

The common good aspects and institutional problems of cultural landscape – an analysis of regional development issues using institutional theory approaches

Presented at "Building the European Commons: From Open Fields to Open Source," European Regional Meeting of the International Association for the Study of Common Property (IASCP), Brescia, Italy, March 23-25.

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Abstract

In view of the continuous process of globalisation and in the face of European-wide processes of accelerated land-use change, cultural landscape is currently being rediscovered as a regional potential. A cultural landscape – understood as the product of human activity and societal developments – can only be the subject of active attempts at regional management if the historically conditioned institutional framework shaping its use and development is taken into consideration.

Cultural landscape can be interpreted as a regional common good consisting of a multiplicity of heterogeneous, partly inconsistent components of old and new commons as well as private goods with various social, economic and ecological functions. Due to its multifunctionality, institutional heterogeneity and complexity, comprehensive institutional regimes designed to regulate the development of cultural landscape as a whole cannot exist. For this reason the change of cultural landscape is more or less a by-product of market forces and sectoral policies. The effects on cultural landscape – positive and negative – are therefore often unintentional. Given that human activities regarding cultural landscape are driven by formal and informal, centralised and decentralised institutions cultural landscape problems can be seen as, in essence, institutional problems. Because of the different orientations of institutional regimes, the behaviour of actors to use the given scope of institutions is essentially influenced by informal institutions e.g. social and individual values, traditions, images or regional identity. On the other hand especially the informal institutions can be influenced e.g. by the identity-establishing effects of cultural landscape.

The aim of this paper is not only to explore the theoretical background of the common good aspects and institutional problems of cultural landscapes but also to apply these theoretical approaches to issues of regional development using the example of the historical cultural landscape “Oderbruch” in Germany on the Polish border.

1. Introduction

The European Regions are currently shaped by inconsistent regional development phenomena: in view of the continuous processes of globalisation, social and economic transformation, centralisation or peripherisation in connection with European-wide processes of accelerated land-use change, cultural landscape is currently being rediscovered as a potential force for regional development. In the European Spatial Development Perspective (ESDP) the “conservation and management of natural resources and the cultural heritage” (Art. 18) is one of three fundamental goals for spatial development in all the regions of the EU, because the “characteristic territorial feature of the European Union (EU) is its cultural variety (...). This distinguishes it from other large economic zones of the world” (Art. 1).

Cultural landscape can be understood as the product of human activity and societal developments, in the words of the European Landscape Convention (ELC) as “the result of the action and interaction of natural and/or human factors” (Art. 1a). But cultural landscape can only be the subject of active attempts at regional management if the historically conditioned institutional framework shaping its use and development is taken into consideration. This paper therefore aims to explain regional development issues using institutional theory from a regional science perspective.¹

Institutional theory approaches have often been applied to single resources: to problems of global environmental change and the relationships between global requirements and activities at the regional level on the one hand, and to the treatment of limited resources at the regional level on the other hand. But cultural landscape is not a single resource. Landscape is influenced by old and new commons (cf. Berge 2003: 2) as well as private goods which interact at the regional level. This characteristic needs a more complex institutional perspective, which takes the heterogeneity of cultural landscape and the fact that “the whole composition, not individual elements (...) provide the value” (ESDP, Art. 324) of landscape into consideration and which also includes the spatial context. The spatial dimensions have often been underexposed in connection with institutional theory approaches. To remedy this, Giordano (2003: 365) has applied “geographic perspectives to develop a scale- and space-explicit theory of the commons”. But this geographical extension of the theory of the commons is also focussed on single resource perspectives.

First, the paper explores the common good aspects of cultural landscape. It then focuses on the institutional problems. Following that, the treatment of cultural landscape using the example of a

¹ This paper is based on results of an IRS research project (together with Ingrid Apolinarski and Ludger Gailing).

German case study in the rural, settled, polder region “Oderbruch” will be examined. Finally, conclusions for dealing with cultural landscape will be drawn.

2. Common good aspects of cultural landscape

Today’s European landscape is the result of human forms of land use over centuries based on various institutional regimes. In this sense every European landscape can be called a cultural landscape covering rural and city regions. In contrast to other definitions our understanding of the term cultural landscape is not based on normative principles – even if there are great differences in landscape quality. But because of the diverse geobiophysical conditions of the natural environment, the different historical developments and traditions, the existing land-use regimes and socio-cultural activities, regions are characterised by different cultural landscapes with various qualities. The ESDP emphasises the existing rich diversity of cultural landscapes as a result of “the way in which local and regional communities through the centuries have dealt with their environment and cultivated the land” (Art. 323).

Cultural landscapes are not only formed by people, they also influence the behaviour of regional actors and the population of a region, e.g. by the identity-establishing effects of the landscape. The specific qualities of a cultural landscape also shape the attractiveness and the image of the region. To recognise and empower cultural landscape as an endogenous factor and a potential force for regional development it is necessary to understand the social construction of cultural landscape and the driving forces of cultural landscape change (cf. Apolinarski et al. 2004).

Following the theory of institutional economics (cf. Musgrave et al. 1994: 67), goods are defined in general with reference to their levels of rivalry of consumption and excludability from consumption (Fig. 1). But rivalry and excludability are highly simplified criteria – in reality we usually find mixed forms: “Real world goods such as pasture, wildlife, timber, landscapes providing recreation, environmental services, or biodiversity will usually be a mixture of the various types of analytical goods” (Berge 2003: 11). Nevertheless rivalry and excludability are suitable for characterising the typical behaviour of actors regarding the effects of the treatment of common and private goods.

Due to its diverse elements cultural landscape is not a homogeneous but a heterogeneous good (cf. Rodewald et al. 2003: 10), consisting of a multiplicity of regionally bounded elements with different functions, e.g. the natural and cultural heritage, the results of open space or settlement activities, the current structures of industrial or agricultural production. These single elements can provide diverse common or private goods or services.

Provision	Rivalry of use	Non-rivalry of use	Excludability
Direct provision	Private goods/services e.g. agricultural land use, forestry, private residential building	Club/Toll goods/services e.g. drainage and irrigation systems, golf courses	Excludability of use
Existing nature or provision by external effects	Common Pool Resources(CPR) e.g. ecosystem services, remnants of unspoilt landscape	Public goods/services e.g. rivers and lakes, aesthetic appeal of a landscape	Non-excludability of use

Fig. 1: Dimensions of goods and services of cultural landscape

Private goods are characterised by rivalry and the possibility of excluding other actors from consumption, e.g. the same field can be ploughed only by one farmer. If one of these criteria, rivalry and excludability, does not apply, then the goods are common goods, which can be analytically divided into public goods, Common Pool Resources (CPR) and club or toll goods. Everyone can derive benefits from public goods without disturbing other users, assuming the good is not scarce, e.g. the aesthetic appeal of a landscape. But in the case of CPR, if it is impossible to exclude other actors and if they do not cooperate (cf. Ostrom 1990), owing to rivalry conflicts can be expected. Ecological goods and services and remnants of unspoilt landscape belong to this category. Many of these goods have changed from a public good into a scarce CPR in the course of time. Landscape elements as club or toll goods are characterised by excludability and in that way rivalry can be avoided. The exclusion can be carried out by “gatekeepers whose task it is to protect the utility derived from access to the club” (Berge 2003: 9) in different ways. Examples are regional drainage and irrigation systems, public gardens with restricted access or golf courses.

Berge (2003) decides old and new commons. Old or traditional commons shape cultural landscape as regional or local “resources seen as limited but essential for the survival of local communities” (ibid.: 1), e.g. pasture, water, soil, game or timber. New commons (ibid.) are environmental goods and services of the ecosystem, e.g. air, biodiversity, environment as a sink for pollution, flood control, nature protected areas, recreation, symbolic values.

The common or private character of goods, services and resources depends on two aspects:

- the attributes of the goods and services, which are powerful especially in the case of regionally bounded, immobile elements of cultural landscape

- the societal rules and regulations defining rights and duties for the treatment of these goods, services and resources.

But as the different functions of the cultural landscape elements are highly integrated (multifunctionality of landscape) the actors cannot reduce their activities with regard to a single function without positive or negative consequences for others (cf. Röhring and Gailing 2005). These positive and negative external effects can be detected in the case not only of common goods but also of private goods. The impacts of these effects on the common good cultural landscape are dependent on the economically and socially determined behaviour of the actors. The rational behaviour of actors can in particular lead to the negative external effects of resource overuse or the degradation of resources (cf. Hardin's "The tragedy of the Commons" (1968: 1243)) or to "free-rider" problems (cf. Olson 1965). It can often be observed that the same actors derive benefit from the aesthetic appeal of a cultural landscape on the one hand but do not contribute to maintaining this quality, or even damage it, on the other.

The external effects have both temporal and spatial dimensions. Temporal externalities affect cultural landscape e.g. as a physical remnant of former institutional regimes. Spatial externalities (spillovers, spillovers) can occur through the transboundary character of resources. Giordano (2003: 367) distinguishes between fugitive and migratory resources, depending on the direction of the resource movement. One example of a regulation for dealing with spillovers at the local level is the separating of uses by means of zoning (Fischel 2000: 409).

From the explanation of the goods dimensions it can be derived that cultural landscape can be interpreted as a regional common good consisting of a multiplicity of heterogeneous, partly inconsistent components of old and new commons or private goods with various social, economic and ecological functions. In the next section we shall focus on the broad spectrum of regulations specifying and expanding the term of excludability to define the rights and duties of actors and on the importance of value orientations which influence actors' behaviour, and the relationships between both aspects and the cultural landscape.

3. Institutional problems of cultural landscape

According to institutional theory (cf. Young 2002: 5) human behaviour is influenced by a wide range of formal and informal, centralised and decentralised institutions. Formal institutions are sets of rules and regulations or administrative structures articulated in constitutive documents. Institutions in that respect must not be confused with organisations, which are themselves actors only influenced by institutions. It is important to recognise, however, that especially formal institutions do

not simply provide orientation for actors; they are themselves subject to (re-)shaping by actors (Scharpf 1997). These “public regulations are always founded upon a system of behavioural norms and informal institutions” (Berge 2003: 9), e.g. traditions, regional identity, images, customs and ecological or social values, that also shape the behaviour of actors and the consequences for cultural landscape. These informal institutions are often highly resilient and it is very difficult to change them consciously.

Given the multifunctionality and heterogeneity of the common good cultural landscape, comprehensive institutional regimes designed to regulate the development and use of cultural landscape as a whole cannot exist. In fact the change of cultural landscape is more or less a by-product of market forces, sectoral policies and their different institutional regimes which are often monofunctionally oriented. The consequences for cultural landscape are often not taken into consideration when designing or adapting institutions and the effects on cultural landscape – positive and negative – are therefore often unintentional.

In general institutions concerning landscape can be divided into three categories, namely those concerned with:

- the utilisation of landscape (agriculture, silviculture, settlement activities)
- the protection of landscape (nature conservation, heritage conservation)
- the integration of both aspects (spatial and regional planning, landscape planning).

Each of these institutional regimes is characterised by a different understanding of the term cultural landscape as well as by special institutional configurations and logic of action.

The treatment of old and new commons of cultural landscape is influenced by these different institutional constellations. Old commons are regulated today by “highly sophisticated forms of property rights with a social and political dynamic very different from what we might call ordinary individual property right” (Berge 2003: 2). The level of regulations to protect new commons has shifted towards the state, “without much consideration of the possible interactions and interdependencies amongst the various resources of the regulated area” (ibid.: 3), “either ignoring old property rights or consciously overruling them” (ibid.)

Therefore from an institution-based perspective, the problems of cultural landscape can be seen as, in essence, institutional problems of interplay, fit and scale (Young 2002: 20). The variety of landscape elements, of old and new commons lead to a high density of institutions affecting cultural landscape, and because of the given functional interdependencies problems of interplay (ibid.: 23) can occur. Current tendencies expanding the ranges of sectoral rules and regulations in the sense of multifunctionality as a political concept (cf. OECD 2001) lead to increasing institutional interactions and require deliberate consideration of these facts. To avoid institutional conflicts institutional

interplay can also be intentionally designed by “politics of institutional design and management” (Young 2002: 23).

Another dimension of interplay in connection with the change of cultural landscape is the interplay between formal and informal institutions. Due to the different goals of institutional regimes the behaviour of actors in using the given scope of institutions with regard to the cultural landscape is essentially influenced by informal institutions. Consequently more attention should be drawn to the symbolic dimension of the common good aspects of cultural landscape, because “the commons is not simply an institution, but also a symbol of the human ideals and values” (Olwig 2003: 18). The ELC also highlights the role of informal institutions, such as the increasing of “awareness among the civil society, private organisations, and public authorities of the value of landscapes, their role and changes to them” (Art. 6) and the importance of knowledge about the landscape.

Another dimension is the substitution of formal institutions, which do not exist or do not work, by informal institutions to regulate the use of common goods with informal “gates” (Berge 2003: 9). Their effectiveness depends on two aspects: “The construction of the gate and the perception and interpretation of the gate” (ibid.).

Institutional problems of fit (Young 2002: 20) concern factual compatibility or spatial congruence between institutional arrangements, e.g. formal institutions representing goals of centralised public policy designed to regulate particular human activities in a generalised manner and the specific requirements and conditions of cultural landscape at the regional level. Cultural landscapes seen “as a culturally and socially delimited area” (Berge 2003: 2) can also be the subject of regionalisation and regional management independent of administrative areas or other areas based on sectoral requirements (e.g. nature protected areas). But formal regulations are mostly bounded on administrative areas and consequently problems of spatial fit can occur.

Institutional problems of scale (Young 2002: 26) result from the spatial difference, for instance, between the level at which, especially formal, institutions are created (e.g. the state, federal or European level) and the level of cultural landscape at which institutions work. Another aspect of scale is the choice of the right level for the establishing of management structures to deal with cultural landscape issues.

The historical development of cultural landscape often leads to path dependencies at the physical level of landscape as well as at the institutional level. They can limit the given scope of action for cultural landscape management. Path dependencies can arise from the intensive use of specific landscape functions accompanied by huge structural investments or other extensive measures which change the landscape considerably, affiliated with a corresponding institutional regime. Examples of landscapes characterised by strong path dependencies are e.g. mining landscapes, drainage or ir-

rigation landscapes and urban landscapes. After the abandonment of a development path, persistent elements without real functions are usually left. Because they are often also symbols of the history of the cultural landscape and in this way identity-establishing, regional actors must find ways to maintain old, or to implement new, institutional arrangements for dealing with these remnants.

The theoretical considerations regarding the common good aspects and institutional problems of cultural landscapes will be applied to the potentials and limitations of regional development using the example of the cultural landscape “Oderbruch”.



Fig. 2: Case study cultural landscape “Oderbruch”

4. Case study cultural landscape “Oderbruch”

The Oderbruch (Fig. 2) is situated along the river Oder on the German-Polish border. As a rural region it is characterised by a low population density and negative population growth. The cultural landscape “Oderbruch” is a settled polder region and consequently a landscape strongly shaped by human activities based on a specific land use and water regime. As part of the land reclamation policy of the Prussian king Frederick II in the 18th century, which was aimed at strengthening the agricultural sector by public investments and incentives, river training measures were carried out by the Prussian state on the basis of a master plan from 1747: the construction of the New Oder Canal, the

embanking of the river Oder and the drainage of the former wetlands. About 40 new settlements were placed on the reclaimed land and populated by people from other parts of Germany and several European countries in the second part of the 18th century. The drainage of the Oderbruch, the land reclamation measures and the settlement activities were financed and implemented by the Prussian state. But the measures were realised without consideration of the interests of the indigenous population, which mainly consisted of fishermen, who lost their livelihood with the progressing fundamental change of the landscape. A reform of land tenure to merge fragmented land plots took place in the first half of the 19th by drawing lots. As a consequence, single farmsteads were located outside of the villages in the open country nearby the raffled fields.

The land use and water regime thus created has been perfected by further drainage and water control measures, in other words by the same logic of action, over a period of 250 years. Especially during the complex melioration between 1965 and 1985 drainage within the polder was considerably enhanced in connection with an increase in the intensity of agricultural production by large collective farms. This development caused a further loss of landscape structures, the devastation of many farmsteads, a change in land-tenure structures and had negative ecological consequences. Land use in the Oderbruch has been shaped up to now by intensive farming on large plots of fertile cropland. Parts of the Oderbruch are specialised in vegetable production. Meadowland dominates in the immediate vicinity of the Oder river and in the lower parts of the polder region. Drainage channels, tree-lined roads, typical structures of colonist and fishing villages and farmsteads, but also a lack of valuable biotopes and nature reserves characterise the scenery of the cultural landscape “Oderbruch” (Fig. 3, 4, 5).



Fig. 3: Cultural landscape Oderbruch – scenery of a settled polder region



Fig. 4: Ruins of former farmsteads have partly changed to valuable biotopes



Fig. 5: Colonist villages shape the typical settlement structure in the Oderbruch

The drainage measures, the water control and the flood protection, as regional club goods in the sense of old commons provided and financed partly by the members and mainly by the state, have been an elementary precondition for the agricultural land use and settlement activities in the Oderbruch. Because of that the Waters and Dyke Association “Oderbruch” has been a regional key actor over the last centuries and up until the present, linking the institutions of land use and water regulation. But as a consequence of the economically motivated land use especially in the last century negative external effects on new commons, especially the biodiversity and the landscape scenery, increased.

The region is also considerably influenced by spatial spill-over, especially the dependence on flood protection measures in other regions situated above the river Oder. The strong interdependence between the land use and the water regime, the persistent elements of the drainage infrastructure with the accompanying extensive investment and especially the fact that the Oderbruch is a populated polder region, have led to a strong path dependency limiting the scope for alternative development strategies for the region.

The historical development of the cultural landscape Oderbruch has been considerably influenced by central political decisions and central institutional regulations: from the “top down” decision concerning drainage, land reclamation and colonisation, through the governmental programme of complex melioration to the impacts of the Common Agricultural Policy (CAP) on the behaviour of the agricultural enterprises.

During the extreme Oder flood in 1997 the Oderbruch was faced with a major flood threat. Because of extensive operative flood control measures and embankment stabilisation a flood disaster like that of 1947 could be averted. The 1997 flood strengthened not only togetherness and regional identity, but the Oder region and the Oderbruch became well-known nationwide. In addition to that the 1997 flood has triggered a new discussion regarding the limitations to, and opportunities for, the future development of the cultural landscape “Oderbruch”. The Oderbruch is affected not only by the above-mentioned strong path dependency of the polder region but also by the effects of the social and economic changes in the 1990s, with the loss of jobs in agriculture and the negative growth of the population, as well as by new requirements e.g. of the Habitats Directive and the Water Framework Directive of the European Union, aiming at new commons, especially environmental goods and services of the ecosystem.

Several blueprints or concepts for the future development of the Oderbruch were generated by various regional actors, especially after the 1997 flood. The Regional Planning Association has highlighted the historical importance of the cultural landscape and the planning authority of the district of “Märkisch-Oderland” had prepared a special blueprint for the future development of the Oderbruch. The concept “Oderbruch 2010”, based on long-term scientific work and experience with the drainage system (Quast and Ehlert 2005: 9), as well as a position paper adopted at a symposium on the occasion of the 250th anniversary of the opening of the New Oder Canal in 2003 (Quast 2005: 116), aimed at measures adapting the land use and water regime within the given limitations and improving the ecological situation in the Oderbruch by ensuring efficient agriculture production. In addition to that, measures for the sustainable diversification of the regional structure of the Oderbruch, e.g. tourism (which was completely unimportant in the region before 1990) and recreation as new commons have been recommended. As an intended by-product of the ecological measures the

attractiveness of the landscape should increase. In the position paper the Oderbruch is characterised as a “unique cultural heritage of European importance” (ibid.). Both papers also aim at the networking of the Oderbruch with other comparable polder landscapes such as those in the Polish Wartha or Vistula wetlands and in the Lithuanian Nemunas lowlands. All the recommended measures require not only acceptance, but also the participation and collaboration of the regional actors for their success.

The state of Brandenburg’s 1997 Oder programme, aimed at the repair of the damage caused by the flood, at embankment reconstruction and the improvement of flood protection, also included a large number of infrastructure measures, such as road reconstruction and village redevelopment. In connection with the flood protection measures a new Oder cycle-track was built on the reconstructed embankment of the Oder river. All these infrastructure measures offer good preconditions for private and charitable, recreational and socio-cultural activities, which are often sponsored by national or European support programmes, e.g. by the Leader+ initiative of the EU structural funds, and designed to help rural actors consider the long-term potential of their region. The Oderbruch is also integrated into cross-border network activities between the German and the Polish Oder regions.

The historical development of this spatially clearly defined cultural landscape, its relatively homogeneous current problem constellation and the various cultural projects have led to a distinctive regional identity of the Oderbruch. The socio-cultural milieu is shaped by the long-term inhabitants on the one hand and by people who have moved from outside into the Oderbruch over the course of time on the other hand, e.g. artists from Berlin, seeking ruralism or solitariness and discovering the specific cultural heritages and the aesthetic qualities of the wide and open landscape. The regional identity finds expression e. g. in the activities of local history clubs and in the anniversary events of the village foundations, in socio-cultural and art events.

An innovative private project is the “Oderbruch pavilion” (Büro für Landschaftskommunikation nd), a web-based platform with a virtual socio-cultural landscape exhibition. It aims at the presentation of the cultural landscape “Oderbruch” from the different viewpoints of the regional actors. This private project provides knowledge about the region as a public good. It improves the preconditions for the networking among the actors and contributes to the strengthening of the regional identity and image.

But until now the diverse activities in the Oderbruch are mostly linked only in the context of their social or smaller regional milieus or at the level of the separate, partly overlapping, development programmes. The creation of a positive and powerful long-term image, derived from the distinctive regional identity and the cultural landscape potentials, linking the separate public and private activities – in other words using and developing the existing old and new commons in a more conscious

and sustainable manner – requires the constitution of the cultural landscape “Oderbruch” as an action-arena and the establishing of a regional management at the cultural landscape level.

5. Conclusions

From the theoretical considerations regarding the common good aspects and the institutional dimensions and from the empirical case study the following conclusions for dealing with cultural landscape can be drawn.

- Cultural landscape can develop its value only as an entire entity. But nevertheless, cultural landscape is not a single resource; it is a heterogeneous regional common good, consisting of a multiplicity of components with the character of old and new commons as well as private goods.
- A comprehensive institutional regime designed to regulate the development of cultural landscape as a whole therefore cannot exist and cultural landscape is more or less the by-product of market forces and sectoral policies.
- Multifunctionality, as a given characteristic of the cultural landscape and of its diverse elements, should be applied as a conceptual approach to avoid or to solve the institutional problems of interplay. For that reason it is necessary to use the given scope of the different sectorally oriented, often centrally designed institutional systems.
- Because of the institutional heterogeneity of cultural landscape, the behaviour of actors is considerably influenced by informal institutions. An essential issue is the recognition of cultural landscape as a regional common good in the sense not only that can everyone derive benefit from a high quality of cultural landscape, but primarily that it is necessary to maintain and supply this quality consciously. Identity-establishing effects of cultural landscape can contribute to developing such behaviour.
- Cultural landscape as a result of human activities over centuries is often influenced by institutional and physical path dependencies, which can limit the scope for future development strategies. But the existing persistent elements can often be rediscovered as a potential shaping the regional identity and the image of a cultural landscape.
- Within the context of regionalisation processes cultural landscape can be constituted as an action-arena. But the spaces of cultural landscapes rarely fit the relevant institutional arrangements and administrative territories. Consequently, different regional configurations often overlap and the regional actors have to deal with this fact.

- Therefore governance structures, in addition to administrative authorities and formal planning instruments, can contribute to solving these and the above-mentioned institutional problems of cultural landscape. These governance structures should be characterised by project orientation, cooperative arrangements and the participation of local stakeholders.

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