

# The Commons

Content development led by  
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**LE:NOTRE** *Institute*  
*Linking Landscape Education, Research and Innovative Practice*



Introduction



Health &  
recreation



**The Commons**



Mobility



Energy



Retail



Production &  
logistics



Housing



Forestry



Agriculture



Tourism



Landscape system  
presentations



Scenario / Visioning  
presentations



Social Business modelling



Impact  
evaluation

# Introduction on the Commons

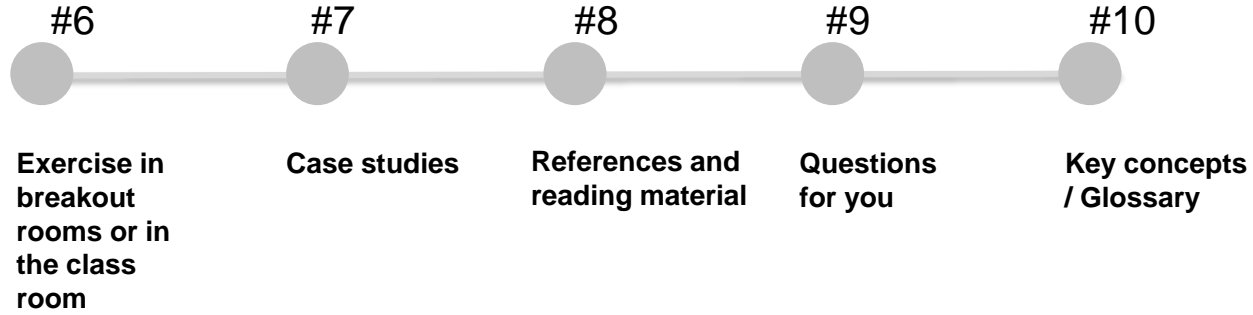
- 17h30** Principles, theory and development of the Commons,  
New Commons and Landscape Commons  
Questions & Answers
- 18h00** Discussion in breakout rooms
- 18h30** Examples of cases and concept
- 18h45** Closing

Question for all to think about:




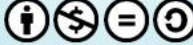
“What is your position and role in applying principles of common land for your study/project area or your work?”

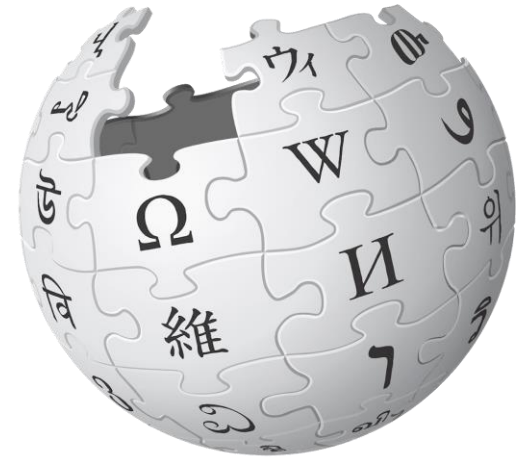


INDEX



# IMMATERIAL COMMONS: KNOWLEDGE

Traditional Copyright 	Creative Commons 	Public Domain 
Work <u>cannot</u> be used, adapted, copied, or published without the creator's permission	Work may be used <u>without</u> permission, but only under certain circumstances. ...	Work can be used, adapted, copied, and published, completely without restrictions, no permission needed.
What does it apply to?	Creators set <u>rules</u> for the way their work is used.	What does it apply to?
<u>All original work</u> is protected under copyright when it's created.		Work published prior to 1923, work by long-dead creators, and work that creators have placed in the Public Domain.
	What does it apply to?	
	Only work that creators have chosen to designate as Creative Commons.	



# WIKIPEDIA

# The principles of commons

Communal and shared use of **lands** or of **goods**

The commons is the **material landscape of common lands** shared by a community of commoners with **customary use rights** in the land

Creating a community through the shared use of landscape

Recreational, restorative, economic and democratic value

*Menatti, 2017; p 652 – referring to Olwig 2013, 20.*





# Commons *from latin communis*

A means to generate social processes that can **maintain, reproduce and reinvent** our lives in times of uncertainty

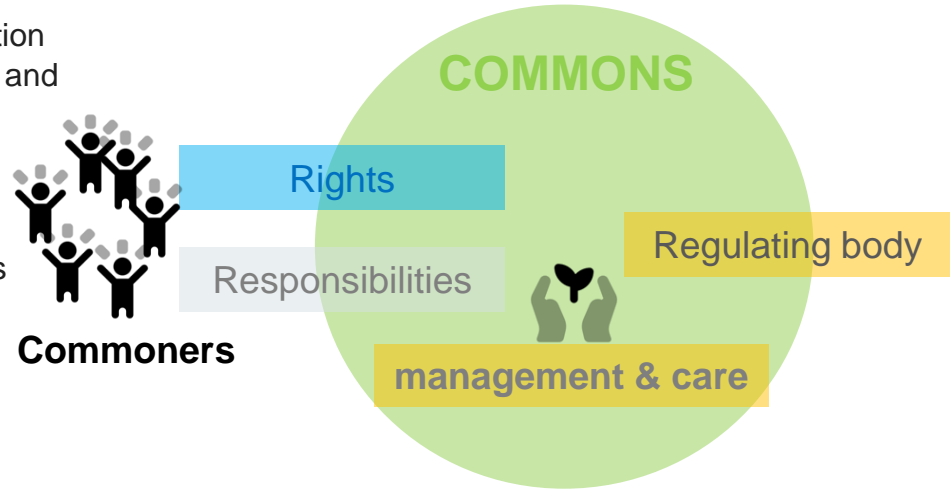
**A common pool of resources** containing all the creation of **nature and society** that we inherit jointly and freely and hold in the trust for future generations

**Governance** as well as **relationships:**

community ↔ resources on which it depends

humans ↔ nonhumans

humans ↔ nature



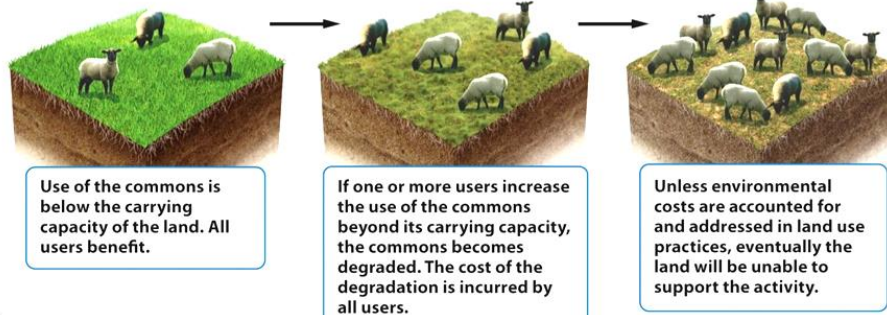
# MAIN CRITICISM TO THE COMMONS

Tragedy of the Commons' is an economic and environmental science problem where individuals have access to a shared resource and act in their own interest, at the expense of other individuals.

This can result in **overconsumption**, **underinvestment**, and **depletion of resources** through uncoordinated actions.

Garrett Hardin, 1968 "The Tragedy of the Commons"

## The Tragedy of the Commons





# IN DEFENCE OF THE COMMONS

Ending The Tragedy of The Commons | Elinor Ostrom (Nobel Prize in Economic Sciences, 2009)

<https://www.youtube.com/watch?v=Qr5Q3VvpI7w>



The Evolution of Institutions  
for Collective Action

Intergenerational and collective thinking:  
eight principles by Ostrom for  
sustainable and equitable governing of  
commons in a community

1. Define clear **group boundaries**
2. Match **rules governing** use of common goods to local needs and conditions
3. Ensure that those affected by the rules can **participate in modifying the rules**
4. Make sure the **rule-making rights** of community members are respected by **outside authorities**
5. Develop a system, carried out by community members, for **monitoring members' behavior**
6. Use graduated **sanctions for rule violators**
7. Provide accessible, low-cost means for **dispute resolution**
8. Build **responsibility for governing** the common resource in nested tiers from the **lowest level up to the entire interconnected system**



# Landscape as a common good

Common **good** (singular)

something belonging to the community and endowed with a political appeal

Common **goods** (plural)

common pool resources: Earth's ecological resources: water, air, etcetera

# LANDSCAPE AS A COMMON?

## MATERIAL RESOURCES:

- Water
- Fertile soils
- Space / Land (rural-urban)
- Forests / pastures

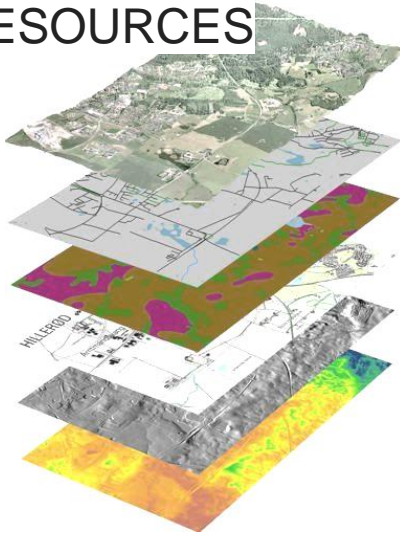
## SERVICES & GOODS:

- Sharing economy

## INMATERIAL RESOURCES:

- Knowledge

## COLLECTIVE AND COORDINATED USE AND MANAGEMENT OF RESOURCES

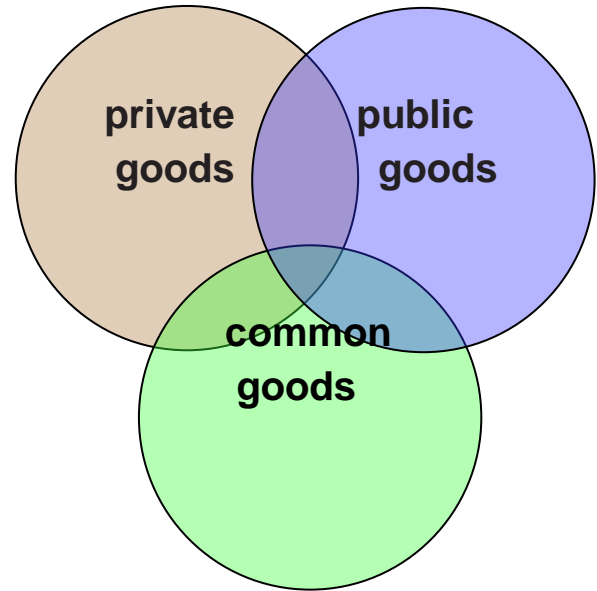


# ECONOMY: PRIVATE, PUBLIC & COMMON GOODS

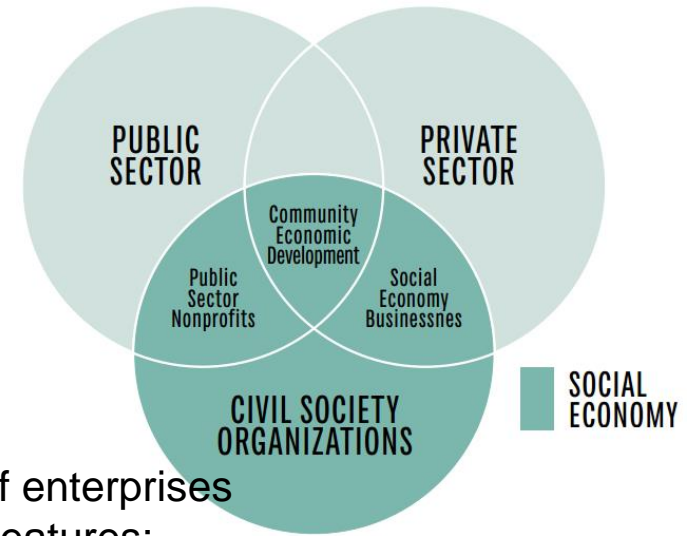
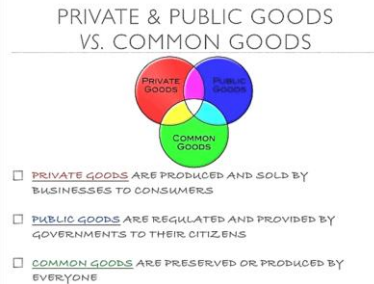
**Private goods** are produced and sold by businesses to consumers

**Public goods** are regulated and provided by governments to their citizens

**Common goods** are preserved or produced by everyone or by a defined community for the benefit



# SOCIAL ECONOMY



**SOCIAL ECONOMY** formed by a rich diversity of enterprises and organisations sharing common values and features:

- Primacy of the individual and the social objective over capital
- Voluntary and open membership
- Democratic governance
- Combination of interests of members/users and/or the general interest
- Defence and application of the principles of solidarity and responsibility
- Autonomous management and independence from public authorities
- Reinvestment of at least most of the profits to carry out sustainable development objectives, services of interest to members or of general interest



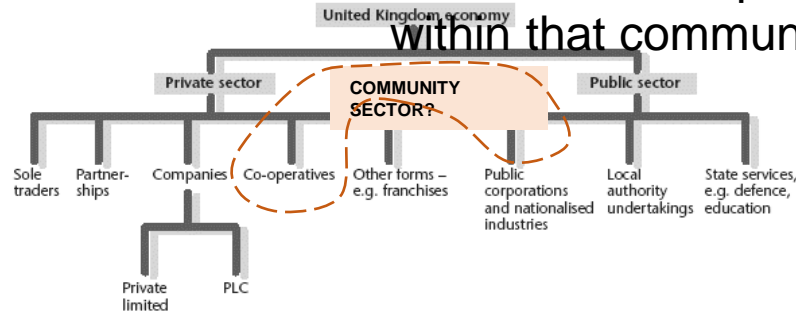
# COMMUNITY ECONOMIC DEVELOPMENT

# 1 Principles of the commons



## COMMUNITY ECONOMIC DEVELOPMENT (CED)

Approach to local economic development that is driven by a community's social, environmental and economic priorities. It is shaped by those who live, work and run businesses and public services within that community.



# COMMONS: MATERIAL RESOURCES

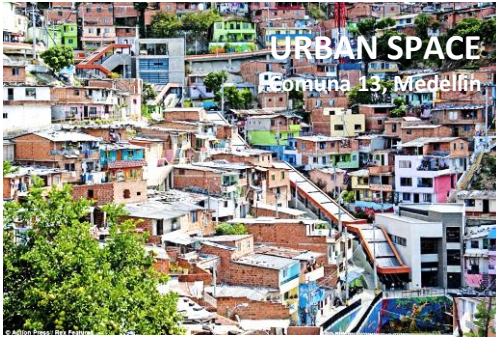
- **Water**
- **Fertile soils**
- **Space / Land (rural-urban)**
- **Forests / pastures**

## SERVICES & GOODS:

- Sharing economy

## INMATERIAL RESOURCES:

- Knowledge





# Right to landscape

# 2 Concepts related to the commons

- right to a **perceived landscape**. How people perceive landscapes determines their right to have those landscapes. In this case the right to a landscape can be considered a collective right (ref European Landscape Convention)
- right **per se**. Landscape as a complex ecological milieu, with animals and plants -> right to the environment.
- framework for addressing **human rights**. In this case landscape is considered a substantive space for actual human rights.

Menatti, 2017; p 667, point 2 referring to Egoz et al. 2011

# Access to land – right of way for walking

Who owns the land, who has the right to land?

Who has access to land, who can benefit from the land?

# 2 Concepts related to the commons

Sweden*	Swedish Constitution → public access to the countryside is open to all. " <i>Allemansrätt</i> " is not written in law. Liberal access to all land owned by others (except developed land and private gardens) is traditional. Freedom to walk, cycle, ride, ski, camp, light a fire, collect wood, wild plants & berries and to use land and water bodies in ways that do not damage them or interfere with their owners. Landowners may not prevent access.
Norway	Norway's tradition of " <i>Allemansrätt</i> " is now written in the 1957 Outdoor Recreation Act. There is differentiation between cultivated and uncultivated land. Liberal access (as in Sweden) is allowed to all open, uncultivated land, forest, water and foreshore. Access to cultivated land is restricted to the winter months (when it's frozen).
Finland	The tradition of " <i>jokamiehenoikeus</i> " allows liberal access (as in Sweden) to land and water owned by others on condition that it is used in ways that cause no damage and do not interfere with the owner. The traditions are similar, but there are more rules in Finland: lighting fires and driving motor vehicles off-road requires permission, dogs must be on leads. Wild fruits and berries may be picked only for immediate consumption
Iceland	Access for passage across all open land in the countryside is a legal right in Iceland, although access to cultivated land is permitted only in winter. Visitors are expected to behave respectfully and responsibly - using paths and tracks where they exist. Motorized vehicles may be driven off-road on snow covered land, frozen lakes and glaciers.
Scotland	The Land Reform (Scotland) Act (2003) is based on the country's traditional privilege of unhindered access to open land, creating a legal right to access land for walking and recreation. Access to the private open countryside is permitted in return for responsible behavior the principals of which are set out in the Act. In addition, a series of long distance way-marked trails traverses the country.
Switzerland	The Swiss recognize " <i>Bertrretungsrecht</i> " over all uncultivated open land, forests and woodlands. Federal laws of free access to certain types of lands, including forest and grazing land exist and access is generally unrestricted in the high mountain, private forest and pasture and all municipal and state owned land. An estimated 50,000 km of footpaths traverse the countryside.
Germany	The German traditional of " <i>Bertrretungsrecht</i> " is enshrined in federal laws to allow access to forests, unenclosed lands, foreshores, footpaths and farm roads. Rights generally include walking, running, sitting, camping and playing; cycling - riding in forests, some Lander include ski-ing and skating, but enclosed farmland and areas of nature conservation are excluded. An estimated 200,000 km of way-marked footpaths exists.

Austria	The tradition of " <i>Wegefreiheit</i> " allows public access by foot through Austrian forests and pastures. Activities such as riding horses, cycling and camping overnight require permission of the landowner but otherwise ingrained respect of the countryside restrains access to cultivated land etc. Legal rights in each bundesland vary however, some permit landowners to deny access in certain circumstances. A highly organized network of footpaths exists.
England	The Countryside and Rights of Way Act (CRoW Act) 2000 gives rights to roam on foot through all "open country" designated (and mapped) by the government. Cultivated farmland, developed land, private parks and gardens are excluded. Sightseeing, bird watching, picnicking, climbing, and running as well as walking on designated lands is expressly permitted. All foreshores and the coastal perimeter are open to the public and an extensive mapped system of footpaths and bridleways provides further access. An estimated 190,000 km of footpaths exists in addition to bridleways.
Denmark	Landownership and privacy are privileged in Denmark. Access is limited to public forests, beaches and State owned land - the entire coastline is open for walking fishing and hunting. Public land may be used for collecting wood, berries etc, but not for camping, or lighting fires. Access to private roads and certain types of unfenced area in private forests and open, uncultivated areas is allowed.
France	Landownership and privacy are privileged in France as they are also in Italy and Spain. Rights of way are restricted to linear passages – although an extensive network of footpaths exists in France - an estimated 120,000km of them, otherwise National Parks, beaches and the entire coastline (3m above the high water mark) are accessible. As land is sold for development, countryside traditions of passage are revoked and access to the close-by countryside is being lost.
Netherlands	Landownership and privacy are privileged in the Netherlands. No rights of access to private land. Legal rights of access are limited to linear rights of way (roads, footpaths and cycle-paths), in addition to the sophisticated built network of recreational parks near all major cities and beaches. Forests and other public areas are also managed as recreation areas. Sophisticated network of footpaths and cycle-ways: 19,000 km.
Ireland	Landownership and privacy are privileged in Ireland. There are no right of access, or passage across private, or even public land in Ireland. Six National parks are open to public access, as is some of the Coille forest. Since 1982 4,000 km of "way-marked ways" have been created, but when they cross private land, it is with permission of the landowner whose rights are paramount, permissions may be withdrawn.

\* This table summarises information contained in the Peter Scott (ed.) 1991 Review of Countryside Access in Europe and Govoritz Robinson's (2011) report on Public Access to Private Land for Walking. See reference section.

Source: Meeres 2014

# Access to land – right of way for walking

# 2 Concepts related to the commons

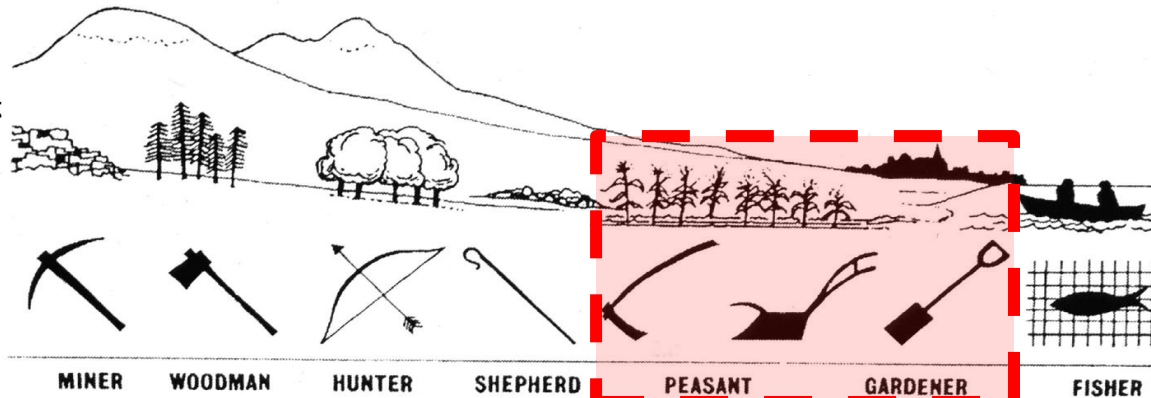
Country		Access	No access	Other rights
Sweden	Allemansratt	Countryside, open uncultivated land, forests, water and foreshore	Developed land, private gardens, cultivated land in summer	Light a fire, collect wood, berries, herbs
Norway	Allemansratt			
Finland	Jokamiehenoikeus		Cultivated land in summer	Fire only after permission, picking for direct consumption
Iceland		Open land in countryside, cultivated land in winter		
Scotland		Legal right for walking and recreation		
Switzerland	Betretungsrecht	All cultivated open land, forest, woodlands.		
Germany	Betretungsrecht	Forests, unenclosed land, foreshore, footpaths in farmland	Enclosed farmland, areas of nature conservation	
Austria	Wegefreiheit	Forests and pastures, highly organised network of footpaths.		Cycling, horse riding overnight camping requires permission
England	Right to roam on foot	Open land, foreshore and coastal perimeter.	Cultivated farmland, developed land, private parks and gardens	
Denmark		Public forests, beaches and coastlines, state owned land	Landownership and privacy are prevalent	
France		Linear passages in agricultural land, National Parks, beaches and coastlines 3 meters wide above the high tide line.		
Netherlands		Linear paths, Recreation areas, Forests.		
Ireland		National parks and some of the forest		

Source: Meeres 2014

# Rural Commons

Who benefits, who cares for it,  
who manages, who owns

# 3 Types of Commons



“Valley Section” by Patrick Geddes (19<sup>th</sup> century): Design with Nature,  
source: <https://transect.org/>

Building material  
Firewood  
Nuts  
Fruits  
Herbs  
Mushrooms  
Meat  
Milk  
Crops  
Vegetables  
Fish

 = not common

# Urban commons - Right to city

**broader array of resources both material and material**

**open system: transforming its users and shape relations based on collaboration and solidarity**

**can embody local forms of resistance and cooperation to make claims on urban resources and city spaces**

**a way of resisting privatisation or/ and commodification**



# Themes of urban commons

# 3 Types of Commons

## **Economy**

Supporting diverse non-capitalist economies based on mutual interests, sharing and collaboration.

## **Ecologies**

Relations of collective care, regeneration and resilience can contribute to planetary ecological repair (eco-communing)

## **Infrastructures**

Shared mobility, facilities, housing etcetera as transformational infrastructures to build resilient communities

## **Knowledge**

Generations management and dissemination of knowledge orientated towards social change and more just society.

## **Socialities**

Cooperating communities and their capacity to maintain, reproduce and transform urban life.

## **Governance**

Not merely a question of management but a political process with a principle of self governance to transforms society.

# Development Western Europe

Small settlements

Common central area

Ownership of plots near village

Different types of 'common land'

Ownership by landlord, later public authorities or not defined: waste land

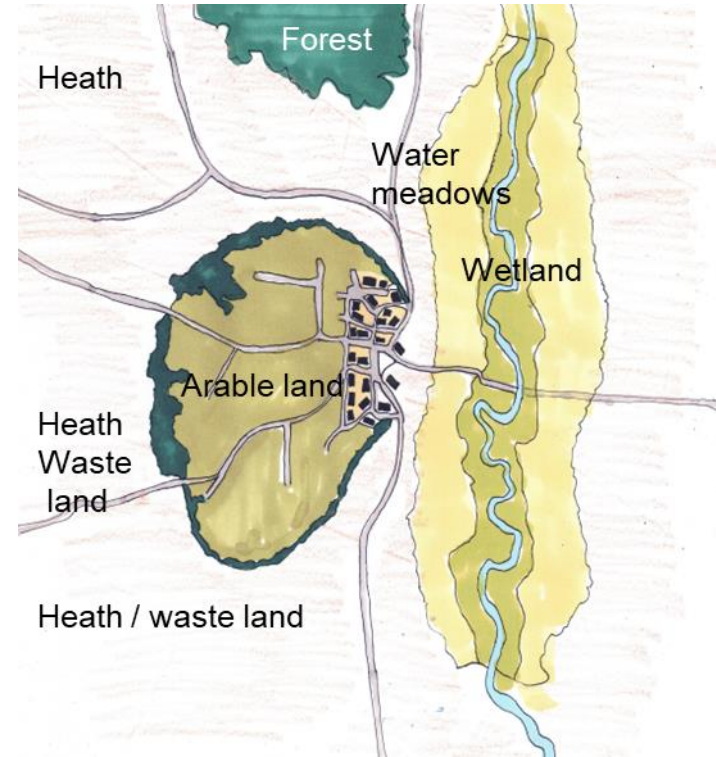
New cultivations, enclosures

Impact of fertilizers, barbed wire to enclose

Overexploitation: forests / heathland

Losing rights by residents

Enclosure of land still going on



Drawing J. de Vries,  
adapted from: <http://knapzakroutes.pietsmulders.nl>



# Development Central and Eastern Europe



## Communism/socialism

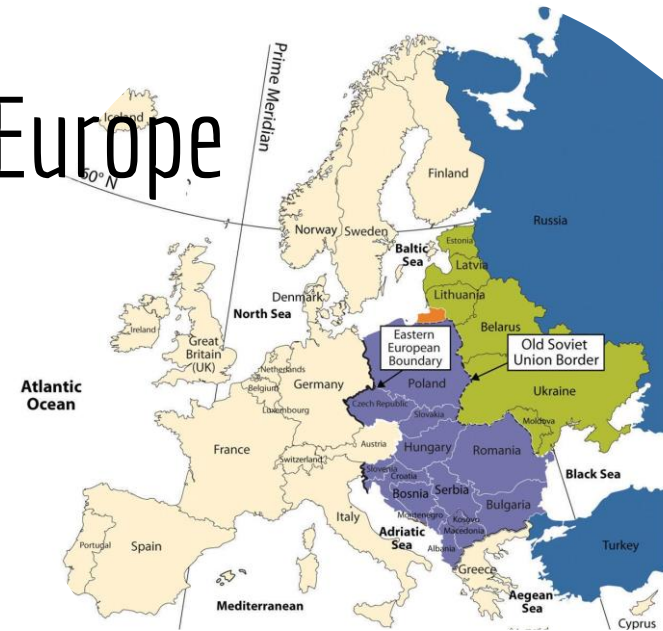
- domination of public property, implicit central planning, large state agro-structures, massive mechanization of agriculture (*large scale, expensive and environmentally insensitive agriculture as a means to support rapid industrialization centered on heavy industry*)

## Commons

- the leftovers of the farm (*state or semi-subsistence*), infrastructure, industry and urbanisation
- the main platform of autonomy especially in relation with food and energy self sufficiency in scarcity era

## Postsocialism

- Complicated transition from communism to capitalism, public to private interest and property sovereignty, central to private planning
  - Privatisation of commons in rural and urban context
  - Aggressive and chaotic urban sprawl generating abandoned land
  - New forms of Hybrid commons: URBAN PASTORALISM
- Abandoned agricultural land (private) transformed in commons informally*

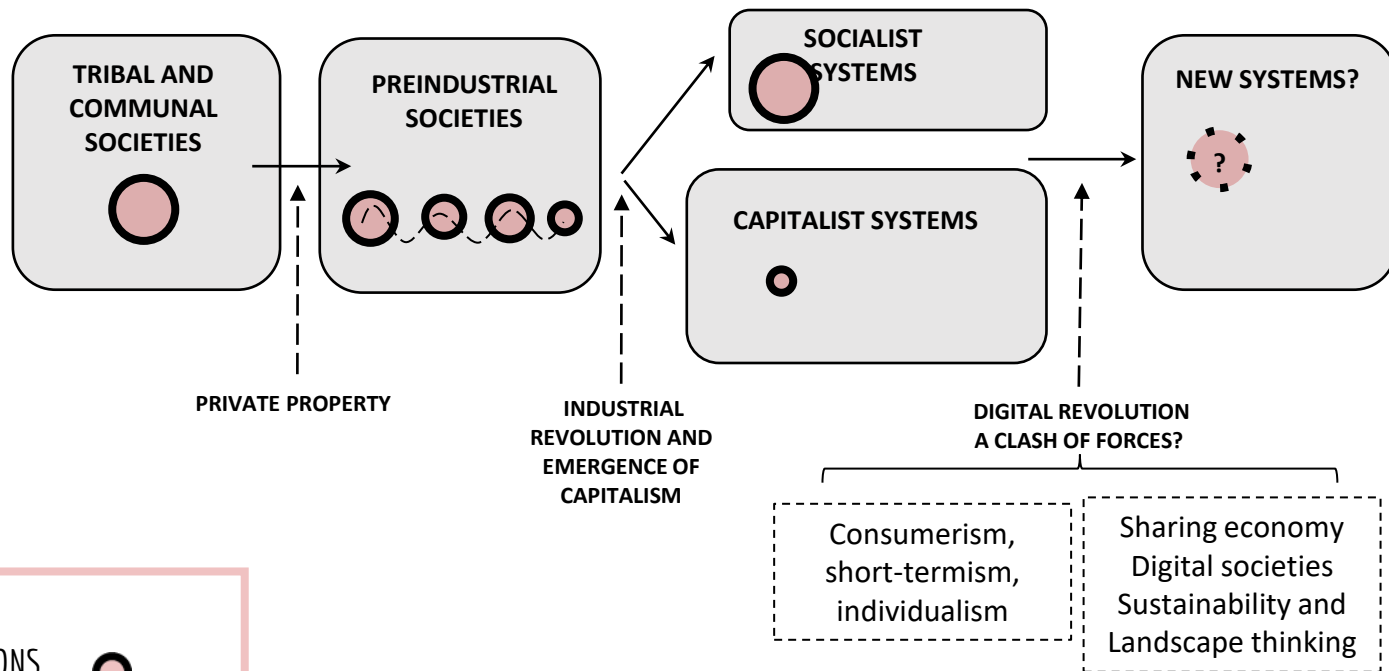


*under influence of greater powers  
the fringe of Europe in terms of economic development*



# Reflecting socio-economic systems & cultural values

# 4 Development of the Commons



**Commons and... ?**

- Type of ownership?
- Rights of use
- Rights/Duties in management
- Duties and rights

(Galán, 2022)

# Trends and impacts on the area of common land

# 4 Development of the Commons

## Losses

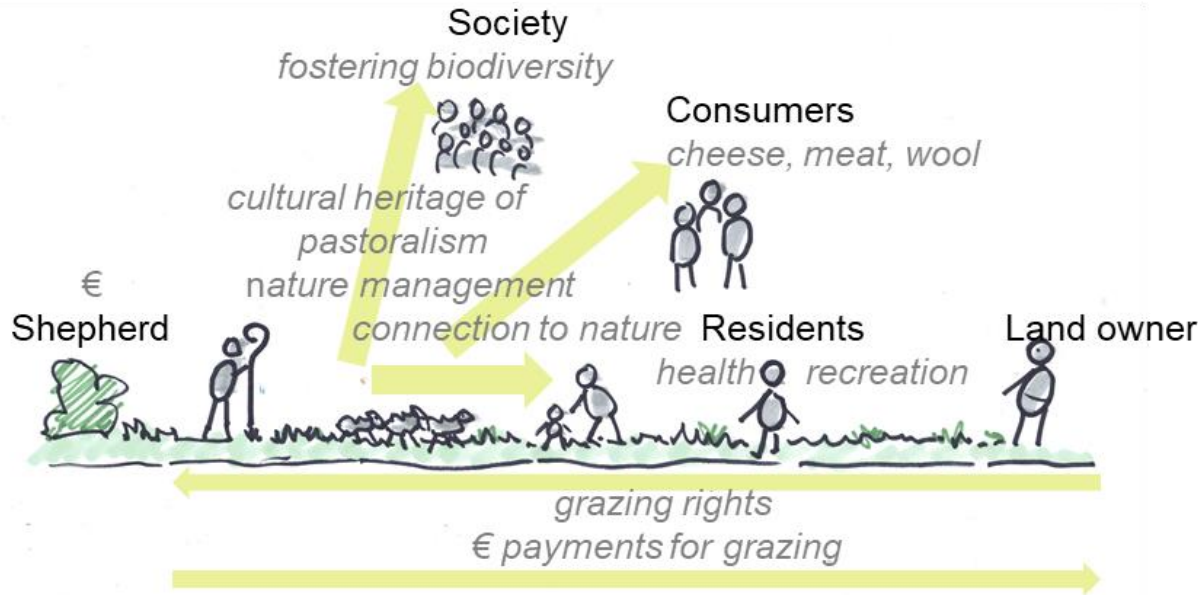
- Regulations on harvest in forests (mushrooms, fire wood)
- Loss of agricultural land for urban sprawl and development
- Illegal occupation
- Loss of agricultural land by selling to private entities (international companies take over land of small holdings for export)
- Loss of public accessible space because of gentrification, closed communities
- Loss of public land due to privatization (authorities selling)

## Gains

- Reclaiming illegally taken plots
- Improved access for leisure / recreation – development of green infrastructure, recreational routes
- Reclaiming land for urban agriculture
- Buying land by trusts, communities for common production
- Giving rights to users

# Value chain: an example community pastoralism

# 5 Value chains



Aspects of value for well-being:

- Connection to nature
- Cultural fulfillment
- Education
- Health
- Leisure time
- Living standards
- Safety and security
- Social cohesion

# EXERCISE in BREAKOUTROOMS / the CLASS ROOM

## (30 minutes - 4 people per room / group)

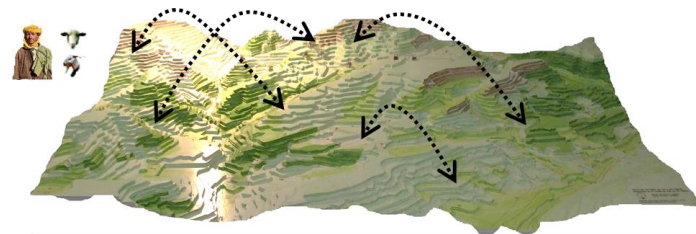
Briefly present yourselves

1. Do you know a place / site in your environment that you could label as a 'common'?
2. Who can be regarded as the 'commoners'?
3. What are the benefits for the commoners?
4. What are the responsibilities of the commoners?
5. How do you see this model being updated/uplifted to benefit society at a larger scale ?





# CASE STUDIES



# 'Herenboeren' – gentleman-farmers NL

Concept for new commons  
Farms of at least 10 hectares

Three pillars:

1. Nature-driven food production systems
2. Socially Connected Organizations
3. Economically supported companies



Source: Herenboeren.nl

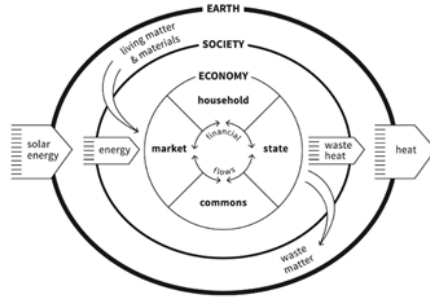


# 'Herenboeren' – gentleman-farmers NL

## Seven principles

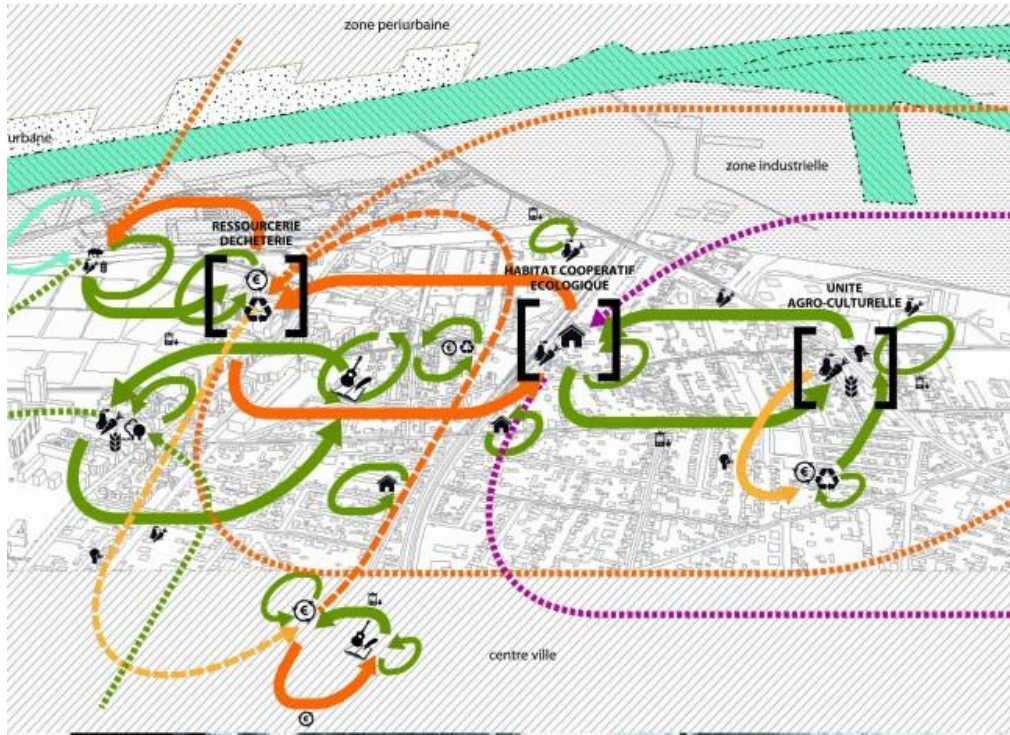
1. It is a cooperative U.A.
2. Labour secured in the budget
3. Production tailored to members' nutritional needs
4. No sale of products
5. Financing only by entrance fee and yearly contribution
6. Nature-driven production
7. Active part of learning and experimenting network

# 7 Case Studies  
CASE STUDIES

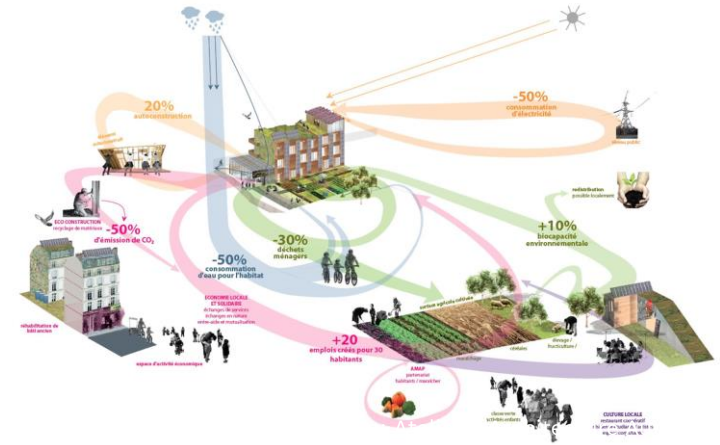


Source: Herenboeren.nl

# Paris: R-urban



<https://www.commonities.org/project/r-urban-commoning-resilience/>



R-Urban is a bottom-up strategy based on networks of urban commons and collective hubs supporting civic resilience practices initiated by atelier d'architecture autogérée. Although conceived and initiated by architectural designers and urban researchers, the R-Urban framework was designed to be enacted through co-production with a wide range of actors including local residents, policymakers and local businesses.

# The R-URBAN process

1. Identifying vacant or underused land
2. Negotiating with authorities to access the land
3. Holding events to gain interest from local residents.
4. Consulting the community to determine the preferred use of space.
5. Proposing designs for the space that reflect resident's preferences and ideas.
6. Implementing plans by community volunteers, experts staff volunteers and student volunteers.
7. Overseeing and governing the space by regulatory body: giving rights of access (keys).
8. Undertaking continuous development to find new ways of occupying the space.
9. Gradually ceding management/ governance of space to the community association.
10. Considering the need to relocate to find alternative space.





Source: R. Triboi



Source: R. Triboi

# France: community garden



Source: R. Triboi



Budget participatif : une 1re édition réussie !



Roxana Maria Triboi  
22 mars 2018

## Un square convivial rue de Braga

La friche rue de Braga pourra être aménagée en un espace convivial pour les habitants du secteur d'Estaling.

- Cadre de vie / Petits aménage...
- Montferrand



Source: R. Triboi



Source: bec36. fr et budgetparticipatifClermont





Source: Sors de terre



Source: © PDB / France 3 Paris ID



Source: Fabrique territoires

# France : Urban pastoralism







Source: P. Calinescu



Source: R. Triboi

# Romania : Urban pastoralism



Source: P. Calinescu



Source: P. Calinescu

# Commons in rural Romania

Small Community of 30 families in a valley in Carpathians mountains

## Commons

River banks

Circulations path

Public space

Pastures/grazing space

Woods



- 3 Days of work (individually) per cow / pasture management
- Payment of a common cow shepherd for all village
- Voluntary work of each family ensures for herds
- Pastoral management of sheeps in the mountains





# Bucharest: Open education through libraries

## Experiential education in an interdisciplinary setting

Source: Studio Basar



**City School 2015-2016: The Library from Militari** : *an applied education program coordinated by studioBASAR and developed with local community*

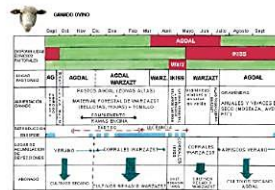
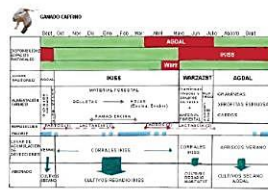
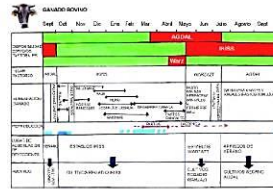
The City School is a program of mutual learning, developed with students, young graduates and residents of the city in a collaborative and horizontal approach.

### Open outside libraries

- practical approach of opening education in the context of the pandemic and limitations suffered by the public libraries.
- a way of keeping the existing public libraries active while facilitating access to education of socio-economic vulnerable population
- extremely valuable in the context of radical privatisation and progressive closure of public and community spaces in Bucharest
- appropriated spaces for experiential education,
- supports local community interaction

# Landscape study of the Yagour region

## TRANSHUMANCE IN THE COMMONS OF THE YAGOUR (Morocco)



### 1.3. Use Ganadero

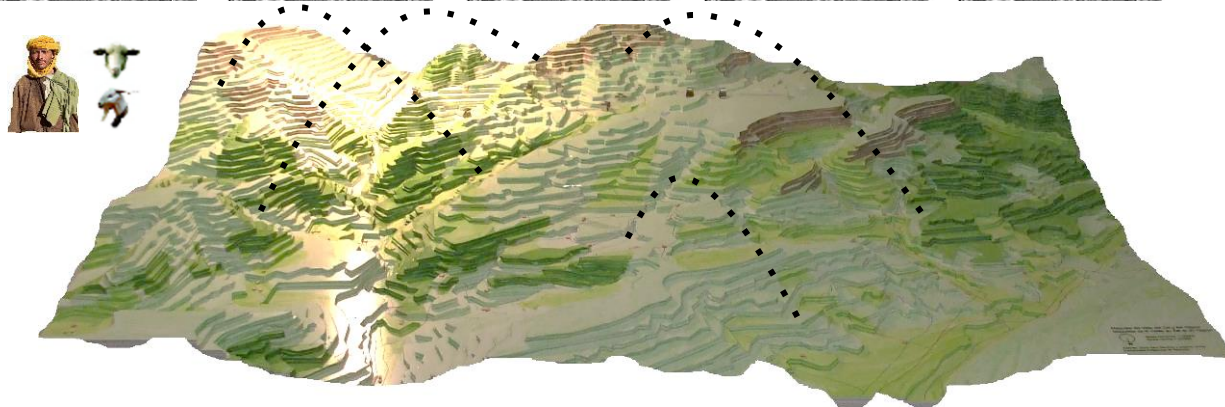
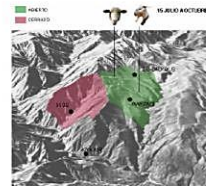
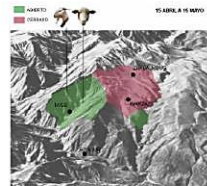
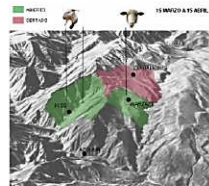
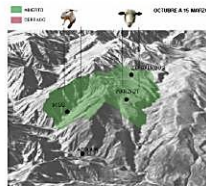
La ganadería ha constituido tradicionalmente la base de la economía local y su principal bien comercial. La gestión de los suelos con recursos forrajeros ha conformado de hecho el modo de vida de los habitantes del Yagour, la posición de sus asentamientos permanentes o temporales y el estricto calendario que rige la apertura o cierre de las distintas zonas pastables.

### 1.3. Usage pour l'élevage

L'élevage est traditionnellement la base de l'économie locale et son produit commercial principal. L'aménagement des sols avec des ressources fourragères influence en fait le mode de vie des habitants du Yagour, la localisation des colonies permanentes ou temporaires et le calendrier strict qui régit l'ouverture ou fermeture des différentes zones de pâturages.

Image 17: Calendriers pour le gado (bovins, caprins y ovins) en el Valle del Río de Yagour. (Fuente: Sebastian DELBAY)

Image 17: Calendriers pour le bétail bovin, caprin et ovin dans la Vallée du Rio de Yagour. (Source: Sebastian DELBAY)



Juanjo Galan, 2008

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# Focussed reading list on the Commons

- Urban Commons Research Collective. (2022)., Urban Commons Handbook (Barcelona: dpr-barcelona, 2022): pages 18-29 and 32-54 .
- Menatti. L. (2017). Landscape: from common good to human right. In: International Journal of the Commons Vol. 11, no 2 2017, pp. 641–683 Publisher: Uopen Journals; <http://www.thecommonsjournal.org> DOI: 10.18352/ijc.738: pages 649 – 659 (10 pages)
- You can also follow **#urbancommonsresearchcollective**

# Some questions for you:

- Which role can landscape commons have in your study/project area or in your study or work?
- Are there already transformative initiatives existing?
- Who could be the participants / actors in the development?
- Who would benefit, who should contribute, who should regulate?
- What kind of value chains can be developed?

# Thank you for your attention

Jeroen de Vries  
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**LE:NOTRE** *Institute*

*Linking Landscape Education, Research and Innovative Practice*

# CONCEPTS and GLOSSARY

# Key concepts of the (new) commons

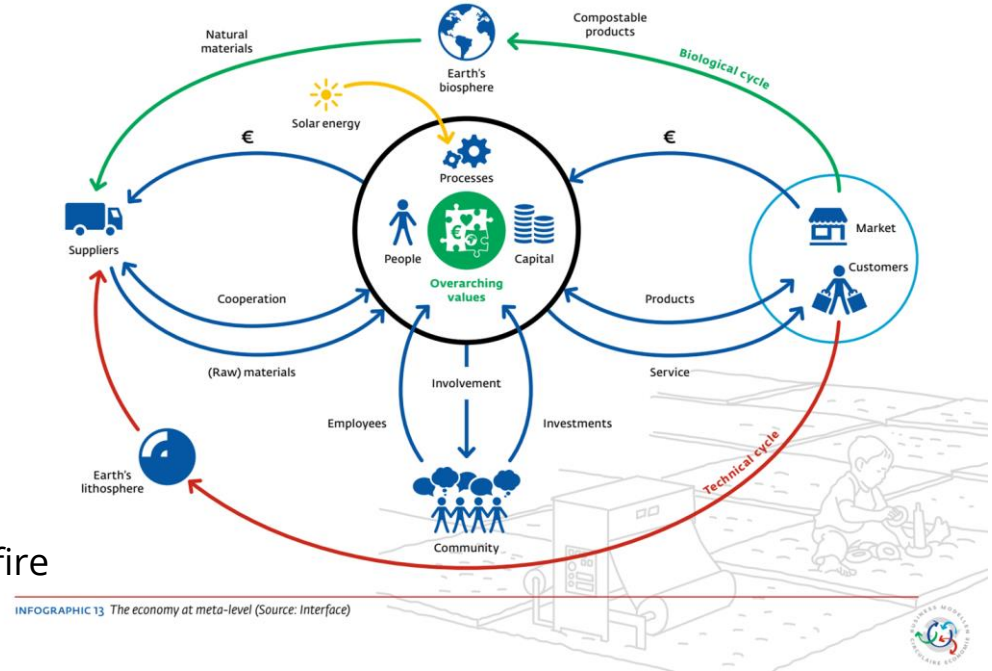
## Key concepts

- Right to landscape
- Access to land
- Landscape democracy
- New commons
- Food security
- New business models

## Aspects

- Grazing rights
- Access for leisure
- Hunting rights
- Right to grow food
- Right to pick fruits, mushrooms, collect fire wood
- Funding for ecosystem services

INFOGRAPHIC WORKBOOK 'ORGANISING FOR THE CIRCULAR ECONOMY', JONKER ET AL. (2018)



INFOGRAPHIC WORKBOOK 'ORGANISING OR THE CIRCULAR ECONOMY',  
JONKER e t a l. (2018)



# Landscape as a common good

Landscape is considered a – both material and immaterial – good belonging to the community. Landscape is shared, protected and safeguarded so that it can be inherited by future generations. Landscape is the relation between nature and culture, which is expressed in patrimony and cultural heritage. A sense of responsibility, both from the political and social points of view, is implied by this idea. The theoretical focus is posed on the political value of the landscape, and on the fact that its characterisation as a common good promotes a shift from an aesthetical account to an ethical one.

# Commons and Landscape

The commons is the material landscape of common lands shared by a community of commoners with customary use rights in the land, with a shared use of the lands.

Management is based on a *lex loci* and on customs.

The commons imply the relationship between the material land and the culture.

Moreover, the connection between landscape and commons is established through the political value assumed by landscapes and commons in democratic processes.

Today it also includes the issue of the re-appropriation and the collective management of a land/part of a territory in every kind of landscape.

# Landscape as a right

People can be entitled to a right of landscape which may be considered as a human right.

From the correlation between landscape and health, both physical and psychological, one can conclude that every human being is entitled to the right to a culturally rich and healthy landscape.

The right to landscape, even if it is not recognised as a right *per se*, is already implicated in many international right laws

Menatti and Casado 2016, Strecker 2011, 57

# Right to city

This right is a reaction to the continuing commodification of urban resources encourage by both public policy and private development.

The urban commons transform cities around the globe challenging the capitalist process of accumulation, extraction and enclosure.

# Social Economy

A type of economy which is formed by a rich diversity of enterprises and organisations sharing common values and features:

- Primacy of the individual and the social objective over capital
- Voluntary and open membership
- Democratic governance
- Combination of interests of members/users and/or the general interest
- Defense and application of the principles of solidarity and responsibility
- Autonomous management and independence from public authorities
- Reinvestment of at least most of the profits to carry out sustainable development objectives, services of interest to members or of general interest