

# CHAPTER 3.
# APPROPRIATED HERITAGE? ACCESS CAMPAIGNS, TRESPASS, AND LOCAL RIGHTS IN EARLY-TWENTIETH CENTURY UPLAND ENGLAND AND AUSTRIA.

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## Introduction

In 1908, recreational access to rural space came before no less than three European Parliaments. In Britain, Liberal MP Charles Trevelyan (1870–1958) revived James Bryce's Access to Mountains Bill, broadening it to England and Wales. In the newly-democratised Austrian House of Deputies, Social Democrats called to end path closures in Alpine territories; and in the Bavarian Chamber of Deputies, representatives of the conservative *Deutsche und Oesterreichische Alpenverein* and socialist *Touristenverein 'Die Naturfreunde'* (*Naturfreunde*) demanded that State Forest Officials prioritise tourists and paths over hunters and quarry.[1] All three bids to upend the land-use of Europe's uplands failed, but the British and Central-European movements were strikingly similar in other ways too. They were both formed of predominantly male walkers, climbers and trespassers, from relatively diverse social backgrounds, led by organised outdoor leisure movements. Both built on existing traditions of rural transgression and protest, but argued for a relatively new right of recreation located in the urban and national. Both faced entrenched hunting interests with significant connections to political processes and inherited landed interests, opposed through acts of both individual and organised trespass.[2] Both offered – in the Scottish/British Access to Mountains Bills since James Bryce's 1884 original, the 1924 Law of Property Act, and Arthur Löwy/Lenhoff's *Der Verbotene Weg* [The Forbidden Path] – carefully constructed legal methods to solving the access

1 Hansard: HC Deb 15.05.1908 vol. 188 cc1439-523; 'Der Verbotene Weg [The Forbidden Path]', *Der Naturfreund: Mitteilungen des Touristen-Vereins "Die Naturfreunde' in Wien* [The Friend of Nature: Newsletter of the Rambling-Club 'The Friends of Nature' in Vienna] **12** (4) (1908): 83–84; 'Der Alpenverein in der bayrischen Kammer der Abgeordneten [The Alpine Club in the Bavarian Chamber of Deputies]', *Mitteilungen des Deutschen und Oesterreichischen Alpenvereins* [Newsletter of the German and Austrian Alpine Club] **34** (11) (1908): 153–54.

2 On Kinder Scout, see Hey, *Peak District*, pp. 273–309. On Austria, see G. Aigner, 'Ein vereiteltes Wegverbot [A Thwarted Path Closure]', *Naturfreund* **13** (6) (1909): 131–32 (131); 'Der verbotene Weg', *Naturfreund* **16** (1912), 246.

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problem, methods which prioritised recreational resources over both existing agricultural production and the rights of rural communities.[3]

How access campaigns achieved this reinvention of locally-held, rural resource rights as nationally-held, urban recreational ones is the subject of this chapter.[4] It argues that trespass had a central role, as a form of protest that enabled largely urban-based communities of walkers and climbers to assert a claim to heritages of rural land use, resistance and custom that might justify public, urban access for recreation. Yet at least some trespassers also sought an understanding of local environments, politics and culture with whom they felt a close connection. They embodied the tensions of access campaigns that advocated for the recreational rights of a largely urban population, but could only be successful by working alongside rural communities and their differing priorities.

This chapter examines the ambivalent position of trespassers and access campaigners towards the local people whose rights and heritage they drew on to assert their claims.[5] In England, this provides a counterpoint to histories stretching through the mid-nineteenth century and foregrounding urban political space and resources alongside recreational access.[6] Urban campaign groups supported locally-led popular protests with roots in older traditions of enforcing customary rights, or acted for subaltern groups whose lives on the urban periphery included the use of nearby land for entertainment, liaison and politics.[7] As Anthony Taylor has demonstrated, rural landscape concerns intersected with largely-urban political difference – a pattern we can find repeated amongst turn-of-the-century outdoors organisations.[8] In this earlier period, access campaigns integrated practices, objectives and traditions that cannot be reduced to either 'urban' or 'rural'.[9] Yet, by the late-nineteenth century at the latest, the city was

3 'A Bill to Secure to the Public Access to Mountains and Moorlands in Scotland', *Parliament: House of Commons* **122** (London, 1884); L. Chubb, 'The Law of Property Act, 1925. (Provisions for the Protection of Commons.)', *Journal of the Commons, Open Spaces and Footpaths Preservation Society* **1** (1) (1927): 7–13 (8–9); A. Lenhoff-Löwy, 'Der Verbotene Weg. Ein juristische Versuch [The Forbidden Path: A Legal Commentary', *Naturfreund* **13** (7–8) (1909): 144–52 and 177–82. See Readman, 'James Bryce', pp. 287–318. Many thanks to Dr. Katrina Navickas for her help.

4 See Bradley, 'Green Belt', 629–701; McDonagh and Griffin, 'Occupy!', 1–10. For other uses of common land in the late-nineteenth century, see Howkins, 'English Commons', 107–32; Howkins, *Death of Rural England*, pp. 104–11.

5 See also chapters by Readman and O'Hara and Hickman in this volume.

6 Navickas, *Protest and the Politics of Space and Place*.

7 Cowell, 'Berkhamsted Common, 145–61; D. Killingray, 'Knole Park', 63–79; Baigent, 'Religion, Theology and the Open Space Movement', 31–58. Navickas, *Protest and the Politics of Space and Place*; Readman, *Storied Ground*, pp. 154–94.

8 Taylor, '"Commons-Stealers"', 383–407. See Anderson, *Being Modern*, pp. 26–30.

9 Taylor, *Claim on the Countryside*, p. 5; Navickas, *Protest and the Politics of Space and Place*, p. 304.

a core element of rambling identity – it was urban work patterns, urban living standards and urban environments that walkers routinely hoped to escape; it was urban modernity that walking in the countryside was often understood as supporting, and urban forms of organisation that dominated its movements.[10] A distinctly *urban* identity, in other words, was a core element of both organised walking and access campaigns by the late-nineteenth century and, by the early-twentieth, much of the material they produced carefully avoided rooting itself in these earlier histories of protest, even as it sought to instrumentalise heritages of commons and public rights.[11] However complex and relational difference was on the ground, walkers, climbers and campaigners wove distinctions between 'urban' and 'rural' into the fabric of outdoors leisure culture and, for this reason, the place of rural inhabitants in that culture requires closer analysis.

In Austria, it might be expected that these relations were even more pronounced. The rapid growth of Vienna in the late-nineteenth century, combined with the railway connectedness of its Alpine hinterlands, meant that personal connections between Alpine villages and the capital were more likely, though this was, to be sure, true of almost every part of the Empire.[12] So too, Austria's peasantry had good reason to celebrate the 1848 revolutions, whose most significant permanent social policy was the *Bauernbefreiung*, ending the last vestiges of feudal relations in areas such as the Alps. Yet there are few signs of anything like the alliances or integration of urban and rural in protest movements that we find in England. Austrian farmers may have benefited from the politics of 1848, but they largely refused to support the revolution. Instead, the politics of the Eastern Alps rapidly came to be driven by the national identities disappointed by 1848, and a conservative Catholicism wary of external influence.[13] Perhaps for these reasons, a significant element of what might be termed 'rural protest' in the Eastern Alps of c. 1900 was directed at the newly-built infrastructure of tourism itself, and only continuing traditions of poaching 'rebels' point to continuing rural claims on communal land resources.[14]

In both England and Austria, the legal position of rights of way ensured a

10 See Baigent, 'Religion, Theology and the Open Space Movement', 40.

11 For example, P. Barnes' well-received pamphlet, *Trespassers will be Prosecuted* (Sheffield: Barnes, 1934), pp. 3–4, dated the beginning of the access movement in the Peak District to 1912, specifically aimed the pamphlet at 'ramblers from Southern districts where the same problem does not arise', and characterises the region as a 'wild, unspoilt' area surrounded by 'industrial England'.

12 Steidl, 'Migration Patterns', pp. 71–76, 82–86.

13 Goetz and Heiss, 'Nation vom Rande aus gesehen', 150–71. See also Morosini, *Sulle vette della Patria*, pp. 72–84; Judson, *Guardians*, pp. 141–77.

14 Anon., 'Zerstörung von Wegtafeln [Destruction of Path-markers]', *Naturfreund* **11** (5) (1907): 96. For poachers, see 'Huetteneinbruch [Hut break-in]' *Naturfreund* **8** (4) (1904): 48; Girtler, *Wilderer*.

central role for local people, their institutions and history, and access campaigners from further afield had little choice but to work within this reality, a perspective that contributes to a growing 'legal turn' in the history of landscape.[15] Access campaigns forced recreational walkers to engage with the politics, heritage and environmental contexts of rural lives in ways unparalleled in England, and only surpassed in the Eastern Alps by the vast construction of high-Alpine tourist infrastructure.[16] Yet weaving purported urban rights into the fabric of rural land use patterns, customs and history was a complex business, and neither access campaigners nor trespassers are easily reduced to caricature. While some acted with a barely-concealed contempt for the local cultures they encountered, others offered a remarkable sensitivity to the challenges of rural upland agriculture and environmental inequalities in the landscapes through which they moved. In appropriating rural heritage for urban claims, trespassers and campaigners often developed a new sensitivity to rural needs and interests.

## Access heritage

Trespass might be a practised assumption of commonality, a refutation of the boundaries imposed by property rights, or a reassertion of personal sovereignty. It was a form of protest that might speak to longer traditions of conflict, collective rights, or the 'trespasses' of landowners over communities that once relied on enclosed land. In the early years of the twentieth century, G.H.B. Ward (1876–1957), a Sheffield-based metalworker set the tone and content for a generation of 'respectable', militant, socialist and 'manly' walkers.[17] His *Clarion Club Ramblers*, and its pocket-sized *Handbook* became a recognised part of trespass culture by 1914, typified by antiquarian research, tales of trespass and rural anecdotes that offered an accessible narrative to the struggle for access:

> We'll beat the track, the old historic track, the Bradfield Gate 'Road' which the record band of ninety-two boys and girls trod upon the blessed blithesome day just twelve months ago.

15 Houston, 'People, Space and Law', 48. See also Brosnan, 'Law and the Environment', 513–52. In England, establishing a right of way required either demonstration of continuous use for as much as 75 years, or (and sometimes in addition), the designation of a right of way on, for example, enclosure acts or other cadastral records often held in parish records, or even physical evidence of ancient usage. Gathering such evidence – and then asserting a claim – often required collaboration of local people and parish authorities. In Austria, the principle of *Ersitz* followed a similar logic, but required only 30 or 40 years usage. For a path to be declared 'public', however, a local *Gemeinde*, or community, the smallest political unit in Austria, would need to make the claim, and write the path as such in the locally held land-register. See Lenhoff and Loewy, *Verbotene Weg*.

16 Anderson, *Being Modern*.

17 Tebbutt, 'Manly Identity', 1125–53; Tebbutt, 'Landscapes of Loss', 115–20.

> I think of these old rights-of-way which climb the highest, breeziest hills; and sometimes my soul is filled with madness. Men who are possessed of 'culture' and also of the wild, now half useless moorlands of the Peak, often dare to deprive their fellows of the simple right of enjoyment of these 'enclosured' and often unbought, shooting lands; to use their eyes and exercise their town-stiffened and tramcar-blighted legs upon the heights of Good Health. Verily, there is an English form of culture which may be labelled **German**.[18]

This passage was written shortly after the beginning of the Great War, and Ward used this opportunity to connect the land question to patriotism. Yet he also offered a heritage of historic roads and old rights-of-way, since lost to enclosure, now to be reclaimed for the health of urban bodies through trespass, here imagined reviving similarly lost rural customs of beating the bounds. In Ward's writing, such slippages between past and present, rural and urban, rendered trespass a connection between these worlds, and a way for campaigners to assert urban rights as both the inheritance of rural custom and the necessary modernisation of land for the good of a new, urban and public nation. Trespass constituted a repossession of 'our one-time waste moorland commons' as one 1923 article discussing a 'no trespassers' sign put it.[19]

While access rights had not been – and still were not – a purely urban campaign, urban demands and requirements gradually came to dominate from the late-nineteenth century. Early campaigns for access to the broad sweep of moorlands between Manchester and Sheffield had certainly been led by locals, and this included that for the famous Snake Pass path between Hayfield and Ashopton. This was initiated in the late 1870s by a small group of largely-local residents in the 'Hayfield, Kinder Scout and District Ancient Footpaths and Bridlepaths Association'. According to Ward's narrative, this group 'stepped in' to mediate between landowners bent on closing local rights of way, and 'excursionists' whom the Association blamed for causing 'considerable annoyance'. While the organisation did find some success in ensuring access to a series of local paths, it failed to open the 'Snake', and folded in the early 1880s. By 1894, the 'Snake' became the target of a new organisation, the 'Peak District Footpaths Preservation Society', based substantially in Manchester with funds sufficient to mount a legal challenge to the Duke of Devonshire's estate. The Duke offered a shockingly one-sided counterproposal; he would grant access via a new path, but on condition that the public renounce all claims over all other paths on the area, comprising much of Hayfield. Now the Peak District Footpath Preservation Society sought to pressurise Hayfield members and the

18 G.H.B. Ward, in *Sheffield Clarion Ramblers' Handbook* (1915–16): 7.

19 Anon., 'Another Notice Board', *Sheffield Clarion Ramblers' Handbook* (1923–24): 11; G.H.B. Ward, 'Ancient Ways Across Win Hill', *Sheffield Clarion Ramblers' Handbook* (1923–24): 118–30 (118–19).

local parish council to accept the compromise as the best possible outcome, despite 'putting in jeopardy the right to travel over a great portion of the footpaths in the neighbourhood'. The parish council and locals refused, and eventually the full route over the pass opened in 1896.[20]

Although the ceremonial opening of the path, much like similar festivities in the Eastern Alps, sought to smooth over what had been a fraught relationship, this was not so much a victory for the Peak District Footpath Preservation Society as for local people in Hayfield, who ensured the protection of both the 'Snake' route and other rights of way in the locality.[21] The episode was nevertheless indicative of the increasing dominance of urban walkers, whose priorities were not necessarily shared by locals.[22] By the early-interwar period, Lawrence Chubb, the leader of what was now the 'Commons, Open Spaces and Footpaths Preservation Society' could cite the preservation 'of open spaces for public use and enjoyment' as the organisation's singular aim. He celebrated the 1924 legislation that enshrined a right only of recreational access to commons, and offered landowners a means to deal with the 'gypsy nuisance' in return for recreational access.[23] Increasingly, the role of such organisations was limited to the protection of what was widely now called 'amenity', a term that included aesthetic landscape beauty and recreational access, but did not protect informal resource rights, or rural communities from urban demands for water, energy or construction resources.[24]

In England, a rhetoric of 'returning' commons to public use encompassed a slippage from the local to the national that turned such landscapes into a resource for urban recreation before rural production, as Chubb's victorious description of the 1924 Law of Property Act explained. In Austria and Germany, similar claims were run through with the national and confessional identities of politics in the Eastern Alps. Speaking in the lower house of the Austrian parliament in 1887, the *Deutsche Nationalbewegung* (German National Movement) member, and later founder of the *Deutsche Nationalpartei* (German National Party), Otto Steinwender (1847–1921) appealed to 'old German law'

20 See J. Garside and G.H.B. Ward, 'The History of the Right of Way under Kinder Scout', *Sheffield Clarion Ramblers' Handbook* (1927–28): 153–62.

21 Garside and Ward, 'Kinder Scout', 153, 161.

22 For example, in campaigns over the Doctor's Gate path from Glossop to the Snake pass, which saw many ramblers join demonstrations from Manchester and Sheffield, only one inhabitant of Glossop joined. G.H.B. Ward, 'James Grove – the Glossop Rambler', *Sheffield Clarion Ramblers' Handbook* (1927–28): 163.

23 Chubb, 'Law of Property Act', 7–13.

24 T. Boulger, 'News for Ramblers – Footpaths Preservation', *Sheffield Clarion Ramblers' Handbook* (1927–28): 117–23 (118, 119–21).

which, he claimed, had allowed for both unlimited open access and hunting rights across German 'forests and wildernesses'.[25] Steinwender was, first, able to narrate a more recent loss of customary, place-based rights through the *Bauernbefreiung* as one of lost public rights connected to nation. Second, he rooted that loss in a wider *völkisch* history that co-opted the culturally-complex Alpine borderlands as unproblematically German, and even located their threat in 'Roman' – ie. Italian – law.[26] At a 1916 meeting of path access campaigners, Steinwender finally sought to divert blame from the nobility, asserting that 'this really has nothing to do with the old established dynasties', but rather 'those people who have become rich in the present circumstance … certain men who have huge wealth, and want to express this by, for example, going deer hunting (laughter)'. If the implication here was not enough, Steinwender's last joke relied on the assumption that Jewish people did not actually hunt: 'Even if he doesn't shoot, he at least wishes to be invited to shoot (applause and laughter).'[27] For Steinwender, the loss of 'ancient' patterns of landholding in the mountains could be explained by appealing to fears of a small minority of mainly-Viennese residents who, until recently, had been excluded from property ownership entirely.

The 'heritage' that emerged, like the rhetoric of 'commons' access in England certainly drew upon local languages of lost rights and, according to Roland Girtner, a documented history of hunting rights controlled at a local level, whose memory was still closely embedded in the poaching cultures of the mountains.[28] Yet, Steinwender and his associates did not intend to restore locally-held rights. Theirs was instead a modernist project of nation-building that was anathema to many communities in the diverse and fragmented borderlands of the Eastern Alps. While rarely as extreme as Steinwender's, such 'improving' projects and 'cultural missions' were a staple of urban-based Alpine

25 O. Steinwender, in *Stenographische Protokolle des 163. Sitzung des X. Session des Abgeordnetenhaus am 23. Mai 1887* [Stenographic Minutes of the 163rd Sitting of the X. Session of the House of Deputies on 23 May 1887], pp. 6002-6012 (pp. 6010-6011). See Bodner, 'Verbotene Weg', 363-365. According to Roland Girtler, this was indeed the legal situation in Germany before the advent of Roman law: Girtler, *Wilderer*, p. 22.

26 On the cultural complexity of Alpine borderlands and the problematic role of tourist organisations, see Anderson, *Being Modern*, pp. 222-230; Keller, *Apostles*, pp. 47-66; Morosini, *Sulle vette della Patria,* pp. 72-84; Judson, *Guardians*, pp. 141-77; Cole, 'Emergence and Impact', 31-40; Peniston-Bird, Rohkrämer and Schulz, 'Glorified, Contested and Mobilized', 141-158.

27 Bodner, 'Verbotene Weg', p. 364; 'Naturschutz und Wegefreiheit: Eine Rundgebung der Touristen [The Protection of Nature and Path Freedom: A Public Meeting of Mountaineers]', *Neues Wiener Tagblatt* **16** (16 Jan. 1916), 15-16 (16); 'Naturschutz und Wegerecht [The Protection of Nature and Path Rights]', *Österreichische Touristenzeitung* **36** (3) (1916): 32-39 (37).

28 Girtler, *Wilderer*, p. 22.

Clubs in Germany and Austria, irrespective of their other political positions.[29] As the general secretary of the Austrian Association for *Heimatschutz* pointed out, the closure of Alpine paths by landowners might best be understood as the 'robbery of colonies from their colonisers'.[30]

Yet as the growing anti-semitism of German-speaking tourism in the early-twentieth century suggests, there were already other exclusions at work. The most visible period of access campaigning by the *Naturfreunde* coincided with the male enfranchisement of Austria's poorest communities in 1907, a renewed attack on recreational access in hunting regions and the de-facto exclusion of the poor from the huts of most Alpine organisations, led by the *Deutsche und Oesterreichische Alpenverein*. All this was accompanied, from the early years of the twentieth century, with increasingly vociferous discussions of 'Alpine Knigge' [Alpine etiquette], which included complaints about a new absence of deference amongst mountain guides under the influence of urban mountaineers who viewed them as social equals.[31]

Similar concerns emerged in English texts. 'We are', Ward wrote in 1929, 'being blamed largely for the faults of a few hundreds of noisy juveniles who, now following in the wake of the youngest Clubs, are of a class who, 25 years ago, would scarcely have had the wit to proceed beyond the suburbs of the city.'[32] Though Ward sought to empathise with those criticised in the wider media, both he and other organisations such as the Clarion's less militant counterparts, the *Manchester Ramblers' Federation*, nevertheless called for increased punishment, criminal prosecutions and systems of surveillance by the late 1920s, in an attempt to control increased numbers of visitors to the Peak District, and mould them into the 'manly', and 'civilised' image of the rambler.[33] 'A few of the larrikins', Ward wrote in 1928, 'who are "coming out" and may become men in a while, are doing thoughtless damage and the rambler who sees it should not hesitate in dealing with them severely.'[34] Indeed, it was often the 'manliness' that Ward and his club sought in the hills that was judged lacking in such behaviour. Young boys or women, he contended, did not have the

29 Anderson, *Being Modern* pp. 116–19. See, for example, J. Szombathy, 'Die Touristenwege am Schneeberg [The Mountain Paths on the Schneeberg]', *Oesterreichische Touristenzeitung* [Austrian Mountaineering Times] **16** (14) (1896): 169–70.

30 'Naturschutz und Wegerecht', 34.

31 Anderson, *Being Modern*, pp. 70–83.

32 G.H.B. Ward, 'Chiefly about Ramblers and Other People', in *Sheffield Clarion Ramblers' Handbook* (1928–29): 133–47 (136).

33 G.H.B. Ward, 'Fun in the Hills', *Sheffield Clarion Ramblers' Handbook* (1928–29): 119–25 (123); Anderson, 'Liberal Countryside', 96–100.

34 Ward, 'Fun in the Hills', 123.

requisite toughness, denoted by a 'brown, and hair-covered body' to survive on the moors without adequate protection.[35] Class was also relevant to such critiques, with Ward citing *'from experience'* that most damage to fields came from the actions of 'school children and young hooligans' in agricultural areas 'near the slum districts'.[36]

Ward was repeating the typical tendency of tourists to distinguish themselves from other tourists by ascribing moral and behavioural standards on their activities. Here though, his concern for the impacts of 'larrikins' from the peripheral and informal districts of urban settlements on nearby rural places separated his access campaigns from those connected to the radical politics, urban poor and protest cultures of mid-nineteenth century North-West England.[37] The solution proffered (and actioned) by him and other campaigners sought to regulate behaviour on the moors, and while these 'respectable' ramblers protested at the comparison, to an outside observer there might well appear little difference between their 'warden guides' scheme and the keepers of public parks, with their restrictions and bye-laws.[38]

In both England and Austria, the increasing obsession amongst club leaderships with behaviour in the outdoors also aligned with conciliatory approaches to hunting interests. Justifications for path closures, when not centred on the safety of walkers themselves, often turned on the 'disturbance' of game, despite ample evidence for the increasing numbers of grouse, pheasants, chamois and deer in hunting preserves during the same period.[39] Such criticisms were taken to heart, and censure of such behaviour became a staple of an Alpine press that sought to be the voice of 'respectable' outdoors leisure. This was true above all of the *Deutsche und Oesterreichische Alpenverein*, whose membership extended into the upper elites of German society. The 'unnecessary noise' of 'alpine Wildlinge', whose warnings of potentially fatal rockfall 'disturb the wonderful atmosphere' wrote the Alpinist and landscape photographer Fritz Benesch (1864–1949) in the *Deutsche und Oesterreichische Alpenverein*'s annual journal of 1898, 'leads in the end to friction with the hunting personnel, and

35 Ward, 'Other People', 135.

36 Ward, 'Other People', 145. On another occasion, however, he blamed 'hangers-on and unregulated imitators of the Boy Scout movement': G.H.B. Ward, 'Notes for Ramblers', *Sheffield Clarion Ramblers' Handbook* (1930–31): 172–75 (174).

37 Navickas, 'Popular Protest', 93–111.

38 Anderson, 'Liberal Countryside', 96–100.

39 See, for example, Szombathy, 'Schneeberg', 169–71; Ward, 'Other People', 142–43.

thus to harsher path closures'.[40] For members of 'respectable' rambling clubs or middle-class mountaineers in Germany and Austria, the new codes of behaviour meant an importation of urban middle-class values into the mountains. As such, attempts to mollify upper-class and noble hunting interests meant imposing urban, middle-class values and conduct onto an outdoors space, and critiquing or excluding those, including locals, who transgressed the new 'commandments'.[41] Campaigners for access rights who were sensitive to criticisms raised of outdoor leisure participants in local and national newspapers sought to distance themselves from such behaviour, and supported attempts to regulate the outdoors in the name of freedom.[42]

## Practising trespass

At its most basic, trespass operated as a performative counterpart to the languages of access lobbies, a practised assumption of commonality and refutation of the boundaries imposed by property rights which drew on older practices of resistance – poaching especially. The placing of bodies in environments where they were not allowed to be also forced their owners to engage with the landscape and its inhabitants in new, and unpredictable ways. Trespassers did not merely use their bodies to act out thoughts, frustrations or politics, but rather as a tool for forming and thinking those ideologies in the first place. In the case of those described in this chapter, those ideologies might be of rural/urban difference, identification with nature or, as we will examine in the following section, with the plight of rural inhabitants.

English ramblers and mountaineers relished near-encounters with gamekeepers, supposedly relying on what the librarian and access campaigner E.A. Baker (1869–1961) called the 'well-known frailties of the game-keeper', and taking advantage of the terrain. This was a common trope of writing, albeit with different inflections, from the masculinist, militarist metaphors employed by Ward to the sorts of vaguely comedic references common to 'respectable', middle-class ramblers. In such texts, keepers were understood as stupid, slow, and corrupt. In one oft-repeated anecdote, Leslie Stephen's 'Sunday Tramps' club chanted a legalistic verse as they walked over private land, apparently in the

40 Fritz Benesch, 'Die Raxalpe und der Wiener Schneeberg [The Raxalpe and the Viennese Schneeberg]', *Zeitschrift des Deutsche und Oesterreiche Alpenvereins* [Journal of the German and Austrian Alpine Club] **29** (1898): 214. See Bodner, 'Verbotene Weg', 356–57. See also Szombathy, 'Schneeberg', 170–71.

41 F. Friedensburg and C. Arnold, 'Die zehn Gebote des Bergsteigers [The Ten Commandments of Mountain Climbers]', *Mitteilungen des Deutsche und Oesterreichische Alpenvereins* **23** (3) (1907): 33–34.

42 Anderson, 'Liberal Countryside'.

hope of confusing gamekeepers.[43] Ward was sometimes more complimentary, but this did not prevent him publishing stories with titles such as 'Fun with a Gamekeeper', or 'Diddling the Longshaw Gamekeepers', and occasionally praising violence towards them.[44] The minor novelist Halliwell Sutcliffe claimed the 'game' of trespass had 'strict rules' and 'delicately shaded rules of etiquette', that turned basic countryside politeness into an exercise in the types of sportsmanship, character and fairness familiar to historians of colonial cricket and football – though even these could be overcome in extreme circumstances, such as being a little late.[45] By the 1920s, the popular philosopher C.E.M. Joad recounted techniques of 'keeper-baiting', each of which relied on obfuscation and confusion.[46] Far from members of rural communities exploited by landowners or potential allies in access campaigns, gamekeepers served as the physical symbol of the authority of the landowner, their 'frailties' metaphors of a backward and traditional rural power structure easily overcome by urban intelligence or manliness.

Such trespassers occupied a triple role. They carried both ancient customary rights and democratic modernity into moorlands currently occupied by unscrupulous and corrupt landowners, *and* performed a theatrical game of hunter and hunted marked with imperial fantasy. 'I have spent whole days in the innermost recesses of game forests', remarked the sponsor of successive Access to Mountains Bills, Charles Trevelyan at a dinner meeting of rambling clubs in 1925, 'and it is a very good game – one of the best in the world – keeping out of the way of gamekeepers'.[47] The 'game' of trespass could also be usefully paralleled to hunters, whose own heritage trespassers denied by pointing to the sheer efficiency, brutality and ease of modern hunting practices. Albert

43 G.H.B. Ward, 'How the Sunday Tramps Go A-Trespassing', *Sheffield Clarion Ramblers' Handbook* (1930–31): 177–78.

44 'The Tramp' [G.H.B. Ward], 'Fun with a Gamekeeper', *Sheffield Clarion Ramblers' Handbook* (1915–16): 61–64; G.H.B. Ward, 'Diddling the Longshaw Gamekeepers', *Sheffield Clarion Ramblers' Handbook* (1927–28): 62–64. G.H.B. Ward, 'The Story of Baslow's "Big Moor" or Bridleways and Moormen's Ways, in History Topography and Anecdote', *Sheffield Clarion Ramblers' Handbook* (1927–28): 78–129 (125–26); anon., 'How they "Keep" on a Derbyshire Mountain', *Sheffield Clarion Ramblers' Handbook* (1927–28): 164–65; Ward 'Fun in the Hills'; G.H.B. Ward, 'How to Test the Law of Trespass', *Sheffield Clarion Ramblers' Handbook* (1936–37): 103–04 (103).

45 H. Sutcliffe, *A Benedick in Arcady* (London: John Murray, 1906), quoted in *Sheffield Clarion Ramblers' Handbook* (1914–15) and in Sissons and Smith, *Right to Roam*, p. 12.

46 See also G.H.B. Ward, 'Several Derbyshire Peak District Stories (Sheffielders at Eyam and Chatsworth and Natives of Eyam, Ashopton and Hathersage)', *Sheffield Clarion Ramblers' Handbook* (1936–37): 114–18 (117–18).

47 'The Joy of the Rambler: Mr C.P. Trevelyan and the Access to Mountains Bill', *Yorkshire Post* 14 Dec. 1925, in *Sheffield Clarion Ramblers' Handbook* (1927–28): 44–45 (44).

Blattmann encountered a company of drivers sitting on the summit of Pyhrgas in 1903, and while he was 'impressed by their excellent climbing':

> We were disgusted by the behaviour of the 'noble' huntsmen, to which we must bear witness. It probably is enjoyable to dangerously follow the track of a fleeing deer, and to be victorious in an honorable struggle, but this mass murder of sweet, charming creatures was a crude juxtaposition to the previously undisturbed quiet of the mountains.[48]

The same claims about the decline of hunting as a 'manly' pursuit can be found in England, where the emphasis is on driven grouse shooting, in which grouse were made to fly, in great numbers, in front of the hunters, resulting in astonishingly large 'bags'. Ward compared such 'deteriorated and lazy sportsmen' to older examples of, for example, Scottish deerstalkers who 'loved the hills, and also the hardships and exposure of the chase', or, during the First World War, pointedly described modern hunting practices as 'the *sit and slaughter* of today'.[49] Ward's emphasis on the word 'sit', descriptions of laziness and criticisms of immobile hunting techniques all recalled walkers' antipathy towards 'sedentary' urban cultures, and accused hunters of having abandoned the connection to both the terrain and its pasts implied by hunting on foot or horseback. Alongside claiming one heritage for themselves, trespassers and heritage campaigners sought to deny hunting's own claims on both past and landscape.

Though not imbued by the same public-school traditions, or emphasis on imperialism, those same qualities can be found in trespasses in Austria before World War One. Much as the upland plateau of Kinder Scout provided an iconic forbidden landscape in the Peak district of Northern England, the Blühnbachtal came to symbolise the conflict between walkers and hunting interests in the Eastern Alps. This long Alpine valley near Salzburg, running to the German border in Berchtesgaden, became the possession of Crown Prince Franz Ferdinand in 1908. He immediately closed the whole valley to all visitors, censored access and ownership information, worked in combination with local mountain guides to remove nearby paths and constructed a vast hunting residence complete with state-sponsored police force. Over the next six years, the valley witnessed an intensive campaign, combining local actors with mountaineers from both the *Naturfreunde* and *Oesterreichische Touristenklub*. These groups collaborated in individual and mass trespass, use of the newly-democratised Austrian parliament to allow censored material to be published

48 A. Blattmann, 'Eine Überschreitung des Hallermauerngrates [A Crossing of the Hallermauer Ridge]', *Naturfreund* **9** (3) (1905): 25–29 (27).

49 G.H.B. Ward, 'The Deer, the Forest, and the True Sportsman', *Sheffield Clarion Ramblers' Handbook* (1928–29): 25–28 (28). G.H.B. Ward, 'Bamford Lodge and Bradfield Game', *Sheffield Clarion Ramblers' Handbook* (1915–16): 19–20 (20), emphasis in original.

and press coverage both in the powerful German-language Alpine literature and mainstream liberal newspapers such as the *Münchner Neueste Nachrichten*.[50] A mountaineer from Vienna, J.V. Kastner, emerged as the most vocal and lyrical exponent of accessing the valley, and celebrated the accompanying *Wildererstimmung* ['poacher-spirit'] in his description of a 'resistance game' in the valley:

> The mountaineer on forbidden paths, who expects to see a hunter around every corner, feels like an Indian on the warpath. Eyes and ears continuously trained on the features and sounds of the wilderness, the attention to every small twig that might break under one's foot, traversing across clearings, looking with your peepers at the terrain with a view to possible hiding places – all of these are pleasures that have been denied us peaceful, civilised Europeans for millennia. If respect for law and property means that we observe footpath closures, the perfidious justifications given by landowners have actually provided me with a licence [to enjoy these pleasures].[51]

In both Britain and the Eastern Alps, those who risked trespass on closed or blocked paths brought themselves into closer contact with the mountain terrain. 'Nature is still, and I am still, standing concealed amongst trees, or moving cautiously through the dead russet bracken', William Hudson wrote in 1911, 'I am on forbidden ground, in the heart of a sacred pheasant preserve, where one must do one's prowling warily.'[52] In contrast to the open grouse moors, in Southern England and Austria, terrains of thick forest also meant that those on forbidden paths were more likely to be heard than seen – most reports of trespass note the silence that accompanied them, enforced by the act of avoiding detection.[53]

Some exploited this heightened connectivity to nature to reflect on a more-than-human approach to environmental awareness. Ward reproduced an extraordinary quote from the working-class novelist Lionel Britton's *Hunger and Love* (1931):

> As you pass along the hedge you cast your eye at the hanging things. The fierce free things of life. The stoats hanging from the twigs, the wire biting into the throat, maggots crawling out of the eyes. The fierce free things of nature: warning to them: warned

50 See Pils, *"Berg Frei!"*, pp. 56–59; 'Jagd und Touristik [Hunting and Mountaineering]', *Münchener Neueste Nachrichten* [Newest Munich Reports] **411** (14 Aug. 1912): 6.

51 J.V. Kastner, 'Trutzpartie: Zeitgemäße Erinnerungen eines Bergsteigers [Resistance Game: Timely Memories of a Mountaineer', *Naturfreunde* (1913): 11. 'Trutzpartie' could also be translated as 'resistance party' or 'group' – the multiple meanings are probably intentional. See also Gustav Jurek, 'Eine Bergfahrt im Watzmanngebiet: Ersteigung des Höchsten Watzmannkindes (2260m) auf theilweiser neuer Route [A Mountain Trip in the Watzmann region: Ascent of the Highest Watzmannkind (2260m) Via a Partly New Route', *Naturfreund* **5** (10) (1901): 89–90 (89); Benesch, 'Raxalpe', 228.

52 W.H. Hudson, *Afoot in England* (London: Hutchinson, 1911), p. 79.

53 See Jurek, 'Bergfahrt', 89; A. Riegler, 'Eine Herbstliche Bergfahrt im Sengsengebirge [An autumn mountain trip in the Sengsengebirge', *Naturfreund* **9** (12) (1905): 165–66 (165).

> off the earth. This is our land. We own the earth. Trespassers will be prosecuted. No thoroughfare. Freemen till! Breathes there the man (with soul so dead, who never to himself has said; this is my own my native land?) The fierce free things of nature. Britons never, never, never! And the stoat could not read.[54]

The identification of reader with Britton's protagonist, Arthur, with a dead stoat – a fierce, free thing of life – and their juxtaposition with a breathing, but dead gamekeeper recruited the more-than-human world to questions of freedom, access and nationhood. Here, trespassers did not emulate poachers so much as the wildlife hunted to near-extinction in the hunting preserves of Britain – a notion of landscape desolation that Ward clearly felt appealing. In Kastner's writing, too, trespass created room for reflection on the equal rights of ants to the space of the mountains, or the benefits of educating people in and through the mountain environment. As such, while a culture of rural-urban difference pervaded a significant proportion of encounters between trespassers and their gamekeeper foes, where trespass moved bodies from the safe, controlled space of the path and placed them instead in a responsive and recalcitrant environment, walkers and mountaineers soon developed alternative languages, ideas and rhetorics for their experiences. That these also transformed, on some occasions, into nuanced and complex appreciations of rural ecologies and society is the subject of the last section of this chapter.

## Access and environmental injustice

In an important sense, walkers and mountaineers understood themselves as already the victims of environmental injustice, and argued – with some truth – that rural places could in some way alleviate the unjust environmental relations of the city. 'Thousands of young people from busy factories and offices, mean streets and dreary suburbs, could enjoy here the healthiest recreation and exercise', access campaigner Phil Barnes wrote of the Peak District in 1936.[55] Refrains like this had become a staple of rambling and mountaineering by the last years of the nineteenth century across Europe.[56] It was hardly surprising, then, that they emerged as central arguments of access campaigns. Yet a minority of access campaigners, and trespassers in particular, also identified forms of social harm in the landscapes that they traversed that would now be understood

54 L. Britton, *Hunger and Love* (London: Putnam, 1931), quoted in *Sheffield Clarion Ramblers' Handbook* (1936–37): 24.

55 Barnes, *Prosecuted*, p. 3.

56 Anon., 'Der Verbotene Weg', *Naturfreund* **12** (4) (1908): 83–84 (84). See Anderson, *Being Modern*, pp. 25–64.

as 'environmental injustice' – that 'the heaviest environmental burdens [fall] upon marginalized, disadvantaged, and less powerful populations'.[57]

Trespass contained the potential for a more nuanced and complex appreciation of the role of the environment in the poverty of upland communities, particularly when socialist ideologies informed the narrative of landscape appreciation.[58] In the *Naturfreunde,* the clandestine experience of trespass rapidly became a central aspect of the organisation's distinctly 'social hiking' as it emerged before World War One, but many of the same ideas can be found amongst socialists in Britain, including Ward's *Clarion Ramblers*.[59] Trespass was an essential aspect of this wider engagement with a landscape of environmental inequality. Ramblers from both organisations delivered socialist newspapers, talked directly to local people about both socialism and their everyday struggles, and investigated local examples of inequality rooted in the landscape and its heritage. As early as 1899, leaving the path became a performative and rhetorical metaphor for the other resistive aspects of social hiking, and played on an imagination of local people as victims of exploitation hidden away in the forbidden areas of the Alps and other regions.

For some socialist walkers and mountaineers, connections between recreational access and rural poverty were evidence of a imagined solidarity with rural communities. As early as 1899, Leopold Happisch (1863–1951), a co-founder of the *Naturfreunde*, editor of its journal and leader of the organisation's Vienna branch, indicated how 'sometimes even a train journey can turn contented people into the discontented' by encouraging an imagination of landscape rooted in labour:

> You are a tiny little thing, but there outside, where you are passing over, smoke climbs from a high, sooty pit. There too, there are people working hard, and they think like you. And there in the bowels of huge mountains, they dig and hammer for ore and coal. And all those who labour deep underground think as one with you. The farmer, who carries out his dangerous work on steep banks, the logger who grasps his axes with brawny fist, they all sigh of the same pressures, and wish their day was over: over them, high over the awe-inspiring mountains over their beautiful home, the sun of freedom rises![60]

Within the *Naturfreund* journal that Happisch edited, however, analyses of

57 Holifield, Chakraborty and Walker, 'Introduction', p. 1.

58 Examples of this tendency elsewhere: E.A. Baker, *The Highlands with Rope and Rucksack* (London, H. F. & G. Witherby, 1923), pp. 1–10; F. Kordon, 'Touren im Bereiche des Malteinthales [Routes in the region of the Malteinthales]', *Zeitschrift des deutsche und oesterreichische Alpenvereins* **26** (1895): 201–58 (221); L. Reichenwallner, 'Winke zur Abwehr rechtwidriger Wegverbote [Hints for Defence against Unlawful Path Closures]', *Oesterreichische Touristenzeitung* **33** (7) (1913): 97–100.

59 Williams, *Turning to Nature*, pp. 67–104; Hasenöhl, 'Nature Conservation', 131–32.

60 L. Happisch, 'Unser Ausflug nach Zell am See [Our Excursion to Zell am See]', *Naturfreund* **3** (10) (1899): 74–75.

social and environmental justice were rare before World War One, and historians of the *Naturfreunde* have disagreed as to whether such social engagement in rural affairs was core to the movement from its founding, or emerged only after 1918.[61] Certainly, the above article does little to support the idea – promoted by *Naturfreunde* members immediately after 1918 – that the organisation self-censored accounts of its activities, though we at least know that some members habitually distributed socialist newspapers.[62] Much of the argument has focused on questions of 'when', rather than 'how', with the result that the complex practice of Social Hiking either seems to have emerged, fully formed, from World War One, or since the beginning of the movement, as an inevitable result of the application of socialism to countryside leisure.[63]

There is good evidence to suggest that social hiking emerged from activities related to the *Naturfreunde* campaigns for access and the protection of recreation in the Alps – objectives that, as John Alexander Williams has noted, *were* central to its ideology from the beginning, and summarised by the greeting 'Berg Frei'.[64] Happisch's 1899 article bore seemingly no relation to the other narratives of the *Naturfreunde*'s trip to Zell am See, but it certainly did to its preceding article, 'Capital and Natural Monuments', also written by Happisch. This covered a dispute regarding the *Mirafaelle*, a waterfall and beauty spot near Vienna, whose landowner, Oskar von Rosthorn, planned a hydroelectric plant. For Happisch, permission to build the plant meant prioritising individual profit over local livelihoods. In threatening both the closure and permanent destruction of the waterfall if members of the *Naturfreunde* and *Oesterreichischer Touristenklub* continued their opposition, von Rosthorn forced walkers to link their own access disputes to rural environmental inequalities.[65] Other leaders of the movement also made this connection. The teacher and socialist educational reformer Georg Schmiedl (1855–1929), who co-founded the *Naturfreund* in 1896, implored its members 'to find time to consider the people themselves, who live out their days in the shadow of mountain giants'. Schmiedl described the growing control of giant 'feudal landowners', whose insistence on hunting led to 'boundary disputes, game disturbance suits, the closure of old forest paths and pasture drives [and] the destruction and removal of water and fishing rights'.

61 For example, Williams, *Turning to Nature*, pp. 67–104; Hasenoehl, 'Nature Conservation'; and Günther, *Sozialismus*, pp. 11–14.

62 Gunter, *Sozialismus*, p. 13; Birkert, *Von der Idee zur Tat*, p. 28.

63 On Social Hiking, see Williams, *Turning to Nature*, pp. 78–91.

64 Williams, *Turning to Nature*, pp. 78–79.

65 L. Happisch, 'Capital und Naturschönheiten [Capital and Natural Monuments', *Naturfreund* **3** (10) (1899): 73–74.

Remaining communal woodland was insufficient and so overexploited, and railways only hastened depopulation. In connecting local rights, and persecution, to the rights to 'free mountains' that the *Naturfreunde* proposed, Schmiedl made rare common cause with the inhabitants of the Alps.[66]

Through access – and trespass in particular – *Naturfreunde* members found common ground with rural populations that evaded them elsewhere. This was made most apparent by the one full-length treatment of 'Social Hiking' produced before the First World War – a short book by the pioneer investigative journalist and associate of the *Naturfreunde*'s leadership, Max Winter (1870–1937), entitled *Soziales Wandern*.[67] Like Happisch, Winter advised that the walker should not aim to 'bring home the number of completed kilometres, but rather deeper insight into the multifaceted lives of the people', gently critiquing the irrelevance of competitive climbing for social progress.[68] In Winter's narrative, leaving the path served as a moment of social and cultural, as well as legal, resistance. In his first anecdote, he recounted a conflict between an anonymous tenant farmer and landowner in which deer were eating crops.[69] In trespassing, Winter was thus able to reveal the trespasses of hunting landowners against their tenants, and so expose the hypocrisy of property rights that protected hunting domains from the poor, but not the poor from hunting. After revealing further aspects of Winter's impression of rural poverty – overcrowding, the emergence of work-discipline, drunkenness and Catholic superstition – his narrative was complete: 'and once again, the gurgling, murmering stream and again the path'.[70] Later in the book, he repeated the same social investigation constituted through literary and physical trespass and punctuated by returns to normative tourism. 'And again the road and again the stream and again the path', he wrote after his searing critique of the condition of miners in Bad Hallenberg.[71]

There was never a formalisation similar to 'Social Hiking' in the England, but, where socialism and access campaigning met, similar practices emerged. These were most obvious in the publications of the Clarion Ramblers. Although he never provided a methodology, Ward's walking often included extensive research, limited not just to the archival and antiquarian interests typical to

66 F. Bauer (=G. Schmiedl), 'Die Kehrseite der Medaille [The Other Side of the Coin]', *Naturfreund* **4** (1) (1900): 3–4.

67 M. Winter, 'Soziales Wandern [Social Hiking]', in Josef Luitpold Stern (ed.), *Die Junge Welt* [The Young World] **2** (1911).

68 Winter, 'Wandern', p. 1.

69 Winter, 'Wandern', pp. 6–8.

70 Winter, 'Wandern', p. 17.

71 Winter, 'Wandern', pp. 24–29.

many of his peers, but also relying heavily on interviews with local people, ad-hoc conversations and the environmental attributes of the landscapes through which he walked and trespassed.[72] His writing integrated all these concerns, but wove them around anecdotes drawn from rural communities. It is difficult to know how faithfully he recounted these stories, but they routinely punctured contemporary clichés about rural life, and rarely romanticised either people or livelihoods.[73] 'Farmers, like ramblers, are not Angels,' he wrote in 1930, while in a discussion of the 'depopulation of the [Peak District's] Longdendale Valley'. Though Ward devoted most attention to sheep farmers and shepherds who had been forced from their homes by early-nineteenth century moorland enclosure acts, he insisted on the role of 'economic questions, market values, and other considerations' in farmers' decision making. These were rational small-businessmen, not survivals from a previous age.[74]

Indeed, much as Austrian mountaineers sought to connect the purchase and closure of high Alpine pastures for hunting to the 'meat shortage' of the years before World War One, so Ward insisted on the necessity to the national economy of productive landscapes. In both cases, access campaigners turned social elites' own languages of 'improvement' and productivity against them – after all, it could hardly be maintained that hunting preserves were an efficient way to feed the population.[75] If rural farmers appeared every bit as modern as the ramblers in Ward's writing, so too did he puncture stereotypes of other relevant rural characters. He recounted, for example, a story based on the credulity of 'the tribe called ramblers' to accept rural stereotype by acting out a conversation between wily poacher and corrupt gamekeeper.[76] Poachers in particular emerged as anti-heroes. At times, they were the moral protesters of moorland enclosure, at others wily operators whose attempts to fool gamekeepers Ward's ramblers might attempt to reproduce. Yet, in Ward's writing, poachers were rarely far from more organised and violent criminality linking countryside and city – a point historians only arrived at this century.[77] Ward even avoided generalisations about

72 See G.H.B. Ward, 'Ashopton and Ashop Woodlands', *Sheffield Clarion Ramblers' Handbook* (23–24): 84–91 (91); G.H.B. Ward, 'The Mystery of Edale Cross and Other Crosses, or a Peep into the Past', *Sheffield Clarion Ramblers' Handbook* (1928–29): 63–90 (66–67).

73 Sometimes this was explicit: see G.H.B. Ward, 'Derwent and Ashop Woodlands and the Monks, etc.', *Sheffield Clarion Ramblers' Handbook* (1923–24): 95–103 (103); Ward, '"Big Moor"', 79–80.

74 G.H.B. Ward, 'Derbyshire Moorlands and the Production of Food', *Sheffield Clarion Ramblers' Handbook* (1930–31): 109–17 (112).

75 For example, Ward, 'Food', 109; Reichenwallner, 'Wegverbote', 97–100.

76 G.H.B. W[ard] and W.H. Whitney, 'The Poacher and the Gamekeeper', *Sheffield Clarion Ramblers' Handbook* (1927–28): 73–78.

77 See Osborne and Winstanley, 'Poaching', 187–212.

gamekeepers: some stories tell of collusion between gamekeepers and poachers, others of the violence – including implied sexual assault – meted out on trespassers, others of reasonableness and friendly understanding.[78] The gamekeeper certainly did appear as a witless figure; but Ward also republished Richard Jefferies' effusive assertion of their 'vitality of early manhood', and celebrated at least one gamekeeper with whom he and other walkers had become friends.[79]

Ward's concern was not, it seems clear, to draw the kinds of cultural lines between rural and urban, backward and modern, that underscored so much of the writing about trespass amongst his male, middle-class contemporaries, and formed the basis for preservationist 'order' in the countryside.[80] Instead, his writing unearthed the myriad social costs of the environmental desolation wrought by enclosure and the emergence of vast hunting tracts where there had once been sheep droves. His heritage was one not of a lost, tranquil and peaceful countryside, but instead of the abuses and poverty he saw written into the landscape around him. This helps to explain, for example, why he published a contemporary description of how poaching gangs dominated Peak District rurality in the 1830s.[81] His objective was not to denigrate poachers, but rather to show what he considered to be the decline and desperation wrought on the countryside by outside hunting interests and the 1830 'game laws' – a tradition of critique for which he found plenty of evidence from Sheffield-based writers and popular cultures of the mid-nineteenth century. As we have seen, for Ward, the poaching practices that inspired much of his activity in the Peak district were one result but, crucially, Ward was also alive to both the violence that sometimes accompanied such practices, and the other environmental injustices wrought on upland communities, referencing, like Kastner, the tendency of hunters' quarry to feed on nearby marginal croplands, or the tree cover that protected such soils.[82]

78 G.H.B. Ward, 'Carl Wark and a Friendly Gamekeeper', *Sheffield Clarion Ramblers' Handbook* (1928–29): 51; Ward, 'Fun in the Hills', 119–25.

79 R. Jefferies, 'The Guide to Good Health – By a Gamekeeper', quoted in *Sheffield Clarion Ramblers' Handbook* (1915–16): 28–30. On the importance of manliness within the Clarion Ramblers, see Tebbutt, 'Manly Identity'; G.H.B. Ward, 'Stanage Cottage', *Sheffield Clarion Ramblers' Handbook* (1915–16): 50–53; Ward, 'Fun in the Hills', 125.

80 Matless, *Landscape and Englishness*.

81 J. Thomas, 'A Story of the Poachers of Grenoside and Ecclesfield', in John Thomas, *Walks in the Neighbourhood of Sheffield* (Sheffield, 1830), quoted in *Sheffield Clarion Ramblers' Handbook* (1915–16): 13–16. See also H. Oliver, *The Laurel Wreath or Rhymes of Youth* (Sheffield: Clowes and Company, 1888), quoted in *Sheffield Clarion Ramblers' Handbook* (1923–24): 12; G.H.B. Ward, 'Poaching in the Old Days', *Sheffield Clarion Ramblers' Handbook* (1923–24): 90.

82 Ward, '"Big Moor"', 85, 123. Ward, 'Other People', 143. B. Gilbert, *Old England: A God's Eye View of a Village* (London: W. Collins Sons & Company, 1921), quoted in *Sheffield Clarion Ramblers' Handbook* (1936–37): 34–35.

## Conclusion

Trespassers were only one of many voices within access lobbies. The same tensions emerged explicitly elsewhere, such as during the famous negotiations over the Snake Pass footpath in the Peak District, when access campaigners attempted to force a deal with the landowner that would have meant the permanent closure of other paths important to locals. The Commons, Open Spaces and Footpaths Preservation Society celebrated its 'long fight for the preservation of the ancient playgrounds of the Nation', after the Law of Property Act of 1925 'at last … recognised that commons as public open spaces have a value far exceeding their use as grazing grounds'. The Act did more than this, in fact – it formed, effectively, a bargain with owners of rural commons, who could render what Chubb termed the 'Gipsy nuisance' illegal in return for allowing public recreational access. Such priorities relied on ramblers' insistence on some ancient rights but not others, and on their own ownership and authority over those rights – rather than the local people to whom many actually applied.

How 'appropriated' this heritage was, is nevertheless open to question. Footpaths and, for limited activities, commons, *were* open to all under the customary rights that access campaigners claimed to uphold, in all parts of both Britain and the Eastern Alps. Access campaigners might also be more closely connected to rural places than their urban residences and ethos suggests – in a period of high rural to urban migration, large populations of cities such as Manchester or Vienna had been born in rural places, and it was in these cities that campaigns often emerged first. Yet these were not ex-rural residents reclaiming their lost local rights to resource use or grazing. Few urban people travelled into the mountains or traversed the moorlands to forage, collect wood or tend to their cattle, and access campaigners neither focused their energies on their home villages, nor understood their campaign as one for the restoration of rights similar to those their rural ancestors might have enjoyed. Instead, these campaigns and trespassers subverted heritages of customary rights, and used their moral force to justify a campaign aimed only at asserting *national* rights to rural paths and commons for recreational use by a population now imagined as urban (and, often, sedentary). While many walkers, trespassers and campaigners may have had a legitimate claim to this heritage, they nevertheless 'appropriated' it, in the sense that, in asserting their claim, the heritage was made to do work that largely sidelined the problems faced by people still living in Europe's impoverished rural communities.

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