

Creative Commons

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When I was around ten years old, growing up in a northern suburbia, there was a large pond very close to our house. Surrounded by a ring of trees and dense vegetation, it covered most of the scrubby patch of land between our road and the next nearest clutch of streets, a neighbourhood just a couple of hundred yards away but one that for us was 'over there'. Nearby, the tracks of the East Coast main line from Scotland to London ran past, beside a large stretch of sidings, giving the water its name: Railway Pond. A century earlier, the pond had been the site of a clay pit and brickyard, and the sidings had been another brickworks. Then the pit became a landfill where layers of everyday history were dumped. Finally, the area was capped with clay, the void at its middle was lined with brick and filled with water and fish, and the trees and bushes I knew were planted. Decades later, bits of brick and rubble still dotted the ground, traces of its semi-industrial past coexisting with its semi-rural present.

This place - part wetland, part wood, part grassland, part waste ground - was a ten-year-old's fantasy playground, a paradise of adventure, mischief and privacy from protective and prying parents. It was somewhere I, my friends and my younger siblings could make new rules and roles for ourselves, invent new lives and lies. It was, in other words, somewhere to escape and feel free - and our sense of freedom was only heightened by watching the speeding express trains as they carried strangers to London and another world.

Though the area around the pond and along the railway was popular with fishermen, dog walkers and locals taking shortcuts along well-trodden paths laid down over generations, it was ours and ours alone. We owned this land, and we controlled it - at least in our juvenile minds. We guarded it with makeshift border posts and imaginary arms. We patrolled it regularly according to a precise and rigorously enforced schedule. We also mapped it, drawing the terrain's perimeter and all the features and landmarks contained within it that were significant to us, including secret routes

through the undergrowth, lookout points and hiding places. We were inscribing this plot of land with our own narratives, perhaps even with our own image, on top of all the histories layered beneath; but at the same time it was writing itself onto us too, helping to shape us in those formative years into little adults who already had a growing awareness of the value of ownership and control over property, and the power, influence and status, not to mention self-identity and self-worth, that came with those.

And yet of course we didn't own it at all. The sidings presumably belonged to British Rail. I guess the pond and its surroundings, while used by the British Rail Angling Club, must have been owned by the local council, not that there were any signs suggesting as much, no fences or gates to mark the end of public and the start of private, no visible efforts to maintain or manage this natural reserve that was home to an array of animal and plant life. No, this wilderness was ours and ours alone, although we were happy to share it with the resident grass snakes, newts and toads. And so it remained after I had grown up and bequeathed this precious land to younger custodians.

Until, that is, the bulldozers moved in at some point in the mid-1990s. It began with the area next to the railway line. Where once there had been the sidings, now there was a new road of identikit suburban houses called Goodwood Grove; where once there was an expanse of meadow, criss-crossed with tracks etched into the earth, now there was Lingfield Crescent; where once there were mature oak, hazel, maple and birch trees skirting the edges of Railway Pond, now there was Aintree Court. (The racing names were the developer's awkward attempt to make these new streets 'fit into' the locale, the site being no more than two furlongs away from the famous York Racecourse.) If I were to wander through this place today, which three decades ago was familiar enough that I could have navigated it in the dark - and often did - I would be lost in seconds. This place that I had owned in a very real way - physically, emotionally and mentally, if not legally - has been taken from me in a lawful land grab, stolen from beneath the trace of my childhood footsteps and treasured memories of my early years. A part of me has been plundered.

I am not alone in feeling that someone has looted 'my' land. Before long, the entire site had been transferred into the hands of a series of housebuilding companies, which promptly 'forgot' that they had been obliged by the planning authority to manage the trees and maintain the pond as a 'public open space' - as commons, in other words. As a result, the few remaining green patches around Railway Pond became badly degraded over the next decade and a half. All the different users of the area felt a similar loss to me, but for their own reasons. At the start of 2012, residents who had had enough of the developers' broken promises began to campaign for these seven hectares to be transferred back into the ownership of the city council, given the status of public open space as had been intended, and designated as a nature reserve so that they could be managed and protected for the benefit of the community.

I find myself thinking about all of this suddenly, more than thirty years later, because of Layla Curtis's dense, complex and allusive work *Trespass*. It turns out that the private place that we had made our own and that was so special to us was anything but unique. In fact, it was common land in more ways than one. Every single town and city has such places on their fringes and hinterlands. Even so, the similarities between Railway Pond and Freeman's Wood are striking. Located on the outskirts of Lancaster, a place bound historically with York as seats of rival royal dynasties, the wood, like the pond, is a former industrial site that became a landfill pit for waste, before being covered with earth and planted with trees. It lay beside a vast linoleum factory that opened in the 1840s and was in continuous operation until the 1990s. Legend has it that the philanthropic owner of the works, James Williamson, Lord Ashton, gave the plot over to the community for recreational purposes shortly before he died in 1930. Whatever the truth, for decades the woods and the fields have been used in this way by Lancastrians of all ages and interests, from elderly walkers to middle-aged cricketers to teenage BMXers. It is a place that was popular with picnicking families, weekend birdwatchers and bored youth. And it was an adventure playground for the local kids, an essential outlet for youthful energy and imagination, and one that continues to hold emotive memories for those long retired.

But suddenly, in January 2012, at precisely the moment the residents in York were mobilizing themselves, a large metal fence with menacing spiked railings appeared around the perimeter of Freeman's Wood, barring access to all of its users, who were

now deemed to be trespassers if they entered the place they had been coming to for years. At the same time, several mature trees were found uprooted or chainsawed, in contravention of a legally binding Tree Preservation Order that had been imposed the previous month, supposedly to protect the wood. Large masses of debris from the former landfill, including fragments and bundles of linoleum and hardcore, had been unearthed and scattered around the site, primarily outside the new boundary fence. Former paths through the woodland were now little more than a semi-derelict rubbish tip. In the aftermath of this violent disruption, it became clear that the parcel of land, far from being a community asset as people thought, was in fact owned by a mysterious company called The Property Trust, registered in the tax haven of Bermuda, whose owners are thought to be based in Hong Kong. It also emerged that the company had appointed a developer - apparently a polo-playing friend of Prince Charles - to build houses on the plot and had begun the process of gaining planning permission.

Objections to the plans were immediate. Alongside an organized campaign similar to that in York, small acts of resistance also expressed the views of the locals whose land and daily life had been so abruptly taken away from them. The fence was penetrated in several places and railings removed, and various threatening signs that had been posted on it were altered to subvert their intended meaning, often with humorous effect. 'WARNING: Keep Out - Private Property - No Trespassing' became 'NARNIA: Kop Out - Prat Proper - Try pissing'. Another sign was painted out and a new slogan graffitied over instead: 'They hang the man and / flog the woman / that steals the goose / from off the common / but let the greater / villain loose that steals / the common from the goose' - an English folk rhyme of popular disenchantment, anger and protest against seventeenth-century land enclosures.

It is small wonder that Curtis was drawn to Freeman's Wood. Her career to date has focused primarily on the ways we perceive, navigate and make use of physical space. In particular, she has been concerned with how we map borders and boundaries, both real and metaphorical, how we define territories and establish a sense of 'place' - that is, how we delineate and designate the surface of the Earth and register our respective points upon it. From early works such as *The United Kingdom of Japan* (1999), which saw her reconfigure the British Isles from cut-up Japanese road maps,

and *Cab Routes: One Week in London and Everywhere I've Ever Been 1975-2001* (both 2001), both of which recorded a person's movements over time, she has explored how we mark geography with human behaviour, and how that geography in turn shapes the way we behave. The more recent *Polar Wandering* (2006) used GPS to track her own journey from London to the Antarctic, her progression and precise location being constantly streamed to a project website to create a 27,856-mile-long drawing that recorded her passage to and from Antarctica, embedded with photos, drawings and texts created at key points. And *Antipodes* (2013) saw her employ online technology once again to pair webcams in multiple locations on exact opposite sides of the globe, including Bermuda / Australia, Brazil / Japan, South Georgia / Russia and Ecuador / Indonesia. These distant 'twins' produced live feeds of images that when showed together bridged the expanse of geography and time that separated them.

And now with *Trespass*, she extends her use of remote technologies yet further. The work itself takes the form of a smartphone app that plays thirteen edited recordings of multiple voices, each activated according to the phone user's location as determined by GPS tracking. One can listen to three of these recordings from anywhere in the world, but to hear all thirteen one must be within Freeman's Wood and positioned at various points inside the newly built fence around its perimeter. As one moves along this 'aggressive architecture', as a voice describes it, following long-established 'pathways of desire', as another puts it, some of the wood's users and experts in property law and local history can be heard speaking about the place as they walk around it. They talk about its past, how they and their forebears had used the space and been shaped by it, and the physical and emotional impact on the community of an anonymous landowner exerting its rights from the other side of the globe, in the process trampling over the rights that the community itself has enjoyed for generations. Like indigenous Australians who sing their world into existence along ancient songlines and thereby keep it alive, these voices both respond to and animate the land to ensure its continued existence as they previously knew it.

Trespass, therefore, is the culmination of fifteen years of exploration by Curtis. It brings together ideas, concerns and methods that she has developed over a decade and a half and applies them to the specific locale of Lancaster. Here she finds a site that is all about different (and competing) perceptions of the same piece of land - and

multiple rights, actual and imagined, over the plot - and the way those can change gradually over time or instantly overnight. It is a place of territorial tensions where the interests of a local community collide with those of global capital, where the slightest action on one side of the planet - not the flutter of a butterfly's wings but the stroke of a pen or a click of a keyboard - can have lasting ramifications for hundreds or even thousands of strangers on the other. In Freeman's Wood, we also see how human designations of the ground beneath our feet - what we call it, how we describe it, the way we ascribe value to it - alters our shared understanding of that ground fundamentally, even if the very substance - the physical matter of the land itself - remains always the same. Public / private, industrial / rural, inside / outside, greenfield / brownfield, valuable / worthless, home / away, ours / theirs - it takes only a slight shift of perspective for everything to change.

All borders and boundaries serve to define the land according to these and other human concepts and then reflect them back to us in a binary form, designating this side as black and that side as white, like vast yet simple line drawings of complex ideas and ideologies, ambitions and fears. But many thresholds, even those that seem to follow 'natural' forms like rivers or mountains, also generate such designations in the first place, creating and shaping our beliefs and behaviour rather than merely expressing or reinforcing them. Consider a small-scale example of relevance here: the football pitch, one of which was laid out in Freeman's Wood. The touchline that marks the confines of the playing area usually runs across a uniform patch of turf, like a single drawn line bisecting a piece of paper. There is no material difference between the grass on one side from that on the other. But when a player - or even a spectator - crosses that line, he or she steps into and is subject to another realm, that of the game and its authorities, where a different set of rules and conventions apply, at least within the designated time frame. The material state of the land may remain constant, but its status is transformed - into 'hallowed' ground, as some fanatics would have it. (Witness the recent controversy generated by Charlton Athletic's attempt to promote its pitch-hire business by having an amorous couple simulate sex in the centre circle.) The religious allusion is apposite. This is an earthbound, secular transubstantiation that is real in a very literal sense ('real estate'), but no less mysterious or abstract than its sacred counterpart.

By focusing on the intrusive fence that now defines Freeman's Wood, by placing it not only at the centre but also, simultaneously, on the threshold of her work, Curtis is confronting these issues of how we designate land head on. For when this structure went up without warning it was claiming that what was inside its boundary was suddenly somehow different from the outside. And yet before it appeared, there had been no such visible division or demarcation of the space. The ground was all the same and all equal and all open. 'It's almost like the Berlin Wall', one voice on the app says. And just like that infamous border, the fence seemed like an arbitrary, unnatural obstacle that cut through a single, unified place, ploughing its way through people's lives and histories, the well-worn experience of generations. 'People in this area didn't realize it was private land', another voice from the app argues, as if awareness of that designation would have changed the place materially, and would have altered residents' own use and 'ownership' of it. But the paradox is that, far from asserting the private status of the land and the supreme rights of the landowner, the fence highlights its own arbitrariness and, therefore, the groundless basis of all such designations. By law, fences can be built only on one's own land. For that reason, a barrier that apparently marks out the full and precise extent of one's territorial possessions can never do that, for it must always remain inside that territory. The outside therefore contains - in law and in fact - some of the inside. Even when standing immediately outside of a fence that shouts 'KEEP OUT', one may always already be technically trespassing. At this point, the binary divisions so assuredly defined by the border begin to break down. We have moved from the certainty of black and white to an area of grey.

And so by taking us outsiders inside this fenced-off 'private' land and encouraging us to navigate its bounds, all the while listening to insiders' views, Curtis forces us to consider the constructed nature of these divisions and where we stand in relation to them. She also asks similar questions about the nature and location of the work of art too. Where does the artwork start and finish, both physically and conceptually? Does one need to go to Freeman's Wood to experience the work effectively or can one do so remotely via a smartphone, albeit with only a limited access to the voice recordings? What does it mean if, as with other 'destination' artworks like Michael Heizer's *City* or Walter de Maria's *Lightning Field*, people encounter the physical site vicariously through other people's accounts or photographs? (Disclosure: to date I

have not visited Freeman's Wood myself ... although I am one of the few to have stayed overnight at the *Lightning Field*.) These questions have added pertinence given that the commissioner is Storey G2, an organization without its own gallery, a space that conventionally provides a physical and institutional frame to the art it contains. And they are made more acute because the only manifestation of the work is a digital one. Where is the artwork exactly? And who decides where lies the line marking its inside and outside, the artwork and the non-artwork? This geographic readymade thus leads us, via thoughts of early land art and Robert Smithson's concept of site / non-site, directly back to Duchamp's nominalism: the work of art is whatever and wherever the artist names it to be. Some would say that designation can only ever be arbitrary, but then again any designation - of land, of status, of value, of right and wrong - is partial (that is, incomplete and biased).

But both Smithson and Duchamp are from a bygone age, and *Trespass* is far from a nostalgic work. It is, on the contrary, very much of its time. It uses the current - and currently controversial - application of geofencing, the creation of a virtual perimeter that demarcates a real-world geographic area and communicates with location-aware devices. First developed in the early 2000s, geofences are employed to designate a specific zone or boundary. When someone or something bearing a location-enabled device enters or leaves the perimeter, a set of predefined actions is triggered. These might be a notification to a parent that a child has left a designated area, or an alert if a vehicle is stolen from a certain spot. Other laudable uses include locationized firearms that can fire only in permitted places such as firing ranges, rendering them useless elsewhere; systems that issue notifications if wild animals stray onto farmland; or even a work of art that gives voice to a dispossessed community. More questionable, however, is the use of geofencing by some companies to monitor the movements of its employees, or the distribution of targeted advertising to mobile phones that wander too close to a particular store. Needless to say, the potential for abuse of this technology in the wrong hands, or even the 'right' ones - state, corporate or criminal - is vast, and the implications for personal privacy do not bear thinking about.

But we should think about them, and urgently. For whereas once it was the land itself, and our understanding and use of it, that moulded us as individuals and societies just

as we shaped it, now we face the prospect of being defined, categorized, filtered and judged based solely on our GPS coordinates. Now our own phones can incriminate and discriminate us without our even knowing it, marking or blackmarking us with someone else's definitions. Stand here and you are 'in'; over there, you are 'out'. Here, you are a potential customer; there, a possible threat. Here, a rambler walking through the countryside; there, a trespasser. A geofence sees only in binary. Zeros and ones. Inside and outside. But as we have seen, such clear-cut divisions are often blurred. We do not live in a clean black-and-white world but one of messy greyness and imprecision. Layla Curtis's *Trespass* and the story of Freeman's Wood remind us that the liberty of free men and women has always had its limits, and these are contracting every day, while the greater villains steal more and more of the common.