no pretence of being self-sufficient, and who openly admit to earning a substantial proportion of their income



through work carried out off site. As for the educational activities, it is by no means certain that the number of courses conducted at Karuna per resident is any less than the number conducted per resident at Steward Wood.

In fact Sherratt, the textbook inspector, pinpoints what is probably the deciding factor when she considers Karuna's evidence in the light of favourable decisions made at Steward Wood and Land Matters near Totnes:

"There are a number of differences that can be highlighted between these cases and the current appeal. The ex-

perimental value of the current appeal is not of the same scale as the first two cases that relate to small communities, and or involve a co-operative rather than a family."

Judging by the success of Kings Hill, Tinkers Bubble, Steward Wood, Land Matters and (finally) Brithdir Mawr, it seems that people who have difficulty meeting the financial and functional tests have a better chance of getting planning permission en masse than when they apply as a nuclear family.

APP/B3220/C/07/2060815; advocate, Brian Cox.

Update from the Wilds of Wealden

Chapter 7 has heard from Matthew and Wenda Sparey at Hugletts Wood smallholding, in Dallington, Sussex, who won a groundbreaking appeal in 2001, in which the Inspector, GP Bailey eloquently outlined why the multifunctional nature of the holding created a requirement to live on site. Eight years later the holding is going strong and the couple make all their living from the land, as well as supporting a *gaushala* (a Hindu cow stable) of 41 oxen and cows, larger even than that at the Hare Krishna temple at Bhaktivedanta Manor.

Wealden DC (the Local Authority we love to hate ever since, in the 1990s, they waged a campaign against smallholders in the national planning press) refused to grant them permanent permission for their mobile home in 2005, but reluctantly allowed another round of temporary permission. Now the Spareys are waiting for a decision on their latest application for permanent permission.

Quicken Wood's Second Appeal

Meanwhile, not far away at Quicken Wood, Blackboys, Robert "Christie" Flynn and Inez Bolumburu managed to renew their permission for one year at an enforcement appeal. Their original appeal in 2003 secured permission for two families in double decker buses on four acres in an AONB, but now the couple are there on their own, with two kids, building up a box scheme, a charcoal pencil business and subsistence production. However the development of their holding and the achievement of financial targets had been slowed down by the need to look after ailing parents on both sides of the family.

Inspector Alan Woolnough (who allowed the Land Matters appeal) provides a perceptive and outspoken analysis of the inadequacy of PPS7 in assessing this sort of project, which is worth quoting at length.

"Paragraph 8 of Annex A to PPS7, which mentions enterprises which aim to operate broadly on a subsistence basis, has slightly increased the relevance of national policy to the case in hand. Nonetheless, I find that the Appellants' sustainability-related objectives merit a frame of reference that is wider still.

"The council's agricultural witness. Mr Wood (of the firm Local Authority Rural Appraisals) has attempted an assessment of residential need associated with the Appellants' business within the strict parameters usually applied to conventional agricultural dwellings . . . At the Inquiry, Mr Wood acknowledged that he lacks experience of subsistence and sustainable ways of living and, on his own evidence, has not sought to take such consideration into account. I have not therefore found his assessment of the Appellant's venture to be of much assistance to me, and have treated it with caution. It must be borne in mind that, in contrast to most agricultural undertakings, profitability, whilst important as an eventual target, is not the only measure of success of a scheme of this kind.

"The Appellants' scheme goes well beyond the conventional. Therefore, a standard assessment of the kind undertaken by the Council is inappropriate, failing to take on board the underlying objective of living in a sustainable and ultimately self-sufficient lifestyle and to acknowledge the holistic approach required to facilitate this. Much of what Mr Flynn and Ms Bolumburu are seeking to achieve on the appeal site, particularly in relation to recycling and utilization of renewable energy, could not be realized to the same degree if they were living elsewhere in an ordinary dwelling.

"The Council's approach disregards the significance and worth of pursuing a lifestyle which has at its heart principles of sustainability that are a fundamental part of government planning policy."

Christie and Inez still have some way to go before their project becomes secure, and Woolnough prescribes what he expects them to achieve in order to justify a further temporary permission. He also comments:

"Although PPS7 advises against successive extensions to permissions for temporary agricultural dwellings over a period of three or more years. I find this unduly restrictive for an unconventional venture of this kind."

Quicken Wood appeal: APP/c1435/C/08/2076232. Both the Spareys and Quicken Wood have as planning consultant and advocate Anthony Keen of Maidstone (formerly of Wealden DC) who is clearly doing a good job.



Straw Bale House Demolition Threat

Jim Wallis has lost an enforcement appeal on his straw bale home at Staunton, Gloucestershire (above). The house was built in 1998 with planning permission to serve as a demonstration house for the Green and Away low impact conference centre which held events on the land until 2006. Jim has been living in the building for over four years, but the inspector ruled that he did not qualify for a certificate of lawful use because he had been in breach of a condition requiring the site to be cleared when the conference centre closed down in 2006 for less than four years.

STOP PRESS The High Court has overturned this decision, ruling that the four year rule trumps Wallis' failure to breach the clearance condition for four years.

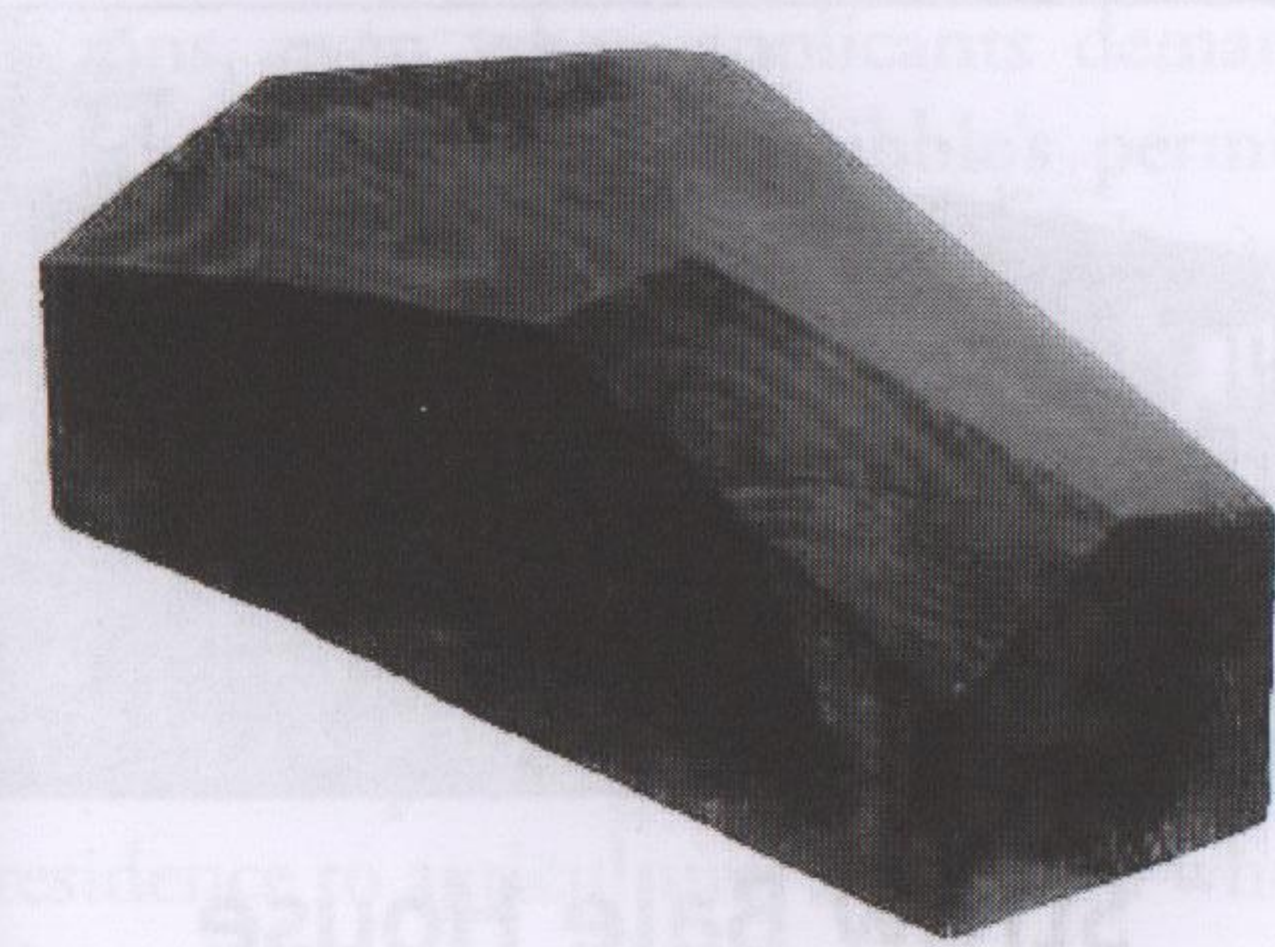
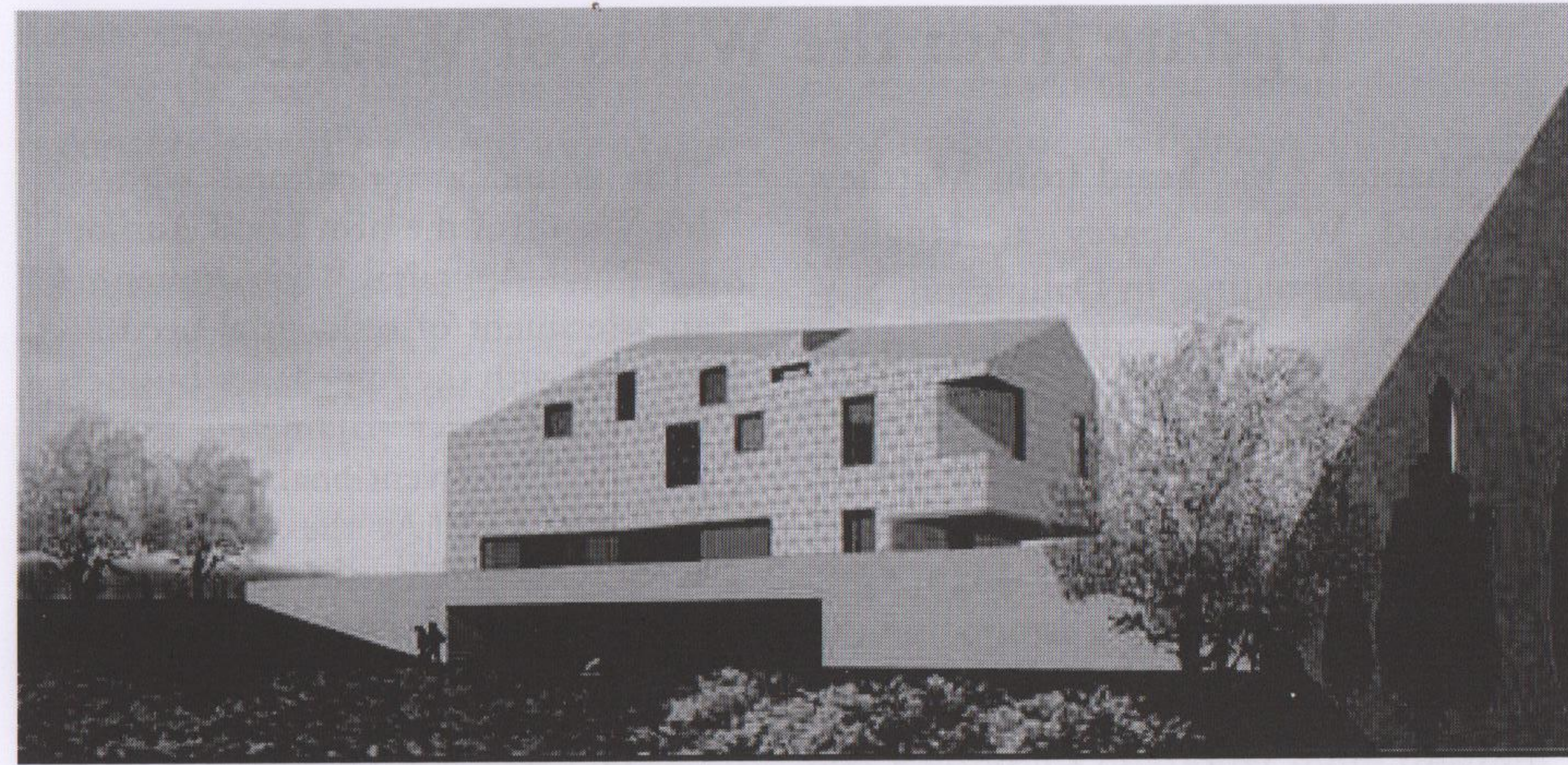
Forest of Dean DC, 16 Feb 2009, Inspector: Clive Wilkinson; APP/P1615/C/08/2075254

Home at Last

Sometimes it seems as though the planning system is a sort of trial by ordeal, where you run the gauntlet through a line up of planning and enforcement officers who wallop you with every policy and argument they can find — but if you succeed in crawling bruised and battered out the other end they say: "There, there, we didn't really mean it, here's your planning permission."

Thus, Sten Grendon, whose occupation of a tiny shack in the Cotswolds became the focus of a series of hearings and appeals culminating in an unhelpful High Court decision refusing him a certificate of lawful use, has now been given personal planning permission to occupy the hut for as long as he wants by the local authority.

According to Sten, the local authority took no account of the fact that the building was already there when he moved in, that he works nearby, that buses into town run past and that the carbon footprint of heating his single room is minuscule. What swung it, apparently, was a letter from his psychiatrist, authenticating him as a genuine weirdo in need of a one-roomed country shack. So, if you are feeling depressed about not getting permission, the best thing to do is to go along and see your shrink.



Mines Farm, left, and the chamfered block of wood from which its architect — Tom Emerson trading under the name 6A — drew his inspiration for his “outstanding design of truly exceptional quality”.

“MY OTHER HOME IS A GEORGIAN PILE”

John Gummers’ initiative to flood the English countryside with a new wave of country estates continues unabated. In March 2009, Henry d’Abo obtained permission at appeal for the above house at Mines Farm, Weston Green, Weston Colville, Cambs. You would have thought that Mr D’Abo, grandson of the 9th Duke of Rutland, would have been content with West Wratting Park House, the stately 18th century mansion he owns, together with a 2,500 acre estate comprising farmland, woodland and a partridge shoot. But no, a substantial Queen Anne residence with west wing and orangery is not enough for today’s upwardly mobile landed gentleman, he has to have another in 21st century squashed shoebox style — plus a couple of extra cottages for the “staff”. All this has been allowed at appeal on the basis of the “country house policy” in PPS 7 which permits houses of outstanding architectural merit in the open countryside where no one else is allowed to build anything.

South Cambridgeshire DC’s objections to the development were brusquely dismissed by the appeal inspector, A J Davison, in just three pages of decision letter. The house itself sailed through on the grounds that the “proposals are of truly exceptional quality”, “there is no doubt that the building would be of very considerable architectural interest on account of its outstanding design” and similar unsubstantiated unctuousness. That the building bears no relation to any rural architectural tradition (unless we include out-of-town industrial estates), the inspector did not even

deem worthy of discussion — nor was he bothered by the gratuitously trapezoid roofs or the affected ungainliness of the window arrangement. As for the Council’s observation that the architect had neglected to put in any eaves, Mr Davison pompously countered that the “appellant has sought to create a building that has a modern sculptural form” — a shape which the architect arrived at by sawing four chamfers off a rectangular lump of wood.

Nor did the inspector make any reference to the sustainability or otherwise of the development. We are informed that “the scheme would make use of estate-grown biofuel from coppiced woodland” — but we are not told how many acres of Britain Mr d’Abo intends to consume every year to heat up his substantial residences. Most galling of all for those who struggle for years to get permission for a shack on their smallholding, the inspector allowed two worker’s cottages without any reference to the functional or financial tests that are normally required:

“I attach little weight to the lack of agricultural justification for the two staff cottages because the Appellant has not sought to justify their inclusion on those grounds. The scheme fits within the tradition of country house estates in which lodges and cottages for estate workers are common features.”

These cottages are tied, not to the land but to the main house. The message underlying this kind of planning discrimination is not hard to decipher: “Independent peasants need not apply; if you want to live and work in the English

countryside, get a job and a tied cottage from his lordship . . . and don’t forget to tug your forelock.”

It’s hard to know which is uglier, the elitism or the architecture; but one can safely conclude that this building draws on everything that is bad in the English rural tradition and rejects everything that is good. Ninety five per cent of houses in England have eaves for a good reason — to keep rain off the walls — and anybody who omits them is either a fool or an architect. Which of these, one wonders, is Inspector Davison? The answer can be found in the letters after his name, RIBA, Royal Institute of British Architects — the organization that lobbied successfully for the retention of the country house policy when the Labour Government had promised to scrap it. In short, there is a conflict of interest, and this appeal is a stitch up.

26 February 2009, A J Davison
APP/W0530/A/08/2079779.

Helipad Permitted in Conservation Area

Sustainability may be “the core principle underpinning land use planning” but that didn’t stop an inspector allowing a helicopter landing pad in a conservation area in a Kent village. The Inspector reasoned that the noise of each movement would last less than ten minutes. For the locals perhaps, but if it’s an hour long journey it will be pissing people off somewhere throughout the entire hour — and using between 100 litres and 300 litres of fuel per hour. And what if we all had one?

DCS: 100-060-717; Inspector Sue Turner.

BOOKS

Reflections of a Dumpster Diver

Waste: Uncovering the Global Food Scandal, Tristram Stuart, Penguin, 2009, 450 pp, £9.99.

For some, the UK’s largest anaerobic digester at Holsworthy in Devon, which supplies the grid with enough electricity for 3600 homes, is a flagship for the green technologies of recycling and renewable energy. But for pig-keeper and “fregan” skip scavenger Tristram Stuart, it is a symptom of the inefficiency and absurdity of the UK’s food industry.

Holsworthy processes 40 tonnes of food waste per day from local councils, fish processors, bakers, slaughterhouses etc — including 72 tonnes per week from two factories belonging to the makers of Ginster Cornish pasties. It also trucks in slurry and manure from 25 farmers, and then trucks it back again the form of wet digested residue, with its nutrient content boosted by the food waste. The plant would make a substantial loss were it not for the fees that can be charged for accepting the food waste, because landfill is even more costly.

Most jettisoned food is completely edible. Stuart catalogues the various ways in which the UK food industry contrives to throw away approximately 20 million tonnes of food a year, and the chief culprit is the retail industry. Supermarkets’ cosmetic standards force farmers to grade out perfectly good produce, their sell-by dates mean that edible food ends up in the skips which Stuart rummages through, and their marketing techniques, such as ‘buy one get one free’, encourage consumer waste. Marks and Spencer sandwiches are so genteel that not only the crusts but also the penultimate slices of the loaf — 17 per cent of all the bread — have to be binned. Why don’t they bake a continuous loaf?

But also to blame is a widespread failure to appreciate the value of food. The UK incinerates or otherwise throws away thousands of tonnes of perfectly edible offal, fat and blood every year, and gets 8 per cent less out of a carcass than the French. The US needs nearly 8 million hectares to grow the meat and dairy produce wasted by its consumers and retail outlets — more than 6 times the amount of land deforested in the Amazon last year. The food we bin in the UK, if it were instead released onto the global market, would be sufficient to lift 113 million



people out of a state of malnutrition.

Some food waste is inevitable: a surplus in good years is necessary to act as a buffer in bad years, and that has to be recycled somehow. As a pigkeeper, Stuart inevitably questions the EU ban on feeding swill to pigs, and comes to the same conclusion as a recent article on the subject in issue 5 of *The Land* — that the “unassailable logic of

recycling uneaten food into animal feed” is far more efficient than the anaerobic digestion practised at plants like Holsworthy. He calculates that feeding swill to pigs saves twice as much carbon as putting it into an anaerobic digester. On a trip to Japan and Korea, where feeding swill to pigs is still normal, he bumps into an ingenious low energy method for conserving swill safely for up to two weeks by pasteurizing it for just 5 minutes at 90 degrees, and injecting it with lactic cultures, like yoghurt.

This is a first class book, as copiously referenced as any academic report, yet both blunt and incisive — the sort of book one can expect only from someone who gets his hands mucky, as well as his fingers inky.

S F

An Idea Whose Time Has Come

Low Impact Development: Planning and People in a Sustainable Countryside by Simon Fairlie, John Carpenter, 1996, second edition 2009, 174 pp, £15.

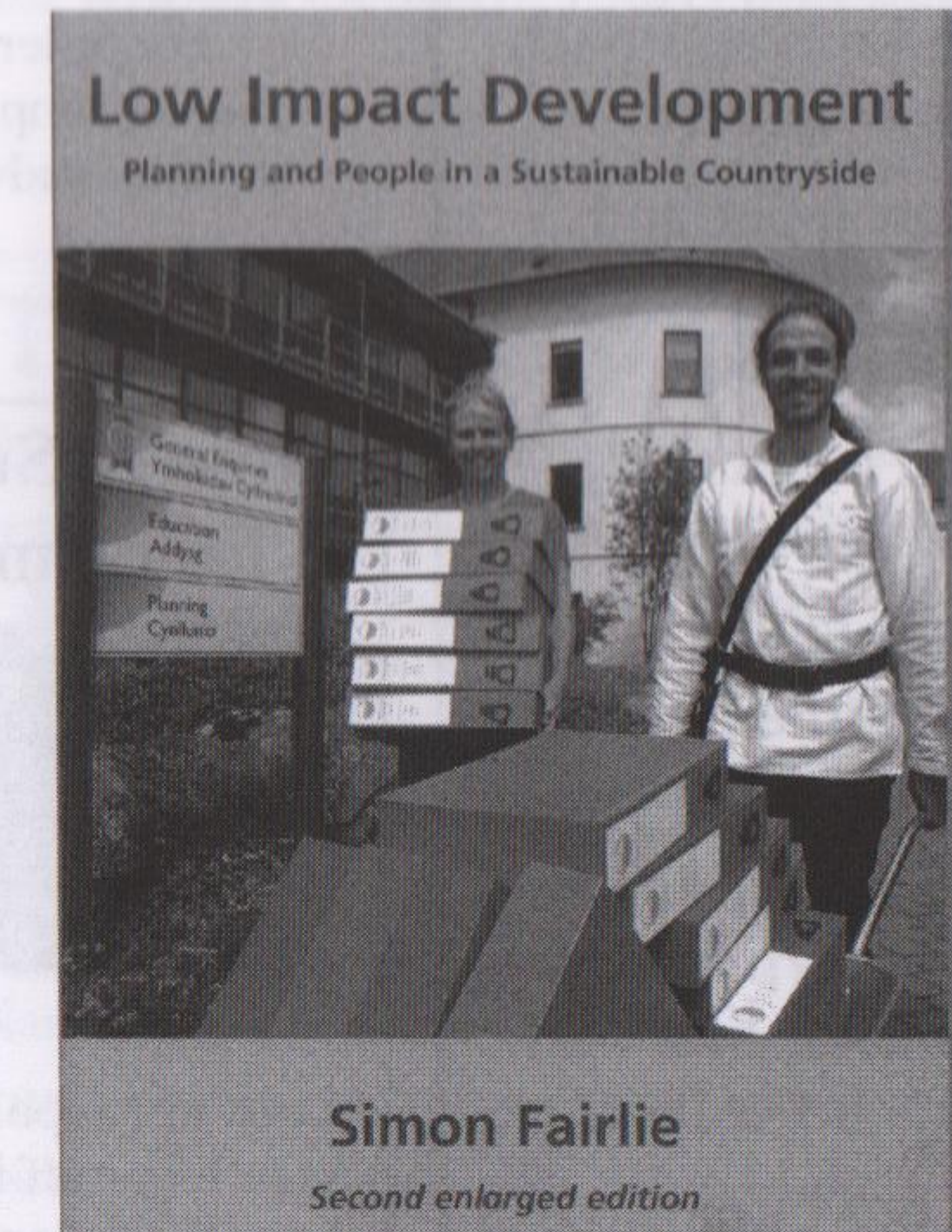
When the first edition of *Low Impact Development* came out in 1996, like many people I know, I devoured it! Unable to afford my own copy I borrowed a friend’s and made extensive notes which I have to this day. Inspired by the book, my friend went on to co-found Land Matters and the Ecological Land co-op and I went on to build a bender, then a straw bale house, and co-found Lammas.

So it was with great excitement that I greeted the arrival of this second enlarged edition. And I was not disappointed. Books as well researched, well written and as inspiring as this deserve to remain in print (the first edition went out of print in 2004). The first edition put the concept of Low Impact Development on the map. Now with its own acronym — LID — and fifteen years of grassroots activism behind it this second edition will play an equally valuable role in shaping LID’s contribution to the sustainability transition — creating sustainable homes and livelihoods.

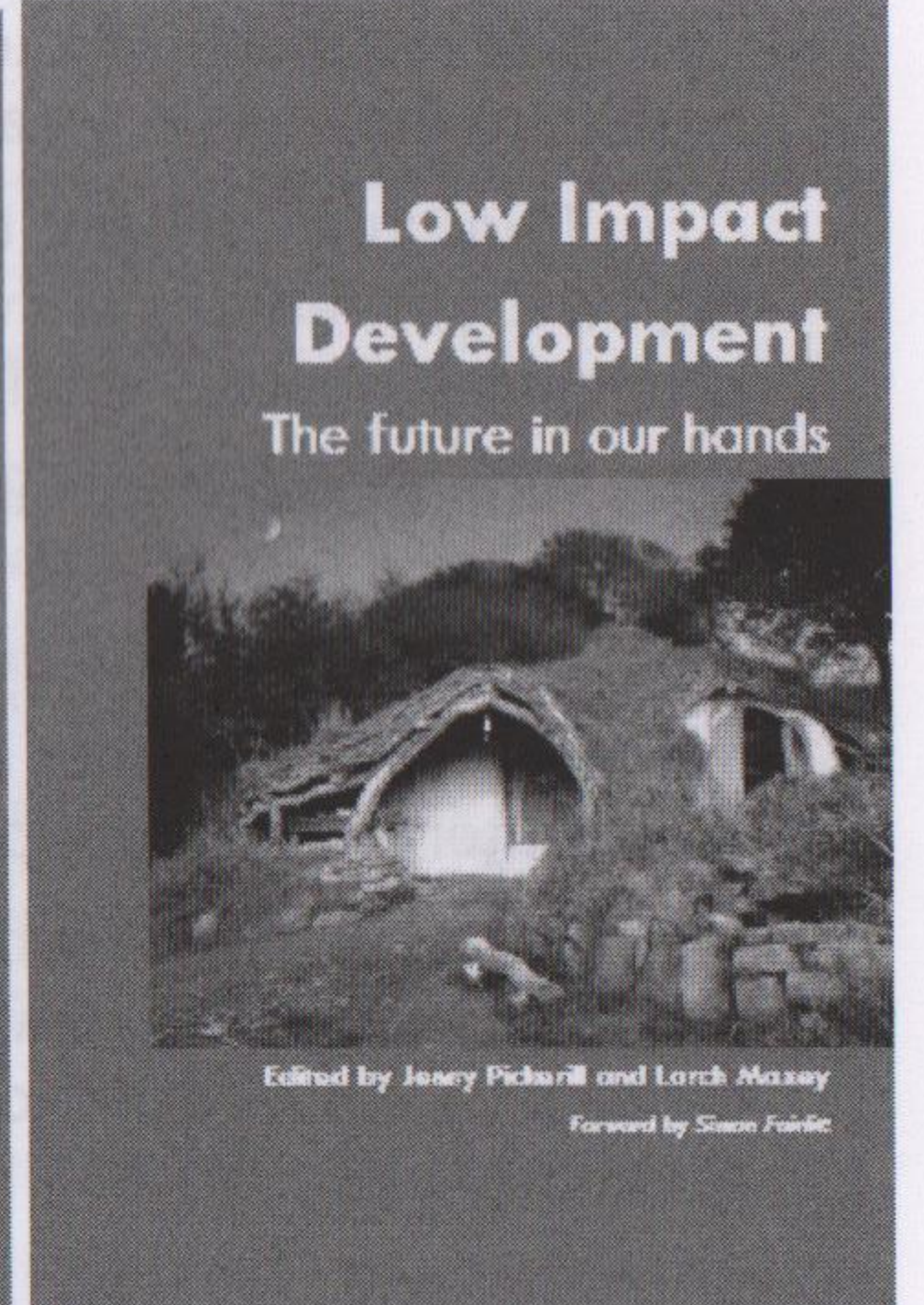
The original eight chapters from the first edition remain unchanged, with a new foreword and two additional chapters added to the end. The chapters dealing with the UK planning system’s origins and inner psyche are timeless and provide a valuable introduction for everyone from the novice to those studying town and country planning. A useful addition here is the

new chapter on plotlands developments which goes some way to update Hardy and Ward’s seminal work on plotlands and redress the impression their book leaves that all plotlands were wiped out following the post war ‘cleansing’ of plotlands! However, many plotland stories remain to be told and I hope that this new chapter will help to inspire others to pick up this thread and run with it.

I was initially disappointed that by his own admission Simon Fairlie takes “the lazy option” in reprinting the original and adding to it, rather than “rewrite the whole book”. Low impact policy and practice has not stood still since 1996 and the various LID projects and policy ideas presented in chapters 4-8 would have benefited greatly from the author’s astute and systematic (re-analysis). However, I can see why he adopted this approach. The book was originally written as an attempt to bring Low Impact Developers and planners together. The past thirteen years have shown that the planning system has failed to meet the challenge of sustainability generally or Low Impact De-



Two books on LID. The original *Low Impact Development* by Simon Fairlie, now updated — and *Low Impact Development: The Future in Our Hands*, a collection of writings edited by Jenny Pickerell and Larch Maxey. Available from *The Land*, see p.67



velopment specifically. As such Fairlie’s time is better spent supporting LIDers with advice and lobbying for policy change than re-writing the entire book! Indeed, his work with Chapter 7 ensures Simon Fairlie’s grasp of the LID movement is comprehensive and astute, as the excellent new chapter updating LID policy and practice illustrates.

Thirteen years on from the first edition, I bought my copy and already have two friends in line to read it. Whether you beg, borrow or buy this book read it and pass it on! Low Impact Development is here to stay and the way things are shaping up with climate change and peak oil that may be just as well!

Larch Maxey

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Ecoland Smallholdings

As *The Land* goes to press the Ecological Land Co-op (ELC) is completing the purchase of its first site in Devon as part of a UK wide land re-settlement initiative. The 21 acres of arable and pasture will be divided into three low impact smallholdings. Anyone interested in taking on a holding or supporting this initiative is invited to get in touch. ELC is about to launch shares for anyone wishing to invest in future sites and projects.

Please email info@ecologicaland.coop and see www.ecologicaland.coop.

Climate Camp IV

The fourth annual Camp for Climate Action takes place somewhere within sight of the City of London from 27 August to 2 September 2009, and you are invited.

The Climate Camp was started by concerned citizens responding to the gross inadequacy of government policy on climate change. Though non-violent, the camp is a direct challenge to state and capital and in the tradition of the grass-roots rebellions that have advanced and liberalised our society throughout history.

The camp will have four key themes: direct action, education, sustainable living and movement building. Day-to-day operation is consensual, with everybody who wants to taking part in decision making. If you come along you will be part of that consensus; there is no crew/punter distinction. Taking personal responsibility in this way can be a bit of a shock when we've all been so conditioned to passive consumption, but it's also invigorating!

In a change from previous years, there will be no pre-announced, single, iconic target. This decision is partly tactical in view of increasing police violence against activists, but is also designed to allow maximum space for discussion and activist training for the upcoming and hugely important Copenhagen summit.

Previous camps have seen substantial growth, with last year's event numbering in the low thousands. If we are to effectively influence the debate, this trend must continue. Low-cost catering, eco-showers, toilets and camping space will all be laid on. There will be hundreds of workshops and discussions, plus lots of fun and entertainment as well

One of the most wonderful aspects of the climate camp is being in a field with several thousand interesting people, non of whom are likely to abuse or exploit you. You may also learn the startling fact that a police/state free environment feels safer and happier. So please, come along, and bring a friend, you can visit for a few hours, or camp for the whole week.

For fuller details visit our web-site at: www.climatecamp.org.uk or to get involved in the ongoing and open planning process, sign up to

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How to Set Up a Low-Impact Smallholding



with Simon Fairlie and Jyoti Fernandes

October 16th-18th (Fri - Sun)
£195 residential, £130 non-residential

Look at the possibilities for living on the land in your own self-built eco-home, what kinds of enterprises can go along with managing the land, writing a land management plan and basic business plan, how to find land, how to apply for planning permission, where to find the kit you need and how to muddle through those exhilarating and exhausting first months.

Monkton Wyld Court
a centre for sustainable living in Dorset
01297 560342 www.monktonwyldcourt.org

Monkton Wyld School is registered charity no. 306217 and limited company no. 361419.

Eco-Hamlet Newsletter

This newsletter, now in its second edition is the mouthpiece of project to create an Eco-Hamlet (or maybe a number of them) somewhere in Britain. New members are given access to the Google E-mail Group, and invited to complete an online survey covering questions such as where do you want to live? how much land do you need? how do you propose to make a living? etc. Twenty two families and individuals have so far completed our online survey, and the results to date, are published in the newsletter.

The current issue covers the following items: (i) Progress Report; (ii) Online Survey Results To Date; (iii) Purchase and development of Eco-Hamlet Site(s); (iv) Small Farms and Eco-Hamlets; (v) Low Impact Living: Consumption Beyond Consumerism; (vi) Sheep Tagging.

www.epfsolutions.org.uk/eco-hamlet. Or subscribe to the newsletter at <http://www.smallholders.org>

Plotgate

Sites for 8 affordable, self built ecohomes, plus two viable smallholdings in Somerset; with communal hub, access to agricultural land, car share scheme etc. The land is already acquired; the planning application currently being drawn up. Interested?

01460 62731; chapter7@tlio.org.uk

The Hive, Portugal

The Hive is a new permaculture co-op in Colmeal, Central Portugal promoting sustainable, low-impact and low-carbon living. We aim to create a legal model which can be easily replicated to enable Portuguese groups to set up further such projects. We need help! We are looking for ethical investors, help with research and fundraising, and possible mentors.

www.thehiveportugal.org
info@thehiveportugal.org

THE LAND BOOKSHELF

The Potato Store, Flaxdrayton Farm, S Petherton, Somerset, TA13 5LR

01460 249204 — chapter7@tlio.org.uk

All prices include p & p. Cheques made out to The Land.

- **Low Impact Development: Planning and People in a Sustainable Countryside** by Simon Fairlie £15.00
After 5 years out of print, a new edition of the original book on LID, with two new chapters.
- **Cotters and Squatters**, by Colin Ward, Five Leaves 2002. £11.00
A study of the "one night house" and other squatter houses throughout British history.
- **Arcadia for All**, by Dennis Hardy and Colin Ward, Five Leaves, 2004 £15.00
The only history of the plotlands. "The best book ever written on the UK planning system, you will never look at Peacehaven or Basildon in the same light again."
- **Surviving and Thriving on the Land**, by Rebecca Laughton. £14.00
How to use your time and energy to run a successful smallholding
- **Low Impact Development: The Future in Our Hands**, edited by Jenny Pickerill and Larch Maxey £5.00
With contributions from over a dozen LID projects and activists across the UK.

CHAPTER 7 PUBLICATIONS

- **Sustainable Homes and Livelihoods in the Countryside** £3.00
Chapter 7's report advocating changes to planning policy in the countryside. 52 pages
- **Low Impact Policies for Local Development Frameworks** by Chapter 7 £2.00
A useful template for low impact policies to submit to your own local authority. 28 pages.
- **Food for Thought** by The Balham Hill Farm Interim Collective £2.00
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- **How to get Planning Permission to Live on the Land** £7.00
Two page essay, by Mike Fisher together with copies of his and Mandy Goddard's successful applications for planning permission on their horticultural holdings.

PLANNING ADVICE AND LIBRARY

Chapter 7 provides free planning advice on the telephone for smallholders, caravan dwellers and other low impact and low income people with planning problems. We have an extensive library of planning law and policy documents, appeal decisions and case law.

Please phone us, on 01460 249204.

THE LAND

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Chapter 7's 90 page guide to the planning system for smallholders, caravan dwellers and low impact folk is available at £12 to subscribers of *The Land*, or £16 to non-subscribers, including postage. It includes:

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BACK ISSUES OF THE LAND

Issue 1 — £5

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Last issue had a photo of Tin Town, Vancouver; this is Tin Village at Glastonbury Festival, where *The Land* hung out this year.