



FUNDAÇÃO
TERRA AGORA

Regeneration Explored

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The Portuguese version of this document is the binding version.

The inheritance we received, and what we do with it

Forty years of thinking that is not ours, and a Portuguese question nobody had answered

An Idea That Kept Growing in Scale

The word regeneration entered the environmental vocabulary through agriculture. In the 1980s the argument was that sustaining agricultural resources was not enough: they had to be renewed. The unit of work was the field.

Then it moved to design. If a building can consume less, it can also give back more than it consumes, and the way there is to design with the system rather than against it. The unit became the built object.¹

Then it moved to development, and there the change that matters most took place. It stopped being about designing an object better and became about growing the capacity of the system around it. The unit of work became Place.²

We are the authors of none of this. We inherited it, as everyone working in this field did, and honesty about that inheritance is the first condition for being able to add anything at all.

Three Things That Stay

Place, not site

A site is an extent with boundaries. A Place is an extent with a history, with people, with an inherited way of doing things and with a vocation of its own. Two adjoining properties with the same soil and the same rainfall are not the same place if the generations who worked them were different.

The practical consequence is immediate: there is no model that applies. There is a place you study before proposing anything.

Potential, not the problem

Almost all environmental work starts from a problem, measures it, and then measures the distance travelled away from it. Regenerative work starts somewhere else: from what this place, with this history and these people, is uniquely capable of becoming.

The problem does not disappear and is not ignored. It changes status. It goes from being the frame to being information.

¹The word regenerative applied to land comes from Robert Rodale in the 1980s. Regenerative design comes from John Tillman Lyle, *Regenerative Design for Sustainable Development*, Wiley, 1994. Full references in the closing section.

²Regenerative development, and the body of method for working from Place, were originated by Regenesys, founded in 1995 in Santa Fe, New Mexico.

Nested wholes, and developmental work

Every piece of work sits inside a larger one and has to serve it in order to last. And the aim is not to deliver a result to a place: it is to grow the capacity of the people and institutions already there.

This is where the sentence the Foundation keeps repeating comes from, the one many people find strange: the Foundation does not regenerate land.

It is not modesty, and it is not a division of labour. It is the logical consequence of everything above. If the capability does not stay with the people in the place, the work ends when we end, and a foundation promising permanence cannot design itself that way.

The Zone That Was Left Out

Twentieth century policy divided territory in two: zones for production, meaning cities, industry and intensified agriculture, and zones for conservation, administered by limiting economic activity rather than integrating it.

What was left out is the combined zone: the one where people make a living by looking after a place. It is precisely where almost all of rural Portugal lives.³

Much of what we call nature in Portugal is not untouched nature. It is cultural landscape: terraces, chestnut groves, montado, water channels, scrub managed with fire over centuries. It entered ecological drift not through overuse but through the absence of management.

The village was, on this reading, a structure for managing an ecosystem. When it empties, the management stops. The consequences do not arrive as nostalgia. They arrive as fire, as loss of biodiversity, as water that no longer stays in the soil, and as a landscape nobody answers for.

This is not solved by restoring what was there. The people who held that knowledge are gone, and nostalgia is no use to anybody. What is needed is a generation who know what the old ones knew and a good deal besides, and an economic form they can work within.

Where the Theory Meets the Land Registry

Here the inheritance stops helping us.

The regenerative development tradition is rich in method and poor in law. It says how to work with a place. It does not say what happens to the place when the person working it dies, when the estate divides between seven people who do not speak to each other, or when an offer arrives that is too good to refuse.

In Portugal that is the decisive question, and it carries a specific difficulty. There are voluntary instruments, registrable and in some cases perpetual, but none was designed to carry a conservation purpose. Article 1306.^o of the Código Civil prevents a new real right from being created by contract: the real rights are those the law provides, and none of them has that purpose built into it.

This is the exact point at which Terra Agora Foundation exists.

³This reading follows Jaime Izquierdo Vallina, «Una nueva economía para la aldea del siglo XXI», *Mediterráneo Económico* 35 (2021), pp. 105 to 120. Commonland reaches the same observation about the missing combined zone by a different route.

Our contribution is not to the body of thought we inherited. It is to a question that body of thought never had to answer: what has to be true in law and in ownership for this work to continue across generations. It is a Portuguese question and it needs a Portuguese answer.

What We Do With the Inheritance

The answer we have built has three roles, and none of them can do the work of the others.

The Foundation cares for the ownership of the land. The Guardian cares for the land. The Patron makes both possible.

The instrument is the perpetual *Direito de Superfície*, under article 1524.º of the *Código Civil*, which separates ownership of the ground from ownership of what is done upon it. The land can no longer be sold. Its use is entrusted to those who care for it. And the right is registered against the property, which means it binds whoever comes next, including whoever comes after the Foundation itself.

Read against the tradition we inherited, this is a developmental structure in the exact sense the word is used: it was designed to grow capability in a place, not to deliver a service to it. The separation of roles is not an organisation chart. It is what stops the Foundation becoming the thing the tradition warns against: an outsider delivering results to somewhere that is not theirs.

What We Measure, and What We Refuse to Measure

Measurement is where intentions are tested, and it is also where it is easiest to deceive yourself and others. The Foundation works with four layers, in this order: the Five Capitals define value; the Four Returns give it concrete form; natural capital accounting and the SEEA measure the assets; and a management platform tracks progress.

The Foundation compiles site level accounts consistent with the SEEA. It does not apply the SEEA and does not produce SEEA accounts. The distinction is not a formality: it is the difference between using a system and claiming an authority we do not have.⁴

A loss of natural capital in the Strategic Assets is not compensable by financial gain.

And there is a place where we stop. The Foundation does not publish monetary values for ecosystems unless the value concept, the method and the uncertainty appear in the same document. A number on its own does not inform. It authorises. It authorises a trade that should not have been on the table.

The capacity to measure is being built in stages and reaches full operation during the course of 2027. We say so because it is true, and because an institution that overstates what it already measures cannot be trusted on what it promises.

What We Do Not Yet Know

We are closing our first *Direito de Superfície*, and it is the drafting questions that occupy us, not the questions of principle:

- How to write resolute conditions that are objectively determinable, allowing action when the purpose stops being met without depending on proof of fault

⁴The Five Capitals come from Forum for the Future. The Four Returns, inspirational, social, natural and financial, come from Willem Ferwerda, developed by Commonland. The SEEA is from the UN Statistical Commission.

- How improvements are compensated without exposing the Foundation, the protected assets or a future Guardian
- How a Guardian is substituted without disturbing the rights of the holder
- Whether it makes sense, further on, to seek a legislative instrument dedicated to conservation, and by what route
- What level of earned income a real Guardian can sustain alongside its own activity

We publish this list deliberately. A foundation with no open questions in its fourth year is either not working or not telling the truth.

Seven Generations

The Foundation's published horizon is seven generations. It is not a figure of speech. Counted at twenty five or thirty years each, that is between one hundred and seventy five and two hundred and ten years.

No person crosses that span. No government, no company, no funding agreement, no strategic plan. That is exactly why the question has to be institutional and legal before it is ecological: because only institutions and registered rights cross time of that order, and even those only when they are designed to.

Anyone working this way accepts something uncomfortable: they will not see the result. The reward for planting a cork oak is not the cork.

The Invitation

We do not ask anyone to believe in numbers that do not yet exist, and this document presents none. We ask something harder and fairer: look at the design and ask whether it holds.

If the land cannot be sold, if the right is registered, if the people caring for it have a contract and means of their own, if the governance prevents those who fund the work from deciding how the land is used, and if the people involved say out loud what they do not yet know, then there is something here that can last longer than we do.

That is the work. It is not quick, it is not easily measured in a year, and it does not get finished. If this speaks to you, the next step is a conversation.

Where This Thinking Comes From

The Foundation works inside this lineage and does not claim it

- The word regenerative applied to land comes from Robert Rodale, in the 1980s.
- Regenerative design comes from John Tillman Lyle, *Regenerative Design for Sustainable Development*, Wiley, 1994.
- Regenerative development and the method of working from Place were originated by Regenesi, founded in 1995 in Santa Fe, New Mexico. Reference work: Mang, P., Haggard, B. and Regenesi, *Regenerative Development and Design: A Framework for Evolving Sustainability*, Wiley, 2016; see also Mang, P. and Reed, B., «Designing from place: a regenerative framework and methodology», *Building Research and Information*, volume 40, number 1, 2012.
- The levels of work come from Charles Krone; the levels of paradigm in the same lineage reached wide circulation through Carol Sanford.



- The Five Capitals come from Forum for the Future, with Paul Ekins as technical antecedent. They are not a Regenesi framework.
- The Four Returns, inspirational, social, natural and financial, come from Willem Ferwerda, developed by Commonland. Commonland's twenty year cycle is a planning and monitoring cycle, never the Foundation's horizon.
- The reading of the village and the new rural economy follows Jaime Izquierdo Vallina, Mediterráneo Económico 35 (2021).
- The SEEA is from the UN Statistical Commission.

Terra Agora Foundation