

[Transcript] The Daily / The Sunday Read: 'The Fight for the Right to Trespass'

Hi, I'm Cardiff Garcia and I'm returning for a second season as the host of The Next Chapter by American Express Business Class.

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As Americans, I think we're used to the idea that land can be owned, whether it's a beach front or say a stream bed.

And if you own the land, you can, just for example, build on it, or sell its water rights, or you can keep other people from ever accessing it.

We just accept it as the way that things naturally work.

Like a lot of our laws, we inherited this way of looking at land ownership from England.

When I went there, I found that a growing group of people are thinking about ownership of land and access to land very differently than Americans are.

And they're thinking that while property might belong to somebody, it doesn't mean other people shouldn't be able to walk on it or picnic or camp on it.

It's a vision of land and the outdoors that's so radically different from ours that I had to go see it for myself.

My name is Brooke Jarvis, and I'm a contributing writer to The New York Times magazine.

This week's Sunday Read is about a group of English activists who are pushing for more rights to explore England's natural spaces.

One way these activists do this is through mass trespasses, which are actually a kind of protest that dates back more than a century.

They're pushing for something that a lot of other European countries already have, a right to roam.

I went to England this past spring, where I joined two of these events.

One was at the Kinder Reservoir in the Peak District near Manchester.

It lies underneath a tall plateau of moorland called Kinder Scout, which is where one of the most famous trespasses of the 1930s happened.

The activists planned to take a dip in the water as a form of protest to show that people needed more access to open water swimming.

I went to another trespass that was led by someone in a local folk choir in Bristol.

We headed out to this very old castle that has been in the same family since shortly after the Norman Conquest and walked around the fields and grounds.

We stopped in a little patch of woodlands along the way and sang songs together.

Many of the activists I wrote about traced the start of their involvement to the pandemic.

They had a real hunger to be outside, but they kept finding out that they had a lot less access to the land around them than they'd realized.

People told me they felt trapped, walled off from the natural world.

There was all this space around them that they couldn't get into.

And they began rethinking what was possible.

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So here's my article, The Fight for the Right to Trespass.

The signs on the gate at the entrance to the path and along the edge of the reservoir were clear.

No swimming, they warned.

White letters on a red background.

On a chill mid-April day in northwest England, with low gray clouds and rain in the forecast, the signs hardly seemed necessary.

But then people began arriving by the dozens and then the hundreds.

Some walked only from nearby Hayfield, while others came by train or bus or foot from many hours away.

In a long trailing line, they tramped up the hill beside the dam and around the shore of the reservoir, slipping in mud and jumping over puddles.

Above them rose a long, curving hill of open moorland, its heather still winter brown.

When they came to a gap between a stone wall and a metal fence, they squeezed through it, one by one, slipping under strings of barbed wire toward the water below.

On the steep grassy bank above the reservoir, coats and sweaters came off, revealing wetsuits and swimsuits.

Thermoses of tea and hot chocolate were readied for quick access.

Someone had brought along a banged-up trumpet with which to provide the appropriate fanfare.

There were seasoned winter swimmers, people who had stories of breaking through ice for a dip, and complete newbies, deciding as they shivered whether this particular symbolic act was really for them.

There was a seven-year-old who swam in a knit beanie with a purple pom-pom and a man with a Yorkshire accent who told his wife in mock horror, I had to ask a strange woman to zip me up, Mary.

Down on the shore, giggling and shrieking people picked their way across slippery rocks.

Then, with a great deal of cheering and splashing, they took to the water en masse, banning out in all directions.

Some carried a large banner that read, The Right to Swim.

The water was somewhere around 50 degrees Fahrenheit, but it felt, a 61-year-old swimmer announced after climbing out and wrapping up again, bloody wonderful.

She handed her sister a cheddar and brandstone pickle sandwich and told me she usually hates encountering crowds when they go swimming, but that this one was delightful.

More rounds of cheers went up as new waves of swimmers splashed into the water.

An older woman wearing a pink floral swimsuit paused on the shore to turn to the crowd still on land.

Don't be beaten down, she shouted, raising a fist above her flower-bedecked bathing cap.

Rebel!

Then she, too, flopped into the lake.

On the bank above the reservoir, a choir serenaded the swimmers.

He said, all this land is my masters.

At that I stood shaking my head.

No man has the right to own mountains any more than the deep ocean bed.

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The song by the folk singer Ewan McCall was about another mass trespass, one that took place 91 years earlier above this very reservoir, during which protesters were arrested for daring to walk on hills they were told to keep off.

Over the decades that followed, the protesters' contention that people had some inherent rights of access, even to lands they did not own, which in England is most land, because the vast majority of the country is in private hands, was enshrined in law, guaranteeing public access to this and many other parts of the countryside.

Immediately though, the swimmers told me, those hard-won gains had begun to seem both less expansive and less secure than they once imagined.

During the pandemic, many took up open water swimming or paddling or walking, only to be surprised at the number of places they weren't allowed to go.

The reservoir, owned by a private utility company, even though it is inside the Peak District National Park, was one such place.

England's national parks are full of land that is privately owned and inhabited, farmed, mined, and hunted.

The government began to push to criminalize forms of trespass never before considered to be crimes.

Then, in January, the High Court sided with a wealthy couple who wanted to keep the public from camping on an estate they bought inside Dartmoor National Park in an area called the Cummins, the only place in England where wild camping, what we would call backpacking, was still considered a right.

Robert McFarlane, the English nature writer, called the ruling a nationwide wake-up call, only when the last relic of a long-lost openness was threatened did it become clear just how much was at stake.

Like the trespassers whose anniversary they were commemorating, the swimmers believed they were fighting for something bigger than the chance to walk up a hill or swim in a river, something fundamental about their relationship to the land where they lived.

It's not so much that we need to be granted permission, explained a woman with long gray hair and a sweatshirt that read, kayaking is not a crime.

It's that we need it to be recognized that we don't need permission.

Centuries ago, high moors like those of Kinder Scout, the plateau that stretched above the reservoir, were considered King's Land, uncultivated areas to which access was free.

In the villages below, land was often claimed by the aristocracy and gentry who collected taxes from the peasants who worked it.

But many villagers, called commoners, held shared rights to common land where they could graze their animals or plant crops or gather firewood.

This type of land disappeared rapidly during the enclosure movement of the 18th and 19th centuries, when the wealthy claimed wild and common lands, lands that as the jurist William Blackstone put it, previously belonged generally to everybody, but particularly to nobody, as their own.

The movement leaned on the work of philosophers such as John Locke, who argued that people could gain ownership of waste lands by working and improving them.

But there were others who believed that separating people from the land was a gross injustice. The crimes, wars, murders, what miseries and horrors would the human race have been spared,

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wrote Jean-Jacques Rousseau.

By someone who, pulling up the stakes or filling in the ditch, had cried out to his fellow humans, beware of listening to this imposter.

You are lost if you forget that the fruits are everyone's.

And the earth's is no one's.

As enclosures spread, many former users of the land were pushed out.

With no way to make a living, they drifted to cities.

Kinder is not far from Manchester and Sheffield, two early centers of the Industrial Revolution, whose residents like to escape the choking air by going on long walks in the countryside.

But many of the landowners who controlled the hills weren't fond of having walkers, known as ramblers, exploring properties they used for raising sheep and hunting grouse.

They hired armies of gamekeepers, who sometimes used attack dogs to kick the ramblers out.

Some ramblers in their city lives were involved in trade unions and other labor movements, and they began to bring the same spirit of organization and protest to their weekend walks.

As the most shoutable line of the McCall song has it, I may be a wage slave on Monday, but I am a free man on Sunday.

The land they were walking might be private property, they argued, but its owners weren't the only ones with the right to use it.

English law acknowledges that a right can be established through long custom, and the walkers were following ancient paths and bridal ways onto upland that had only recently been privatized.

Some walkers began holding rallies and undertaking purposeful trespasses in places where they knew they would be ejected.

This had been going on for decades, when, in April 1932, a Rambler named Benny Rothman alerted the press that he and others would be heading up past the reservoir to the plateau above it, an area owned by the Duke of Devonshire.

Hundreds of ramblers tussled with keepers, making national headlines.

Six were arrested, and five sentenced to as much as six months in jail.

At the time, England was home to a number of groups working to protect commons, parks, and walking trails, as part of what the campaigner Octavia Hill, at an 1888 meeting of what eventually

became the Open Spaces Society, OSS, called a common possession we ought to try to hand down undiminished in number and in beauty.

Most saw the trespassers' actions as counterproductive.

Eventually, however, the kinder trespass became what the OSS now calls a sacred event in rambling circles, and its leaders' beliefs were more widely embraced.

Beginning in the 1940s, Parliament began to codify the idea that people had an inherent right to move across the landscape, culminating in the countryside rights of way, Crow Act, in 2000.

The Act recognized the right not only to use designated paths, but also to roam freely on certain mountains, moors, heaths, and downs mapped as open country, or on land registered as common.

In 2009, the Marine and Coastal Access Act designated the shore as access land as well, and promised an additional 2,700 miles of coastal footpaths.

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Today, there are about 140,000 miles of legally protected paths in England, and the countryside is full of signs marking public footpaths or rights of way.

I found them leading past fields of rapeseed, or sheep, along a creek that flowed behind the walls of private gardens, through woods to a country pub.

The first time I encountered such a sign, it marked a charming little trail leading over a brook at the end of the lane where I was staying in Little Hayfield.

I had other plans for the morning, and only meant to take a tiny walk, but suddenly I couldn't help myself.

Having grown up in rural Tennessee, where the no trespassing signs were so ubiquitous as to hardly be necessary, I was overcome by the mere fact of permission.

There was a path to who knew where, on which I was decidedly welcome.

Not just welcome, in fact, but entitled.

It would have felt almost disrespectful to ignore it.

To an American, traversing the land in rural England can feel a bit like looking in a funhouse mirror, a system just different enough that it forces you to see your own expectations in a new way.

Some of the people I met in England had heard that the United States has a lot of public land, which is true, but access to it depends a lot on where you live.

Nearly all federal land is in just eleven western states and Alaska, and even there the courts are still working out what public really means, mulling, for example, when anglers are allowed to walk on public stream beds that run through private property, or whether hunters can cross private airspace by using a ladder to get from one checkerboard square of public land to another.

Hunters had heard that the United States is a warren of private lands, governed by threatening signs and stanger ground laws.

The week of the swim trespass, the news back home was full of stories of people being shot after accidentally driving up the wrong driveway or knocking on the wrong door.

Kate Rue, the founder of England's outdoor swimming society, remembered with shock when she arrived at the Pacific, eager to swim, but couldn't find a beach that wasn't private property.

Another activist, Owen Heyman, told some friends he was visiting in Montana that he was headed out for a walk, and was surprised when they replied that they would first need to drive him somewhere.

A farmer I met in Gloucestershire, who thought the English already had plenty of access to his land, nonetheless seemed to sympathize with my plight as an American.

You can't go anywhere, can you?

After following that first right-of-way sign, I stumbled on a spring full of plump tadpoles and followed a red-striped bumblebee from flower to flower.

I thought about how nice the word ramble was, how it evoked wandering and whimsy and openness instead of the determined, point-to-point rush of the American hike.

I navigated a brief standoff with a pair of rams, soaked my feet in a boggy cow pasture and skirted private houses.

One resident nodded politely from behind a sign, please respect our privacy, that I liked rather better than the sign one of my mother's neighbors in the United States

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displays on her mailbox.

If you can read this, you're in range.

I emerged at the top of a hill called Lantern Pike, said to have gotten its name because it once served as a place to light beacon fires.

In one direction, I could see the buildings of Manchester, and in the other, the long brown line of Kinder Scout, notched in the middle where a waterfall tumbles down.

Below it were fields of bright green pasture squared in by dark stone walls.

A little over a decade ago, a young illustrator named Nick Hayes was staying with his parents in West Berkshire, not far from London, while he worked on a graphic novel.

One day, walking near a lightning-struck willow, he spotted a kingfisher, the first he ever saw.

He hoped to show it to his mother, but as they approached the tree, a man on a four-wheeler raced over, announcing, you've no right to be here, you're trespassing.

The pair immediately turned around.

Hayes walked home, struck by the power of that single word.

He typed trespass into a search engine, surprised to learn that his actions were merely a civil offense, typically punishable only in the case of property damage, and that trespass hadn't always been considered an offense at all.

The more he read, the more Hayes began to believe that the building of a wall, not the climbing of it, was the bigger crime.

He began working on a book about what he was learning, taking himself on small trespasses around the country, climbing over the walls of large estates or slipping past them by kayak.

Sometimes they were shouting.

There's threats.

Everywhere he found reminders of a long, ever-evolving relationship with the land.

It was in the land use, the fox hunts and deer parks of the wealthy, and in the literature, all that wide-open walking and Tolkien and Wordsworth, and in the language.

Beyond the pale originates from the Middle English word for fence, and acre comes from the old English for open field, though the word eventually stopped meaning unoccupied land and came to define standardized measures by which land could be bought and sold.

You can chuck a stone in England, and there's a story of land dispossession wherever it lands, Hayes told me when I first spoke to him last year.

Fencing people off from nature, he believed, caused each to suffer.

People felt bereft and disconnected, and problems like pollution or biodiversity loss became less visible, harder to care about.

Problems became convinced that society put too much emphasis on the sacredness of private property and the accompanying threat of trespass.

Kinder trespass was evidence of that.

To cheer a man for walking through Heather, and likewise to beat him up for it, are both absurdly disproportionate to the act itself, he wrote.

But inside the logic of the bubble, such an act is tantamount to anarchy, because it threatens the spell.

In this context, even the Crow Act began to look less like a victory for the public,

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and more like a consolation prize that disguised how much had already been lost.

The right-of-way officially applies only to movement.

Paths are for walking and bridal ways for riding, not for camping or picnicking or drawing or hula-hooping.

Paths and access land are concentrated in the least populated rural regions and are scarce where most people live.

Many protected areas are difficult to navigate.

People who spend time in the countryside rely on detailed maps from the government to figure out where they are or aren't allowed to walk.

Echoing their military heritage, they're called OS, or Ordnance Survey Maps.

Some places offer no real access, because they are islands floating in a sea of private property.

You would need a helicopter or a parachute to get to them, while others require constant vigilance to keep open.

In one famous case, a company associated with the tycoon Nicholas Van Hoogstraten, who was known for his involvement in the killing of a business rival and once referred to ramblers as Scum of the Earth, erected buildings and fences that blocked a protected right-of-way in East Sussex.

The path was closed for 13 years before Hoogstraten lost in court, and Kate Ashbrook, a former chairwoman of the ramblers and now General Secretary of the OSS, reopened the path by taking a pair of bolt cutters to a padlocked gate.

The Crow Act was also time limited.

There is likely less than a decade left during which new access paths can be certified, but the process for adding them is Byzantine.

To certify a right-of-way, you have to prove that you've never asked a landowner for permission to walk there, which turns a right into a retractable handout, that you have used it for at least 20 years and accepted stand-in for proof that a right has been earned by virtue of being exercised since time immemorial, a period which, because of quirks of English law officially ended with the death of Henry II in 1189, and that you and others have used the path openly without your right to do so being challenged.

Open access land cannot have been improved by agriculture, proof of which often requires expensive certifications by botanists.

This can lead to absurdity, says Ashbrook, who likes to walk up a hill near her house in the Chilterns.

It looks the same all over, but because of what Ashbrook described as botanical issues of great detail, only one side qualified as access land, open for rambling.

The other is closed.

To Hayes, it seemed as if all these technicalities undercut the rights that the Crow Act was supposed to enshrine.

They made clear that the rules about who owned what and who could go where were cultural and historical artifacts, not laws of nature.

They were just choices.

Another approach was visible just across the border.

In 2003, the Scottish Parliament passed a land reform bill that recognized the uncontested

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right to walk, camp, cycle, swim, canoe, and perform any other form of non-motorized exploration throughout the country.

Known as the right to roam, it came with a code of responsibilities.

Access didn't apply to private gardens immediately around houses or to fields in active cultivation, and people were expected to clean up their litter and dog poop, to cook on stoves instead of open fires, to avoid rock climbing near nesting birds, to close gates behind them, and so on.

But it was clear and direct and not even unique to Scotland.

Other systems had long been in place in other European countries, including Finland, Norway, Iceland, Austria, Latvia, Estonia, Lithuania, the Czech Republic, and Switzerland.

In some cases, the right was considered so old and so fundamental, so obvious, that for a long time no one bothered to codify it.

In Sweden, the Tourism Board developed an ad campaign around the allure of what the country calls Alamansraten, or every man's right.

It's a right protected by the law that allows me to sleep and eat and walk pretty much wherever I want, the voiceover explains.

Now you can too.

As Hayes began researching land ownership, he came across the work of Guy Schrubsol, an environmental campaigner who, in an effort to find out who owned the land whose management practices he was worried about, had spent years filing records requests and pouring over maps, writing a blog and later a book called Who Owns England?

In answering the question, Schrubsol painted a stark picture of inequality and secrecy.

Only 5% of the country was owned by ordinary householders.

Large chunks were held by corporations and by the aristocracy and gentry, often following boundaries that were relics of the land divisions and gifts made after the Norman Conquest in 1066.

The land registry does not track land using these categories.

A few thousand dukes, baronettes, and country squires owned far more land than all of Middle England put together, Schrubsol wrote.

He cited a remark by the late Duke of Westminster, who advised aspiring entrepreneurs in Britain to make sure they have an ancestor who was a very close friend of William the Conqueror.

If you wanted to know how much of England's land offered no right of access, even to rambblers, even after the Crow Act, the answer was 92%.

Property, Schrubsol told me, isn't really a thing, it's a bundle of rights, a series of possible actions that are associated with tracts of land but that can be severed, bought, sold, and expanded or curtailed by the specific legal codes that govern that land.

This was why you hear people speak of mineral rights or surface rights or water rights or commoners rights or treaty rights, which in the United States often include ongoing rights to fish, hunt, and gather on land that tribes no longer control.

Part of that bundle of rights in England for the last several hundred years has been the right to exclude other people from your land, Schrubsol says.

The thing is, that's not always the case in every country and even in other liberal capitalist democracies.

England had exported its view of private property to much of the world, but it also had its

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own long history of resistance to privatization.

Notable examples include the diggers who seized a hill in Surrey in 1649, planting crops and declaring to the gentry, the earth was not made purposely for you to be lords of it and we to be your slaves, servants, and beggars, but it was made to be a common livelihood of all.

Sure, you can have private property, Schrubsol says, but does it always have to be on such extreme terms that you can't share it with anyone else?

In late 2019, the Conservative Party was elected in a landslide and proposed charging unpermitted campers with criminal trespass.

Hayes and Schrubsol started a petition opposing the idea.

It received enough signatures to trigger a debate in Parliament, but the bill continued to move forward.

Schrubsol remembers sitting with Hayes around a kitchen table in London, wondering what to do next, how to convince their country that access to the land was a right worth fighting for.

Shortly afterward, Covid hit.

Lockdowns were strict in England, where illicit parties were enough to eventually bring down a once popular Prime Minister.

Indoor gathering places shut down, an outdoor exercise, which was allowed only once a day and only in the area where a person lived, became precious.

Catherine Flitcroft of the British Mountaineering Council told me that across the country, the outdoors became the new pub and the new playground, a lifeline for people who felt trapped and alone.

But many soon found that a frustrating amount of the countryside was closed off to them.

Paths that people had assumed to be legal rights of way turned out to be only permissive paths.

Landowners, overwhelmed by the surge of eager walkers, some of whom left large messes behind, could and did revoke access.

Swimmers, canoers, climbers and kayakers struggled to understand where they were allowed to go, because many landowners maintained that ownership of a lakefront or riverbed included a right to exclude people from their section of water.

Though it was illegal to block public paths with gates or fences, or to hide signs designating them as such, or put up new ones threatening dangerous dogs or bulls, would-be walkers told me that they encountered all of this, and community leaders from marginalized groups pointed out that many barriers to access were invisible.

People were often dissuaded from rambling at all, because they had good reason to fear the outcome if they ended up somewhere they weren't allowed to be.

During that first COVID summer, Hayes' account of his explorations, the Book of Trespass, was released.

The Book argued that the hard-won public paths, in enshrining some rights, forestalled others. They simultaneously legitimized the space that is off limits.

It soon became a best-seller.

Hayes and Shrubsol set up a campaign website, encouraging people to make their own respectful trespasses into areas that were closed off to them.

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They also started to work with other organizers to call for a full Scottish-style right to Rome in England.

Their desire to access nature, they wrote, should not be a crime.

The first trespasses were small, groups of friends pouring over local maps, considering the land around them in new ways.

In Totney's, the town in Devon where Shrub-soul lives, he and a few others explored Barry Pomeroy, a nearby estate owned by the Duke of Somerset.

There was a permissive footpath through one section, but though the estate dominates the landscape, and though it receives taxpayer subsidies, they had never seen the rest.

The woods turned out to be full of pheasants, non-native game birds imported to Britain each year by the tens of millions for shooting.

In Devon, local people began holding trespasses every month.

As Hayes did while writing his book, they stayed well away from houses and stuck to actions that would be considered trespasses in England, but legal in Scotland.

Lewis Winks, a researcher and environmental campaigner who helped organize the gatherings, told me that it felt like being a detective in your own backyard.

You were figuring out who owned what and why, and suddenly realizing that there was a great deal more land around than you ever visited or even really noticed.

Moving in a group, you felt empowered, almost immune to signs telling you that you didn't belong.

You also noticed, he added, that a country that some politicians like to describe as full or overcrowded, and therefore in need of tighter borders, was full of open space.

You realize, Winks said, that we basically exist in the corridors between these big estates.

In 2022, Parliament passed the Promised Antitrespassing Bill.

The core group of right-to-Rome organizers continued to grow, while encouraging people to form their own local chapters.

In Northumberland, organizers arranged buses to take children who live in light-polluted cities into the countryside at night, because so many English people now grow up without being able to see the Milky Way.

In Gloucestershire, trespassers climbed a stone wall into an estate owned by the Duke of Beaufort, where botanists taught attendees about the native plants they found there, the idea being that people who feel attached to a landscape will be inspired to protect it.

The campaigners organized another trespass at Barry Pomeroy, this time with hundreds of people, who carried a banner that read, Right to Rome, and picked up litter as they went.

They walked together to a sunny hillside, where they picknecked.

The wholesomeness was purposeful, an attempt to show that people could use land not just responsibly, but also in a nourishing way.

Though the campaigns received a fair amount of positive coverage, even the right-leaning Daily Mail offered a friendly account of the Barry Pomeroy trespass, quoting shrub-souls, less room for pheasants, more room for peasants, quip in their headline, there were plenty of doubters.

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Some seasoned organizers worried that a call for a right to Rome might jeopardize the right-of-way system they have worked so hard to create, or that embracing trespass could give all rambblers a bad name.

Landowners' associations argued that the current system was adequate and that expanding it would risk public safety.

How many more wildfires will there be?

How many more sheep will be attacked by dogs?

What damage will be done to crops?

In his book, Hayes argued that what he called the cult of exclusion was possible because it was undergirded by a powerful story of inevitability, including the belief that open access would mean disrespectful or ignorant people mistreating the land.

In the United States, this idea was most vociferously articulated in an essay called *The Tragedy of the Commons*, written in 1968 by the ecologist and eugenicist Garrett Hardin, who argued that it was the fate of any communally managed property to be mismanaged and destroyed.

Hardin's work has since been widely debunked, including by the Nobel Prize-winning political scientist Eleanor Ostrom, who showed that communities around the world are capable of managing shared resources sustainably.

Right to Rome organizers countered that another story was possible, one in which people were educated to appreciate and protect places they saw as partially their own.

Amy Jane Beer, one of the core organizers, likes to point to a study by researchers at the University of Derby, which compared 14 European Union countries according to their biodiversity and their residents' felt connection to nature.

In each case, Britain ranked lowest.

Those things are not disconnected, Beer says.

People are losing without being aware of what they're losing.

And then came Dartmoor.

In England, unlike in the United States or in parks in Africa and elsewhere that are sometimes accused of practicing fortress conservation, coordinating off-nature at the expense of local people, there's little illusion that a national park is, should, or even could be a wild place untouched by human history.

Dartmoor is full of ancient archaeological sites, as well as mining scars, good-sized towns, uncountable sheep and ponies, military practice ranges, and even a large prison.

You can't visit without understanding the land as a balance of uses.

One of those uses, today, is camping.

For decades, Dartmoor was the only park in England that recognized camping among the forms of recreation to which users are entitled.

Elsewhere, some people still camp, but they do so somewhat stealthily.

You just set up late and pack up early, as Winx told me, or with the understanding that they may be moved along.

To quote the leader of a group of backpackers I met, we just kind of walk until we hit somewhere we can't, and then we go somewhere else.

Many youth groups, and those who aren't comfortable camping where it isn't allowed, stick to Dartmoor.

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In 2022, the hedge fund manager Alexander Darwell and his wife Diana, who had purchased a 4,000-acre estate inside Dartmoor, announced that they would be suing the park to keep people from camping on what was now their land.

At first, the big-access organizations didn't believe that wild camping could really be under threat and paid little attention.

A small group of local residents, including Winx, a walking guide named Gillian Healy and others who were organizing trespasses nearby, decided over pints at a pub to plan a rally on one of Darwell's moors to be held shortly after the court was scheduled to rule on the suit.

We thought there'd probably be about 15 of us, Winx says, but no matter which way the decision went, they figured they would either want to celebrate or protest.

They came up with a name for their group.

The stars are for everyone.

A week before the planned gathering, in January 2023, the chancellor of the High Court ruled that the long-assumed right to camp in Dartmoor didn't actually exist.

Darwell and any other landowner who wanted to could kick campers out right away.

Suddenly, thousands of people wanted to join the protest, which was set to depart from Cornwood, a tiny village clustered around narrow lanes on the edge of the park.

Organizers rented 10 buses to shuttle the protesters in.

To help feed everyone, residents of the village baked pasties and delivered them to the local pub.

A parade of people set off on a two-mile walk to Darwell's land, using a right-of-way flanked on either side by private security guards holding dogs.

It was, said one participant, a conga line of humanity.

Many people told Healy that they weren't campers themselves, but that they saw the decision as part of a much bigger story about their country and where they fit inside it.

Healy agreed.

To her, the loss was like a new form of enclosure.

That too had been a gradual but devastating winnowing of rights.

When the crowd arrived at the top of the hill, organizers were waiting with a surprise.

Hiding just behind the crest were a group of musicians and a giant puppet they called Old Croccern after a mythic figure from Dartmoor's past who is said to be the spirit of the moor.

In one story, he warns a rich man who has come to plow the land with a steam engine, if you scratch my back, I'll scratch out your pockets.

When the puppet crested the hill into the slanting winter sunshine, crowds of children ran toward it, dancing.

The Dartmoor National Park Authority appealed the ruling.

In the meantime, it came to an agreement with some of the other landowners, paying them to continue to allow camping.

What had been a right became a mere permission.

Winks found himself camping less because he was no longer sure where it was actually allowed.

They've stolen the goose and are selling us back the eggs, he said, and we're told to be grateful.

The Labour Party, for its part, reacted to the news by promising to introduce a Scottish-style right to Rome bill

the next time it came to power.

[Transcript] The Daily / The Sunday Read: 'The Fight for the Right to Trespass'

One spring morning, about a week after the swim at Kinder Reservoir, and five months after the Dartmoor ruling, I met another group of trespassers.

This time, they gathered on the village green of a tiny place called Ham, under the branches of a blooming horse chestnut tree.

Most of the 70 or so people who arrived for the walk came from Bristol, 20 miles away, home to a particularly active group of right to Rome advocates who meet twice a month and go on outings that members take turns designing.

On this day, the walk leader was Jim Rosinski, a member of a local choir who brought along some of his choirmates.

Rosinski said that the book of trespass moved him to act because it was just so reasonable.

Before setting out, he warned the group to watch out for sharp branch-related jeopardy and to take care with where they place their feet.

We want to show that we can care for the land that we're walking on.

The group set off down a narrow lane, crossed a bridge and passed a field where horses grazed.

A large stone castle appeared in the distance.

A woman named Mary Stevens, who had read *Who Owns England*, told those gathered that it was still owned by the same family to whom the land was granted in the aftermath of the Norman conquest.

They were also given considerable land in Bristol, where, many of the walkers told me, they could not afford to buy houses, including in the neighborhood where the choir practices.

The long trail of people wound through fields and into a tiny scrap of woodland, where the choir leader, Sorrell Wilde, led the group in an old chant.

Put your roots down. Put your feet on the ground.

You can hear the earth sing if you listen, we sang, until the words lost their cheesiness and began to feel profound and peaceful.

It took ages to enter another glen because there were so many people stepping so cautiously over the bluebells.

As they walked, people told me what had brought them to spend their bank holiday Monday trespassing around a castle with strangers.

Many spoke about wanting more access to nature, but they also framed the walk in grander terms.

Maria Fernandez Garcia, a botanist who had become a leader of the group, said it was a balm to hear other people's deep and similar feelings about the ways the country wasn't working for ordinary people and how it could do better.

Danny Bala listed a series of things that he wished were seen as commons to be shared and stewarded,

but which were instead enclosed, privatized and exploited, gathering places in cities, the air, the water, the climate.

A mother of two young children told me that as a renter, struggling amid Britain's cost of living crisis,

it would be very easy to feel that I had very little power.

But trespasses like this helped.

The more of them she went on, the more illusory the borders that constrained her life felt.

It's an antidote to everything feeling divided and enclosed, she said.

A woman named Holly Marjorum told me that while walking is often a solitary activity,

[Transcript] The Daily / The Sunday Read: 'The Fight for the Right to Trespass'

this version made it feel like part of something large and powerful, connected to a whole world of people who would fight for the land. She had also been to the big trespass at Barry Pomeroy and the protest on Dartmoor. A few months later, in mid-July, the Royal Courts of Justice would hear the park's challenge to the ruling that favored the Darwells. Inside the court, the two sides debated what the park's bylaws meant by allowing open air recreation. Was a tent open air? Are you recreating when you're asleep? While protesters filled the sidewalk outside, a ruling is still pending. In Ham, after the trespass, the group stopped in a churchyard for lunch, where more thermoses of tea emerged from backpacks. It's nice to imagine a world where we can walk farther and feel freer, said a woman in tall rubber boots. And then it was back to the village green, where some people taught a folk dance, some drifted off to the pub next door, and some sang along to a final song. Ours is a wild and beautiful land, much unknown to us. We are the land, and the land is us. Another group arrived late and dripping, having been lured into the cool river by the first hot day of spring. People kept asking Rosinski which parts of the walk were trespasses, and which parts were within their rights. It had been hard for them to tell.