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THEORETICAL BASIS OF GOOD LAND GOVERNANCE

The study aims to explore the land governance, or land management, in historical context with view to analyze the theoretical basis of land management. While analyzing the theoretical basis, the study explores different dimensions of the land management that constitute the integral component of land governance. The study concludes with the recommendations for future researchers and scholars and the implication of good land governance for land administrators and town planners.

Key words: theoretical basis, land management, land governance, land administration.

Introduction. Land management is one of the budding topics of research in management literature especially since late 20th century when bipolar world was converted into unipolar world as a result of the fall of USSR. Different countries changed their ways of managing land. Some still preferred old centralized system of governing land, some moved to mixed system while many switched to decentralized system of governance. However, the importance of governing land effectively and efficiently remained consistent in every system. The study intends to investigate what is good land governance or effective land management, its potential attributes and dimensions and what are its theoretical foundations in light of the extensive review of past studies and recent trends. Many parameters within this theme are discussed below in detail.

Main text. In this study land management and land governance has been used in similar meanings. Land is a resource that is used for various purposes including agriculture, reforestation, water resource management and many others. The management of usage of land resources along with its development is called land management, or land governance, which is one of the most widely studied topics today. Socio-ecological systems are difficult for land owners to understand since they result from a complex interaction of processes that are difficult to measure and observe for both landowners and researchers. Land governance decisions therefore, are also equally intricate and are influenced by the quality of information available, authority of existing social networks as well as individual interests and prior experience [1].

The history of land management shows a growing population trap out of which, human beings have always tried to find a way to effectively allocate land in accordance with the needs of people. This has opened up new opportunities in terms of preservation of different natural habitats, relations between states and trading routes. However, land management has also given rise to several geographical and environmental problems that lead to fast depreciation of land and natural resources. But technological advancements do help to slow down the depreciation process in different ways [2].

Land has never been regarded in terms of just surface topography. Historically, land has been thought to consist of various components such as underlying superficial deposits, changes in climate and water resources as well as the development of plant and animal community as a result of the interactions between these physical conditions [3]. Literature suggests that the demand for land has been changing with history. Throughout history, the land resources have been allocated according to the changes in demand for land. In the past, people weren't as rich as they are now and so their demands were different. And to meet this demand, land management had to be done sustainably and with potential damages kept in mind. Land management today, on the other hand, has become easier in terms of planning yet more complex in terms of allocating the resources according to the planning. This is mainly credited to technological advancements and the changes in people's mindset.

Challenges in Good Land Governance

Sustainable land management has many opportunities after the success of land and resource management reforms. Many factors contributed to this which includes public support for private investments in soil and water conservation, local community initiatives, maintenance of roads, non-discriminatory macroeconomic management, consistent efforts by the government, and local initiatives by nongovernmental organizations. All these were aimed to increase land productivity and create awareness about environmental problems. Along with enhanced management of land, there has been vast improvement in breeds of animals, variety of plants, crops have also increased efficiency in agro ecosystems and has reduced pressure on old lands, including forests. The conservation of ecological processes depends upon biodiversity in order to maintain the flexibility of most agro ecosystems. Effective recycling should take place and the stocks of available nutrients needs to be managed to prevent over consumption to sustain productivity [4].

Another opportunity is exploiting the production and environmental functions of land. The environmental benefits are not limited to controlling water flows and its equality (hydrology). Sedimen-

tation, which avoids damages to reservoirs and waterways which safeguards water necessary to domestic water supplies and fisheries. It prevents disasters, conservation of biodiversity and seizes carbon and other greenhouse gases. Organizations like World Bank pays as environmental service for carbon emission reductions. These incomes are important source for land users. This is carried out in developing countries, and the communities in Central America have received payments under a program financed by the bank and Global environment facility [4].

Moreover, the some practices have been found to facilitate water management and fair assessment of cost and benefits. Because, water is the most valuable resource it is essential to develop a framework that ensures equal distribution of water. It is important that local communities protect common land so that land and water resources are not compromised over land degradation or deforestations. If the irrigation water is being used to produce vegetation which is of more volume on common lands, agreements need to be signed specially catering landless stakeholders. Designating water as a common property can provide all stakeholders with strong opportunity to improve natural resource management [5].

However, there are some challenges and issued faced pertaining to land resource management. Increase in urbanization, population, and changes in environment along with other factors have led to an increase in the demand for land. At the global level, large areas of land have been considered unproductive. Market forces have led to an increase in prices and demand for land, which is why it is unaffordable for majority. According to researches, there should be immense care taken when there is desertification and degradation of land. It has been noticed that people use conventional methods to manage their resources that include land, forest and water [6].

There is also a worldwide claim that managing land is more convenient and less costly when compared rehabilitation and degradation through scientific and cultural knowledge, otherwise the entire ecosystem might get affected. The chances of disastrous effect on the land resources through natural calamities like volcanic eruption, earthquakes, and tsunami are making it difficult for the banks and international communities to predict anything [4]. Property rights to resources are a driving force behind elimination of poverty, resource management and environmental management. Property rights of the poor are a constituent of household income, subsistence needs such as water, medicines and food and are a shield against livelihood risk. Hence, the need for land regulation arises that strengthen capitalism to allot resources to efficient use [7].

Besides, many countries face the problem of conflicts over lands. The claim that, owning property in form of land can help people overcome poverty has exploited a lot of people and has resulted in increased land prices that not everyone can afford, which is more of a burden than a benefit for the people who own the lands. Therefore the government should play its role to meet the diversified needs of the people. It has been noticed that many forces behind the degradation of land are driven by behavior, which include unclear property rights, misaligned policies and weak enforcements from the government [8].

Conclusively, after thoroughly analyzing the benefits and negative effects it becomes essential that the issue itself is diagnosed for the cost and benefit analysis at appropriate levels. There needs to be more emphasis on planning and implementation of the policies by government. In order to progress, it's very important that professionals use all forms of media and information transferring channels to raise awareness and as a second option, change or support alternatives [4].

Theoretical Basis of Land Governance

The diversity in decision making behavior is hard to be explained economically or by using an institutional model. Two landowners with similar land characteristics may decide to put land to different uses while the same landowners with significantly different land characteristics may put it to the same use. This lack of rationality in decision making poses a challenge for policy makers in developing instruments and policies that can address resource challenges being faced by landowners today [9]. Several theoretical approaches attempt to explain the inconsistency of decision making behavior.

Theories based on rational choice assume that actors base their decision on logic and reason and have the perfect information to do so. Landowners determine their land strategies by considering the economic payoffs of making a certain decision. On the contrary, policies based on an institutional model assume that individuals are members of social groups with an unchanging nature when it comes to making decisions. They do not have the perfect reason or the perfect information for decision making hence, they rely on their social network or decisions that have mostly proved fruitful to develop their land strategy [10].

Another aspect worthy of consideration is the context with which landowners perceive information. The same information coming from two different sources will have different utility and meaning for a landowner. Thus, as suggested by the theoretical context of information perspective, this duality in meaning can be the reason why landowners may act differently being exposed to the same information [10].

Land cover change, is another pertinent theoretical approach that needs to be discussed when studying land management. Land cover change is the phenomena in which land is converted from one physical state to another. A dynamic shift can be observed in ecosystem function when agricultural land is used for urban-residential projects. Changes in land cover impact species habitat, is one of the prime cause for soil erosion and other environmental issues including water quality, soil fertility and carbon sequestration [11]. It can therefore, be safely concluded that land management is responsible for environmental as well as economic repercussions in the short as well as long term.

Despite the role land management can play in both environment and economics, landowners consider secondary sources of information more vital in making decisions rather than the primary ones. Personal relationships are given more importance than strategies and policies suggested by governmental or financial experts. A pre-defined set of principles is used by these traditional landowners to justify their reliance on secondary information. Principles differ according to the 'world' the landowners inhabit or aspire to achieve. For example, a simple question of the reason behind purchasing a block of land will be answered differently by different landowners depending on the world they inhabit. Some might purchase it because of purely economic reasons, others due to family heritage or conservation of wildlife [12].

Faced with these issues, strategy formulation becomes tiresome for government professionals. Land policies may be associated with security of tenure, property taxes, and land markets, measures to prevent land disputes or sustainable management of land use and its natural resources. An important approach in this regard is the theory of Sustainable Land Management. The sustainable land management deals with the use of land resources in a way that it produces goods to serve changing human needs while simultaneously ensuring that productivity of these resources is not depleted. The concept of sustainable land management is important because it helps in prevention of several environmental issues plaguing us today such as land degradation which severely affects the viability of land resources and their ability to serve current and future generations [13].

Land management can help in maximizing the social and economic benefits that can be obtained from land and enhance it in order to support the environment and future generations as suggested by the sustainable land management theory. However, there is a dire need to create more awareness regarding this concept and this can be done by studying the characteristics of ecosystems and their associated processes such as the land cover change

theory. Socio economic and cultural aspect of the people who thrive in these eco systems and depend on its natural resources can give crucial insight regarding its well-being. This can be studied in detail by analyzing the theoretical framework of the policies based on rational choice and institutional model. Furthermore, opportunities should be provided for utilizing natural resources offered by land in way that maximizes the welfare of people and their economic need. As long as their basic sustenance need will be met, only then will they focus on implementing governmental policies and thinking ahead as suggested by the information theory of land management.

Dimensions of Land Governance

Land governance has some important dimensions which form the basis of land management paradigm. For greater understanding of the land management paradigm, it is critical to adopt policies that promote creation and sustainable use of land and its natural resources. The constraints in doing so are several and hence, strategies and models vary from country to country. However, over the course of time the unanimity in having a unified model has strengthened. A unified model is one in which strategies and technological solutions are apparent and offering assistance to other regions of the world for implementation as well. One of the major drivers for this model is sustainable development that is creating demand for information regarding environmental conditions along with land related data. Other drivers making this possible are globalization and technological development which assist in establishment of multi-functional systems that are efficient in making use of diverse land rights and land use regulations [14]. Land management paradigm deals with putting natural resources of the land to good use and incorporates all activities that are necessary to achieve sustainable development. As discussed earlier, land management practices vary across countries and regions due to cultural, judicial or institutional reasons. Land management activities can be categorized into three broad dimensions which include land administration, land policies, and land infrastructure development and control in support of the sustainable development [15].

Land Administration

The land management paradigm enables every individual to understand what goes behind the role of land administrative function and how this administrative institution relates to historical circumstances of a county and its policies. The focus is on management of putting natural resources to good use along with facilitation of social and economic sustainability through implementation of sound land policies. Land administration systems deal with implementation of sound land management

and facilitation of efficient land markets and effective land use management. Both these paradigms come together to create basis for building sound land administrative infrastructure which determines the objectives and legal framework with respect to managing land as a legal, economic and physical object [16].

Land Regulations

Land regulations or policies are associated with land markets, security of tenure, provision of land for the deserving, managing land disputes and property taxation [15]. A lot of formal and informal factors influence the decision making and a lot of informal and formal systems need to come on board for implementation of a policy.

An important concept worth discussing in this dimension of land management is that of good governance. Good governance describes how power is utilized by the government in managing a country's social, economic and spatial resources. Good governance on the whole, seems like an ideal concept difficult to achieve but can be aimed at by being sustainable and locally responsive so that social and economic needs of current and future generations are balanced [15]. Sound land management requires the implementation of land policies in sustainable ways which can only be possible if metrics of good governance are met.

Another factor is the government being legitimate and equitable by making use of democratic processes and dealing in a non-discriminatory and unbiased way with individuals. Any government needs to be effective, efficient and competent in development and implementation of policies along with maintaining its dedication to integrity so that officials are able to maintain a clear separation between their duties and promoting private interests of politicians. Systems established by the government should be legitimate and equitable along with transparent so that land disputes or any other conflicts can be managed with ease and justice [17].

Land Infrastructure's Development and Control

It is crucial to adopt a control and development policy on land management because without it the legislation that enables planning, implementation, and institutional reform by bringing adequate resources on board will not operate together as a function and fail to achieve the objective of sustainable land management. There is a dire need for institutional development which will promote long term strategic objectives and its implementation along with capacity building activities in order to promote the creation of comprehensive policy on land development [17]. Furthermore, it will also establish strong professional bodies which will be responsible for development and control of professional standards and ethics to be followed by government agencies when they develop opportunities and services [18].

In most countries land tenure rights and land use opportunities are separated which disrupts the link between planning and land use controls with land values and its operations within the land market. The issues are aggravated with poor strategy from the administration and management when they fail to deliver the required opportunities and services. Technology can only solve issues to a certain level by making them more efficient but it is not possible to plan and implement systems and abide by them just by installing technology. This marks the greatest pitfall of government in implementing land management policies [17].

The design of land tenure and land value system should be such that it establishes an efficient land market capable of supporting trading in complex commodities which will benefit both the land owner and the customer [3]. Effective land use management will be promoted as the design of adequate systems in land use control and development will support sustainable approach to economic, social and environmental growth. Lastly, the system should not only be concerned with providing relevant information at the individual level rather, it should be means of assistance to both the individuals and community. Benefits from this system will seep through areas including security of tenure and credit, efficient land transfers and land markets, environmental control planning and as a result play a critical part in forming the backbone of a rapidly developing society [18].

Conclusion. Management of land is a historical theme and people are striving since centuries to acquire land through different means considering its importance as of the important means of production. However, governance of land passed through various form of evolutionary process. For instance, in ancient times, conquering land and then controlling it by force was considered legitimate and legal but today it is considered illegal and land management requires acquiring of land through legal procedures following *land regulations* of the region in which land is supposed to be governed. Further, *infrastructure development* over this land is also considered another important attribute of land governance along with the *proper administration of land* to enhance the utility and potential benefits associated with the land. The study recommends the land administrators and town planners that in order to enhance the good governance in land management the execution of these *three dimensions* with a view to enhance land utility is very essential however the execution of these three dimensions that constitute the foundation of good land governance varies from one region to another because of differing land regulations, infrastructure development strategies and administrative policies.

References

1. Malmshemer R. W., Bowyer J. L., Fried J. S., Gee E., Izlar R. L., Miner R. A., Stewart W. C. Managing forests because carbon matters: integrating energy, products, and land management policy. *Journal of Forestry*, 2010, no. 109 (7).
2. Chemnitz C., Weigelt J. SOIL ATLAS: Facts and figures about Earth, land and fields. Posdam: Heinrich Böll Foundation, Institute for Advanced Sustainability, 2015.
3. Smith Z. A. The environmental policy paradox. Pearson Higher Ed, 2012.
4. World Bank. Sustainable Land Management: Challenges, Opportunities, and Trade-offs. World Bank, 2006.
5. Davy B. Polyrational property: rules for the many uses of land. *International Journal of the Commons*, 2014, no. 8 (2).
6. Altman J., Jackson, S. Indigenous land and sea management. Ten Commitments Revisited: Securing Australia's Future Environment. CSIRO Publishing, Collingwood, 2014, pp. 207–216.
7. Swallow B., Meinzen-Dick R. S., Van Noordwijk M. Localizing demand and supply of environmental services: interactions with property rights, collective action and the welfare of the poor, 2016.
8. Lai Y., Peng Y., Li B., Lin Y. Industrial land development in urban villages in China: A property rights perspective. *Habitat International*, 2014, no. 41, pp. 185–194.
9. Houghton R. A., House J. I., Pongratz J., Van der Werf G. R., DeFries R. S., Hansen M. C., Ramankutty N. Carbon emissions from land use and land-cover change. *Biogeosciences*, 2012, no. 9 (12), pp. 5125–5142.
10. Ekbia H. R., Evans T. P. Regimes of information: Land use, management, and policy. The Information Society, 2009, no. 25 (5), pp. 328–343.
11. Schwilch G., Bachmann F., Valente S., Coelho C., Moreira J., Laouina A., Reed M. S. A structured multi-stakeholder learning process for Sustainable Land Management. *Journal of environmental management*, 2012, no. 107, pp. 52–63.
12. Van Oudenhoven, A. P., Petz K., Alkemade R., Hein L., de Groot R. S. Framework for systematic indicator selection to assess effects of land management on ecosystem services. *Ecological Indicators*, no. 21, pp. 110–122.
13. Blaikie P., Brookfield H. *Land degradation and society*. Routledge, 2015.
14. Reed M. S., Buenemann M., Athlipheng J., Akhtar-Schuster M., Bachmann F., Bastin G., Evelyn A. C. Cross-scale monitoring and assessment of land degradation and sustainable land management: A methodological framework for knowledge management. *Land Degradation & Development*, 2001, no. 22 (2), pp. 261–271.
15. Schmoldt D., Kangas J., Mendoza G. A., Pesonen M. (Eds.). The analytic hierarchy process in natural resource and environmental decision making. Springer Science & Business Media, 2015, Vol. 3.
16. Robinson G. O. The Forest Service: A study in public land management. Routledge, 2013.
17. Lemmen, C., Van Oosterom P., Bennett R. The land administration domain model. *Land Use Policy*, 2015, no. 49, pp. 535–545.
18. Fuhlendorf S. D., Engle D. M., Elmore R. D., Limb R. F., Bidwell T. G. Conservation of pattern and process: developing an alternative paradigm of rangeland management. *Rangeland Ecology & Management*, 2015, no. 65 (6), pp. 579–589.

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