

Access in the post-productivist landscape: the case of Denmark

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Abstract

This article takes an approach which is based on the protection of nature. This is then used to make policy judgements concerning public access to the rural landscape and takes Denmark as an example of this. It is anticipated that increased accessibility will be a growing requirement in the coming years.

Introduction

Public access to the countryside has for two centuries been a controversial political issue in Denmark. To put it crudely: The landowners, referring to their private property rights have claimed their exclusive right both to exploit the resources on their property and to keep others outside. Those outside have, on the other hand, claimed that access and some exploitation – such as picking mushrooms and game fishing - are a common right and asset in a democratic welfare society.

This conflict has been seen in many countries though its toughness varies depending on historical, cultural and geographical differences. It also depends on the economical and technical development, differences in life-style and including the world-view related to these factors.

In Europe, we may, generally speaking, distinguish between North, where the right to exploit the natural resources of the land usually has priority over private ownership to the land, and the South characterised by the Roman legal tradition where it is the opposite. Denmark is, like the Netherlands, placed somewhere in-between. And if we look Eastward to the countries wishing to gain accession to the EU we find still another pattern characterised by their transition from former centralised economies and other democratic traditions in the recent past to a more market oriented society.

These changes and differences will not come to an end in a foreseeable future. On the contrary, the present fragile balance between user and owner rights is challenged in many more or less interdependent ways by various circumstances: To mention 8 of the more important:

- * The already mentioned enlargement of the EU,
- * The balance between the principle of subsidiarity and a desired harmonisation of legislation within the EU in general,
- * The changes in the common agricultural policy,
- * The influence from World Trade Organisation
- * The growing concern for wildlife and habitat,

- * The devotion on sustainable development,
- * The ongoing technological and structural agricultural development,
- * The demographic development with urbanisation in some areas and land abandonment in others.

These circumstances will all influence how we look at accessibility of the European landscape.

In this contribution I will discuss this development by taking Denmark as an example. But first I will briefly present the relationship between Danish landscapes and outdoor living.

The Danish land- and seascapes

The Danish landscape was mainly formed during the last glacial period which ended 15,000 years ago. It is made up of clay and sandy soils in a smoothly undulating landscape. The highest point is only 172 m above sea-level. The total land area is only 44,000 km. square. 67% is agricultural land. Of these only 9% is out of rotation and 3% is small biotopes like hedgerows, ponds and field divides. Of the remnant 33%, roads and urban areas account for 12%. So only 21% are left for natural and semi-natural land. Of this part forests (mostly planted) cover 12% and heath-land, dune areas, bogs and wetlands takes up 8% .²

The marine area covers 104,000 km. square and the coastline is 7,300 km long. Shallow water is abundant. Most areas have depths between 20 to 40 m. Only in the Skagerrak between Denmark and Norway does the water go down to 200 m. The salinity varies from 3.5% in the North Sea down to less than 1% in the Baltic.

In an international perspective Denmark can be characterised as a large fertile estuary with a temperate coastal climate. The fertile soils are intensively cultivated, the population density is high and the area of natural land is limited. The dunes along the North Sea coast and the shallow brackish sea areas are the only types of habitat that plays a significant role at the European level.

The extensive shallow, fertile, brackish and generally ice-free marine areas are important overwintering and moulting areas for millions of waterfowls. 28 species are considered as responsibility species i.e. more than 20% of their total population is regularly found here. This explains why Denmark has designated extraordinarily many Ramsar sites (27) and EC Bird Directive areas (111).

There are 5.3 million inhabitants. So the population density is quite high - 120/km² - and the pressure on the limited natural and semi-natural area is also high. For example, the density of hunters is one of the highest in the world namely 6 per square kilometre. The recreational pattern is also characterised by the relatively long coastline with 1.4 m/inhabitant.

Outdoor living

The focus in this article is on accessibility seen in relation to recreation and tourism i.e. leisure and outdoor living. Because of the climate there is an inevitable strong seasonality both in character and intensity. Seaside life and sailing are common in the relative short summer period

from May to the end of August. During this period and often combined with these activities a large part of the population and many tourists stay in the 200,000 summerhouses spread in the coastal zone along the North Sea and Kattegat.

The pattern and intensity of outdoor living among adult Danes is known from a number of investigations which have been undertaken since the 1970s. In an overview the results covering in total 6,000 persons activities over the whole year are summed up as follows ³:

96% of all adults visit the rural landscape at least once a year, 75% have been there within the last two weeks.

People arrive to the place either by car (47%), at foot (33%), on bike (13%) or by train, bus or in other ways (7%).

Of the estimated 75 million occasions per year when adult Danes visit the rural landscape 40% had the forest as its primary goal, 29% were aiming for the beach/coast. Agricultural landscapes, lakes and the sea were the target for 6% of the visits each.

Outdoor recreation is always a multi-purpose activity where the social factor, experiencing the landscape, physical exercise, and many other things are of importance. But often one purpose is more pronounced than the others.

If people are asked why they visit the landscape the two most common reasons given by far are 'to have a walk' (68%) and 'to experience the nature or the place' (58%). Six reasons came out with between 10 and 20%: 'went with the dog' (there are ca. 113 dogs per 1000 inhabitants in Denmark), 'a trip in the car', 'studied the wildlife or the place', 'sat quiet having a lunch', 'to ride on the bike' and 'went out for a swim/sunbathing'.

The social factor is obviously also very important as 70% of all visits were paid in accompany with one or more other persons.

Multiple choice questionnaires and picture-preference analysis have established people's preferences when visiting forest areas. Out of 100 possible choices the top 10 and the bottom 10 are:

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|-------------------------|---|
| 1. Silence | 91 tractor cutting branches of felled trees |
| 2. A roe deer | 92 camping car |
| 3. A lake | 93 picnic family with a transistor-radio |
| 4. A watercourse | 94 one driver in his car |
| 5. A squirrel | 95 parking lot with 100 cars |
| 6. Anemones | 96 military exercise |
| 7. Blue anemones | 97 one motor assisted cycle |
| 8. A pheasant | 98 10 drivers in their cars |
| 9. A hare | 99 A heap of garbage |
| 10. A black wood-pecker | 100 10 motor assisted bicycles |

Fig.1.: The top10 and bottom10 elements out of 100 proposed that visitors in Danish forests prefer to meet in the forest. Picking anemones in the spring is a very popular activity. Blue anemones are rare. The black woodpecker is also rare but like the other species mentioned it is quite easy to observe and identify.⁴

The conclusion on this investigation is that the fewer people (other than your own group) and the less noise (other than your own noise) the better. It seems like people look for a quiet, stable, and peaceful place as a contrast to a noisy, threatening, and ever changing daily life.

The recreational pattern is, as already mentioned, dependant on traditions and options. The preference for forests and beaches has to do both with their abundance and their accessibility. Approximately one third of the forests belong to the government. Government forests take the lead both in forestry by testing new methods, research, acting as a buffer against market fluctuations and for intensive recreational activities, free access and information to the public.

Legislation

Accessibility related to recreation is regulated predominantly through the Nature Protection Act (NPA) and the legislation on roads. Accessibility has been a key issue already since the first NPA of 1917.

At the beginning of the century industrialisation led to the situation where the upper class bought up the best land along the coasts, especially around the larger towns. At same time as the growing population of workers and other urban inhabitants had an increasing need for areas to spend their acquired free time and, over the years, increasing number of holidays.

In the early years, the government usually either purchased land or paid compensation when restrictions were placed on private land. Since then 4% of the area has been protected in this way. On the revision of the act in 1937 a general decision was taken to allow public access along all beaches without any compensation being paid to the landowners. Over the last 50 years there have, little by little, been opened up for more public access to the present situation that since 1992 roughly has been as following:

Like other Scandinavian countries and Germany, there has been legal access for walkers to beaches and other coastlines between the daily low-water line and the coherent land vegetation. Exceptions are made for urban zones. There is also public access to preserved dune areas if there is legal admittance to them. Dogs must be kept on a lead. Short stays e.g. for a swim or sunbathing are only allowed on private land if there is more than 50 m to the nearest dwelling (NPA paragraph 22 and 25).

In state forests people are allowed to stay and stroll throughout, they may also swim in lakes and rivers, during night and day on foot or horseback and on the constructed roads on bike, but there is no admittance for motor vehicles. Dogs should be kept on a lead. A number of the state owned forests have been designated as 'dog-forests' where the dogs may run freely. In private forests access is only allowed on constructed roads and only from 7 o'clock in the morning to sunset, and only if the forest is larger than 5 ha and there is legal admittance leading to it. It is not

allowed to stay within 150 m from buildings.

All arrangements that involve more than 30 participants, all commercial arrangements, and all arrangements that have been advertised publicly should obtain permission from the owner. (NPA par.23)

In the agricultural landscapes, during the daytime, there is free access for walkers to all uncultivated land that is not fenced properly if there is legal admittance leading to it. The rules for dogs and longer rests are the same as for private forests. Access to reed swamps is not permitted. (NPA par.24) Walking and cycling is allowed on all roads and paths, although the owner of single-owner roads may prevent visitors by the proper signs.

In addition to these rules, the minister or the county councils can close state-owned areas for access either partly or completely. Typically, this is done in the breeding season on small islands with bird colonies or seal haul outs. Another example is the more than 50 so-called hunting- and disturbance-free areas that have been designated according to the Hunting Act within the half of the 111 EC Bird Directive areas.

Current trends

Last time the legislation was revised was in 1992 when a few minor changes were made after tense negotiations e.g. bicycling was allowed in the privately owned forests. But since then the need for further revisions has built up year by year. Eight causes should be mentioned here:

1. Increasing welfare. Easy and close contact with nature and natural landscapes is in our society, like many others, considered to be a valuable asset. This is common knowledge but it has first recently been properly documented. By studying market prices on real estate it has been demonstrated that dwellings close to forests, lakes and sea go for considerable higher prices than similar dwellings further away.⁵ With increasing wealth the demand for dwellings close to natural areas increases.

2. Mobility is growing. After for many years having been remarkable low, the number of private cars has grown considerably in Denmark in recent years. We now have app. 350 cars per 1000 inhabitants. Although still one fifth of the population does not have a car at their disposal it is clear that there is an increased pressure of visitors to landscapes that formerly were more remote. Furthermore, people are also more mobile when they reach the destination for their visit to the rural landscape. The need for access to more land and the need for better protection against disturbance of natural assets is growing. The number of visits has increased by 1% per year from the late 1970's.

3. Barriers to mobility. Welfare and mobility are growing and so is the need for access, although accessibility is inclined to decrease as a result of transformation of the transport system. The 'hard' i.e. motorised forms of transportation form barriers for the 'soft' forms in several ways. One type of barrier is the new broad motor-traffic roads that often in Denmark circumscribe the dwellings. This may form a barrier to the dwellers that want to cross the new road. Another type of barrier is the growing speed and intensity of the car-traffic that makes a walk or a ride on a

bicycle along the roadside an unpleasant and dangerous activity.

4. Loss of accessible areas. In the wake of continued structural development within the agricultural sector, two processes in particular lead to loss of accessibility. The one is the loss of field roads when first fields and then farms are amalgamating in the process of concentration and specialisation of the production. Farm machine grows in size and power and consequently the need for infrastructure at the farm decreases. Instead of field roads, we now just have tracks in the field, and there is no legal admittance to these structures. Another source of the decrease in accessibility is the tendency of taking formerly uncultivated permanent grassland into crop rotation. These trends add to the need of countermeasures.

5. Challenge to the democracy. Just after the 2nd World War there were still more than 200,000 farms in Denmark. Today there are 50,000 and only half of them are considered to be full time farms. It is anticipated that the number of full time farmers 10 years from now will have decreased to around 10,000. At the same time average farm size has increased though not correspondingly. Government policy is now to keep the number of farms stable and instead allow ownership of more than one farm. In anyway is the ownership of land increasingly skew. 2% of the population owns more than 75% of the national land area. This creates a need to change in the procedures for planning, hearings and public participation, otherwise there will be a democratic deficit.

6. Urbanisation leads to conflicts. Another aspect which has the same inclination is that many of the smaller farms are sold to wealthy urban people and they have another attitude to other people entering the countryside than what is common among traditional farmers. In general, traditional farmers have a positive attitude where they almost always give people permission to enter their estate if they ask. The new urban hobby and part-time farmers have another, often more hostile, attitude to uninvited visitors.

The buying up of farms by urban people and the growing need for access are most intensive close to the larger towns. Rights to access are much easier and cheaper to install before than after this type of urbanisation has taken place. Therefore this should be considered by careful planning and the sooner the better.

7. Sprouting commercialisation. Access in Denmark has almost completely been free on public land also when it is combined with the use of resources for one personal needs like picking berries and mushrooms. Soft admittance i.e. at foot at private land has been free as well. Access, hunting and fishing is free. At the sea but on private as well as public land it has usually been paid for.

The market prices for traditional wood products have been low for some decades now. Instead, spruce for decorative purposes and hunting are becoming as important sources of income as the traditional forest products. But both of these new sources of income have negative effects on accessibility of the forest. The spruce plantations are fenced off against the deer and thus they also become inaccessible to people. And in general the hunt is considered as poorer in forests with many visitors than in forests with no or only a few.

8. Anticipated growth of natural and semi-natural areas. Besides all the relatively negative trends

mentioned above there is a counter-current in the sense that a growth in natural and semi-natural land area can be anticipated provided already confirmed policies are implemented.⁶ It is the governments policy to double the area covered with forest within the period of time it takes a tree to grow and mature. i.e. 80-100 years. Within the action-plan for the aquatic environment it is planned to recreate 16,000 ha of wet meadows. Areas to protect unpolluted infiltration of groundwater restoring the drinking water resources are under designation. The nature-restoration scheme which since 1988 has restored 6,000 ha of natural and semi-natural areas and spent on average 8 million Euro per year is continuing.⁷ And other initiatives, pointing in the same direction, are included in the action plan for biodiversity and nature management proposed to the government.⁸

We thus see eight arguments for / causes why the pressure on increased access will expand in the future. The other side of the coin is however that the ongoing specialisation and concentration of the agriculture and the change in forestry will draw in the opposite direction. The final outcome may depend on what happens outside in the neighbouring countries and at the international arena.

It is not only in Denmark that increases in public access are being considered. In Norway, England, and Wales revisions are under debate or already adopted. And in Scotland a very comprehensive reform is in the pipeline.⁹ As mentioned already in the introduction there are a number of interrelated processes going on that affect all countries.

Foreign influence

On the international arena, four interrelated sources will increasingly have more or less direct influence on the development of the Danish landscape and thus also on its accessibility. They are The Convention on Biological Diversity (CBD), EU's Common Agricultural Policy (CAP), the World Trade Organisation (WTO) and the Organisation for Economic Co-operation and Development (OECD). Three areas of concern lays behind: The one is the need for reducing the amount of the EU budget which is spent on agriculture. The other is the need to solve the many environmental problems without blocking economical development. And the third is the desire to facilitate international trade by removing all barriers for the free movement of money, goods and services.

Whether we like it or not, the WTO strives to phase out all kinds of subsidies e.g. the comprehensive system of subsidising agriculture in the EU. Within the EU itself there are two contradicting considerations. The one is to continue paying farmers so they can exist. The other is budget limitations especially in the future where the number of farmers will increase considerably with the entrance of the new accession countries to the union.

These considerations are under discussion at the same time as the CBD requires action to be taken. The OECD tries to implement their version of sustainable development which requires visible changes in the environmental policy in many member countries including Denmark. This became obvious in 1999 when the OECD published their "Environmental Performance Review: Denmark".¹⁰ Here it is recommended to continue the implementation of the national strategy for biological diversity and formulate a national action plan for nature protection.

The outcome of these considerations has, until now, produced the result that:

- Strategies for sustainable development have been adopted in Denmark as well as in the EU.
- A modest but continuous change from market- to area-based subsidies in the EU.
- Multifunctional agriculture is in focus of discussion in the EU.
- A national strategy for biodiversity is in the making in Denmark.

Although it is not stated explicitly it is hard to think of a development being sustainable if it does not guarantee present and future generations ample access to experience nature and landscape. Direct contact is a prerequisite for the understanding and emotional acceptance of the need of environmental management and nature protection. This can be argued as an interpretation of the concept of Sustainability,¹¹ and it can be argued for politically: That the taxpayers want to see what they get for the payments if it isn't cheap food.

The conclusion seem to be a policy which try to put a brake on the EU agricultural budget and re-direct the subsidies so the farmers are paid for stewardship of the countryside i.e. a landscape that produce other things than traditional farm products. It seems likely that improved access is one of the things the multifunctional agriculture should deliver in the post-productive landscape. Thus the general trend at the national (Danish) and the international level points in the same direction.

The present Danish situation

The national strategy for sustainable development, which was issued June 2001, states that 'It is important to secure improved access for the population for outdoor recreation and experience of nature in all forests and the rural landscape.' (11).

A proposal for a national action plan for biodiversity and nature management has been developed (August 2001) and is now ready for political discussions(8). Although access as such is not included the plan recommend a number of steps to be taken in a direction of opening up for a more multifunctional agricultural landscape.

Another commission is working parallel to this with the task of evaluating the need for a revision of the present state of accessibility in the Danish landscapes.¹² The Danish policy on access has, for decades, been based on the assumption that nature should in general be accessible for the public as long as its carrying capacity is not threatened. If it is threatened then nature conservation should have priority.¹³

Given earlier experience no dramatic changes should be expected, although small steps also counts in the farsighted perspective. Central themes of discussion have been:

- simplification and modernisation of the existing regulation,
- access to walks/for walking also outside the roads in private forests, and the right to stay there overnight,
- the possible withdrawal of the forest-owners right to deny all kinds of organised arrangements with more than 30 people in his forest,

- a right to walk along line-structures like watercourses and hedgerows in the agricultural landscape,
- the balance between voluntariness and obligation for landowners to open up for access,
- the importance of information to owners and users.

There is a yet unsolved dispute to which extent landowners should be economically compensated for any changes. For six years, a project called 'tracks in the landscape' has developed. Here the individual farmers are invited to take part in the creation of footpaths through the landscape. The farmer is fully compensated and he may withdraw whenever he wish. Now 60 paths have been established within this scheme. It is very popular among the farmers' organisations, but it has from NGO side been criticised for being an expensive, very slow and insecure way of giving public access to the countryside.

Some counties are using the legislation on roads to expropriate the land needed for creating coherent systems for walking and bicycling through the counties and generally most of the counties have opened regional track-systems for walking and bicycling. But these are not considered as sufficient to meet the need for accessibility at the micro-level.

The Minister of the Environment has proposed a change in policy. He suggests that access should be the general from which exceptions can be made e.g. for scientific reasons. At present it is the other way round namely access is not allowed unless it is explicitly given in the legislation. The new system could also be flexible in the way that areas could be closed only as long as it is needed e.g. as long as a pair of sea eagle is breeding in the particular forest.

Conclusion

A number of arguments have been presented to explain why the traditional 'mono-cultural' Danish landscape, which developed towards the end of the former century, will now, little by little, give way to a multifunctional and also post-productivistic landscape. It will be a landscape where much more will happen than just plain industrial bulk-production of traditional farm products.

The effect of these national trends seems to be enhanced by the development at the international scene. The implementation of the CBD, WTO, EU and OECD policies seems, in this context, to push in the same direction.

In the post-productivistic landscape one or several of the new products will be directed to the visitors in the rural landscape. As a consequence, the accessibility has to be improved. But the farmers shouldn't faint. They will in one way or the another be compensated, and some conventional production will continue as agriculture is an important asset in the landscape to experience. And certainly they will, as they so far always has been, be able to adjust to new conditions.

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