
The Right of Public Access in Sweden. A History of Modernization and a Landscape Perspective.

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The Evolvement of the Right of Public Access

A brief remark about the modernization process and the evolvement of out-of-doors and nature-tourism...

Therafter:

- About Public Access in Practice:
- Some themes among the early recreationists

- "Our wonderful native land" ("Vårt härliga fädernesland")
- About the Swedish Tourist Association and national mobilization

- "Through the railroad" ("Genom öppnandet af järnvägen")
- About transports and infrastructure

- "The right to roam" ("Färdselrätten")
- About that the basic right of public access goes without saying

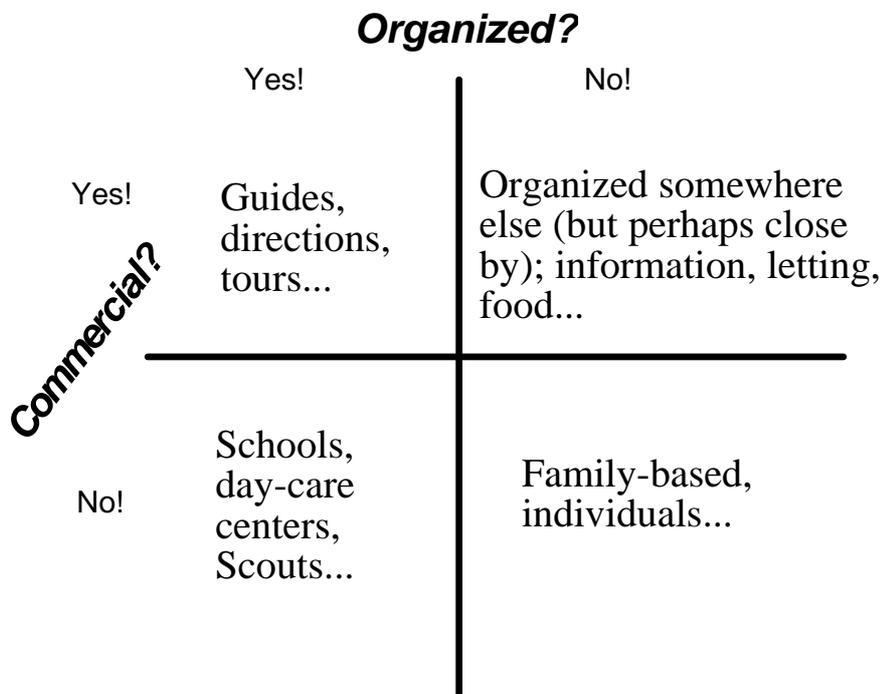
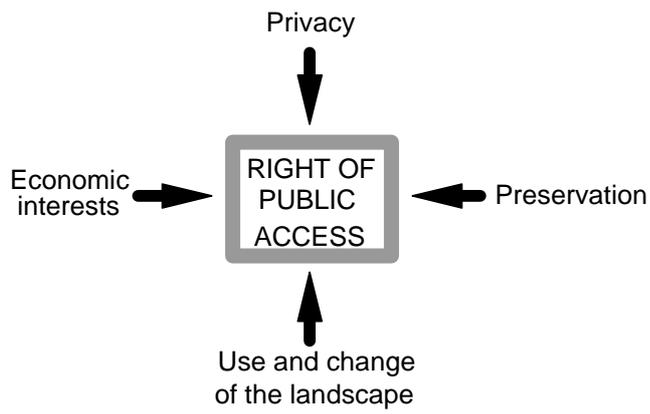
- "The need of lodging" ("Kvartersväsendet")
- About food och accommodation

- "Plain and simple establishments" ("Mindre, enkla anläggningar")
- About a well-balanced accessibility

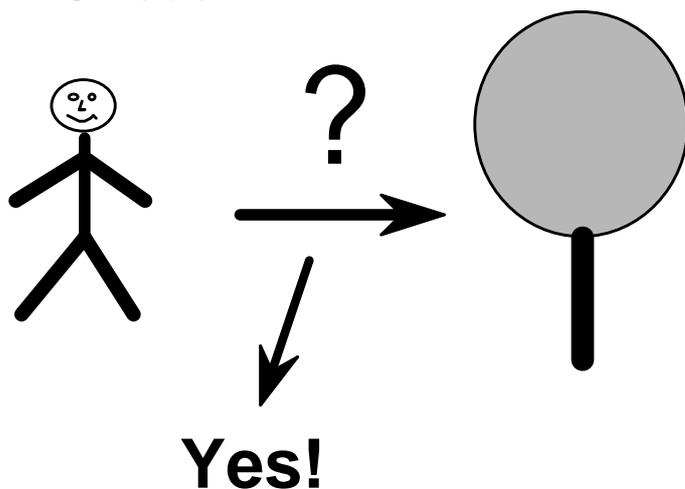
Some Characteristics of the Current Right of Public Access

The "*Allemansrätt*" (the Public Right of Access to the Countryside), which means that everyone has the right, within certain restrictions, to move freely across private land holdings, pick mushrooms, flowers and berries etc., is a basic element in the Nordic outdoor tradition. Also to some extent it seems reasonable to see the tradition as a means of recognising and supporting the needs and interests of the landless. The survival of this right up to the present day is probably largely attributable to the fact that Sweden has a sparse population. Also, the tradition of freedom for the farmers and the Germanic tradition of legislation (as opposed to the Roman) have been raised in support of the current position of the right of public access in the Nordic countries....

In summary, the right of public access in Sweden is in common law and can be seen as the "free space" between various restrictions, mainly: (i) economic interests; (ii) people's privacy; (iii) preservation; and (iv) the utilisation of the landscape. For example, camping for not more than 24 hours is generally allowed, traversing any ground, lake or river, swimming, lighting a fire etc. are permitted wherever the restrictions mentioned above are not violated.



Sweden



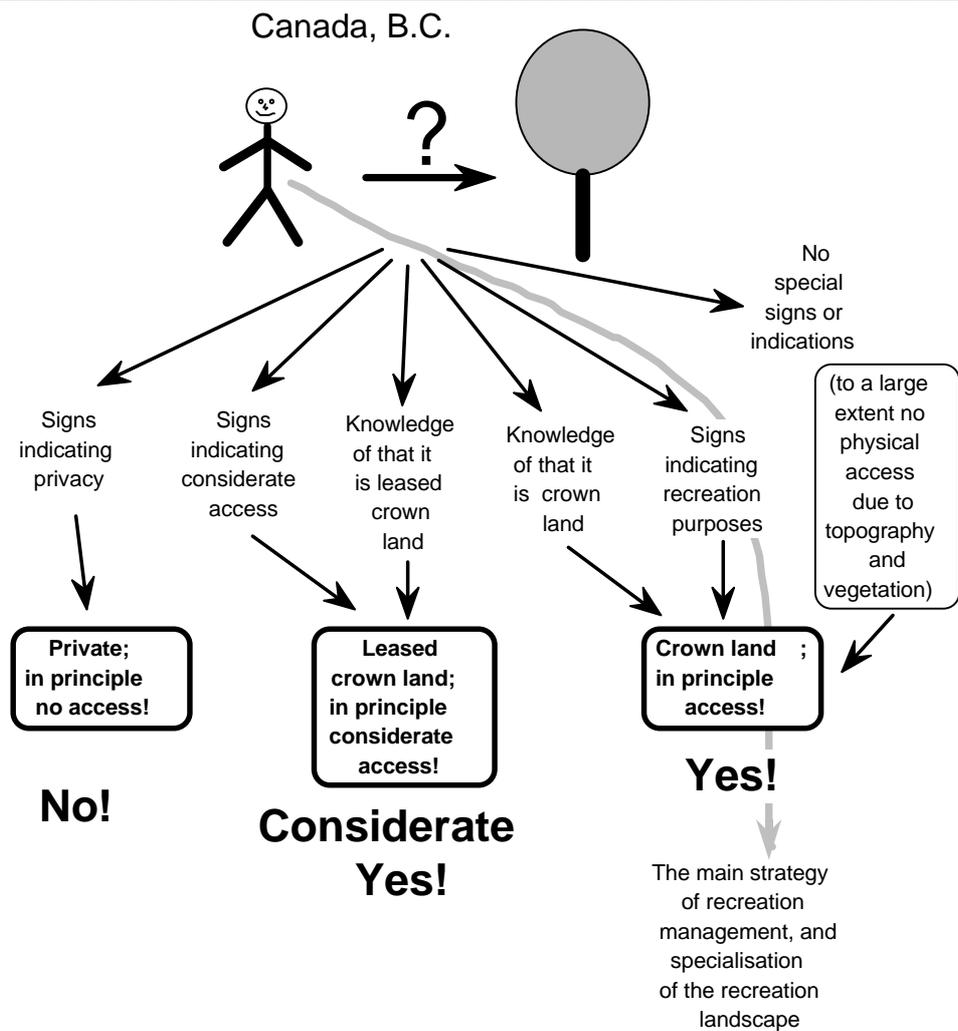
If physical access
(topography, vegetation)

and

If it not will endanger:

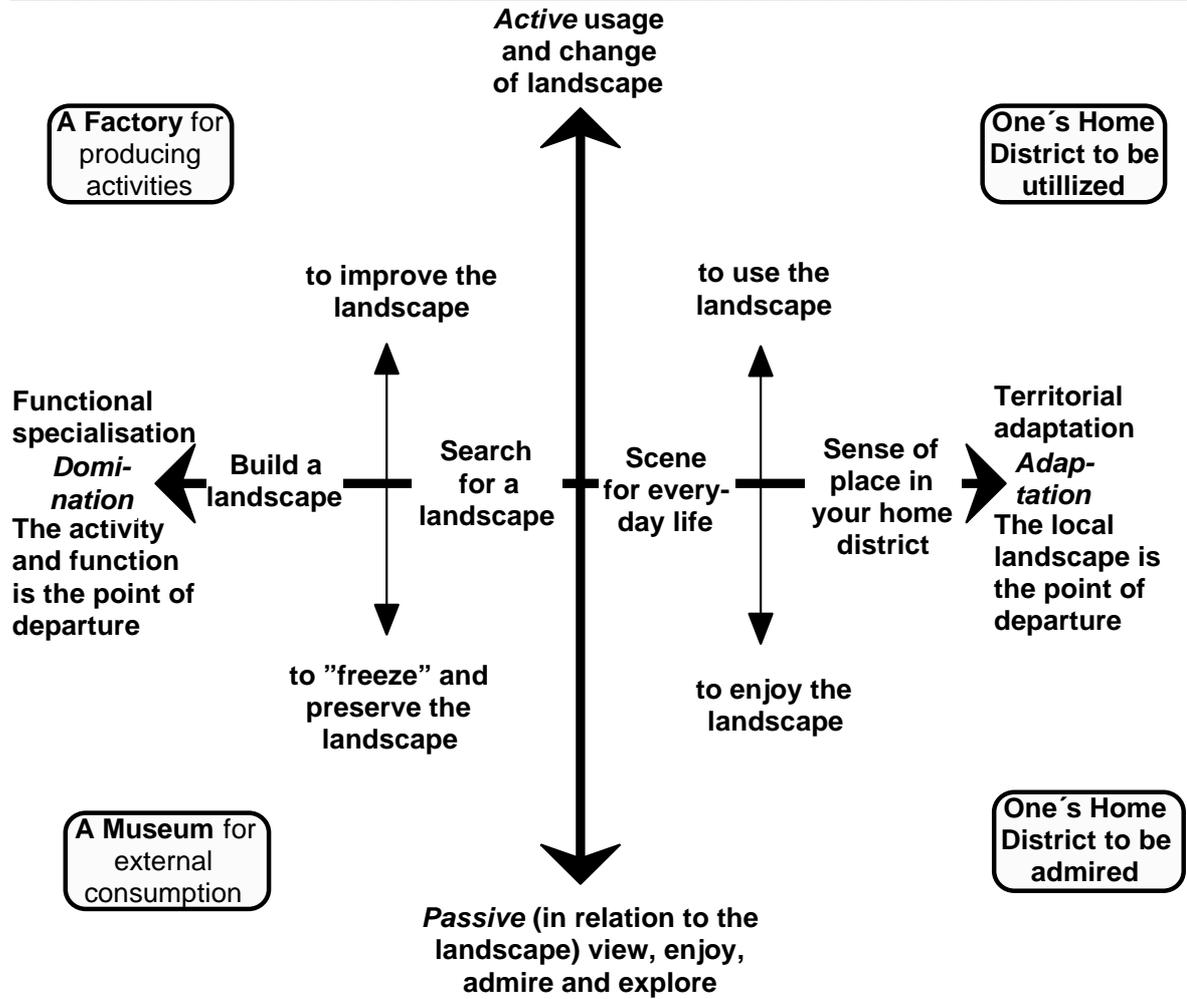
- Privacy
- Preservation
- Economic interests

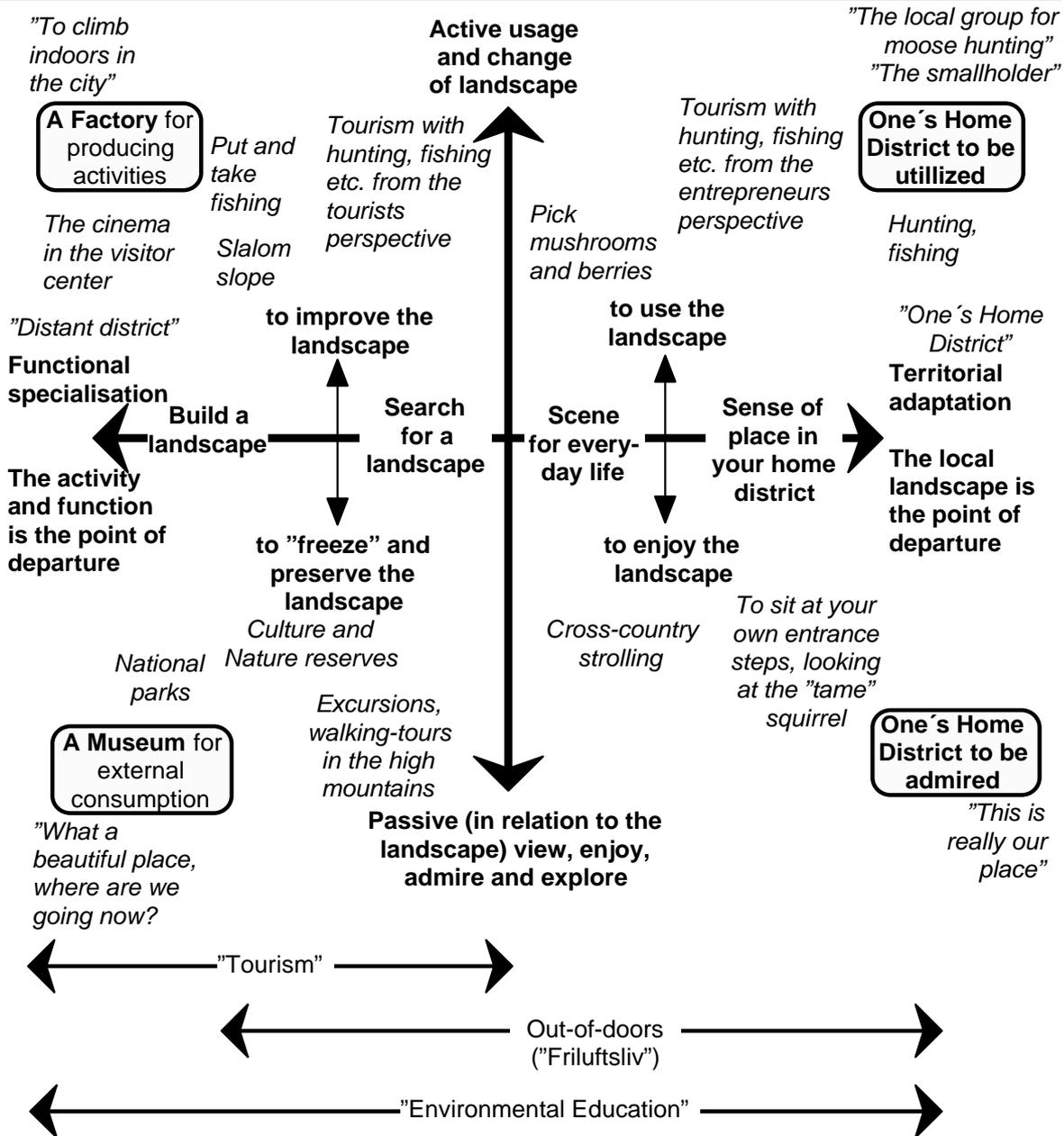
The public access to the rural landscape in Sweden as based upon the "free space" of the right of public access.



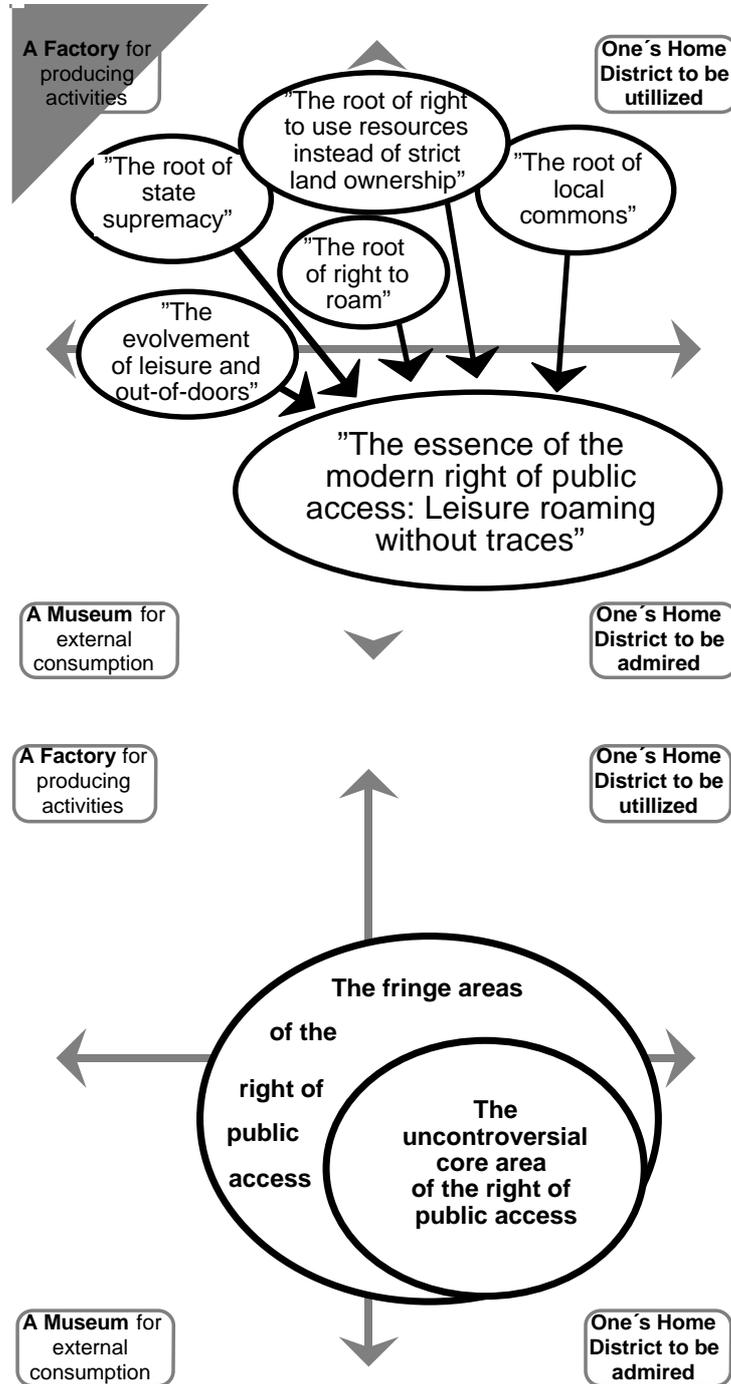
Recreational access in British Columbia, Canada illustrated by the conditions of land tenure related to degree of access as constrained by topography and management strategies.

A Conceptual Framework of Ecostrategies

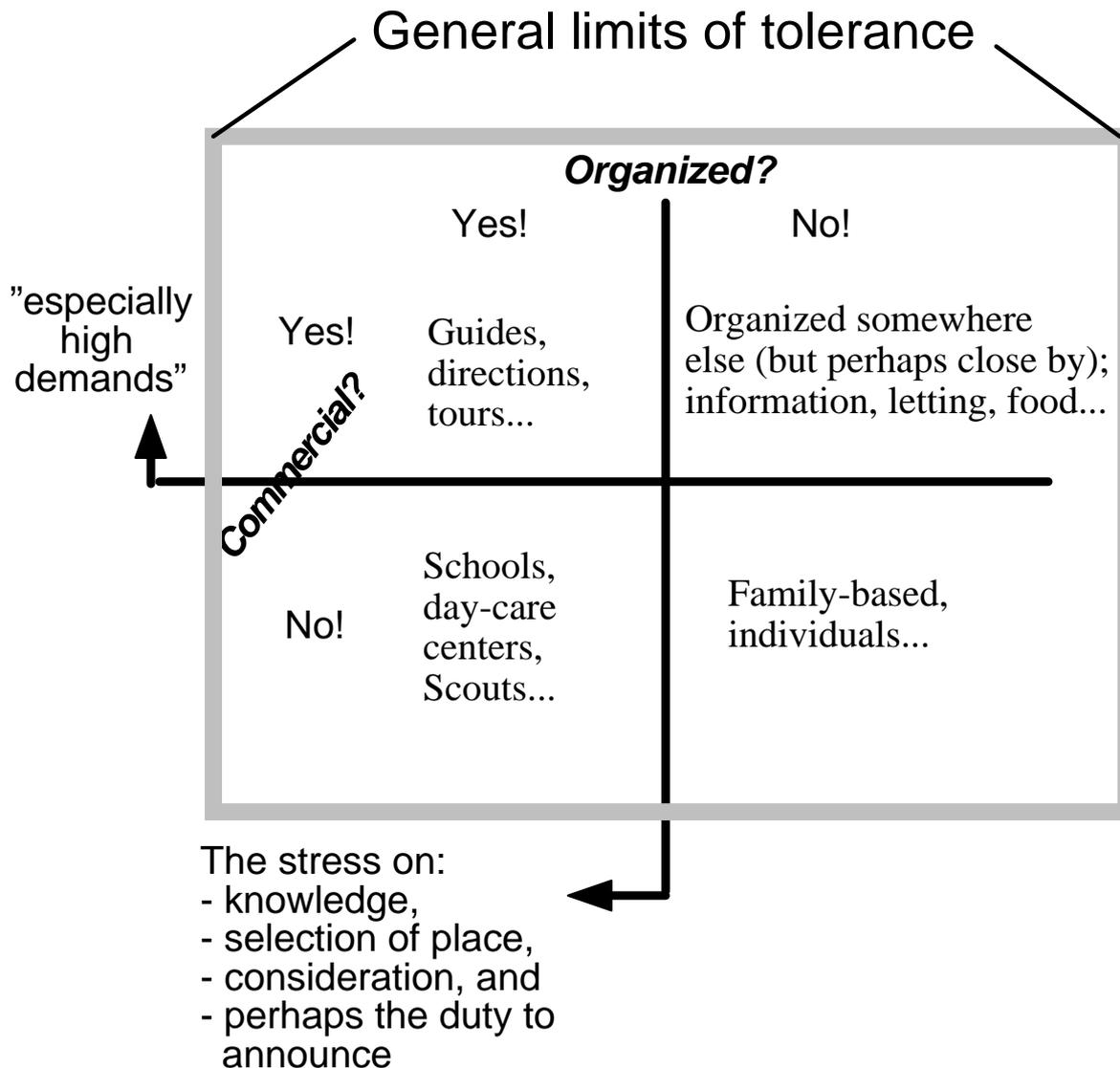




Two tentative illustrations of the right of public access analysed in the conceptual framework of different ecostrategies; first with regard to historical elements and roots constituting its essence and thereafter its current content in terms of its relatively uncontroversial core area and its much more debated fringe areas.



Some Current Challenges



Some proposals with regard to the Swedish Right of Public Access

It is important to note – as a multi-purpose use approach to landscape – that a prerequisite for the right of public access is that you can "read" the landscape. It is "the landscape" that tells you what is – and what is not – allowed, e.g. the way the land is being used may indicate how sensitive it is for people walking on it, and the weather tells you how safe it is to make a camp fire.

The economic value of the ecostrategy of "passive (in relation to the landscape) view, enjoy, admire and explore" is increasingly important in terms of e.g. tourism, adventure and out-of-doors.

Also it is important to note that the current right of public access in Sweden even though mentioned in the constitution is not defined in the law besides the "left-over" perspective mentioned. Therefore the position, content and role of the right of public access clearly are linked to habits, socialisation, education etc.

Perhaps:

- In law define the **core** of the right of public access?
- Introduce an **insurance** against damage for the land-owners paid by the tourism industry?
- Exclude the combination of **organized and commercial** use from the right of public access?
- Try to link the "size of the free space" of public access to **residence**, giving the locals more access than e.g. tourists?
- Make it easier to get in **contact** and make a deal with the landowners collectively when necessary?
- Make it **easier to "read" the landscape** with the help of better maps, temporary local restrictions and GPS based information systems?
- Involve the right of public access even more strongly (e.g. in the schools) into the **environmental education** as an important aspect of illustrating human ecology?
- **"Export"** the right of public access as a specific meaning of landscape and a landscape management tool to be implemented to various degree in other countries?

Some examples of relevant own texts

- Sandell, Klas 1997d. Naturkontakt och allemansrätt: Om friluftslivets naturmöte och friluftslandskapets tillgänglighet i Sverige 1880-2000. -Svensk Geografisk Årsbok 1997, Vol. 73, s. 31-65.
- Sandell, K. 1998d. The Public Access Dilemma: The Specialization of Landscape and the Challenge of Sustainability in Outdoor Recreation -In: Sandberg, A.L. & Sörlin, S. (eds.), Sustainability – the Challenge: People, Power and the Environment. Black Rose Books, Montreal, pp. 121-129.
- Sandell, Klas 1999c. Vem tillhör landet? Om friluftsliv och folkstyrets jordbundenhet. -I: Amnå, Erik (red.) Civilsamhället. Demokratiutredningen, Forskarvolym VIII, SOU 1999:84, Stockholm, s. 347-379.
- Sandell, Klas 2000e. Ett reservatsdilemma: Kiruna nationalparksförslag 1986 - 1989 och makten över fjällen som fritidslandskap. Rapport: R 2000:5, ETOUR, Östersund (i samarbete med Umeå och Örebro universitet och forskningsprogrammet "Landskapet som Arena").
- Sandell, Klas 2001h. Några aspekter på svenska reservatsdilemmans förutsättningar: Arbetsrapport om allemansrätt, naturvård och landskapsperspektiv inför fördjupade studier i forskningsprogrammet FjällMistra om fjälllandskapets tillgänglighet. -Forskningsprogrammen: FjällMistra och Landskapet som Arena (och dess arbetsrapport No. 4), Umeå universitet, Umeå. (Också som PDF-fil vid: <http://www.umu.se/histstud/forskning/arena/index.html>.)
- Daléus, Erika & Sandell, Klas. 1998. From A Sense of Place to A Sense of Marketplace: Outdoor Recreation and Public Right of Access to Nature in Sweden and Canada. -Paper presented at the international workshop "Outdoor Recreation – Practice and Ideology from an International Comparative Perspective" Umeå, Sweden, September 2-6 1998.
- Kaltenborn, Bjørn; Haaland, Hanne & Sandell, Klas 2001. The Public Right of Access – Some Challenges to Sustainable Tourism Development in Scandinavia. -J. of Sustainable Tourism, Vol. 9, No. 5, pp. 417-433.