

THE HISTORICAL EVOLUTION IMPACT ON THE LAND PROPERTY STRUCTURE AND EXPLOITATION IN AGRICULTURE IN SOME EUROPEAN MEMBER STATES

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Abstract

The purpose of this paper is to present the changes suffered by the property structure and exploitation in the agriculture due to the modifications of historical and political environment suffered by the countries. In order to expose this evolution there are presented historical facts related to the agrarian and agricultural policies adopted by some member states like France, Germany, Italy and Romania. It is also essential, for a better understanding of the agricultural policies, to know the role and importance of the property and exploitation structures as frame for the agricultural and rural development.

The main goal of this study is to show that the decisions related to the agriculture are directly linked to the historical period in which there were taken and that those decisions marked the entire evolution of the agriculture.

The main methods utilized to elaborate this article were collecting and interpretation of information.

Key words: *evolution, property structure, agricultural land exploitation, policies.*

INTRODUCTION

After the war, Europe preoccupied to ensure the alimentary independence, made from agriculture one of the main priority objective of the communitarian construction.

This desire to achieve rapidly the auto-sufficiency explains why the agricultural sector was the first who made the objective of a common policy. It is a key element in the history of the European construction and also in its geopolitical and economic context, even if the agriculture has a low contribution to the GDP of each member state, it continues to play a structural role in the evolution, development and spatial planning of the territory.

The Rome Treaty of 1957 defined the general objectives of the Common Agricultural Policy (CAP) in Articles 38-47 EEC (TEC Art. 32-38). Development has been very rapid after the general principles were defined in Stresa Conference in July 1958. In 1960 the six founding states of the EEC adopted the mechanism and the Common Agricultural Policy which became effective since 1962.

The Common Agricultural Policy still prevails among the most important policy because it represents about 50% of the Community budget and 80% of the legislation. The Common

Agricultural Policy has been a long time an important symbol of European integration and has been a controversial subject for reform since the 1960s.

Regarding the evolution of the land and agricultural exploitation, the article 39 of the Rome Treaty specifies:

-The increase of the agriculture productivity by promoting the technique progress, by insuring the rational development of the agricultural production and also by optimal utilization of the resources including the labour force.

-The insuring of a reasonable living standard for the agricultural community, especially by increasing the individual incomes of those who work in agriculture.

Accomplishing those purposes must take into consideration the special character of the agricultural activity which results from the social structure of the agriculture and the natural disparities existing between the agricultural regions.

This article establish a double perspective in the favour of increasing the integration of the agriculture in a dynamic market and corporative investments, along with promoting a model of familial farms situated on the entire territory.

MATERIALS AND METHODS

In order to characterize the evolution of land property structure and exploitation historical facts and policies adopted are analysed.

RESULTS AND DISCUSSIONS

Historical evolution of the land property structure and exploitation in France

The development of the French agriculture competitiveness by correcting the “shredding” of the land property, which conducted to small and underproductive units, and also by rationalization and modernization of holdings, represented the main targets of the juridical arsenal that was elaborated during 20 consecutive years after the Second World War. The state of the relationship tenant-owner in the favour of the farmer, framing surface by opening the right regarding the exploitation authorization, land control that target to facilitate access to land for young farmers they constituted articulation devices that have helped to strengthen family holdings in an optimal modernization frame.

Beginning with the year 1980, substituting the single European agricultural market to perfectionism implied a number of directives in accordance with the more liberal character of some European countries agricultural legislation and led to the reducing of the market support policies. In 1995, the creation of the Committee Department of Agricultural Orientation had as main purpose to ensure the coordination, at departmental level, of the various instruments of agricultural policy.

The elaboration of the agricultural policies in France had as start point the problem of land property whose dimensions were too small to be productive. The article no. 544 of the Civil Code defines the right to property as follows: the disposing and using assets in the most absolute manner. This article suppressed secular habits that led to the collective property or to the existence of several property rights on the same land. In the XIX century the recognition of the individual and absolute private property of the land was necessary in order to eliminate areas set aside and the triennial crop rotation. For these reason France was not capable to satisfy the alimentary independence of the country. After the Second

World War the French agricultural was characterized by an important regress compared to Germany, regarding the use of the chemical products and of the agricultural machines. The main cause of the regression was the protectionist policy which maintained a numerous and low productive population in the rural areas. It was not the only cause; the excessive right regarding the property of agricultural land also turn out to be an obstacle in increasing the agricultural productivity. The existence of small size holdings represented an impediment and the development required a regrouping of the land in holdings with more important surface in order to have the capacity to use the technical and technological progress. The beginning of the 80's marked a crisis of the French agricultural production model that was developed in 30 years. The characteristics of the crisis were described as: chronicle overproduction obtained in agriculture, excessive budgetary costs, negative effects on the environment and on the landscape.

In order to bridge the effects caused by this crisis there were elaborated land policies targeting to ensure the alimentary security and safety, to increase the agricultural products competitiveness, to diversify the activities in the rural areas without neglecting the environmental conditions.

Historical evolution of the land property structure and exploitation in Italy

In the past 150 years, the structure of the Italian agriculture was completely modified. The transformation begun with the Unification of Italy when 11 million persons were involved in agriculture. In the course of 1900s begun the first modification regarding the society and agriculture but the real modification starts after the Second World War. Italy after the war was a country in which the population was largely rural, low urbanized and which was supported mainly from the primary sector, especially from agriculture. It was an underemployed population which in the rural context didn't succeed to use its own working capacity.

In the 50's the rural population leaves the rural in an exodus of huge proportion in favour of cities and industry. The demographic exodus from rural to urban determined a quick diminution of persons' number occupied in agriculture. By the end of the century only 1

million of persons still remained in the Italian agriculture sector. The effect of the changes was manifested in a continuous increase of the production and in an accentuated development. In 1990 entered in force the Law no. 752, adopted on 8 November 1986, regarding the applying of the planned intervention in the agriculture. This law constituted an operative instrument of the National Agricultural Plan from the period 1986-90 and replaced the Law no. 984/1977. Law no. 752/1986 was more flexible, having articles regarding the high dimension holdings and it was not as restrictive as the previous one.

In 1999 it was approved the Law no. 499/1999 for the agricultural sector, that defines the procedure of programming in agriculture until the year 2002. The fundamental objective of this law was to coordinate the varied subjects of agricultural policy.

In Italy the accent put on property has created imbalances due mainly to the detailed description of the rights but the poor exposure of the obligations.

The evolution of the Italian agriculture was made based on modernisation and technologization. The property of the agricultural land did not suffer major changes after the modifications registered at the economy level in general.

Historical evolution of the land property structure and exploitation in Germany

The German agriculture was powerful regulated by policies and it is considerably dependent by the public support. Even if the agriculture represents only a small sector in the German economy and the number of holdings decreased, the production increased. That is the way at the beginnings of the 90s a single farmer was able to produce enough in order to support 75 persons, much over the average in the years 50s or 60s.

Germany has a long history regarding the differentiated organisation in the development of agricultural systems. In 1900, before the unification of the Western and Eastern Germany, there existed a consensus between the interested parts (consumers, farmers, industry, politicians) that favoured the policies and strategies of agricultural system. Those strategies targeted mainly the expansion of the holdings surface but the public interests no

longer coincided with the private ones. In the moment that the conflicts regarding the surface started this fact determined a pressure.

Germany has structural agricultural policies that include measures that affect the holdings and the agricultural structures. Their purpose was to conduct to the improving of the capital goods and therefore to increase the income capacity for farmers.

Beginning with 2005 the importance of the environmental consideration and of the land multifunctionality concept is accentuated and it is reflected in the structural policies. In order to develop the rural space in Germany, starting with the year 2001, at federal level was created the Ministry of consumer protection, alimentation and agriculture (BMVEL). The idea behind of this responsibility was to ease an integrated treatment of the agricultural production, distribution, consumption or nutrition. The biggest group in Germany that operates in the field of agricultural policies is The Association of German Farmers („Deutscher Bauernverband“) which represents 90% of the German holdings.

The development of the agriculture that implies holding with a significant surface brings modifications to the structure of agricultural land. This type of change was also made at EU-27 level. Therefore the goal of the policies was to increase the surfaces of the holding and to reduce the population occupied in agriculture, focussed on a healthy development of the agriculture but also of the rural area in general. The goal of these objectives was to protect the farmers interests and to increase the standard of living.

Historical evolution of the land property structure and exploitation in Romania

Romania represented the frame of various agricultural reforms that were in the favour of the farmer's property (reforms of the year: 1964, 1921, 1991, 2000).

The agrarian reform from 1921 had as base the Law from 17 July 1921 and had two parts: the expropriation and the land allotment. Chapter I-The righteousness and the limit of expropriation, article no. 1 states: “The national utility upon expropriating rural properties, as far as the present conditions of the law, in order to increase the extent of peasant rural property, to establish communal pastures, and for

purposes of general interest, economically and culturally. Cultivated land in urban villages across rural property is considered in terms of the law of expropriation.”

In the second part that concerns the land allotment, the articles 78 and 79 from the Chapter X regulate the order of selling the expropriated land.

This reform had as effect the diminution of the land property regarding the agricultural surface but the landlords remained with important forest surfaces. In this manner the small property became dominant, the middle size property with a higher importance and the large property with an importance substantially reduced.

Another reform was the one from 1945 which had as base the Law no. 187 from 23 March 1945 regarding the agrarian reform. The article no. 2 from the Chapter I explains the purpose of the reform.

In Chapter II- Expropriation, article no. 3 it is mentioned: “In view to implement land reform, the land should be transferred to the State in order to be divided to the entitled ploughmen for allotment and to create the reserve.”

The most controverted reform had as base the Law 18/1991 also named The Land Law. Chapter II – Establishing the right of private property on the agricultural land throw article no. 8 explains:

“(1) the establishing of the right of private property on land found in the patrimony of the agricultural cooperatives is made under the conditions of the present Law, by reconstituting the property right or constituting this right the (3) establishing of the property right is made on demand by the issuance of a property title within the limit of a 0.5 ha surface for each entitled person - according to this law and maximum 10 ha per family in arable equivalent.”

The agrarian reform from 2000 was based on the Law no. 1/2000 for reconstituting the right of property on the agricultural and forestry land, solicited according to the Land Law no. 18/1991 and Law no. 169/1997 provisions: “reconstituting the right of property for individuals for the difference between 10 ha per family and the surface brought to the production agricultural cooperative or taken in any manner, but not more than 50 per

dispossessed owner, is made entirely in in areas where there are surfaces of land set aside available to the committee.”

All the modifications on the agricultural land level had an impact on the general evolution of the agriculture. After these reforms Romania is facing the problem of excessive fragmentation of the agricultural land and this problem leads to an inefficient agriculture with low yields.

CONCLUSIONS

After analysing of the policies adopted by France, Italy, Germany and Romania it can be concluded that the actual state of the agriculture and the entire development of the rural areas depend directly of policies adopted by each state at a certain historical time. Every decision was made related to the necessity of the period and it affected the evolution on long term. The effects of the political decisions in agriculture are felt even today and are reflected by the level of development, life standard of the farmers, the productivity of the agriculture. But there are also negative effects, as in Romania case, where the policies based on law led to problems in the property structure and the exploitation of the land that are felt nowadays. This proves that in order to satisfy the immediate need, the side effects on long term were not took into consideration.

The important point proved through this analysis is that every country adopted the strategies and policies which responded to the needs at certain period and were made in order to achieve a healthy development of the agriculture and rural areas.

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