



# Local knowledge and environmentality in legitimacy discourses on Irish peatlands regulation



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## ABSTRACT

In this paper Q Methodology and environmentality are utilized to dissect multi-subjectivities on local environmental knowledge underlying peatland conservation through the implementation of the EU Habitats Directive in Ireland. The results offer insights into the cultivation of moral responsibility for nature regulation and its legitimacy at ground level. Alignments and gaps between local cultural and ecological knowledge and the science and governance of peatlands are revealed across three discourses. Legitimacy of regulation of domestic turf cutting is found to be undermined by deeply-held postcolonial subjectivities on property rights and governance in addition to perceived government failure to regulate ongoing harvesting on non-SAC (Special Areas of Conservation) peatlands. The science-first and exclusionary approach adopted by conservation authorities in its approach to designation has served to undermine trust in the science underlying peatland regulation and in the national agency for nature conservation. Recent moves integrating bottom-up practices and local knowledge into relocation policy through adaptive governance reveal a more positive attitude to conservation management but also foster ambivalence towards the conservation potential of non-SAC peatlands. Overall, the research exposes how local environmental subjectivities respond to perceived inequities and inconsistencies in peatlands regulation.

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## 1. Introduction

Conflict and contestation are never far from the surface when discourses on the use, management, ownership and conservation of natural resources are expressed. This is particularly prevalent in the case of marginal landscapes, fragile environments and areas of high nature value. In the context of the EU Habitats Directive and its designation of Special Areas of Conservation (SACs), Ireland provides numerous examples of how dispute and contestation is played out between landowners, conservationists and government institutions. Nowhere is this more evident than in the case of Irish peatland conservation and the controversies that have emerged between government desires for protection of raised bog SACs in the face of European Union (EU) sanction for non-compliance, and

local populations’ demands to continue with their ‘traditional’ right of resource extraction.

The right to cut peat (or turf as it is known in Ireland) through turbary rights goes back several centuries, and successive generations have relied on turf as their sole source of heat. Contemporary turf cutting is associated with lower income rural families who continue to view their turbary right as an important source of cheap fuel and fuel security (Bullock et al., 2012). Since the 1980s, the slow and laborious process of traditional hand cutting has been almost wholly mechanised. Traditional hand cutting, like most contemporary mechanical cutting, also removed peat from the vertical face of the bog but did not go down as deep as machine harvesting. Different varieties of machinery are used to cut turf and often commercial contractors are hired to cut on behalf of turf cutting communities (Feehan et al., 2008). After cutting, however, turf continues to be harvested by hand in a traditional manner, often by families with the help of neighbours through a labour intensive process of stacking and drying the turf. In many cases, mechanisation has altered the scale of domestic cutting to an intensive semi-industrial scale extraction which has greatly accelerated the drainage and degradation of Irish raised bogs (Fernandez et al., 2013; Foss et al., 2001).

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Ireland's remaining raised bog peatlands are internationally significant due to the potential for conservation and restoration of active raised bog, which is a priority habitat under the EU Habitats Directive. In recognition of this, fifty-three Irish raised bog Special Areas of Conservation were designated in the 1990s under the EU Habitats Directive, but formal regulation was delayed by turf cutters'<sup>1</sup> resistance. Many of the best examples for inclusion in the SAC network included those bogs that had not been considered large enough for commercial harvesting and were in private ownership, or had been granted turbary rights (DAHG, 2014a).

With a starting point that saw the EU declaring the necessity for Member States to have 15% of their area designated as SACs, to the enactment of designations without prior consultation with landowners, it is easy to understand how widespread controversy was generated on the ground (Visser et al., 2007). Although the EU Habitats Directive is founded on the supremacy of expert scientific knowledge, it is argued that local peoples' understandings and interpretations of biophysical processes hold the greatest import for the implementation of environmental change (Bryan, 2012; Harris, 2009). Therefore, the likelihood of failure, or resistance to environmental regulation was greatly increased through the top-down, science-first and exclusionary approach adopted in the initial survey and selection process for sites designated as SACs by the National Parks and Wildlife Service (NPWS) in Ireland (Moran and Rau, 2014; Bryan, 2012; O'Rourke, 2005; Tovey, 2009).

Historical, social, cultural, economic and political influences on environmental subjectivities have variously been implicated in resistance due to the significance of peatlands to previous generations and the historic importance of property rights in Ireland (Wilson et al., 2013; Bullock et al., 2012; Bullock and Collier, 2011; O'Riordan et al., 2015). However, studies on the relationship between people and peatlands have often adopted an historical approach that reflects the values of the time (Collier and Scott, 2009; Clarke, 2010; Loftus and Laffey, 2015). Other recent research has been limited by the adoption of positivistic frameworks, such as large scale surveys that have revealed "puzzling" findings on attitudes that support *both* peatlands protection *and* domestic cutting (Bullock and Collier, 2011, p.975). Consequently there have been calls for further exploration of the psychology and subjectivities of Irish peatland communities (Bullock and Collier, 2011). Meanwhile, these contradictions have partially been explained as resulting from turf cutters' weak knowledge of peatland processes and the legitimacy implications and visual impacts of continued industrial harvesting, which results in bleak, scarred landscapes due to the annual shaving of the peatland surface (Bullock and Collier, 2011; Bullock et al., 2012).

The emotional attachment to turf cutting has been associated with the labour and time, previously spent cutting and harvesting turf, in the context of private turbary rights, but also through employment with the semi-state company Bord na Móna (Feehan et al., 2008; Clarke, 2010; Loftus and Laffey, 2015). Bord na Móna was established in the 1940s and has commercially exploited most of the 80,000 ha of peatland in its ownership, predominantly in the midlands and west of Ireland (Woodworth, 2016). It is now committed to transitioning to more sustainable land uses, including restoration of industrial cutaway, but its continued role in industrial harvesting for electricity generation and in the burning of peat as a fossil fuel remains controversial (Bullock and Collier, 2011; Woodworth, 2016). Bord na Móna has transferred several bogs for conservation purposes to the NPWS (DAHG, 2014a), but its contri-

bution to conservation has generally been dismissed or denied by protesting turf cutting groups (Quirke, 2012; TCCA, 2012).

Alongside the pure biodiversity objectives for the fifty-three bogs designated as SACs, the critical emerging agenda for peatlands regulation is in its complementary role in ecosystem services, in particular, carbon storage and sequestration (Bonn et al., 2014; Bullock et al., 2012). In general, peatlands ecosystem services are believed to be poorly understood at local level in Ireland and it is believed that there is a lack of political will and leadership on supporting a transition from the productive values of peatlands towards their ecosystem services (Renou-Wilson et al., 2011). Alternatively, high profile campaigners that contested the regulation of turf cutting gained political advantage in Irish and European elections as a result of their connections with the campaign (Quinlivan, 2014).

Implementation of the EU Habitats Directive became urgent in 2011 as a result of EU sanctions for non-compliance and new governance arrangements were established to incentivise and legitimise regulation (Fernandez et al., 2013; DAHG, 2014b). This included the establishment of the Peatlands Council, which represents a devolved mechanism for stakeholder inclusion, thus reflecting international guidelines on governance for responsible peatland management (Clarke and Rieley, 2010). Membership has included the national pressure group, the Turf Cutters and Contractors Association (TCCA) and its Public Relations Officer and then parliamentary deputy Luke Ming Flanagan, environmental NGOs, farming and rural interest groups and state representatives (see O'Riordan et al., 2015). The state also sought to reassemble turf cutters' economic interests with environmental behaviours (Cooper and Rosin, 2014; Fletcher, 2010) through the establishment of the *Cessation of Turf Cutting Compensation Scheme* (CTCCS) (DAHG, 2014b). This involved financial compensation for up to fifteen years or relocation to alternative bogs "where feasible" for up to sixty-five years (DAHG, 2014b, p. 90), and eligibility applied only to those actively cutting in the previous five years.

The historic and customary nature of turbary rights and challenges of regulating spatially dispersed sites however undermined the CTCCS from the start (Quirke 2012; Cooper and Rosin, 2014). It is estimated that there are 20,000 turbary rights<sup>2</sup> holders across all designated peatland sites in Ireland, but the lack of registration of some sites due to their basis in prescription made it difficult to identify those eligible (Quirke, 2012; Fernandez et al., 2013). The majority of the 3156 applications to date have opted for financial compensation, and over one fifth has applied for relocation (pers. com., Department of Arts, Heritage and the Gaeltacht, November 2015). The option of relocation was framed as the means by which policy recognised the significance of turf cutting as a longstanding traditional rural activity, but it has proven highly controversial (DAHG, 2014a). The TCCA's campaign contesting regulation centred on 'difficult bogs', where relocation is not feasible (TCCA, 2012). It did not accept the scientific basis to cessation policy that drainage of high bog occurs due to domestic turf cutting at the edge of the bog (TCCA, 2012) and severely undermines active raised bog habitat (Fernandez et al., 2006; Renou-Wilson et al., 2011). The TCCA campaign has had a significant political impact and has undermined the regulatory authority of the state by instigating a process seeking flexibility from the EU for full or partial de-classification of SACs (Quirke, 2012; O'Riordan et al., 2015; DAHG, 2014a,b). The challenges of implementing relocation is also reflected in the statistics which show that only 48 turf-cutters, from 708 applications, have been accommodated to date on relocation bogs (pers. com., Department of Arts, Heritage and the Gaeltacht, November 2015).

<sup>1</sup> The use of the term 'turf cutter' in this paper refers to those with turf cutting rights, whose turf is typically cut mechanically. This is consistent with its use in Irish peatlands policy documentation.

<sup>2</sup> This figure refers both to turbary rights on SACs and to Natural Heritage Areas which were designated under Irish legislation.

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