Legal Strategies for the Development and Protection of Communal Property
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‘Communal’ property is an important mechanism for allocating natural resources and regulating their use – whether for economic exploitation, recreational use or the promotion of biodiversity and nature conservation. The form which communal property regimes take, however, and their relationship to private property structures, varies from jurisdiction to jurisdiction and is poorly understood. Nevertheless, the importance of communal property, transcending the public/private divide in property rights, is increasingly apparent globally. Contributions to this volume focus on legal strategies for the development and protection of communal property and how these strategies ‘map’ over different jurisdictions (England and Wales, Scotland, South Africa, Cameroon, Italy, Israel and China) and jurisprudential approaches. They look at property beyond the traditional, individualist, and exclusive ownership model, engaging with communal property ‘practices’ in different jurisdictions to explore the theoretical grounding of communal property, not only linking theory with practice but also linking the local with the global.