

Gert Groening

The "Landscape Must Become the Law" - Or Should It?¹

"Im neuen Licht erscheint den Liebenden die Landschaft
im Frühjahr"²

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¹ I would like to thank Ken Olwig for his truly stimulating editorial assistance with my paper.

² The English translation is: "To lovers the landscape appears in a new light in spring." It is a sentence from the film "Kuhle Wampe" which was made in 1931 or 1932. The text is by Bertolt Brecht (1898-1956) and the music by Ernst Busch (1900-1980). The film reflects difficulties associated with unemployment in those years. It was staged at a tent site "Kuhle Wampe" which had been established in 1913 on the periphery of Berlin. In 1930 there were 93 pitched tents inhabited by 300 people. A family of four, where only the grown-up daughter had a job, had received notice to quit their city apartment because they could no longer pay the rent. In spite of desperate efforts the grown-up son was unable to find a job and after serious reproaches from his father decided to jump out of the window. "One unemployed less" is the headline for the first part of this film. An acquaintance of the daughter suggests the rest of the family join him in his tent at "Kuhle Wampe." As no alternative shows up they move to the "green." This "green" at the periphery of the city, on the shore of a lake surrounded by fields and forests is shown in the film in several long sequences without people. It is here where the daughter falls in love with the acquaintance, and in this context the quoted sentence is spoken.

The demand that "landscape must become the law," *Landschaft muß das Gesetz werden*,³ by landscape architect Walter Rossow (1910-1992)⁴ is characteristic of an important trend in modern thought about landscape that has had significant influence upon landscape architecture and planning.⁵ The idea of a "landscape law" is thus closely tied to the demand that "nature must become the law" which was approved by acclamation as part of a resolution of the International Federation of Landscape Architects (IFLA) on the occasion of their annual meeting in Munich, Germany, in 1983. This world congress of landscape architects, in effect, ranked the laws of nature above the constitutions of nations. Section 3 of their resolution read: "It needs to be pointed out clearly to all humans that they are part of nature without mercy and without escape and before all are subject to her laws. Human laws in comparison - from the constitutions of nations to special legal and professional regulations - rank second only; one can only demand compliance with these if they are in concordance with the laws of nature."⁶ Such resolutions not only appear to

³ ROSSOW, Walter 1984: An Stelle einer neuen Beschreibung der Situation: Auszüge aus Beiträgen zum Thema im Zeitraum von 25 Jahren, München 1960, in: Andresen, Erik, Daldrop-Weidmann, Monika, Daldrop, Norbert W. and Walter Rossow (eds.), *Bauen in der Landschaft*, catalog, Akademie der Künste, pp.144-145, Berlin.

⁴ For further biographical and bibliographical information about Rossow see the entry "Rossow, Walter" in GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 1997: *Grüne Biographien, Biographisches Handbuch zur Landschaftsarchitektur des 20. Jahrhunderts in Deutschland*, pp.322-323, Berlin.

⁵ For a recent reference see WEILACHER, Udo 2001: *Visionäre Gärten, Die modernen Landschaften von Ernst Cramer*, Basel.

⁶ My translation, GG. The German original is: "Allen Menschen muß klar gemacht werden, daß sie erbarmungslos und unentrinnbar Teil der Natur sind und zu allererst deren Gesetzen unterliegen. Menschengesetze - von den Verfassungen der Nationen bis hin zu den speziellen Rechts- und Fachnormen - sind demgegenüber nachrangig; ihre Einhaltung kann nur verlangt werden, wenn sie mit den Gesetzen der Natur in Einklang stehen"; IFLA, International Federation of Landscape Architects 1983: IFLA-Resolution

constitute a blunt rejection of democracy, which is based upon a constitution and ensuing regulations, but they also provide insight into the way some experts interpret legal documents, such as the *European Landscape Convention*, which seek to empower the citizenry to engage in the protection of landscapes important to them.⁷ When the "law of landscape" is equated with natural law, then it is only the scientifically enlightened expert who can claim the right to enforce this law.

The idea that society ought to be governed by the "law of landscape" must be seen in the context of the process by which the idea of landscape merged with that of nature in the course of the Renaissance and Enlightenment. When one traces this history it becomes apparent that the law of the landscape was initially seen to be an expression of a "natural" form of just rule under the guidance of enlightened leaders, who might well be so-called "enlightened despots." In order to comprehend how these ideas morphed into the idea that "nature must become the law," as propounded by IFLA, one must first trace this history.

THE DEVELOPMENT OF "LANDSCAPE" AS SOCIETAL PROGRAMME

In view of the long history of mankind on earth, the notion of landscape emerged fairly recently, at least in Europe. As Joachim Ritter has shown there was no concept of

1983, verabschiedet per accl. im Rahmen der Abschlußveranstaltung des XXI. IFLA (International Federation of Landscape-Architects)-Weltkongresses München 1983 am 2. September 1983, *Das Gartenamt*, 32, 11, pp.673-676, here p.673.

⁷ See the articles by Michael JONES and Kenneth OLWIG in this special issue.

landscape in European antiquity.⁸ The idea of landscape that emerged in Europe in the Renaissance was nevertheless indebted to ideas of the natural held by classical authors. There are thus, already in Roman antiquity, elements of a perception of what later were to be called "landscapes" and elements of "landscapes," as illustrated by Gilbert Highet's efforts "to recall some of the greatest Roman poets, by describing the places where they lived, recreating their characters, and evoking the essence of their work."⁹ It is notable to read, following Highet, the way Horace described "his country home with the utmost delight, calls it heaven, and manifests both complete happiness in its possession and spiritual energy renewed by his new freedom."¹⁰ Authors and artists who were highly inspired by the heritage of the classical authors developed the modern idea of landscape. Seventeenth century painters such as Nicolas Poussin (1594-1665), who lived in Rome for most of his life, thus played a decisive role in spreading the identification of a particular notion of nature and the natural with an ideal of landscape. In 1629 Poussin painted the "Shepherds of Arcadia," in 1658 the "Landscape with Orion," and from 1660 to 1664 the series "Four Seasons," which played an important role in generating an ideal pastoral conception of landscape. Salvatore Rosa's (1615-1673) paintings of somewhat wilder landscapes, such as "Landscape with Erminia

⁸ See RITTER, Joachim 1978: *Landschaft. Zur Funktion des Ästhetischen in der modernen Gesellschaft* (gehalten als Rede bei der Übernahme des Rektoramtes November 1962), reprinted in: Gröning, Gert and Ulfert Herlyn (eds.), 1996: *Landschaftswahrnehmung und Landschaftserfahrung, Arbeiten zur sozialwissenschaftlich orientierten Freiraumplanung*, volume 10, pp.28-68, Münster.

⁹ HIGHET, Gilbert, 1957¹, 1959²: *Poets in a Landscape*, Harmondsworth, Middlesex, UK, here p.12.

¹⁰ HIGHET, Gilbert, 1957¹, 1959²: *Poets in a Landscape*, Harmondsworth, Middlesex, UK, here p.135.

," were also influential in the formation of what came to be seen as landscape by the social and intellectual elite. As with poetry, landscape paintings embodied, according to James Turner, "the desire to invest the state with the qualities of nature, innocent, self-renewing and inviolable. The natural, in seventeenth-century terms, means what has not been forced from its path by violence. Consequently, if an entire system regains its natural state it will stay perfect for ever."¹¹ Landscape paintings (**Fig. 1: Thomas Gainsborough 1747 Wooded landscape with peasant resting, Tate Gallery**) thus deliberately excluded everything unpleasant such as the poverty and ugliness of rural life as well as the social injustice which allowed such landscapes to develop.¹²

The classical "Arcadian" ideal of landscape as the expression of a natural society influenced the design of the parks surrounding country homes, and these designs, in turn, helped inspire the utopian visions of Enlightenment social and political theorists. In the course of the first half of the eighteenth century the poet William Shenstone (1714-1763), who celebrated rustic virtue and simplicity in his poetry, sought to apply this Arcadian ideal in practice when he turned the garden and park surrounding his country home, the "Leasowes," near Birmingham, England, into an "ornamental farm," which is to say a farm that is both

¹¹ TURNER, James 1979: *The Politics of Landscape, Rural Scenery and Society in English Poetry 1630-1660*, Cambridge, Massachusetts, here p.101.

¹² SMITH, Sheila 1992: "The ladies draw it in their books": The picturesque in some Victorian literary landscapes, *Journal of Garden History*, 17, 3, pp.208-213; DARBY, Wendy Joy 2000: *Landscape and Identity, geographies of nation and class in England*, Oxford; Barrell, John 1980: *The Dark Side of The Landscape: The Rural Poor in English Painting 1730-1840*. Cambridge, Cambridge University Press.

aesthetically beautiful and profitable (**Fig.2: The Leasowes, plan**). Integral to this farm he created what he called a "landscape garden." This site was seen to be so remarkable by contemporaries that it was frequented by tourists, also from abroad. Even many years after he had died people continued to visit Leasowes in order to get an impression of this landscape.¹³ The reports of these visitors, which continued to appear, kept the memory of this landscape alive even after it had become barely recognizable, due to general neglect.¹⁴ One such visitor was Thomas Jefferson (1743-1826), the third president of the United States of America (1801-1809) and the primary author of the U.S. Constitution. Jefferson paid a visit to the "Leasowes" in 1786, almost a quarter century after Shenstone's death, when not much of the original design was left. In his "Memorandums Made on a Tour to Some of the Gardens in England" he commented favourably on the fact that it seemed to be more an expression of nature than of art: "this is not even an ornamented farm. it is only a grazing farm with a path round it. here & there a seat of board, rarely any thing better. architecture has contributed nothing."¹⁵ Jefferson saw an intimate relationship between such an ideal Arcadian agricultural landscape and democracy, something he sought to foster through the landscape design

¹³ See SAMBROOK, James 1984: Parnell's Garden Tours: Hagley and The Leasowes, in: Maccubin, Robert P. and Peter Martin (eds.), British and American Gardens in the Eighteenth Century, pp.51-64, Williamsburg, Virginia.

¹⁴ See WHITEHEAD, David 2001: Leasowes, West Midlands, England, in: Shoemaker, Candice A. (ed.), Chicago Botanic Garden Encyclopedia of Gardens, History and Design, volume 2, pp.773-776, Chicago.

¹⁵ JEFFERSON, Thomas 1786: Memorandums Made on a Tour to Some of the Gardens in England, reprinted in: Hunt, John Dixon and Peter Willis (eds.): The Genius of Place, The English Landscape Garden 1620 - 1820, pp.333-336, London, here p.335; in his writing Jefferson did not use capital letters at the beginning of a sentence.

of the surroundings of his estate in Monticello, Virginia, and his plans for the western expansion of the United States.¹⁶

The idealized vision of landscape as an expression of a natural utopia did not only influence the enlightenment vision of America. In France the Leasowes were seen to be a kind of contemporary Arcadia, "une sorte d'Arcadie moderne,"¹⁷ and as "ferme ornée," an ornamented farm by René-Louis de Girardin (1735-1808).¹⁸ In a decade-long effort, which was directed against the absolutist rule of the French king, Girardin created a democratically envisioned landscape at his estate at Ermenonville, northeast of Paris, which he had inherited in 1762.¹⁹ It became a favoured destination for artists interested in recording it in landscape painting. An element of this landscape which became well-known is a small island in an artificial lake (**Fig. 3: Ermenonville, poplar island with Rousseau tomb**). It was planted with poplars in a columnar shape, *Populus nigra* "Italica," which at that time was a

¹⁶ See BEISWANGER, William L. 1984: *The Temple in the Garden: Thomas Jefferson's Vision of the Monticello Landscape*, in: Maccubin, Robert P. and Peter Martin (eds.), British and American Gardens in the Eighteenth Century, pp.170-188, Williamsburg, Virginia. Beiswanger mentions an undated script from JEFFERSON "General ideas for the improvement of Monticello" (1984, p.182) and the book "Die Schöne Landbaukunst" by Friedrich MEINERT published in 1798 in Leipzig which served as example for Jefferson's ideas in proximity to his house (1984, p.183).

¹⁷ CONAN, Michel H. 1979: Postface, in: Girardin de, René-Louis 1777: De la composition des paysages, ou des moyens d'embellir la Nature autour des Habitations, enjoignant l'agréable à l'utile, Genève, edited by Michel H. Conan, 1979, Paris, here p.207.

¹⁸ For a biographical sketch see CONAN, Michel 2001: René Louis de Girardin, 1735-1808, in: Racine, Michel (dir.), Créateurs de Jardins et de paysages en France de la Renaissance au XXIe siècle, Tome I de la Renaissance au début du XIXe siècle, pp.169-178, Arles.

¹⁹ See WEBSTER, Constance A. 2001: Ermenonville, Oise, France, in: Shoemaker, Candice A. (ed.), Chicago Botanic Garden Encyclopedia of Gardens, History and Design, volume 1, pp.439-441, Chicago.

very fashionable tree in France.²⁰ The island carried a tomb for the Swiss-French philosopher Jean Jacques Rousseau (1712-1778), to whom Girardin had offered refuge for the last days of his life and who, of course, had promoted the ideal of turning back to nature. This landscape thereby became emblematic of Rousseau's natural ideal.

Ermenonville inspired the utopian visions of the landscape park at Woerlitz, Germany, where a copy of the Rousseau Island marks the entry to the park.²¹ Woerlitz was created in the course of the late eighteenth and early nineteenth centuries by Franz von Anhalt-Dessau (1740-1817) as the centrepiece of his principality, which sought to achieve an enlightened utopian Arcadian vision of an ideal rural society that was much like that of Girardin and Jefferson. The popularity of the ideal image of nature associated with this island has persisted into the present, as with the Rousseau Island built on the occasion of the 1985 Federal Garden Show within an artificial lake in the Britzer Garten in Berlin, Germany.

Economically and politically Girardin was close to the physiocrats. The physiocrats derived their societal programme from the English and their agriculture, which flourished in those days. The physiocrats opposed the mercantilists, who they saw as primarily serving the interests of merchants and industrialists. The most important representative of the physiocrats was François Quesnay (1694-1774). He was personal physician to Madame Pompadour (1721-1764) and King Louis XV (1710-1774) in

²⁰ See PELÉE de St. Maurice, M. 1762: *L'art de cultiver le peuplier d'Italie*, Paris.

²¹ See HIRSCH, Erhard 1988²: *Dessau-Wörlitz, Zierde und Inbegriff des XVIII. Jahrhunderts*, München.

Paris. In 1758 Quesnay published his book "Tableau économique" in which he described what he believed to be the natural law of economy that demanded an "ordre naturel," a natural order of humanity in close correspondence to a hierarchical society. For him agriculture was understood to be the only truly productive form of economy that created a net product, whereas manufacture and commerce remained sterile. Ultimately the physiocrats envisioned for France a kind of liberated China ruled by a farmer-emperor. Strange as this may appear there was a concrete foundation for these ideas.

The enlightened Chinese emperor Qian Long (1711-1799), who ruled from 1735 to 1796 (**Fig. 4: Qian Long, portrait**), invited the Jesuits to come to work at his court at Beijing. The Jesuits came - there were many souls to convert to Christianity they believed - and sent back paintings and reports about the situation of the imperial court to Rome, and also to Paris.²² These reports expounded upon the ideal qualities of Chinese agrarian society, and about the beauties of their gardens in a natural style. Quesnay who had access to these reports founded his own ideas of societal reform upon them.²³ Since the physiocrats viewed agriculture as the only basis for the wealth of a nation they believed it appropriate to tax agriculture only. Industry, commerce and manufacture

²² For example Jean Denis Attiret (1702-1768) who was made "painter to the emperor" in Beijing in 1737 sent "A particular account of the emperor of China's gardens near Peking (sic)" as part of a letter of 1 November 1743 to his friend, Mr d'Assaut in Paris. It was published as "Lettres édifiantes et curieuses écrites des missions étrangères par quelques missionnaires de la compagnie de Jésus" in Paris in 1749. The English version was published in 1752 in London; see also RINALDI, Bianca Maria 2006: The "Chinese Garden in Good Taste," Jesuits and Europe's Knowledge of Chinese Flora and Art of the Garden in the 17th and 18th Centuries, CGL-Studies, volume 2, München.

²³ See REICHWEIN, Adolf 1923: China und Europa, especially the chapter "Physiokratie," pp. 109-119, Berlin.

were not to be taxed as they were unable to improve the wealth created through soil, i.e. through agriculture, and thus would only pass on imposed taxes to agriculture. According to Quesnay there was a two-class society. There was a productive class of farmers and landowners, and a sterile class of merchants, craftsmen, and manufacture labourers.²⁴ This conception of societal development marks the beginning of the French transformation of the English garden into an idyllic political landscape in the 1770s.²⁵

From the point of view of large land owners physiocracy delivered the needed philosophical, economic, and moral arguments which made them appear to be the legitimate guardians of an agriculturally based landscape paradise. A relatively small group within society saw in this landscape the justification of their rule over the majority of this society. The pretended return to what was labelled nature by the physiocrats was the pretence for a societal order, supposedly provided by God, in which some very few ruled over many. Every now and then in chapels erected in such landscapes, for example in Lütetsburg near Emden, Germany, one can find the belief which supported this ideology expressed in the words "by nature and virtue to God," *Durch Natur und Tugend zu Gott*.

Franz von Anhalt-Dessau visited Shenstone's Leasowes in 1763 and in the late eighteenth and early nineteenth centuries materialized his ideal vision of a landscape in his garden principality, the *Gartenreich*, as noted above.²⁶

²⁴ See CONAN 1979, p.230.

²⁵ See CONAN 1979, p.228.

²⁶ See HIRSCH, Erhard 1985¹, 1988²: Dessau-Wörlitz, Zierde und Inbegriff des XVII. Jahrhunderts, München.

His prototype was the advanced state of agriculture in England, which was also the home of the landscape garden. He too had an eye for contemporary ideas about China as reflected in the thinking of the physiocrats. Similar ideas and landscape tastes can be found in the work of a number of other key figures in the establishment of landscape gardening in Germany. Peter Joseph Lenné (1789-1866), one of the founders of landscape architecture in Germany,²⁷ thus wrote a report on his visit to England in 1824.²⁸ Together with the architect Karl Friedrich Schinkel (1781-1841), who had been to England in 1826, Lenné put these ideas into practice when he created in Potsdam and its surroundings a residential landscape for the Prussian kings.²⁹ Likewise, in Bavaria, the architect Gustav Vorherr (1778-1847) sought to properly "embellish" the Bavarian country,³⁰ often using a triangular symbol in his publications that referred to the connection between architecture, agriculture, and garden art, which he wanted to see as foundation for his idea of landscape (**Fig. 5: Triangle formed by the words architecture, agriculture and garden art, symbol for land embellishment as used by Gustav Vorherr**). Neither Vorherr nor Lenné gave any hints with

²⁷ See BUTTLAR, Florian von (ed.) 1989: Peter Joseph Lenné, Volkspark und Arkadien, Berlin.

²⁸ See LENNÉ, Peter Josef 1824: Allgemeine Bemerkungen über die Brittischen Parks und Gärten: Fragmente aus dem Reise-Journal, Verhandlungen des Vereins zur Beförderung des Gartenbaues in den königlich preußischen Staaten, volume 1, pp.82-96.

²⁹ See RIEMANN, Gottfried and David BINDMANN (eds.) 1993: Karl Friedrich Schinkel, "The English Journey," Journal of a visit to France and Britain in 1826, F. Gayna Walls (trs.), London; see also by the same authors the German version 1986¹, 2006²: Karl Friedrich Schinkel, Reise nach England, Schottland und Paris im Jahre 1826, Berlin and München.

³⁰ See GRÖNING, Gert 1992: The idea of land embellishment. As exemplified in the Monatsblatt für Verbesserung des Landbauwesens und für zweckmäßige Verschönerung des baierischen Landes (Monthly for improvement of rural architecture and appropriate embellishment of the state of Bavaria), from 1821 to 1829, Journal of Garden History, 12, 3, pp.164-182.

regard to the political economy of their ideas, but from contemporary publications the closeness to physiocracy is obvious.

Through the linkage of "natural" social ideals with what was seen to be a "natural" style of landscape gardening, reformers sought to promote what was often seen to be a more just and economically, socially and physically sustainable form of society. It must be remembered, however, that this was an inherently conservative approach to reform that was dreamt up by a landed elite that was seeking to ward off such effects of modernity as the development of industrialism and trade. Though this form of society was to be nominally democratic, because it was supposed to improve the economic and social status of the *demos*, the people, it was nevertheless a form of reform that was promulgated from the top down by an elite that saw itself as being enlightened, and which drew upon experts to design the ideal states they sought to construct. Enlightened ideas, however, do not necessarily lead to a more enlightened society. The theory that the ideas of the enlightenment also might embody a diabolic dialectical twin has been propounded, for example, by Max Horkheimer and Theodor W. Adorno, and the history of the way the ideals of an enlightened natural landscape were subsequently appropriated by the National Socialists tends to bear out this theory.³¹

THE LANDSCAPE UNDER NATIONAL SOCIALISM

³¹ HORKHEIMER, Max and Theodor W. ADORNO (1972 (orig. 1944)). Dialectic of Enlightenment. New York, Seabury Press.

The ideas of landscape that developed from the Enlightenment to the period of the land embellishment programs recounted above, took a diabolic turn during the era of National Socialism in Germany. This occurred when it became a goal to create a landscape for Germans in the areas robbed from Poland at the beginning of World War Two.³² As Erhard Mäding (1909-1998), one of the apologists of a National Socialist notion of landscape, wrote in his book "Landespflege" (Land maintenance), "the design of the landscape becomes the most decisive cultural task of today. The design activity goes above and beyond physical and organic conditions of life. Germans will be the first occidental nation to design their spiritual environment in the landscape and, thereby, for the first time in the history of mankind will reach a lifestyle in which a people consciously self-determines the local conditions for its physical and psychic wellbeing."³³ For the design of this National Socialist-German landscape "landscape rules" (**Fig.6, National Socialist Landschaftsregeln, landscape rules**) were developed under the supervision of Reichs-leader SS Heinrich Himmler (1900-1945), who also acted as Reichs-commissioner for the strengthening of German volkishness (RKF). These "landscape rules" acquired almost legal status under the title "The design of the landscape

³² My translation; the original quote in German is: "Die Gestaltung der Landschaft (wird) zur lebensentscheidenden Kulturaufgabe der Gegenwart. Die gestaltende Tätigkeit reicht weit über die physischen und organischen Lebensbedingungen hinaus. Die Deutschen werden als erstes abendländisches Volk in der Landschaft auch ihre seelische Umwelt gestalten und damit in der menschlichen Geschichte zum ersten Male eine Lebensform erreichen, in der ein Volk bewußt die standörtlichen Bedingungen seines leiblichen und seelischen Wohls umfassend selbst bestimmt"; see GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 1987: Die Liebe zur Landschaft, Teil III: Der Drang nach Osten, Zur Entwicklung der Landespflege im Nationalsozialismus und während des Zweiten Weltkrieges in den "eingegliederten Ostgebieten," Arbeiten zur sozialwissenschaftlich orientierten Freiraumplanung, volume 9, München.

³³ MÄDING, Erhard 1942: Landespflege, Berlin, p.215f.

in the incorporated eastern areas" (Die Gestaltung der Landschaft in den eingegliederten Ostgebieten) as "General order no.14/VI of the Reichs-leader SS, Reichs-commissioner for the strengthening of German volkishness of 21 December 1942" (Allgemeine Anordnung Nr.14/VI des Reichsführers SS, Reichskommissars für die Festigung deutschen Volkstums vom 21. Dezember 1942).³⁴

Though it contains a number of paragraphs addressing practical issues the "landscape rules" primarily reflect an authoritarian planning ideal, as well as a twisted idea of landscape concerned with issues of species and race. The rules accept, as a given, a racially based idea that Germans were characterized by a harmonic relationship to nature as opposed to the relationship characteristic of other nations. The rules also contain a superficial approach to landscape analysis and untenable ideas concerning the use of native plants.³⁵ The authors of the "landscape rules" ascribed the neglect, the devastation and destruction of the landscape in what the National

³⁴ See GRÖNING, Gert 1993: Die "Allgemeine Anordnung Nr.20/VI/42" - Über die Gestaltung der Landschaft in den eingegliederten Ostgebieten, in: Rössler, Mechthild and Sabine Schleiermacher unter Mitarbeit von Cordula Tollmien (eds.), Der "Generalplan Ost," Hauptlinien der nationalsozialistischen Planungs- und Vernichtungspolitik, pp.131-147, Berlin.

³⁵ The issue of native plants is an ongoing topic, see the theme issue "The native, naturalized and exotic - plants and animals in human history" of Landscape Research, volume 28, number 1, 2003. In the "Editorial Postscript" to this volume Peter Coates seriously writes "about animals and plants - regardless of their nationality." It is one of the miracles of this debate that animals and plants can become nationalized. See also our contribution to this volume: GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 2003: The Native Plant Enthusiasm: ecological panacea or xenophobia?, Landscape Research, 28, 1, pp.75-88; see also GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 2004: The Native Plant Enthusiasm: Ecological Panacea or Xenophobia?, Arnoldia, The Magazine of the Arnold Arboretum, 62, 4, pp.20-28; see also GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 1994: Response: If the Shoe Fits, Wear It!, Landscape Journal, 13, 1, pp.62-63; see also GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 1992: Some Notes on the Mania for Native Plants in Germany, Landscape Journal, 11, 2, pp.116-126.

Socialists termed the "incorporated Eastern areas" to the "cultural inability of foreign people" to maintain an harmonic relation with the land, thus leading to the formation of a steppe-like landscape which was not natural. In contrast to this, the rules explained that "for the Teutonic Germanic man dealing with nature is a deep need for life ... If the new living spaces are to become a home to settlers, then the well-planned and the close-to-nature design of the landscape is a prerequisite. It is the basis for the strengthening of German volkishness."³⁶ As if this were not enough the "landscape rules" continued, "it is not sufficient to settle our people in those areas and to eliminate foreign people. Instead the area must be given a structure that corresponds to our type of being so that Teutonic German man will feel himself to be at home, so that he settles there and is ready to love and defend his new home."³⁷

In order to make Teutonic German man feel at home the "landscape rules" allowed only for the planting of what were believed to be Germanic native plants. Forest edges should consist entirely of "locally appropriate native wooden species,"³⁸ and the villages were only to be allowed to have "green-leafed, rooted-in-the-soil trees and shrubs."³⁹ The following clause from the "landscape rules" demonstrates the racial character of this notion of landscape: "Only native and locally appropriate plants from seedlings of the best race which secure biggest achievements in wood and fruit must be used. Rare

³⁶ Allgemeine Anordnung Nr.14/VI 1942, p.51.

³⁷ Allgemeine Anordnung Nr.14/VI 1942, p.51.

³⁸ Allgemeine Anordnung Nr.14/VI 1942, p.55.

³⁹ Allgemeine Anordnung Nr.14/VI 1942, p.57.

varieties with red, yellow, blue or other coloured leaves must be avoided, as must be plants afflicted with a hereditary disease, which can become propagated asexually only and which show hanging, turning, stunted or steep growth."⁴⁰

The National Socialist idea of landscape was tied to ideas of race and nation in a way that was not the case with the landscape ideals of the Enlightenment, which readily accepted, for example, the use of foreign trees on Rousseau's sepulchral island. Yet, there is a strong parallel in the continued propagation of the idea that there is a connection between what is perceived to be an ideal "natural landscape" and what is perceived to be an ideal "natural" form of society, which is seen to be the outcome of that natural landscape. Also, in both cases, there is the paradoxical situation that people who are seen to be specialists and experts seek to create from the top down, in the name of the state, or some other higher authority, a "natural landscape" and a "natural" form of society, even though this is entirely in contradiction with their own ideal of nature, as being something that grows organically from the bottom up. This basic structural situation, with a coterie of landscape experts who see their role as being the propagators and enforcers of the laws of nature and landscape, with the support of the state or some other higher authority, persisted after the fall of the National Socialist regime. The ideal of landscape continued, furthermore, to be rooted in ideals of a national nature, but it took on new forms and became particularly wedded to the idea of ecology.

⁴⁰ Allgemeine Anordnung Nr.14/VI 1942, p.56.

THE POST-WAR LANDSCAPE

The idea of rooted-in-the-soil native plants as the ideal constituent of a German 'landscape' continued among landscape architects and landscape planners after the liberation from National Socialism, though it became somewhat diluted in the course of the second half of the twentieth century. Nevertheless it re-emerged in a kind of renaissance in late twentieth and early twenty-first centuries under the terms "ecological planning" and the "nature garden."⁴¹ Though parallels to earlier nationalist and racist arguments can be found, these are now couched in "ecological" terms.⁴²

Since the difficulties associated with the attempts to discover if a plant is German or not still continued to have purchase for some, the "new" strategy to justify the absurd idea of plant nationalization has become to claim that the plant must be middle-European if it can not be "German." This clearly is a weak point for all those who wish to nationalize plants, but it still allows for the attachment of an ethnic identity, e.g. "Slavic" or "Germanic" to plants. Thus, whereas there is a chance for people from other countries to gain national citizenship after a number of years, this is not so with the national/ethnic identity of plants. They have no chance

⁴¹ For the "nature garden" see GRÖNING, Gert 1997: Ideological Aspects of Nature Garden Concepts in Late-Twentieth Century Germany, in: Wolschke-Bulmahn, Joachim (ed.), *Nature and Ideology, Dumbarton Oaks Colloquium on the History of Landscape Architecture, XVIII*, pp.221-248, Washington, D.C.

⁴² See the theme issue "The native, naturalized and exotic - plants and animals in human history" of *Landscape Research*, volume 28, number 1, 2003

whatsoever to acquire that status. When some years ago, in what then still was Czechoslovakia, I asked an expert during a conference about "Cultural aspects of landscape" how I could determine if a plant was middle-European, I was told that the borderline ran right through this country. What later became the Czech Republic and included Bohemia and Moravia was middle-European, whereas what later became Slovakia was East-European. I suspect the plants did not understand what was happening. This was in 1991.

The persistence of WWII era ideas about landscape and nation in post-war Europe is illustrated by the importance that these ideas still play in a 1985 novel by the German writer Siegfried Lenz. He addresses a facet of the "new" old questionable idea of a natural national landscape in his novel "The Training Ground" which appeared as "Der Exerzierplatz" in 1985.⁴³ The translation into English was published in 1991. This novel gives an impression of the continued purchase of these ideas in post-war Germany (and indeed elsewhere in Europe). The novel is set in the times of the old Federal Republic of Germany, before the country became unified in 1990. Konrad Zeller, a tree nursery owner was forced to leave East Prussia after World War Two for Schleswig-Holstein, the most northern of the states of the Federal Republic of Germany. There he successfully re-establishes his tree nursery, which then became subject to the administrative rules of the state of Schleswig-Holstein. One day, he is forced to uproot 100.000 oak saplings by the state authorities. His reaction is to load them onto carts, bring them to town and dump them in the town square in front of the council hall. Then he soaked

⁴³ See LENZ, Siegfried 1985: Der Exerzierplatz, Hamburg.

them with gasoline and set them on fire. Zeller's crime was that he had grown the saplings from Rumanian seed, which showed no difference from German seed. In Lenz' novel the reason for Zeller's action is explained in a kind of report which Bruno, an employee in the tree nursery, gives of a talk he had with his chief Zeller:

"A directive has come from the ministry. They'd worked out some new regulations, back there in the ministry, and, in order to make them stick, had also dug out some older regulations. The chief said they were the rottenest regulations imaginable: they laid down that all trees must come from German seed, otherwise they were not to be sold. A pedigree, Bruno, just think of that: these experts are demanding a pedigree for each single plant, that's what they've worked out back there in their chambers; they want only German seed sown in German soil. All we need now is for them to stipulate German cow-shit as manure".⁴⁴

As the nursery-owner Zeller looked back at the burning trees on the town square he reflected:

"Never trust anyone who preaches genuineness and purity, Bruno, the apostles of purity bring us nothing but disaster ... By rights we ought to send him a card box full of ashes, that fellow in the ministry, the ashes of our un-German trees".⁴⁵

ABOUT THE ANTHROPOSOPHICALLY ORIENTED "LANDSCAPE"

⁴⁴ LENZ, Siegfried 1991: The Training Ground, New York, p.382.

⁴⁵ LENZ 1991, p.392.

The contemporary idea that the landscape must become the law can be seen to have antecedents both in the Enlightenment ideal and in the National Socialist mutation of that ideal, as in formulation of "landscape rules." Another source of these ideas lies particularly with the thinking of the "anthroposophists," who were not part of the National Socialist movement, but who nevertheless had certain points of contact with the National Socialists. Their ideas belong within the same ensemble of thought that has been traced here because of the way a natural ideal is made to become a landscape ideal, which is seen to have an important influence on human behaviour and well being.

One example of the ways that National Socialist and anthroposophist thinking touched upon each other was in the case of the so-called "Attorneys at landscape" (Landschaftsanwälte), who were a special brand of landscape architects who established themselves as a professional group in Germany during National Socialism. Under their leader, Reichs-attorney-at-landscape Alwin Seifert (1890-1972),⁴⁶ they were occupied with the incorporation of German motorways (Autobahnen) (**Fig. 7: Seifert meets Hitler on the occasion of the accomplishment of the first 1000 km of Reichsautobahn 1936**) German Autobahn and camouflaging of armament factories into the landscape. Seifert and many of his affiliated attorneys-at-landscape, such as Camillo Schneider (1876-1951),⁴⁷ Werner Bauch (1902-1983),⁴⁸ and

⁴⁶ For further biographical and bibliographical information about Seifert see the entry "Seifert, Alwin" in: GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 1997: *Grüne Biographien*, pp. 361-363, Berlin.

⁴⁷ For further biographical and bibliographical information about Schneider see the entry "Schneider, Camillo" in: GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 1997: *Grüne Biographien*, pp. 341-344, Berlin.

Max Karl Schwarz (1895-1963)⁴⁹ were close to biological-dynamic horticulture and anthroposophy (**Fig.8: Title of a publication by Max Karl Schwarz with reference to cells as principle for horticultural business 1948**). Schwarz established an anthroposophist inspired school for horticulture and settlers at Worpswede near Bremen, Germany which was based on the anthroposophy's "observation of the biological-dynamic way of economy."⁵⁰ Many other landscape architects, such as Herta Hammerbacher (1900-1985), were drawn to biological-dynamic horticulture and anthroposophy.⁵¹ Even four decades after World War Two the attorneys-at-landscape claimed to operate as an organ, not of the state, but of an otherwise "speechless landscape."⁵² The role of anthroposophy in relation to that of National Socialism in the establishment of the idea of a law of landscape in need of attorneys is complex, and an understanding of this relationship requires some knowledge of the history of anthroposophy.

Anthroposophy is an off-shoot of theosophy, which spread through Europe in the late nineteenth and early twentieth centuries. Theosophy was promoted by the

⁴⁸ For further biographical and bibliographical information about Bauch see the entry "Bauch, Werner," in: GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 1997: *Grüne Biographien*, pp. 28-29, Berlin.

⁴⁹ For further biographical and bibliographical information about Schwarz see the entry "Schwarz, Max Karl, in: GRÖNING, Gert und Joachim WOLSCHKE-BULMAHN 1997: *Grüne Biographien*, pp. 357-358, Berlin.

⁵⁰ SCHWARZ, Max Karl 1933: *Der Gartenorganismus. Grundsätzliches zum "Kommenden Garten," Gartenschönheit*, 14, 12, 236-239, hier p.238. The name of the school in German was "Barkenhof der Gartenbau- und Siedlerschule Worpswede e.V."

⁵¹ See WOLSCHKE-BULMAHN, Joachim and Gert GRÖNING 2001: *Der 100. Geburtstag von Herta Hammerbacher - Ein Anlaß zum Nachdenken*, *Stadt und Grün*, 50, 1, 35-39; for further biographical and bibliographical information about Hammerbacher see the entry "Hammerbacher, Herta," in: GRÖNING, Gert und Joachim WOLSCHKE-BULMAHN 1997: *Grüne Biographien*, pp. 126-127, Berlin.

⁵² See GRÖNING, Gert 1992: *The Feeling for Landscape-a German Example*, *Landscape Research*, 17, 3, 108-115.

Theosophical Society founded by Helena Petrova Blavatsky (1831-1891), a Russian, who claimed to have been selected and trained by Tibetan representatives of theosophy. Rudolf Steiner (1861-1925) directed the German section of the theosophical society from 1902 to 1912, but he eventually split with Blavatsky in order to develop his own doctrine of anthroposophy. A German anthroposophical movement was under formation from 1912, but it was first in 1923 that Steiner founded his "Anthroposophische Gesellschaft." The link between theosophy, anthroposophy and landscape lies in the way both theosophy and anthroposophy claim to have insight into the nature of God and the world based on immediate knowledge which is not accessible to non-believers. This idea thereby elevates the believer to a kind of expert status which enables the believer to see him or herself in the position of someone who can act as an attorney, defending the law of landscape.

Although members of the anthroposophical society today distance themselves from National Socialism by stressing that the society was forbidden by National Socialists in 1935, it is nevertheless important to note that Rudolf Heß (1894-1987), the deputy of Adolf Hitler (1889-1945), was closely tied to anthroposophy.⁵³ A number of hints to connections between National Socialism, anthroposophy, and landscape architecture have been published.⁵⁴ For example the herb garden at the concentration camp Dachau near Munich, Germany, was operated according to biodynamic

⁵³ See GRÖNING, Gert and Joachim WOLSCHKE-BULMAHN 1993: "Ganz Deutschland ein großer Garten," *Landespflege und Stadtplanung im Nationalsozialismus*, *Kursbuch*, 112, pp.29-46, annotation 2.

⁵⁴ See WOLSCHKE-BULMAHN, Joachim 1993: *Biodynamischer Gartenbau, Landschaftsarchitektur und Nationalsozialismus*, *Das Gartenamt*, 42, 9, pp.590-595 and 10, pp.638-642.

ideas.⁵⁵ It is common, however, for anthroposophists to react indignantly when connections between National Socialism and anthroposophy are mentioned. There is no doubt that the anthroposophical society was dissolved by the National Socialists under the pretence that it was connected with foreign free masons, Jews, and pacifists, but this is, as Charlotte Rudolph puts it, "where anthroposophical historiography usually ends."⁵⁶ Thus, though it is true that in 1938 most Waldorf-schools were closed by the "Gestapo," the National Socialist secret state police, applications by some schools nevertheless were granted to continue "as state experiment schools on a National Socialist basis and under a reliable directorate."⁵⁷ "Only after Heß had flown to England was the last Waldorf-school closed; this was in 1941 in Dresden."⁵⁸ One thus might conclude that though the anthroposophists were not, by and large, National Socialists, there was nevertheless an affinity between the two movements which allowed for a similar perception of the law of landscape, and the need for landscape lawyers to defend its interests.

CONCLUSION

The demand that "landscape must become the law," *Landschaft muß das Gesetz werden*, and its corollary, the demand that

⁵⁵ See WUTTKE-GRONENBERG, Walter 1983: *Volks- und Naturheilkunde auf "neuen Wegen."* Anmerkungen zum Einbau nicht-schulmedizinischer Heilmethoden in die nationalsozialistische Medizin, Argument Sonderband, volume AS 77, Berlin.

⁵⁶ My translation, GG; the original quote is "hier schließt die anthroposophische Geschichtsschreibung normalerweise ab," RUDOLPH, Charlotte 1987: *Waldorf-Erziehung, Wege zur Versteinerung*, Sammlung Luchterhand, volume 727, Hamburg, here pp.94-95.

⁵⁷ RUDOLPH 1987, p.96.

⁵⁸ RUDOLPH 1987, p.95

"nature must become the law," as propounded by the International Federation of Landscape Architects (IFLA), is an idea that, as has been seen, has a long and chequered history that goes back, at least, to the Enlightenment. The idea that the law of landscape, understood as a form of nature, ought to rank above the constitutions of nations can potentially give enormous power to those who claim to act on behalf of that law. As the IFLA resolution quoted above read: "It needs to be pointed out clearly to all humans that they are part of nature without mercy and without escape and before all are subject to her laws." A law that is applied "without mercy" smacks indeed of despotism, and goes beyond human judicial practices, which usually allow for the possibility of mercy and clemency. This superiority of nature's law, in fact, is recognized in the above quoted IFLA resolution, where it is stated that: "Human laws in comparison - from the constitutions of nations to special legal and professional regulations - rank second only; one can only demand compliance with these if they are in concordance with the laws of nature."⁵⁹ What such resolutions suggest is not the presence of some sort of daemonic, neo-fascist sect within the landscape professions, but rather the presence of a structure of beliefs, emanating from the Enlightenment, and reinforced by iconic landscape gardens, which gives rise to the idea that it is right and proper for a class of "enlightened"

⁵⁹ My translation, GG. The German original is: "Allen Menschen muß klar gemacht werden, daß sie erbarmungslos und unentrinnbar Teil der Natur sind und zu allererst deren Gesetzen unterliegen. Menschengesetze - von den Verfassungen der Nationen bis hin zu den speziellen Rechts- und Fachnormen - sind demgegenüber nachrangig; ihre Einhaltung kann nur verlangt werden, wenn sie mit den Gesetzen der Natur in Einklang stehen"; IFLA, International Federation of Landscape Architects 1983: IFLA-Resolution 1983, verabschiedet per accl. im Rahmen der Abschlußveranstaltung des XXI. IFLA (International Federation of Landscape-Architects)-Weltkongresses München 1983 am 2. September 1983, Das Gartenamt, 32, 11, pp.673-676, here p.673.

specialists to act as advocates for the "law" of a "natural" landscape which is inherently unable to speak for itself.

The heritage of the idea that "landscape must become the law" has gained new pertinence with the passage of a current legal landscape document, *The European Landscape Convention*, under the auspices of the *Council of Europe* at the beginning of the new millennium in 2000. The convention itself seems rather explicit in its rejection of the idea that landscape should be regarded as a form of nature, subject to its merciless laws. According to the *Convention*, landscape is not an objective thing, but: "an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors."⁶⁰ It appears that landscape is thus an expression of the perceptions of an area that is shared and valued by people rather than the expression of some superior form of natural law. Unless read sympathetically, however, this could also be interpreted to mean that natural factors can act and interact with human factors, thus implying the equalization of humans and nature. This sort of interpretation could be seen to be supported by words in the *European Landscape Convention* such as, "landscape has an important public interest role in the cultural, ecological, environmental and social fields, and constitutes a resource favourable to economic activity," and "landscape contributes to the formation of local cultures".⁶¹ Though it is common to speak of the "political landscape," the "landscape" is often understood by some to

⁶⁰ Europe, Council of (2000). *European Landscape Convention, Florence*. Council of Europe Treaty Series No. 176. Strasbourg, Council of Europe, chpt. 1, art. 1.

⁶¹ *Ibid*, preamble.

be a natural phenomenon, as noted earlier in this essay, and if it is understood this way one must wonder how it can have such an important cultural role, since culture is a human not a natural product. This is not a problem, of course, if landscape is not seen to be a product of nature, but a product of culture. If it is comprehended, for example, in the way it is understood by a leading American landscape theoretician, J.B. Jackson, when he writes:

I persist in seeing it [landscape] not as a scenic or ecological entity but as a political or cultural entity, changing in the course of history.⁶²

The issue of how one interprets the meaning of landscape in the *Convention* rests to a certain extent on how one interprets the meaning of "perception" and "area" in its definition in article 1 of the *Convention of landscape* as: "an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors" [emphasis mine]⁶³ Perception can be understood by natural scientists to mean "sense perception," as opposed to "intellectual perception," in which case perception is simply a physiological response to the environment. In this case the use of the concept of perception is simply to differentiate the human perception of an area from that of other animals. Cultural geographers, however, have long used the concept of perception in relation to landscape in the intellectual sense, in which case the perception of the landscape might be understood to be a cultural perception, making the

⁶² Jackson, J.B. (1979) *The Order of a Landscape: Reason and Religion in Newtonian America. The Interpretation of Ordinary landscapes. Geographical Essays.* D.W. Meinig, Ed. New York: Oxford University Press: 153-163, p. 153.

⁶³ Ibid.

landscape, and the "nature" within it essentially a cultural phenomena.⁶⁴ The use of the term „area,“ furthermore, is congruent with areal meaning of the root *pays* (as in the *pays* of *Languedoc-Roussillon*) in the French word for landscape *paysage*, just as it with the root *land* landscape in its etymologically primary areal sense (as, for example, the *land* in *Jutland*), in which case we are dealing with historically and culturally demarcated areas that are largely perceived with cultural lenses. The problem is that the convention is open to differing interpretations and it is important that the process of implementation is informed by an understanding of the implications of these differences and their potential dangers.

A similar problem is to be found with regard to the wording of the relationship between human and natural factors in the landscape. What does it mean when it is written that the landscape's "character is the result of the action and interaction of natural and/or human factors." Does the placement of nature first imply that the character of the landscape is first and foremost determined in an ecologicistic way by natural factors? Here, again, it is important to give consideration to what is meant by "perception."

The *Convention* seems to reject the idea that landscape policy should be the domain of enlightened experts as it argues for the need "to integrate landscape into its regional and town planning policies and in its cultural,

⁶⁴ Lowenthal, David (1961). "Geography, Experience and Imagination: Towards a Geographical Epistemology." *Annals, Association of American Geographers* 51(3): 241-260.

environmental, agricultural, social and economic policies, as well as in any other policies with possible direct or indirect impact on landscape".⁶⁵ For this reason, as the explanatory report notes: "Official landscape activities can no longer be allowed to be an exclusive field of study or action monopolised by specialist scientific and technical bodies."⁶⁶ "Landscape," therefore, "must become a mainstream political concern, since it plays an important role in the well-being of Europeans who are no longer prepared to tolerate the alteration of their surroundings by technical and economic developments in which they have had no say."⁶⁷ It is against this background that the convention states that it wishes to be a response "to the public's wish to enjoy high quality landscapes and to play an active part in the development of landscapes."⁶⁸

Despite the *Convention's* apparent emphasis upon the importance of public participation as opposed to the rule of technocratic experts, the *Convention* nevertheless pays great attention to "administrative arrangements",⁶⁹ "training for specialists in landscape appraisal and operations" and "for professionals in the private and public sectors and for associations concerned",⁷⁰ "to promote the exchange of landscape specialists",⁷¹ the designation of "competent Committees of Experts" for the monitoring of the implementation of the Convention,⁷² which

⁶⁵ Ibid, chpt 2, art 5, § d.

⁶⁶ Europe, Council of (2000b). *European Landscape Convention, Florence, Explanatory Report*. CETS No. 176. (Europe 2000b: II, §32: 22)

⁶⁷ Ibid: II, §23)

⁶⁸ Ibid, preamble.

⁶⁹ Ibid, chpt 2, art 4.

⁷⁰ Ibid, chpt 2, art 6, § B.

⁷¹ Ibid, chpt 3, art 8, § b.

⁷² Ibid, chpt 3, art 10.

also "shall examine any amendment proposed" to the Convention.⁷³ The inheritance of the specialist landscape advocate is thus well within the domain of the *Convention*. The text of the *Convention* proper has, furthermore, been twinned with an "Explanatory Report" written by a "committee of experts" under the authorization of the *Council's* Committee of Ministers, and this explanatory report includes passages which, as might be expected, favour the role of the expert. Explanatory reports "do not constitute instruments providing an authoritative interpretation" of a treaty's provisions, but this is not made clear to readers who click onto the *Council of Europe's* website for the *Convention*.⁷⁴

It is interesting to note, in the light of the historical evolution of the idea of landscape law, outlined above, how the explanatory report diverges from what appears to be the intention of the *Convention* proper in making its analysis of the *Convention's* text. Thus, in the section on "training and education" the *Convention* proper calls for: "multidisciplinary training programmes in landscape policy, protection, management and planning, for professionals in the private and public sectors and for associations concerned."⁷⁵ The goal is clearly to broaden the basis for "landscape management" which, according to the *Convention* must be "dynamic" and "seeks to improve landscape quality on the basis of the population's expectations."⁷⁶ The "committee of experts," with regard

⁷³ Ibid, chpt 4, art 17.

⁷⁴ Europe, Council of (n.d.). *About Conventions and Agreements in the Council of Europe Treaty Series* (CETS). 2007. See also the articles in this special issue by Michael Jones and Kenneth Olwig.

⁷⁵ Europe, Council of (2000). *Landscape Convention*, art. 6, § B.

⁷⁶ Ibid, chpt. 1, art 1 § c.

to these "multidisciplinary programs," simply concludes, however, that: "The aim here is to improve the technical expertise of bodies with landscape responsibilities."⁷⁷ By technical expertise the "committee of experts" means "geographical information systems and modern techniques of computerised mapping" which can be used to study such "landscape characteristics" as "the physical relief, the settlement pattern, the main land uses, economic activities, residential areas, the presence or absence of features such as hedgerows and terraces, important wildlife habitats and the heritage of past human activity."⁷⁸ What this suggests is that through the use of computers and remote sensing satellites the landscape has become digitalized as law, and it is the expert professionals and planners who can read this digitalized legal landscape who are to become the enlightened landscape advocates of the new Millennium, and who will promulgate this law on behalf of a mute landscape, and its denizens. If this is the end outcome of *The European Landscape Convention* the landscape will indeed have "become the law" in fulfilment of utopian dreams going back to the *Enlightenment*.

⁷⁷ Europe, Council of (2000b). *European Landscape Convention, Florence, Explanatory Report*. CETS No. 176, art VI, §B: 53.

⁷⁸ *Ibid*, chpt II, art. 6 § 52.

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