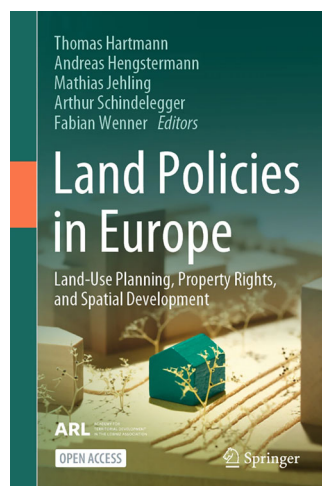


Hartmann, T.; Hengstermann, A.; Jehling, M.; Schindelegger, A.; Wenner, F. (eds.) (2025) Land Policies in Europe. Land-Use Planning, Property Rights, and Spatial Development

Gabriela Debrunner

Received: 28 October 2025 ■ Accepted: 30 October 2025 ■ Published online: 27 November 2025



This book addresses one of the most pressing topics of our times – the “land question” (p. 11). This issue is of urgent relevance in an era marked by geopolitical instability and ensuing debates on safeguarding national security interests, alongside a political focus on challenges such as alleviating the global housing crisis, tackling exclusionary housing

dynamics, reducing per-capita land consumption, activating land for flood retention or renewable energy production, and also issues of property concentration or exploitation through institutional investment at the European scale. Against this backdrop, this book responds to the urgent need for international comparisons of how different land policy approaches function, with which underlying policy interests and strategies, and with what effects on sustainable land-use development. This scientific publication succeeds in this comparative endeavour by presenting experiences from 12 European countries – Austria, Belgium, Czechia, England, Finland, France, Germany, Norway, Poland, Sweden, Switzerland, and the Netherlands – following a common case-based approach.

Beyond its strength in addressing land-use conflicts in complex contexts, for instance, in densifying urban areas, the book offers new conceptual and methodological core contributions to the fields of planning and sustainable urban studies on three levels:

1 Defining “land policy” – as an intentional strategy followed by public authorities

Even though land policy research has been on the planning agenda for many decades (e.g., Howard 1898; Bernoulli 1946; Needham 2006, Buitelaar 2012; Davy 2012; Needham 2018), scholars long avoided providing a clear definition of the concept. Often, this hesitation stemmed from fears of being associated with socialist, communist, or more generally left-wing activist positions that emphasize the

✉ **Prof. Dr. Gabriela Debrunner**, Institut de Géographie et Durabilité, Mouline – Géopolis 3526, Université de Lausanne, 1015 Lausanne, Switzerland
gabriela.debrunner@unil.ch



© 2025 by the author(s); licensee oekom. This Open Access article is published under a Creative Commons Attribution 4.0 International Licence (CC BY).

state's role in aggressively regulating or intervening in private land-use interests and rights. Indeed, in many countries, such interventionist practices are regarded as undue interference with individual liberty, overstepping the legitimate authority of the state.

The editors of this book, however, succeed in objectivizing this debate and freeing “land policy” from its political stigmatization. Their perspective broadens conventional understanding of spatial or land-use planning as a mere technical problem-solving exercise by incorporating other crucial aspects that influence spatial development, particularly property rights (Hengstermann 2019). Drawing on their in-depth and targeted expertise in land policy research and analysis, and fully aware of how the concept can differ across geographical and socio-economic contexts, legal systems (civil or common law countries), or ideological standpoints (see Table 1, p. 4), the editors summarize and introduce land policy as an “intended [through the strategic combination of land management instruments] intervention” (p. 5) aimed at “aligning land use and disposal rights” (p. 5). They further clarify that “land policy comprises intentional decisions or activities led by public actors, sometimes with private sector cooperation” (p. 241).

While one might assume that there is nothing fundamentally new about this definition, such a view would miss two crucial conceptual contributions: (1) In this book, “land policy” is understood as an intentional, deliberately undertaken strategy rather than a policy sector or field such as transport or infrastructure policy (e.g., Scholl/Peric/Niedermaier 2020). (2) As such, “land policy” aims to defend the interests and goals of the public – as stipulated in formal regulations and laws – who represent the democratic majority and sovereignty of a country (p. 7). Hence, in the editors' view, “land policy” is not designed to serve private individual interests or rights. On the contrary, it is a public policy strategy explicitly intended to interfere with, confront and contest private property rights in the name of the public realm.

The major question – as the editors themselves acknowledge – remains how such a strategy is commonly developed and agreed upon, particularly within a public management environment characterized by numerous competing policy fields such as land-use planning, financial and social policies, or agricultural and energy agendas. As they correctly state, “the [strategic] decision to use a specific land policy instrument is primarily a matter of political priorities and, in practical terms, depends on the legal framework and principles of administrative action, such as proportionality and the rule of law. Practical considerations, like the public authority's budget, may also play a role” (p. 8). This makes the design and implementation of “land policy” strategies

inherently political – ultimately an actor's game of power and negotiation (Gerber/Debrunner 2022).

2 Recognizing the legal power of landowners at the core of land policy

As the book demonstrates, “land policy” refers to a public policy strategy aimed at allocating and distributing land-use rights (p. 243). Yet two central questions remain: (1) What different land policy strategies exist? (2) Under what conditions do public authorities apply which strategy to achieve effective land-use outcomes (e.g., in terms of sustainability performance)?

To address these questions, the book highlights the crucial role of private landowners as legal titleholders (p. 243). In all 12 case studies presented, land and property owners possess and benefit from exclusive, transferable, and legally protected property rights over the physical use of their land, the returns derived from it, and its alienation (Bromley 1991; Blomley 2008, Blomquist 2012; Blomley 2017). Without significant state intervention – such as public land purchases or expropriation – legal titleholders must agree to new development, sell their land, or transfer development rights (e.g., to provide new housing on private land) (Gerber/Nahrath/Hartmann 2017; Gerber/Hengstermann/Hartmann 2018; Gerber/Lieberherr/Knoepfel 2020).

Ultimately, who builds, at what price, and when, as well as who can afford to live on or use their land depends on landowners' legal decision-making capacity – within the limits of the law (Logan/Molotch 1987; Needham/Buitelaar/Hartmann 2018). Landowners therefore wield substantial territorial power to shape the socio-economic geography of cities and influence exclusionary dynamics and socio-spatial segregation (Roy 2017; Blomley 2020; Graziani/Montano/Ananya et al. 2022). Moreover, property rights are remarkably stable over time, as their legal definition rarely changes (Davy 2012; Savini/Majoer/Salet 2015). This legal stability makes landowners key decision-makers in the effective implementation of land-use development goals – for instance, in the provision of affordable housing.

The editors acknowledge this exclusive private right and conclude that – to become effective – land policy must deal strategically, yet sensitively, with property. In conclusion, they present three strategies of land policy through which public authorities can negotiate with landowners to enhance their effectiveness (p. 243):

- *Planning against property*: A rather passive land policy strategy aimed at regulating landowners e.g., through tar-

geted zoning and building law interventions restricting private use and disposal rights.

- *Planning with property*: A more active land policy strategy aimed at partnering with private landowners but not restricting their private rights e.g., in the format of public-private development contracts.
- *Planning by property*: An active land policy strategy aimed at fully incorporating private property rights with the aim of benefitting from legal civil rights protection themselves. This enables public authorities to effectively manage and influence land use.

In land-use environments that are increasingly scarce, complex, and contested, these three approaches provide valuable guidance for public actors seeking to address diverse land-use claims effectively. Only if authorities clearly know what they aim to achieve (and what not) can they strategically position themselves – either at one end, “against property”, or at the other, “planning by property”. The strategic choice will vary depending on the local circumstances, involved actors, and established rules. Yet the key message of this book remains: *Land policy represents a deliberate choice by public authorities to position themselves closer to or further away from private landowners’ interests* – a decision that must be taken wisely, consciously, and (pro)actively.

3 Mutual learning as a method and mindset: advancing land policy research through exchange

A final remarkable strength of this book lies in its dedication to learning from others – from other European countries, local contexts, disciplinary backgrounds (e.g., planning, legal studies, environmental economics, political science), and authors. Rather than approaching land policy from a stand-alone or hegemonic perspective, the editors embrace an open, comparative, and dialogical mode of inquiry.

Their conviction that scientific progress can only be achieved through knowledge exchange, open dialogue, and learning from others is *at the very heart of this book*. Beyond its conceptual, theoretical, and empirical contributions, it offers something even more vital and profound to our field – *a spirit, an atmosphere, and a genuine commitment to mutual learning*. It encourages readers and researchers to see one another not as competitors but as intellectual companions. This is a legacy from which future generations of planners will – and already do – benefit immensely!

Complete bibliographic information of the reviewed work:

Hartmann, T.; Hengstermann, A.; Jehling, M.; Schindelegger, A.; Wenner, F. (eds.) (2025) *Land Policies in Europe. Land-Use Planning, Property Rights, and Spatial Development*. Cham. <https://doi.org/10.1007/978-3-031-83725-8>

References

- Bernoulli, A. (1946): *Die Stadt und ihr Boden*. Erlenbach-Zürich.
- Blomley, N. (2008): Enclosure, common right and the property of the poor. In: *Social and Legal Studies* 17, 3, 311–331. <https://doi.org/10.1177/0964663908093966>
- Blomley, N. (2017): Land use, planning, and the “difficult character of property.” In: *Planning Theory and Practice* 18, 3, 351–364. <https://doi.org/10.1080/14649357.2016.1179336>
- Blomley, N. (2020): Precarious Territory: Property Law, Housing, and the Socio-Spatial Order. In: *Antipode* 52, 1, 36–57. <https://doi.org/10.1111/anti.12578>
- Blomquist, W. (2012): A political analysis of property rights. In: Cole, D.H.; Ostrom, E. (eds.): *Property in Land and other Resources*. Cambridge, 369–384.
- Bromley, D.W. (1991): *Environment and Economy: Property Rights and Public Policy*. Oxford.
- Buitelaar, E. (2012): The fraught relationship between planning and regulation: Land-use plans and the conflicts in dealing with uncertainty. In: Hartmann, T.; Needham, B. (eds.): *Planning by law and property rights reconsidered*. Farnham, 207–218.
- Davy, B. (2012). *Land Policy: Planning and the spatial consequences of property*. Abingdon.
- Gerber, J.-D.; Debrunner, G. (2022): Planning with power. Implementing urban densification policies in Zurich, Switzerland. In: *Land Use Policy* 123, 106400. <https://doi.org/10.1016/j.landusepol.2022.106400>
- Gerber, J.-D.; Hengstermann, A.; Hartmann, T. (eds.) (2018): *Instruments of land policy: Dealing with scarcity of land*. London. <https://doi.org/https://doi.org/10.4324/9781315511658>
- Gerber, J.-D.; Lieberherr, E.; Knoepfel, P. (2020): Governing contemporary commons: The Institutional Resource Regime in dialogue with other policy frameworks. In: *Environmental Science and Policy* 112, 155–163. <https://doi.org/10.1016/j.envsci.2020.06.009>
- Gerber, J.-D.; Nahrath, S.; Hartmann, T. (2017). The strategic use of time-limited property rights in land-use planning: Evidence from Switzerland. In: *Environment and Planning A: Economy and Space* 49, 7, 1684–1703. <https://doi.org/10.1177/0308518X17701916>
- Graziani, T.; Montano, J.; Ananya, R.; Stephans, P. (2022):

- Property, Personhood, and Police: The Making of Race and Space through Nuisance Law. In: *Antipode* 54, 2, 439–461. <https://doi.org/10.1111/anti.12792>
- Hengstermann, A. (2019): Von der passiven Bodennutzungsplanung zur aktiven Bodenpolitik. Die Wirksamkeit von bodenpolitischen Instrumenten anhand von Lebensmittel-Discountern. Wiesbaden. <https://doi.org/10.1007/978-3-658-27614-0>
- Howard, E. (1898): *Tomorrow, a peaceful path to social reform*. London.
- Logan, J.R.; Molotch, H.L. (1987): *Urban Fortunes: The Political Economy of Place*. Berkeley.
- Needham, B. (2006): *Planning, law, and economics: An investigation of the rules we make for using land*. London.
- Needham, B.; Buitelaar, E.; Hartmann, T. (2018): *Planning, law and economics: The rules we make for using land*. New York.
- Roy, A. (2017): Dis/possessive collectivism: Property and personhood at city's end. In: *Geoforum* 80, A1–A11. <https://doi.org/10.1016/j.geoforum.2016.12.012>
- Savini, F.; Majoer, S.; Salet, W. (2015): Dilemmas of planning: Intervention, regulation, and investment. In: *Planning Theory* 14, 3, 296–315. <https://doi.org/10.1177/1473095214531430>
- Scholl, B.; Peric, A.; Niedermaier, M. (eds.) (2020): *Spatial and transport infrastructure development in Europe: Example of the Orient/East-Med Corridor*. Hannover. = *Forschungsberichte der ARL* 12.