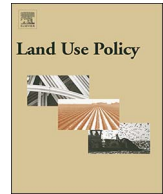




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Agricultural land use conflict management—Vulnerabilities, law restrictions and negotiation frames. A wake-up call

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ABSTRACT

Conflict is part of all societies and conflict management can ensure stability and consistency for communities. This study ascertained and assessed a type of agricultural land use conflict (ALUC) specific to Romania's realities and identified a possible solution for conflict management like negotiation. An original structure of the analysis was developed based on the identification of four latent sources of conflict: land fragmentation; land grabbing; high natural value (HNV) farmland disappearance; and scarcity of young farmers. The paper cast light on several current frames of the agricultural land by investigating the roles that people assigned to it. Frames were studied through a non-probabilistic survey applied on a sample of 170 Romanian land owners. The dominant frame (among the five tested) was the one in which land had an important role in ensuring food safety. Understanding of land frames requires special effort and becomes essential in any situation where participants have different knowledge, values or economic status, as it is the case of conflict management or negotiation process related to agricultural land use. The results stand for awareness of agricultural land frames which should be considered valuable information for equitable land deals in a larger meaning – up to the society scale.

1. Introduction

The human history and the conflicts that characterized it were based on the existence of competition and, according to Fukuyama (1989), also on “contradictions”, like the “taming” and mastering of the nature, the dichotomy between proletarian and capitalist, globalism and localism, common but differentiated responsibility in the environmental protection, or economic interests versus the environmental ones. The desire to ensure stability and consistency of human needs in a challenging world often transforms competition into conflicts with serious and long term negative consequences. Conflict is opposition among social entities directed against one another, while competition is the opposition among social entities fighting independently to obtain something (which is available in an insufficient supply compare to demand) and the competitors are not necessarily aware of each other (Wright, 1990). The clash between three main determinants responsible for the conflict—preferences, opportunities, and perceptions (Hirschleifer, 1995)—leads to a wide range of conflict definitions,

expressed in similar terms, but no one is universally accepted. Conflict can be seen as a connection in which each side perceives the goals, values, interests, and behaviour of the others as antithetical to his own (Burton, 1988), or as the perceived and/or actual incompatibility of values, expectations, processes, or outcomes among parties over tangible or intangible issues (Ting-Toomey, 1994).

Undeniably, conflict is a part of all societies, and is ever-present in our daily life, being judged both as an impulse of social development and as a nightmare for human relations (Barrow, 2010). From Dimelu et al.'s (2016) perspective on conflict, this can also be seen as a contest among incompatible goals, values, and livelihood struggles. Conflict is functional when it preserves the fundamental norms and values of the culture and regulates an appropriate degree of stability in the system where individual opinions and perspectives are respected; otherwise, it turns out to be dysfunctional.

The endemic character of conflict expresses the need to develop flexible institutional and regulatory instruments and negotiation strategies capable to mitigate the conflict and adapted to the specificity of

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target population (Ioja et al., 2015). In order to create a resilient society the “access to assets or social support systems that carry you through periods of adversity” (Chambers and Conway, 1992) is required. Among assets, land is of paramount importance because of the functions it provides. Thus, the access to assets is comprised of, for example, land access and to its benefits, going even up to the access of labour itself, while the social support may refer to the institutions as social constructions which are endowed with the power to enable, enforce, and to change rules and behaviours. The assets are seen as the primary factor in determining vulnerability and resilience (Moser, 1989).

The general objectives of the paper are to ascertain and assess a type of agricultural land use conflict (ALUC), specific to Romania’s realities and to identify a possible solution for conflict management. For their achievement, an original structure of the analysis has been developed. This embedded the identification of the following land vulnerabilities: a) land fragmentation; b) land grabbing; c) high natural value (HNV) farmland disappearance; and d) scarcity of young farmers. These four items are referred to as latent sources of ALUC, considered as a socio-environmental conflict. Moreover, the consequences of the four vulnerabilities displayed on several dimensions (economic, social, policy²-focused and legal, and ecological) were identified. Three criteria (extent, intensity, and time duration) were selected for the conflict analysis. Based on the assumption that socio-environmental conflicts are often caused by institutional malfunctions, limitations of rights (such as property rights), several policy-related and legal aspects were looked at. Therefore, the authors emphasized and analysed the main aspects that activated the conflict and organized them into three coordinates – the “change”, legal and policy-related limitations, and competition between needs and resources. Next, a special focus was put on one of the most creative and bidding tools that help in settling a conflict – negotiation.

The results of present analysis stand for designing and implementing a cross-sector outlook within the public policies (e.g., environmental, agricultural, and health), arguing the need to integrate the socio-environmental conflict management approach.

2. Methods

In order to fulfil the research objectives, an extensive theoretical background was analysed and the “land vulnerability framework”, inspired by Moser (1989) was used as a starting point. The below-mentioned research questions were considered and the approach followed in the study is presented in Fig. 1:

- (1) What is ALUC about?
 - How can it be defined?
 - What are its features?
 - What are the criteria that can be used to analyse the ALUC?
- (2) Why does it happen?
 - What are the latent sources of ALUC (vulnerabilities)?
 - What are the consequences of the vulnerabilities?
 - What are the triggering factors of ALUC?
- (3) How is a possible conflict management thought?

Definition and features were identified based on the literature review. Following a literature study (Gerston, 2015; Ioja et al., 2015; Lumerman et al., 2011), three criteria were retained for the analysis of the conflict and its dimensions: extent, intensity, and time duration. A

² According to the Cambridge Dictionary (Politics, political, politician or policy?, 2017), “policy” is a plan of action or a set of rules agreed by a business, a political group or a government, saying what they will do in a particular situation (e.g., environmental policy, agricultural policy, health policy), while “politics” means the activities of the government or people who try to influence the way a country is governed. In this paper, the authors refer to the first concept-policy.

brainstorming session was developed to generate a list with eight latent sources of conflict: land grabbing, land fragmentation, HNV farmland, scarcity of young farmers, lack of associative organizations, lack of dedicated financing systems, lack of proper endowment with technical means, and lack of organizations that would effectively protect the interests of farmers and land owners. The multi-voting technique was used to select half of them and the first four obtained the most votes. A second brainstorming session was implemented to organize all possible consequences of vulnerabilities in several groups (dimensions) and the four mentioned in Fig. 1 emerged. A third brainstorming session was organized to identify the particular consequences for each vulnerability and dimension. Guided by the findings of Madden and McQuinn (2014), the retained conflict triggering factors were change, legal requirements, and competition.

As frames (understandings or beliefs) are the foundation for conflict management to rely on, the identification of land frames was pursued by means of a short questionnaire with five Likert continuum questions of five points. The questionnaire was self-administered and applied to a convenience sample of 170 land owners from various regions of Romania. In the specific national context (where land fragmentation is very extensive), land owners are a larger group than the farmers. In the present paper, a land owner is the person who owns agricultural land (regardless of its size and of being farmed or not). Responses were anonymous and data was analysed using Excel software.

3. Results and discussion. Framing the ALUC as a socio-environmental conflict: context, frame, and discourses

The development and reasoning of interpretations and understandings about what the conflict is, what related characteristics and triggering factors are, and how the conflict should be settled (Gray, 2003) are embodied in conflict framing. Therefore, the selected “road map analysis” was structured on the questions mentioned in the Methodology section questions (1), (2), and (3).

Within this conceptual structure, frames are created to help us understand why the conflict exists, because, as Kaufman et al. (2003) explained, they are “cognitive shortcuts” that are used to assign meaning to complex information or situations, as ALUC is. Framing is the process of assigning meaning to a situation, building frames for it, and it is the interpretation of the world. Frames are constructed upon beliefs, values, and experiences. Framing can be made deliberately for strategic purposes. For instance, agricultural land may be presented to the land owner by an investor interested in buying it as an asset with only one major quality – that of being a bargaining object which can be traded for an easier and better life in the city. Reframing is the process of changing the initial frame. Framing (and reframing) is connected to message processing, cultural patterns, and socially constructed meanings (Putnam and Holmer, 1992). Consequently, decoding frames requires special effort and becomes essential in any situation where participants have different knowledge, values, or economic status, as it is the case of conflict management or negotiation process related to agricultural land use.

3.1. What is ALUC about? Defining the conflict and its features

The discussion is placed in the context of land vulnerability framework which authors consider to be made of: land fragmentation, land grabbing, HNV farmland disappearance, and scarcity of young farmers. These are generators of ALUC which, of course, produces not only social and environmental impacts but also economic, cultural, and political ones. Environmental conflicts are defined as “disagreements between different groups within society about alternative resource uses or the allocation of environmental hazards or impacts” (Muradian et al., 2004). Since any conflict cannot be deprived of its social structure [each conflict being an inevitable outcome of human interaction (Burton, 1987)], using the concept of “social-environmental conflict”

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