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Reclaiming the Land Commons

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Who owns the land and is it secure as a community asset?

For Jose Garcia, South Central Farm was a place of safety. Elders told stories about their homelands and taught others to nurture crops, and parents sang folk songs by the fire while children played hide-and-seek between rows of heirloom corn. Located in the South Central neighborhood of Los Angeles, California, South Central Farm was once the largest urban agriculture site in the U.S. At its peak, the 14-acre tract was home to an estimated 350 garden plots providing food, flowers, and solace--primarily for Latino families with indigenous roots in North America and Central America. It was one of those rare places where the ancient cultural identity and wisdom of hundreds of varieties of medicinal and nutritional plants, carefully-selected heirloom seeds and fruit trees was passed on to the next generation. For over a decade, the farm was an oasis of living soil, edible biomass and biodiversity amidst a cityscape of warehouses, factories, parking lots, weeds and dead dirt.

South Central Farm was located on vacant land offered by the Mayor of Los Angeles to the L.A. Regional Food Bank to use as a community garden that would help heal the wounds of the 1992 riots. But 14 years later it became all too clear that this community asset was not secure. The City of Los Angeles owned the land, and the City Council saw it not as a public park, but prime light-industrial real estate it could sell to generate income. In 2006, following days of protests by urban agriculture activists, gardeners and a cadre of Hollywood stars, the City evicted the gardeners to make way for a warehouse. A phalanx of Los Angeles Police Department (LAPD) in riot gear cleared the way for bulldozers that leveled the urban farm. Three years later, the warehouse remains to be built, and South Central Farmers is holding its third annual encampment to reclaim the land as a commons. The Garden, a 2008 documentary film about the farm, received an Academy Award nomination (www.southcentralfarmers.com).



Two boys watch through a fence as South Central Farm is bulldozed
(Source: Los Angeles Independent Media Center)

The demise of South Central Farm points to the questions we must ask when building community gardens and designing permaculture projects: what is the land tenure? who owns the land? and is it secure as a community asset?

Without written guarantees, leases, conservation easements, or ownership by a community organization, South Central Farm could legally be sold to the highest bidder. The saying, “heal the land, heal the people,” holds meaning in places like this--but only if the land truly belongs to the community.

Creating a Permaculture Commons

What can we learn from the struggle at South Central Farm? How can we keep it from happening again wherever land is the true wealth of the community? As a land conservation professional with 20 years of experience, I believe the answer lies in building community stewardship of strategically-chosen tracts of land, or recreating the “commons”. As someone who has worked shoulder-to-shoulder with permaculture

designers for a number of years, I also believe that the permaculture movement is well positioned to advance this new, community-based land stewardship through creative land tenure strategies.

The Permaculture Principle, “apply self-regulation and accept feedback,” calls on us to discourage inappropriate actions that keep systems from functioning well. As landless poor people in South Central Los Angeles and around the world can attest, the predominant system of land ownership favors land use for individual or corporate profit--an inappropriate action--over meeting the needs of the community and creating a functioning human ecosystem. Mountaintop removal coal mining; the clear cutting of biodiverse forests for pulp mills; industrial agriculture; and disinvestment in low-income neighborhoods all reveal the tyranny of this private, often corporate, absentee land ownership in the name of profit.

Permaculture can inspire us to use a different paradigm, one in which land is a community to which we belong, not a commodity belonging to us.

An important first step is to determine the pattern of land tenure for permaculture sites in the U.S. and globally--are they on private land or public land? A survey of this kind would be a valuable undertaking. Based on what has been reported to date in this publication, various websites, and other sources, it appears that the vast majority of permaculture designs are installed on privately-owned land, while fewer are on public or semi-public land, and very few are on land held by non-profit land trusts. Of those sites, it is important to understand who really | holds the deed to the land and, therefore has control of the site, whether the surrounding landscape is urban, suburban, rural, or wilderness.

If a permaculture design is installed on land owned by individuals and families, is it free and clear of liens or debts? If there is a mortgage or loan, how much of the equity is held by the bank or other lender? If the design is on public or semi-public land such as a school, park, or nature center, are there agreements in place to protect the designs from threats associated with changes in land use? Will the fig trees, hazelnuts, microswales, wild edible greens, and Jerusalem artichokes outlast the payoff of the 30 year mortgage, the sale of the land to a different owner, a parking lot expansion, or the passing of the land to the next generation?

One way to address these questions, whether the land is held privately or publically, is to ensure that agreements are in place recognizing that permaculture designs are an asset offering both community security and

individual security. Collective ownership strategies such as intentional communities, cohousing, ecovillages, and some community supported agriculture (CSA) farms offer enhanced opportunities for securing permaculture designs as a community asset. Community land trusts offer an even more secure land tenure to ensure that permaculture designs to thrive in the long-term.

What is a Community Land Trust?

A Community Land Trust (CLT) is a non-profit organization using common land ownership to promote affordable, ecologically-sound land stewardship for housing, food production, forestry, and other community-based land uses. CLT's acquire land by gift, purchase, or bargain sale and hold it in trust for the community, thereby reducing the impact of land appreciation and speculation driven by the real estate market. By allowing individuals and organizations to obtain long-term (99-year), inheritable leases on the land they hold in trust, CLT's provide a secure, affordable land base for communities and individuals seeking to re-establish resilient bioregional economies. While the vast majority of the 200 CLT's in the U.S. are essentially urban housing trusts which own land to reduce the cost of affordable housing, the origins of the CLT model are strongly rooted in land stewardship.

The first Community Land Trust was New Communities Farm, founded in 1967 to provide African-American families in rural Georgia with affordable access to farmland. Robert Swann (founder of the E.F. Schumacher Society - www.schumachersociety.org) and Slater King (cousin of Dr. Martin Luther King, Jr.) collaborated to establish a non-profit organization that raised funds to acquire a 4,800-acre tract of farmland. The CLT concept developed by Swann and King was influenced by the Jewish National Fund, which holds much of the land in Israel in trust, leasing it to individuals, cooperatives, and intentional communities such as kibbutzim. They also studied the Gramdan movement in India, in which landowners inspired by Gandhi and his successors donated land which was placed in trusteeship for the landless poor. As a Community Land Trust, New Communities offered families affordable, long-term cooperative leases on farmland, and individual leases on 2-acre plots and the ability to purchase or build their own farmhouses. Farmers shared barns and equipment such as tractors and distribution facilities for produce. New Communities Farm was the first example of how the Community Land Trust model could be applied at a variety of scales to serve the needs of communities seeking to the right to live sustainably on the land.

The following examples illustrate how Community Land Trusts offer a model of land ownership that is well-suited for permaculture designs.

Troy Gardens – A Secure Land Base for Food and Housing

Troy Gardens in Madison, Wisconsin can best be described as an innovative example of how our increasingly urban populations could be living. Greg Rosenberg, Executive Director of the Madison Area Community Land Trust (MACLT), describes the 31-acre Troy Gardens as a community asset combining affordable access to land for food production and housing. A cohousing community of 30 green-designed, affordable, privately owned homes occupies 16% (5 acres) of the site, with a stop on a city bus line. The remaining 26 acres are devoted to extensive community gardens with over 200 plots for residents of the surrounding neighborhoods, a community supported agriculture (CSA) farm with a farm stand and educational programs for school children, native prairie and woodland edges with extensive edible landscape plantings of fruit and nut trees and shrubs.

Perhaps the most important aspect of Troy Gardens is that every acre of land has been secured, taken off of the speculative market, and held in permanent trust for sound ecological stewardship by the community. This kind of land tenure creates a new land commons for current and future generations. What started as a struggle to maintain community garden plots threatened by the sale of State-owned land in the mid-1990's has blossomed into a leading example of green urban design incorporating affordable housing, food security, and community-based land tenure. The Madison Area Community Land Trust holds title to all of the land, and a local conservation land trust holds a conservation easement protecting the land from future development. (<http://www.affordablehome.org/neighborhoods/troy-gardens.html>)



All 31 acres of Troy Gardens, with housing on the lower right, community gardens on the lower left, CSA farm in the upper right, and native prairie/woodlands in the upper left. (Source: Madison Area Community Land Trust)

School of Living – Homesteading Neighborhoods on Common Land

The School of Living began during the Great Depression on 40 acres of commonly-owned land in Suffern, New York, as a center for teaching homesteading skills to people seeking alternatives to the industrial economy. Founder Ralph Borsodi and partner Mildred Loomis shared a vision that families and communities could take greater responsibility for healthy living if they could afford access to the land and its bountiful resources. Over the past 75 years, the School of Living has evolved into a regional community land trust that holds over 600 acres of land on 5 sites in Pennsylvania, Maryland and Virginia. Homeowners have created their own affordable, naturally-built homes and grow much of their own food on these sites, and pay an affordable ground lease on the common land. The Heathcote Community in Maryland regularly hosts permaculture design workshops and is a regional center for Gaia University.

(www.schoolofliving.org)



Owner-built cordwood house and community gardens held in trust by the School of Living. (Source: David Harper)

Land Reform for the 21st Century

Looking ahead, we must ask: what are the possibilities for land reform in the 21st century? The traditional 20th century model of government seizure and redistribution of land from wealthy landowners to the landless poor has been short-lived in countries as diverse as Brazil, Japan, and Zimbabwe, often for similar reasons. This version of land reform does not address the root causes behind the concentration of land and wealth. The networks of credit, finance, and distribution of goods that allow landholdings to be concentrated and profitably managed tend

to remain in the hands of a small wealthy minority which eventually reassemble large tracts.

Successful land reform will require a secure land base for permaculture design and relocalization in communities around the world. It will include networks of urban agriculture sites owned by Community Land Trusts and vacant lands held for future use, planted in a low-maintenance edibles and soil building crops. It will include networks of suburban CLT lands, with lots secured for community food forests, edible landscapes, community farms, ponds, springs and greenhouses. It will include rural networks of CLT lands, with larger tracts supporting ecovillages and small farms sharing equipment and mentoring. If The Nature Conservancy can acquire large tracts of wild lands internationally for biodiversity conservation, then an international network of Community Land Trusts, established by and for local communities, can also be formed to hold urban, suburban, and rural land in trust for this and future generations of permaculture designers. As the examples above illustrate, the opportunities are there--every community has the potential to hold land in common.

David Harper founded Land In Common (www.landincommon.org) to assist landowners and community organizations in establishing a secure, affordable land base for resilient local economies. He is currently working on a report on CLT's for UN Habitat Program, and teaches a master's level course on land stewardship at the University of Pennsylvania.